



COUNTY OF PLACER
Community Development/Resource Agency

Michael J. Johnson, AICP
Agency Director

**PLANNING
SERVICES DIVISION**

EJ Ivaldi, Deputy Director

HEARING DATE: February 26, 2015
ITEM NO.: 1
TIME: 10:05 am

TO: Placer County Planning Commission
FROM: Development Review Committee
DATE: February 6, 2015
SUBJECT: NORTH SHORE STATION
EXTENSION OF TIME – CONDITIONAL USE PERMIT (PCPA20080597)
PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION
SUPREVISORIAL DISTRICT 5 (MONTGOMERY)

COMMUNITY PLAN AREA: Kings Beach

GENERAL PLAN DESIGNATION: North Tahoe

ZONING: Special Area #2 "East Entry Commercial Area"

ASSESSOR PARCEL NUMBER: 090-192-061-000

STAFF PLANNER: Allen Breuch, Supervising Planner

LOCATION: 8755 North Lake Tahoe Boulevard (SR 28), approximately 570 feet north of Lake Tahoe and approximately one mile east of the intersection of State Route 28 and State Route 267.

APPLICANT: Leah Kaufman Planning and Consulting Services, on behalf of Grant Wolf, Inc.

PROPOSAL: The applicant requests approval of a three-year Extension of Time to vest a Conditional Use Permit which would allow for a two-story commercial service station approximately 2,640 square feet in floor area with four fuel pumps (8 fueling stations) and two 20,000 gallon double walled underground fuel storage tanks.

CEQA COMPLIANCE: On October 22, 2009, the Planning Commission approved the North Shore Station project and adopted a Mitigated Negative Declaration (SCH #2009092021). The Notice of Determination was filed on October 29, 2009. No change of conditions or circumstances has occurred since the original project approval that would warrant additional environmental analysis. The extension of time request is reliant upon the previously adopted Mitigated Negative Declaration to satisfy the requirements of the California Environmental Quality Act ("CEQA"). The Planning Commission will be required to make a finding to this effect.

PUBLIC NOTICES AND REFERRAL FOR COMMENTS:

Public notices detailing the receipt of the applicant's Extension of Time request were mailed to property owners of record within 300 feet of the project site on December 16, 2014. As set forth in Section 17.58.160(C) (Extensions of Time), the public notice informed all recipients that any person who objects to the requested extension of time shall notify the Planning Director, in writing, within 15 days of preparation of the notice. By the end of the 15 day period, the Director had received one letter of opposition from a Kings Beach household which opposes the original project proposal (Attachment F). Because a letter was submitted within the review period, a new public notice was prepared and distributed to property owners on February 11, 2015 that provided information about the February 26, 2015 public hearing for the Planning Commission to consider the Extension of Time. The Departments of Public Works, Engineering and Surveying Division, Environmental Health, Air Pollution Control District, and the North Tahoe Municipal Advisory Council (MAC) were transmitted copies of the notice of the application for review and comment.

BACKGROUND

On October 22, 2009, the Planning Commission approved the North Shore Station project, a two-story commercial service station approximately 2,640 square feet in floor area with four fuel pumps (8 fueling stations) and two 20,000 gallon double walled underground fuel storage tanks in the Kings Beach area.

This project was approved very close to the onset of the 2008 economic recession. As such, the applicant did not proceed immediately with Improvement Plans in the hope that the economy would improve. The original expiration date for the Conditional Use Permit (CUP) was November 2, 2012, and prior to this date, the applicant contacted Planning Services Division staff to determine the appropriate course of action to extend the expiration date to vest the CUP. At that time, the applicant was informed that, on October 19, 2010, the Board of Supervisors adopted Ordinance 5624-b, which grants an automatic two-year extension of time to all existing, valid use permits approved in Placer County as of the date of the Ordinance, regardless of whether or not the use permits are associated with a tentative map. As a result, the applicant was advised that the North Shore Station project expiration date had been extended to November 2, 2014. The applicant continued to monitor the economic recession.

In early 2014, the applicant again contacted Planning Services Division staff and stated that the economy had improved to the point that the project was once again becoming economically viable and that the development team is able to proceed. Understanding that a few months would not be enough time to complete the Improvement Plan review, the applicant applied for an Extension of Time for the CUP on October 15, 2014.

PROJECT DESCRIPTION

The applicant requests approval of a three-year Extension of Time to vest a Conditional Use Permit which would allow for a two-story commercial service station approximately 2,640 square feet in floor area with four fuel pumps (8 fueling stations) and two 20,000 gallon double walled underground fuel storage tanks in the Kings Beach area. This is the project's first request for an extension of time and would allow the Conditional Use Permit to remain valid through November 2, 2017.

SITE CHARACTERISTICS:

The project site contained the "North Shore Lodge" with eleven (11) hotel/motel units and a swimming pool that were all demolished in 2005. The site is currently unimproved except for a twenty foot (20') wide perpetual non-exclusive easement that bisects the property from north to south from North Lake Blvd (State Highway 28) to an existing Placer County neighborhood parking lot (Minnow Street parking lot with 20 public parking spaces) located directly north. The same paved access easement is proposed to provide vehicle access to the project's parking stalls and provides secondary access

for the project via Minnow Avenue. The remainder of the property is unimproved with a relatively flat (less than 5 percent slope) parcel that contains no understory or shrub vegetation.

Surrounding land uses from the site include a single-family residence and the Minnow Avenue parking lot to the north, Kings Beach car wash facility to the east, North Lake Boulevard (Highway 28) and a motel and other commercial uses to the south, and an unimproved lot and commercial uses to the west.

EXISTING LAND USE AND ZONING:

Location	Zoning	General Plan/Community Plan	Existing Conditions and Improvements
Site	Kings Beach Community Plan (Special Area#2-East Entry Commercial Area)	Commercial	Primarily undeveloped with a paved access easement to Minnow Avenue parking lot
North	Kings Beach Community Plan (Special Area#2-East Entry Commercial Area)	Commercial	Minnow Avenue public parking lot, single Family Residence
South	Kings Beach Community Plan (Special Area#2-East Entry Commercial Area)	Commercial	State Highway 28, Neighborhood Commercial
East	Kings Beach Community Plan (Special Area#2-East Entry Commercial Area)	Commercial	Kings Beach Car Wash, Neighborhood Commercial
West	Kings Beach Community Plan (Special Area#2-East Entry Commercial Area)	Commercial	Unimproved lot, Neighborhood Commercial

DISCUSSION OF ISSUES:

The public hearing for an extension of time application is not intended to be an opportunity to reconsider the original approval, but rather, an opportunity to consider whether new circumstances have arisen that should be grounds for possible denial of the extension of time. To this effect, previously discussed issues and circumstances are not sufficient, in and of themselves, to deny the request. Rather only new information, such as a significant change in the physical setting, or new or updated governing laws and practices should be considered when evaluating the request. Specifically, the Placer County Zoning Ordinance (Section 17.58.160(C) (4)) mandates that, in order to approve an extension of time request, the Planning Commission must make only the following three findings:

- 1) No change of conditions or circumstances has occurred that would have been grounds for denying the original application;
- 2) The applicant has been diligent in pursuing implementation of the permit; and
- 3) Modified conditions have been imposed which update the permit to reflect current adopted standards and ordinance requirements.

At the time of writing of this Staff Report, the County received one letter from a Kings Beach household (Attachment F, dated December 23, 2014) that objects to the project for a variety of reasons. Among these reasons are the "impacts on existing businesses," "visual impact," and "traffic safety", all of which were previously analyzed in the Mitigated Negative Declaration adopted by the

Planning Commission in 2009 or were considered during the original public hearing during the initial review of the project. As mentioned above, no changes have occurred to the project that would warrant additional environmental analysis for the extension of time request, and all potential impacts previously analyzed would be reduced through mitigation to less than significant levels.

One additional comment raised in the December 23, 2014 letter was the Area Plan Update currently being updated within the Placer County side of the Tahoe Basin. The letter expressed concern that the project would be contrary to the community visions for Kings Beach.

The proposed development and land use is compatible with and supportive of the surrounding commercial and tourist-oriented land uses in the general vicinity. The project is proposed completely within the confines of the subject parcel and is designed with natural log siding to create a Tahoe log cabin design to blend in with the surrounding mixture of residential and commercial uses and provide a visual transition from the State Highway to the Kings Beach residential neighborhood found half a block north of the project site. Staff finds the project design and use is considered compatible with the existing surrounding development.

Furthermore, there have been no formal public hearings or recommendations on the types of allowable uses within the Area Plan Update. Any future land uses will be separately analyzed and reviewed under CEQA. Any adoption of the Area Plan Update will only occur after the Update undergoes the required public review and recommendation process and consideration by both this Commission and the Placer County Board of Supervisors. Therefore, the existing April 1996 Kings Beach Community Plan continues to be the adopted plan that governs proposed land uses, which includes service stations that are allowed subject to the grant of a Conditional Use Permit, which was obtain in 2009 for the North Shore Station project.

Regarding the applicant's diligence in pursuing implementation of the permit, staff notes that very few new commercial projects have proceeded to construction in Placer County since the onset of the 2008 recession. As the recession has come to an end and developers are once again considering construction opportunities, this time represents the first such opportunity in the post-recession era that projects like the North Shore Station can reasonably proceed. As such, staff has determined that "due diligence" in this case, where the project was receiving entitlement just after the 2008 recession, should not represent the same standard of "due diligence" that existed prior to the recession. In summary, simply holding the land in question and waiting until the economy recovered is the most that could have been expected from a developer in terms of pursuing the entitlement.

The third and final finding requires modified conditions to reflect current standards and ordinance requirements. The Development Review Committee has reviewed the application materials, the Mitigated Negative Declaration and the original Conditions of Approval for the North Shore Station. Aside from modifying a single condition to reflect the new expiration date, the DRC was unable to identify other specific conditions that required modification. The Best Management Practices and double walled underground fuel tanks ensure any potential water and air quality impacts are mitigated. As that time has not yet passed, the BMP's in effect will be the most current applicable. Other conditions, such as the design of the commercial building will continue to be reviewed and approved through the county's design site review process that is in place within the Tahoe Basin. As a result, no modified conditions beyond the expiration date are necessary and the intent of this finding can be met.

RECOMMENDATION:

The Development Review Committee (DRC) has concluded that the project proponent has exercised acceptable diligence through the duration of the economic recession. The DRC therefore recommends the Planning Commission take the following actions:

1. Determine the 2009 adopted Mitigated Negative Declaration remains adequate and complete and can be relied upon by the Planning Commission to approve the Extension of Time for the North Shore Station (PCPA 20080597), subject to the following finding.
2. Approve the Extension of Time for the North Shore Station (PCPA 20080597), subject to the following findings and modified conditions of approval (Attachment C).

FINDINGS:

CEQA

The Mitigated Negative Declaration for the North Shore Station project was adopted on October 22, 2009 by the Planning Commission. The adopted Mitigated Negative Declaration and adoption of findings pursuant to CEQA Guidelines Section 15162 is appropriate for the Extension of Time request as there is no evidence of substantial changes proposed in the project, no substantial changes have occurred with respect to the circumstances under which the project is undertaken, and there is no new information of substantial importance that has been identified. All previous mitigation measures remain applicable to the proposed project.

EXTENSION OF TIME:

1. No change of conditions or circumstances has occurred with the North Shore Station project that would have been grounds for denying the original application.
2. The applicant has been diligent in pursuing financing and implementation of the permit. In response to the 2008 recession, very few new commercial projects have progressed to construction, and by virtue of maintaining interest in the project, the applicant team has demonstrated diligence in pursuit to the best of their ability.
3. Modified conditions have been imposed which update the permit to reflect current adopted standards and ordinance requirements. There have been no significant changes to the North Shore Station project since the Planning Commission approval on October 22, 2009 except that one new Condition will modify the final expiration date of the Conditional Use Permit.

Respectfully submitted,



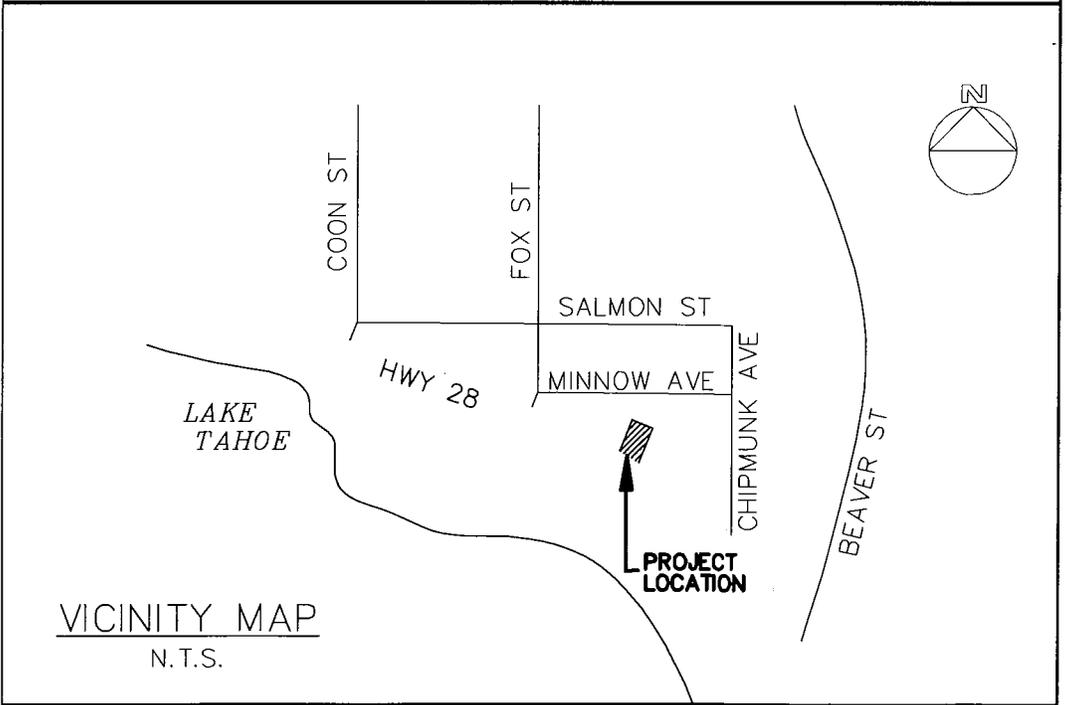
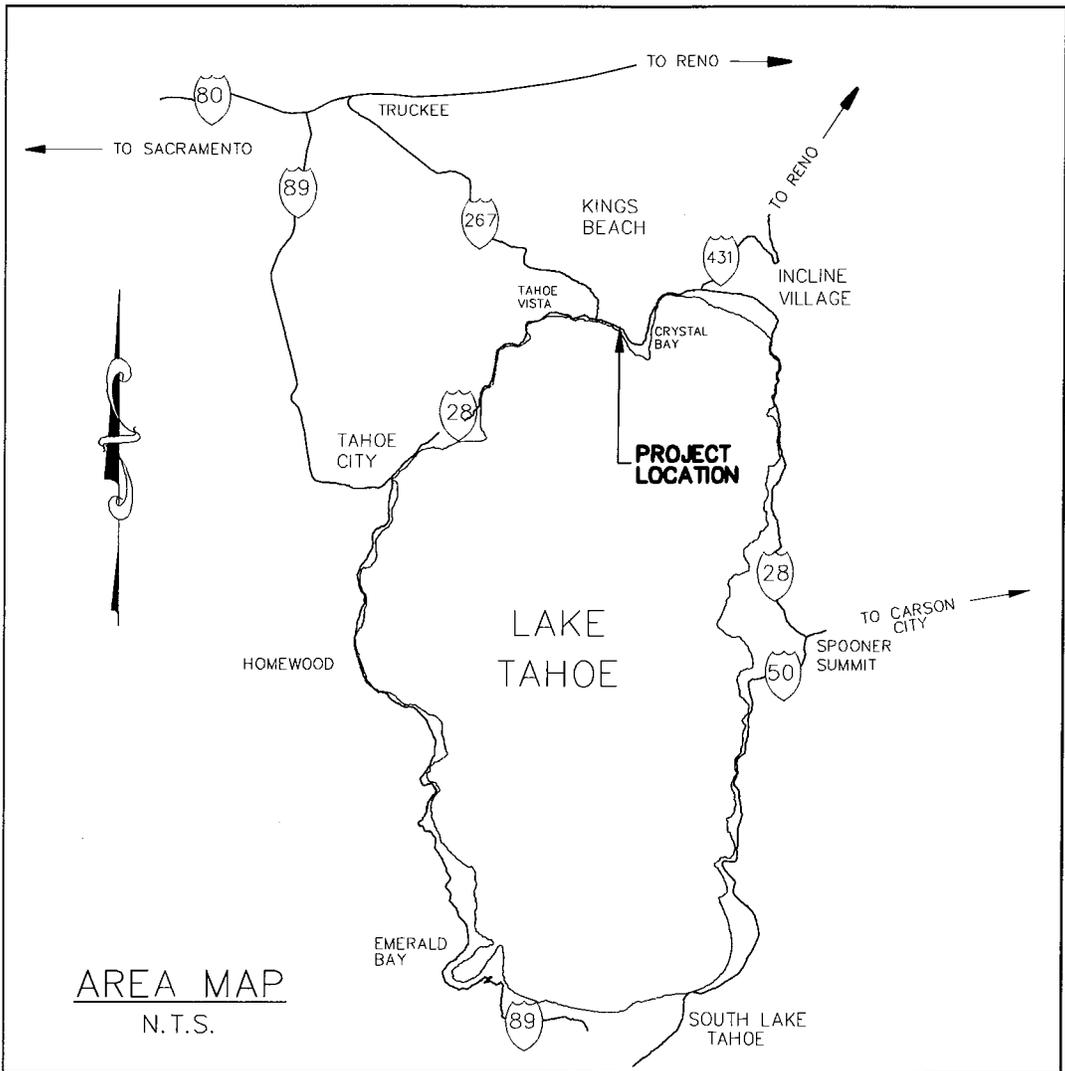
Allen Breuch, Supervising Planner

ATTACHMENTS:

- Attachment A – Vicinity Map
- Attachment B – Site Plan
- Attachment C – Recommended Modified Conditions of Approval
- Attachment D – Original Staff Report dated October 22, 2009 (excluding Attachments)
- Attachment E – Mitigated Negative Declaration previously adopted
- Attachment F – December 23, 2014 Correspondence
- Attachment G - Correspondence

cc: Peter Grant and Leah Kaufman on behalf of Leah Kaufman Planning and Consulting Services - Applicant
Sarah Gillmore – Engineering and Surveying Division
Stephanie Holloway – Department of Public Works
Justin Hansen – Environmental Health Services
Andy Fisher – Placer County Parks Division
Angel Green – Air Pollution Control District
Tim Almeda – North Tahoe Fire District
Karin Schwab – County Counsel's Office

Michael Johnson – CDRA Director
EJ Ivaldi – Deputy Planning Director
Project Review Division - TRPA
Subject file



LEGEND



**CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT
"NORTH SHORE SERVICE STATION "(PCPA 20080597)**

THE FOLLOWING CONDITIONS SHALL BE SATISFIED BY THE APPLICANT, OR AN AUTHORIZED AGENT. THE SATISFACTORY COMPLETION OF THESE REQUIREMENTS SHALL BE DETERMINED BY THE DEVELOPMENT REVIEW COMMITTEE (DRC), COUNTY SURVEYOR, AND/OR THE PLANNING COMMISSION.

1. This Conditional Use Permit (PCPA 20080597) allows for a two-story commercial service station approximately 2,640 square feet of floor area with four fuel pumps (8 fueling stations) and two 20,000 gallon double walled underground fuel storage tanks. (PD)

On February 26, 2015 the Planning Commission took action to approve a three-year extension of time. (Condition 1 and 56 were modified)

IMPROVEMENT PLANS

2. The project is subject to review and approval by the Placer County Design Site Review Committee (DSRC). Such review shall be conducted prior to the submittal of the Improvement Plans and shall include, but not be limited to: Architectural colors, materials, and textures of all structures; landscaping; irrigation; signs; exterior lighting; pedestrian and vehicular circulation; fences and walls; tree impacts, tree removal, tree replacement areas, entry features, etc. (PD)

3. Landscape Plan: The Improvement Plans shall provide details of the location and specifications of all proposed landscaping and irrigation -- for the review and approval of the DSRC and DRC (PD)

4. Lighting Plan: Concurrent with submittal of Improvement Plans, a detailed lighting and photometric plan shall be submitted to the DRC for review and approval, which include the following:

A) The site lighting plan shall demonstrate compliance with the Kings Beach Community Plan and the Placer County Design Guidelines. The night lighting design shall be designed to minimize impacts to adjoining and nearby land uses. No lighting is permitted on top of structures.

B) Site lighting fixtures in parking lots shall be provided by the use of high pressure sodium, mounted on poles not to exceed 14 feet in height. The sign pole materials and colors shall be such that the pole will blend into the landscape (i.e., black, bronze, or dark bronze). All site lighting in parking lots shall be full cut-off design so that the light

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source is fully screened to minimize the impacts discussed above. Wall pack or other non cut-off lighting shall not be used.

C) Building lighting shall be shielded and downward directed such that the bulb or ballast is not visible. Lighting fixture design shall complement the building colors and materials and shall be used to light entries, soffits, covered walkways and pedestrian areas such as plazas. Roof and wall pack lighting shall not be used. Lighting intensity shall be of a level that only highlights the adjacent building area and ground area and shall not impose glare on any pedestrian or vehicular traffic.

D) Landscape lighting may be used to visually accentuate and highlight ornamental shrubs and trees adjacent to buildings and in open spaces. Lighting intensity shall be of a level that only highlights shrubs and trees and shall not impose glare on any pedestrian or vehicular traffic. **(PD)**

5. The applicant shall prepare and submit Improvement Plans, specifications and cost estimates (per the requirements of Section II of the Land Development Manual [LDM] that are in effect at the time of submittal) to the Engineering and Surveying Department (ESD) for review and approval. The plans shall show all conditions for the project as well as pertinent topographical features both on- and off-site. All existing and proposed utilities and easements, on-site and adjacent to the project, which may be affected by planned construction, shall be shown on the plans. All landscaping and irrigation facilities within the public right-of-way (or public easements), or landscaping within sight distance areas at intersections, shall be included in the Improvement Plans. The applicant shall pay plan check and inspection fees. (NOTE: Prior to plan approval, all applicable recording and reproduction cost shall be paid). The cost of the above-noted landscape and irrigation facilities shall be included in the estimates used to determine these fees. It is the applicant's responsibility to obtain all required agency signatures on the plans and to secure department approvals. If the Design/Site Review process and/or DRC review is required as a condition of approval for the project, said review process shall be completed prior to submittal of Improvement Plans. Record drawings shall be prepared and signed by a California Registered Civil Engineer at the applicant's expense and shall be submitted to the ESD prior to acceptance by the County of site improvements.

Conceptual landscape plans submitted prior to project approval may require modification during the Improvement Plan process to resolve issues of drainage and traffic safety. **(MM VI.1)**
(ESD)

6. All proposed grading, drainage improvements, vegetation and tree removal shall be shown on the Improvement Plans and all work shall conform to provisions of the County Grading Ordinance (Ref. Article 15.48, Placer County Code) that are in effect at the time of submittal. No grading, clearing, or tree disturbance shall occur until the Improvement Plans are approved and all temporary construction fencing has been installed and inspected by a member of the DRC. All

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cut/fill slopes shall be at 2:1 (horizontal:vertical) unless a soils report supports a steeper slope and the Engineering and Surveying Department (ESD) concurs with said recommendation.

The applicant shall revegetate all disturbed areas. Revegetation undertaken from April 1 to October 1 shall include regular watering to ensure adequate growth. A winterization plan shall be provided with project Improvement Plans. It is the applicant's responsibility to assure proper installation and maintenance of erosion control/winterization during project construction. Where soil stockpiling or borrow areas are to remain for more than one construction season, proper erosion control measures shall be applied as specified in the Improvement Plans/Grading Plans. Provide for erosion control where roadside drainage is off of the pavement, to the satisfaction of the ESD.

Submit to the ESD a letter of credit or cash deposit in the amount of 110% of an approved engineer's estimate for winterization and permanent erosion control work prior to Improvement Plan approval to guarantee protection against erosion and improper grading practices. Upon the County's acceptance of improvements, and satisfactory completion of a one-year maintenance period, unused portions of said deposit shall be refunded to the project applicant or authorized agent.

If, at any time during construction, a field review by County personnel indicates a significant deviation from the proposed grading shown on the Improvement Plans, specifically with regard to slope heights, slope ratios, erosion control, winterization, tree disturbance, and/or pad elevations and configurations, the plans shall be reviewed by the DRC/ESD for a determination of substantial conformance to the project approvals prior to any further work proceeding. Failure of the DRC/ESD to make a determination of substantial conformance may serve as grounds for the revocation/modification of the project approval by the appropriate hearing body. **(MM VI.2) (ESD)**

7. Water quality Best Management Practices, shall be designed according to the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction, for New Development/ Redevelopment, and/or for Industrial and Commercial, (and/or other similar source as approved by the Engineering and Surveying Department).

Construction (temporary) Best Management Practices for the project include, but are not limited to: filter fabric, revegetation techniques and protective fencing.

Storm drainage from on and offsite impervious surfaces (including roads) shall be collected and routed through specially designed catch basins, vegetated swales, vaults, infiltration basins, water quality basins, filters, etc. for entrapment of sediment, debris and oils/greases or other identified pollutants, as approved by the Engineering and Surveying Department. Best Management Practices shall be designed at a minimum in accordance with the Placer County Guidance Document for Volume and Flow-Based Sizing of Permanent Post-Construction Best Management Practices for Stormwater Quality Protection. Post-development (permanent) Best Management Practices for the project include, but are not limited to: infiltration structures. No

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water quality facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals.

All BMPs shall be maintained as required to insure effectiveness. The applicant shall provide for the establishment of vegetation, where specified, by means of proper irrigation. Proof of on-going maintenance, such as contractual evidence, shall be provided to ESD upon request. Maintenance of these facilities shall be provided by the project owners/permittees unless, and until, a County Service Area is created and said facilities are accepted by the County for maintenance. Contractual evidence of a monthly parking lot sweeping and vacuuming and catch basin cleaning program shall be provided to the ESD upon request. Failure to do so will be grounds for discretionary permit revocation. Prior to Improvement Plan approval, easements shall be created and offered for dedication to the County for maintenance and access to these facilities in anticipation of possible County maintenance. **(MM VI.5) (ESD)**

8. Projects with ground disturbance exceeding one-acre that are subject to construction stormwater quality permit requirements of the National Pollutant Discharge Elimination System program shall obtain such permit from the State Regional Water Quality Control Board and shall provide to the Engineering and Surveying Department evidence of a state-issued WDID number or filing of a Notice of Intent and fees prior to start of construction. **(MM VI.6) (ESD)**

9. Prior to Improvement Plan approval, provide the Engineering and Surveying Department with permits/comments from TRPA and/or Lahontan Regional Water Quality Control Board indicating their approval. **(MM VIII.3) (ESD)**

10. Submit to the Engineering and Surveying Department, for review and approval, a geotechnical engineering report produced by a California Registered Civil Engineer or Geotechnical Engineer. The report shall address and make recommendations on the following:

- A) Road, pavement, and parking area design
- B) Structural foundations, including retaining wall design (if applicable)
- C) Grading practices
- D) Erosion/winterization
- E) Special problems discovered onsite, (i.e., groundwater, expansive/unstable soils, etc.)
- F) Slope stability

Once approved by the Engineering and Surveying Department, two copies of the final report shall be provided to the Engineering and Surveying Department and one copy to the Building Department for their use. If the soils report indicates the presence of critically expansive or other soils problems which, if not corrected, could lead to structural defects, a certification of completion of the requirements of the soils report will be required prior to issuance of Building Permits. It is the responsibility of the developer to provide for engineering inspection and certification that earthwork has been performed in conformity with recommendations contained in the report. **(MM VI.3) (ESD)**

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11. Staging Areas: Stockpiling and/or vehicle staging areas shall be identified on the Improvement Plans and located as far as practical from existing dwellings and protected resources in the area. **(MM VI.4) (ESD)**

12. All storm drain inlets and catch basins within the project area shall be permanently marked/embossed with prohibitive language such as “No Dumping! Flows to Creek” or other language as approved by the Engineering and Surveying Department (ESD) and/or graphical icons to discourage illegal dumping. Message details, placement, and locations shall be included on the Improvement Plans. The property owners’ association is responsible for maintaining the legibility of these messages.
(ESD)

13. Prepare and submit with the project Improvement Plans, a drainage report in conformance with the requirements of Section 5 of the LDM and the Placer County Storm Water Management Manual that are in effect at the time of submittal, to the Engineering and Surveying Department for review and approval. The report shall be prepared by a Registered Civil Engineer and shall, at a minimum, include: A written text addressing existing conditions, the effects of the improvements, all appropriate calculations, a watershed map, increases in downstream flows, proposed on- and off-site improvements and drainage easements to accommodate flows from this project. The report shall identify water quality protection features and methods to be used both during construction and for long-term post-construction water quality protection. "Best Management Practice" (BMP) measures shall be provided to reduce erosion, water quality degradation, and prevent the discharge of pollutants to stormwater to the maximum extent practicable. **(MM VIII.1) (ESD)**

14. All stormwater runoff shall be diverted around trash storage areas to minimize contact with pollutants. Trash container areas shall be screened or walled to prevent off-site transport of trash by the forces of water or wind. Trash containers shall not be allowed to leak and must remain covered when not in use. **(ESD)**

15. Materials with the potential to contaminate stormwater that are to be stored outdoors shall be placed in an enclosure such as, but not limited to, a cabinet, shed, or similar structure that prevents contact with runoff or spillage to the stormwater conveyance system, or protected by secondary containment structures such as berms, dikes, or curbs. The storage area shall be paved to contain leaks and spills and shall have a roof or awning to minimize collection of stormwater within the secondary containment area. **(ESD)**

16. The fuel dispensing area shall be covered with an overhanging roof structure or canopy. The canopy shall not drain onto the fuel dispensing area, and the canopy downspouts must be

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routed to prevent drainage across the fueling area. The fuel dispensing area shall be paved with Portland cement concrete and have a minimum 2% slope, with separation from the rest of the site by a grade break to prevent run-on of stormwater. **(ESD)**

17. Provide the Engineering and Surveying Department with a letter from the appropriate fire protection district describing conditions under which service will be provided to this project. Said letter shall be provided prior to the approval of Improvement Plans, and a fire protection district representative's signature shall be provided on the plans. **(ESD)**

18. The Improvement Plans shall be approved by the water supply entity for water service, supply, and maintenance. The water supply entity shall submit to the Department of Environmental Health Services and the Engineering and Surveying Department a "will-serve" letter or a "letter of availability" from the water district indicating that the agency has the ability and system capacity to provide the project's domestic and fire protection water quantity needs. **(ESD)**

ROADS/TRAILS

19. Obtain an Encroachment Permit from Caltrans for any work proposed within the State Highway right-of-way. A copy of said Permit shall be provided to the Engineering and Surveying Department prior to the approval of the Improvement Plans. Provide right-of-way dedications to the State, as required, to accommodate existing and future highway improvements.

Caltrans will not issue an Encroachment Permit for work within their right-of-way for improvements (other than signals, road widening, striping and signing) without first entering into a Landscape Maintenance Agreement with the County. This agreement allows for private installation and maintenance of concrete curb/gutters, sidewalks, trails, landscaping and irrigation within Caltrans' right-of-way. A similar agreement between the County and the applicant is required prior to the County entering into the agreement with Caltrans. If applicable, both of these maintenance agreements shall be executed prior to approval of the Improvement Plans. **(MM XV.2)(ESD)**

20. Prior to Improvement Plan approval, the applicant shall provide to the ESD a fee in-lieu of construction in the amount of 135% of an approved engineer's estimate for the design and construction of all improvements that are required for the Kings Beach Community Plan Urban Improvements along SR 28 as required by the Kings Beach Community Plan. This security will satisfy this project's requirement to construct the Community Plan frontage improvements. **(ESD)**

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21. Final approval of on-site and off-site waterline, sewerline, and storm drain routes must be obtained from the DRC. **(ESD)**

22. All on-site parking and circulation areas shall be improved with a minimum asphaltic concrete or Portland cement surface capable of supporting anticipated vehicle loadings.

It is recommended that the pavement structural section be designed in accordance with recommendations of a soils/pavement analysis and should not be less than 2" AC over 4" Class 2 AB, or the equivalent. **(ESD)**

PUBLIC SERVICES

23. Provide to DRC "will-serve" letters from the following public service providers prior to Improvement Plan approvals, as required:

- A) Sierra Pacific Power Co
- B) North Tahoe Public Utility District
- C) Southwest Gas
- D) Pacific Bell
- E) Refuse Collection Company

If such "will serve" letters were obtained as a part of the environmental review process, and are still valid, (received within one year) they shall not be required again. **(ESD)**

24. The owner or occupant of the property shall subscribe to weekly mandatory refuse collection services from the refuse collection franchise holder. **(EHS)**

25. Prior to the approval of the Improvement Plans, provide the DRC with proof of notification (in the form of a written notice or letter) of the proposed project to:

- A) Tahoe Truckee Joint School District
- B) The Placer County Sheriff's Office

(ESD)

GENERAL DEDICATIONS/EASEMENTS

26. Provide the following easements/dedications on the Improvement Plans to the satisfaction of the Engineering and Surveying Department (ESD) and DRC:

- A) Public utility easements as required by the serving utilities. **(ESD)**
- B) Slope easements for cuts and fills outside the highway easement.
- C) Drainage easements as appropriate. **(ESD)**
- D) Landscape easements as appropriate. **(ESD)**

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E) Provide private easements for existing or relocated water lines, service/distribution facilities, valves, etc., as appropriate. **(ESD)**

F) Provide an Irrevocable Offer of Dedication on the Improvement Plans to the satisfaction of the Engineering and Surveying Department and Design Review Committee for easements as required for access to, and protection and maintenance of post-construction water quality enhancement facilities (Best Management Practices). Said facilities shall be privately maintained until such time as the Board of Supervisors accepts the offer of dedication. **(MM VIII.2) (ESD)**

G) Fire protection and access easements as required by the servicing fire district. **(ESD)**

H) Dedicate 12.5' multi-purpose easements adjacent to all highway easements. **(ESD)**

VEGETATION AND OTHER SENSITIVE NATURAL AREAS

27. Tree Removal: Trees identified for removal shall be mitigated through the following:

A) The project proponent shall provide an environmental document from a qualified professional to develop and implement a plan to replace lost habitat function and values by enhancing appropriate habitats that replaces these lost values and accounts for temporal loss (i.e. at a compensatory replacement ratio of not less than 2:1, or payment into the Placer County Tree Preservation Fund).

B) The replanting of any disturbed areas as a result of the proposed redevelopment shall be done in consultation with a qualified botanist to ensure that no non-native species are planted on site. All replanting of disturbed areas as identified on the landscape plan shall be replanted with native species occurring locally in the Tahoe basin. **(MM) (PD)**

28. Temporary Construction Fencing: The applicant shall install a 4' tall, brightly colored (usually yellow orange), synthetic mesh material fence (or an equivalent approved by the DRC) at the following locations prior to any construction equipment being moved on-site or any construction activities taking place:

- At the limits of construction, outside the dripline of all trees 6" dbh (diameter at breast height), or 10" dbh aggregate for multi-trunk trees, within 50' of any grading, road improvements, underground utilities, or other development activity.

No development of the site, including grading, will be allowed until this mitigation is satisfied. Any encroachment within these areas, including driplines of trees to be saved, must first be approved by the DRC. Temporary fencing shall not be altered during construction without written approval of the DRC. No grading, clearing, storage of equipment or machinery, etc., may occur until a representative of the DRC has inspected and approved all temporary construction fencing. This includes both on-site and off-site improvements. Efforts should be

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made to save trees where feasible. This may include the use of retaining walls, planter islands, pavers, or other techniques commonly associated with tree preservation. **(MM) (PD)**

CULTURAL RESOURCES

29. 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. 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 and Native American Heritage Commission 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. **(PD)**

30. Prior to submittal of Improvement Plans, the applicant shall provide written evidence to the Planning Department that a qualified paleontologist has been retained by the applicant to observe grading activities and salvage fossils as necessary. The paleontologist shall establish procedures for paleontological resource surveillance and shall establish, in cooperation with the project developer, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of fossils. If major paleontological resources are discovered, which require temporary halting or redirecting of grading, the paleontologist shall report such findings to the project developer, and to the Placer County Department of Museums and Planning Department.

The paleontologist shall determine appropriate actions, in cooperation with the project developer, which ensure proper exploration and/or salvage. Excavated finds shall be offered to a State-designated repository such as Museum of Paleontology, U.C. Berkeley, the California Academy of Sciences, or any other State-designated repository. Otherwise, the finds shall be offered to the Placer County Department of Museums for purposes of public education and interpretive displays.

These actions, as well as final mitigation and disposition of the resources shall be subject to approval by the Department of Museums. The paleontologist shall submit a follow-up report to the Department of Museums and Planning Department which shall include the period of inspection, an analysis of the fossils found, and present repository of fossils. **(PD)**

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FEES

31. Pursuant to Section 21089 (b) of the California Public Resources Code and Section 711.4 et. Seq. of the Fish and Game Code, the approval of this permit/project shall not be considered final unless the specified fees are paid. The fees required for this project is \$2,043.00. Without the appropriate fee, the Notice of Determination is not operative, vested or final and shall not be accepted by the County Clerk. **NOTE: The above fee shall be submitted to the Planning Department within 5 days of final project approval. (PD)**

32. This project will be subject to the payment of traffic impact fees that are in effect in this area (Tahoe Fee District), pursuant to applicable Ordinances and Resolutions. The applicant is notified that the following traffic mitigation fee(s) will be required and shall be paid to Placer County DPW prior to issuance of any Building Permits for the project:

A) County Wide Traffic Limitation Zone: Article 15.28.010, Placer County Code

The current estimated fee is \$19,242.46 on the project description provided (2,640 square foot convenience market with 8 gas pumps) and gives a fee credit for the previous motel use on the site. The fees were calculated using the information supplied. If either the use or the square footage changes, then the fees will change. The actual fees paid will be those in effect at the time the payment occurs. **(MM XV.1) (ESD)**

ENVIRONMENTAL HEALTH

33. Within 30 days of occupancy, the property owner or occupant shall submit payment of required fees, a Hazardous Materials Business Plan, and a Spill Prevention Control and Countermeasures Plan to Environmental Health Services. PLEASE NOTE: "Hazardous" materials, as defined in Health and Safety Code Division 20, Chapter 6.95, Articles 1 & 2, shall not be allowed on any premises in regulated quantities without notification to EHS. **(EHS)**

34. The discharge of fuels, oils, or other petroleum products, chemicals, detergents, cleaners, or similar chemicals to the surface of the ground or to drainage ways on or adjacent to the site is prohibited. **(EHS)**

35. This project shall comply with the hazardous waste generator and hazardous waste management requirements of the California Health & Safety Code, Chapter 6.5 and the California Code of Regulations, Title 22. **(EHS)**

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36. If at any time during excavation, grading, or during the course of constructing the proposed project, evidence of soil or groundwater contamination with hazardous materials is encountered, the applicant shall immediately stop the project and contact the EHS Hazardous Materials Section. The project shall remain stopped until there is resolution of the contamination problem to the satisfaction of EHS and the Lahontan RWQCB. A note to this effect shall be placed on the Improvement Plans. **(EHS)**

37. Prior to Building Permit issuance for the Food Facility, contact EHS, pay required fees, and apply for a plan check. Submit to EHS for review and approval complete construction plans and specifications as specified by EHS. **(EHS)**

38. Prior to opening for business, the applicant/operator shall contact EHS, pay required fees, and obtain a permit to operate a food facility. All food handling operations shall comply with the requirements of Placer County Code and the California Food Code. **(EHS)**

39. Prior to Building Permit issuance for the gas station, contact EHS, pay required fees, and apply for a plan check for installation of an underground storage tank system. Submit to EHS for review and approval complete construction plans and specifications as specified by EHS. **(EHS)**

40. Prior to opening for business, the applicant/operator shall contact EHS, pay required fees, and obtain an underground storage tank operating permit. All underground storage tank system operations shall comply with the requirements of Placer County Code, the California Code of Regulations and the California Health and Safety Code. **(EHS)**

41. **PLEASE NOTE:** If Best Management Practices are required by the Engineering and Surveying for control of urban runoff pollutants, then any hazardous materials collected during the life of the project shall be disposed of in accordance with all applicable hazardous materials laws and regulations. **(EHS)**

42. During construction, temporary storage and use of hazardous substances shall comply with Fire and EHS regulations and requirements, and spill prevention practices shall be used. **(EHS)**

43. This project will be required to install bear resistant garbage containers as required by Placer County Code, Section 8.16. **(EHS)**

AIR POLLUTION

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44. The applicant shall obtain an Authority to Construct (ATC) permit from the Placer County Air Pollution Control District (APCD) for the gasoline dispensing facility prior to the approval of improvement plans. A third-party detailed Health Risk Assessment may be required as part of this permitting process.

MISCELLANEOUS CONDITIONS

45. The applicant shall, upon written request of the County, defend, indemnify, and hold harmless the County of Placer (County), the County Planning Commission, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorneys fees awarded by a court, arising out of or relating to the processing and/or approval by the County of Placer of that certain development project known as the Kings Beach service station (the Project). The applicant shall, upon written request of the county, pay or, at the County's option, reimburse the County for all costs for preparation of an administrative record required for any such action, including the costs of transcription, County staff time, and duplication. The County shall retain the right to elect to appear in and defend any such action on its own behalf regardless of any tender under this provision. This indemnification obligation is intended to include, but not be limited to, actions brought by third parties to invalidate any determination made by the County under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for the Project or any decisions made by the county relating to the approval of the Project. Upon request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provisions of this condition. **(CC)**

46. The project shall comply with all provisions and standards set forth by the Tahoe Regional Planning Agency (TRPA), North Tahoe Fire Protection District, and Caltrans. **(PD)**

47. No automotive repair is permitted, allowed or shall be maintained at the site. The storage of motor vehicles and/or trailers at the site is prohibited.

48. A security video camera shall be installed and operational to the satisfaction of the Placer County Sheriff's Office prior to the service station Certificate of Occupancy (CofO).

49. The applicant shall install a six foot "bucket weave" solid wood fence to match the Minnow Street parking lot fencing along the rear property line. Specifically, to continue the Brook Street parking lot fencing approximately 50 feet between the project site and 8856 Minnow Street (APN 090-192-008).

50. Any signs being proposed at the site require an approved Placer County sign permit prior to their display. No banners or "A"-frame signs are permitted at the site.

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51. The development shall be required to construct the community plan improvements, (sidewalk, pavers, street trees and lighting) or pay cash in lieu of construction. When cash in lieu is paid, it will be placed into the Kings Beach Community Plan Improvement fund for the County to use at a future date for the Kings Beach Community Plan improvements.

52. During project construction, staking shall be provided pursuant to Section 5-1.07 of the County General Specifications. **(ESD)**

53. Any entrance structure proposed by the applicant shall be reviewed and approved by the DRC, shown on the project Improvement Plans, and shall be located such that there is no interference with driver sight distance as determined by the Engineering and Surveying Department, and shall not be located within the right-of-way. **(ESD)**

54. Utility pole(s) should be relocated / underground out of the sidewalk / right of way to a position approved by the County, state, utility company or other entity as applicable. **(ESD)**

55. Prior to improvement plans approval, the applicant shall record a voluntary merger to consolidate all lots on the subject property.

EXERCISE OF PERMIT

56. The applicant shall have 24 months to exercise this Conditional Use Permit. Unless exercised, this approval shall expire on November 2, 2011. The Conditional Use Permit shall be considered exercised when a Building Permit has been issued, and construction of a building foundation has been started pursuant to Section 17.58.160, of the Zoning Ordinance. **(PD)**

The applicant shall have 36 months to exercise this Conditional Use Permit. Unless exercised, this approval shall expire on November 2, 2017. On October 19, 2010 the Board of Supervisors approved an Ordinance (5624-B) granting automatic extension of time for certain county development entitlements. This project was approved for a two-year extension of time, approval to expire on November 2, 2014.

On February 26, 2015 the Planning Commission granted a three-year extension of time, this approval shall expire on November 2, 2017. (PD)

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COUNTY OF PLACER
Community Development Resource Agency

Michael J. Johnson, AICP
Agency Director

PLANNING

HEARING DATE: October 22, 2009
ITEM NO.: 2
TIME: 10:20 am

TO: Placer County Planning Commission
FROM: Development Review Committee
DATE: October 13, 2009
SUBJECT: Conditional Use Permit- Bill Fallon and Leah Kaufman, North Shore Station
(PCPA T2008 0597)

GENERAL PLAN: North Tahoe

COMMUNITY PLAN AREA: Kings Beach

COMMUNITY PLAN DESIGNATIONS/ZONING: Special Area #2: "East Entry Commercial Area"

STAFF PLANNER: Allen Breuch

LOCATION:

The project site comprises of 0.426 acres and is located at 8755 North Lake Tahoe Boulevard (SR 28), approximately 570 feet north of Lake Tahoe and about one mile east of the intersection of State Route 28 and State Route 267 (Assessor Parcel Number 090-192-061).

APPLICANT: Bill Fallon, Leah Kaufman on behalf of Leah Kaufman Planning and Consulting Services and Kristina Hill on behalf of Hill Planning.

PROPOSAL:

The applicants are requesting approval of a Conditional Use Permit for a two-story commercial service station approximately 2,640 square feet in floor area with four fuel pumps (8 fueling stations) and two 20,000 gallon double walled underground fuel storage tanks.

CEQA COMPLIANCE:

A Mitigated Negative Declaration, Placer County Application PCPA 20080597, was prepared for the proposed project. Although the initial study determined that the proposed project could have a significant effect on the environment, the mitigation measures described within the Initial Study have been incorporated into the project and consequently impacts have been reduced to a less than significant level. The Mitigated Negative Declaration was circulated to the State Clearinghouse (SCH #2009092021) and the comment period closed on October 7, 2009. Written comments were received and have been incorporated into the staff report as Attachment D. The issues raised are discussed within the "Public Comments" section of this staff report and/or incorporated into the conditions of approval.

PUBLIC NOTICES AND REFERRAL FOR COMMENTS:

Public notices were mailed to property owners of record within 300 feet of the project site. Community Development Resource Agency staff and the Departments of Public Works, Environmental Health, Placer County Sheriff's Office-Tahoe, North Tahoe Fire Protection District, 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.

PROJECT DISCRPTION:

The applicants are requesting approval of a Conditional Use Permit (CUP) to allow a 2,640 square foot two-story commercial service station, including two-second floor decks, and a 2,132 square foot open canopy covering four fueling stations (8 fueling pumps). The detached commercial building is designed as a log structure with 10" pine logs and composite shingles. The structure will house the proposed convenience store/service station on the ground floor with approximately 1,582 square feet in floor area with an open breeze way to the second floor. The second floor is 1,058 square feet in size and includes the station manager's office and a future retail use. A total of eleven parking spaces (including one disabled parking space) and a twelfth delivery parking/loading space are proposed with the project. The delivery loading/unloading parking space would be located at the rear of the convenience store and the disabled parking space would be located at the front of the commercial storefront. The remaining ten (10) perpendicular parking spaces are proposed at the western portion of the property along a landscaped strip between the property line and the project. Access to the property site would be provided via two driveways located off of North Lake Boulevard (Highway 28). On-site improvements also include landscaping, automatic irrigation, permanent Best Management Practices (BMP's) for water quality improvements, and future off-site community plan improvements (sidewalk, street benches and trees).

A detached four-column 2,132 square foot canopy would be located at the front of the convenience/service station to provide shelter for the eight fuel pumps containing the retail sale of unleaded, supreme and diesel fuels. To the east of the canopy, two 20,000-gallon underground fuel storage tanks would be installed to serve the fuel pumps. No automobile service bay doors or automobile repair is proposed and staff is recommending a condition of approval to prohibit automotive repair as part of this project. A freestanding sign, measuring approximately 14 feet in height, would be located at the front of the property to advertise the future station tenant(s) and gasoline prices along the highway.

BACKGROUND:

A Conditional Use Permit (CUP) is required for a service station use within the Kings Beach Community Plan (Special Area#2-East Entry Commercial Area).

A Mitigated Negative Declaration was prepared for the project and was routed to the State Clearinghouse for a 30-day public review that ended on October 7, 2009. Caltrans provided comment that the site plan is acceptable, but suggested that the easterly driveway could be eliminated with the future Kings Beach Commercial Corridor project and that a shared access way with the adjacent Kings Beach car wash business should be considered. The applicant has begun discussion with the adjacent easterly property owner about a future shared access way between the businesses, but the applicant is not proposing to remove the easterly driveway from the proposed project. The State Native American Heritage Commission also provided comment on the project that there is a known archaeological site within 1.5 miles from the site and a mitigation plan for the identification and evaluation of accidentally identified archeological resources should be incorporated with the project. County staff has provided the appropriate mitigation measures that if any inadvertent discovery of cultural materials is made during project related construction activities, all ground disturbances shall be halted and a qualified professional archeologist will be notified regarding the discovery and develop appropriate mitigation measures if the find is significant.

The North Tahoe Regional Advisory Council (NTRAC) reviewed the project as an informational non-action item on May 14, 2009, and as an action item for recommendation to County staff on September 10, 2009 and October 8, 2009. At the October 8th NTRAC meeting, staff and the applicants made a presentation explaining the status of the project including the 30-day environmental review period addressing potential environmental impacts. The discussion also included the next steps of review and approval process including the Planning Commission hearing and the subsequent Site/Design Review by the County through the North Tahoe Design Site/Review Committee.

Correspondence has been received on the project including nineteen (19) letters and e-mails in support of the project, two (2) correspondences that were indifferent and four (4) in opposition of the project (correspondences Attachment D). The correspondence in support of the project focused on the project as a redevelopment opportunity and how the project would benefit the community with an appropriate use designed to the site constraints. The letters in opposition were questioning whether another gas station is appropriate in Kings Beach, and whether the project is a sound environmental choice since several existing gas stations are abandoned. Lastly, opponents were concerned that the project does not meet the visions of the community. Staff has addressed the environmental concerns in the environmental document and has outlined them in the discussion part of the staff report. NTRAC had the opportunity to review the correspondences and voted unanimously, with one abstention, to recommend the project for approval to the Planning Commissions at their October 22, 2009 meeting.

SITE CHARACTERISTICS:

The project site previously contained the "North Shore Lodge" with eleven (11) hotel/motel units and a swimming pool that were all demolished in 2005. The site is currently unimproved except for a twenty foot (20') wide perpetual non-exclusive easement that bisects the property from

north to south from North Lake Blvd (State Highway 28) to an existing Placer County Redevelopment neighborhood parking lot (Minnow Street parking lot with 20 public parking spaces) located directly north. The same paved access easement is proposed to provide vehicle access to the project's parking stalls and provides secondary access for the project via Minnow Avenue. The remainder of the property is unimproved with a relatively flat (less than 5 percent slope) parcel that contains no understory or shrub vegetation.

Surrounding land uses from the site include a single-family residence and the Minnow Avenue parking lot to the north, Kings Beach car wash facility to the east, North Lake Boulevard (Highway 28) and a motel and other commercial uses to the south, and an unimproved lot and commercial uses to the west.

EXISTING LAND USE AND ZONING:

	LAND USE		ZONING
SITE	Undeveloped land		Kings Beach Community Plan (Special Area#2-East Entry Commercial Area)
NORTH	Minnow parking lot/Residence	single-family	Kings Beach Community Plan (Special Area#2-East Entry Commercial Area)
SOUTH	Highway 28/Neighborhood Commercial		Kings Beach Community Plan (Special Area#2-East Entry Commercial Area)
EAST	Kings Beach Car Wash		Kings Beach Community Plan (Special Area#2-East Entry Commercial Area)
WEST	Unimproved lot/Commercial	Neighborhood	Kings Beach Community Plan (Special Area#2-East Entry Commercial Area)

DISCUSSION OF ISSUES:

General Plan Community Plan/Zoning Consistency

The project site is located within the boundaries of the Kings Beach Community Plan (Special Area#2-East Entry Commercial Area) and designated for commercial service uses. Service stations are considered a special use within the Kings Beach Community Plan on the east gateway and are therefore permitted as a discretionary use through a public hearing process. The proposed project is located within the eastern gateway of the Kings Beach Community Plan on an established commercial arterial roadway link between Incline Village and Tahoe City. Staff does not consider the year around land use in conflict with the community plan/zoning requirements and has concluded that it will not detract or introduce conflicts with the established commercial businesses and land uses. The Kings Beach Community Plan envisions a downtown commercial area that functions as a "pedestrian tourist village" while the east entry way into the Kings Beach community plan area is a transition of commercial land uses along a scenic highway.

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Neighborhood Compatibility

The proposed land use is compatible with, and supportive of, the surrounding commercial and tourist-oriented land uses in the general vicinity. The project is proposed completely within the confines of the subject parcel and is designed with natural log siding to create a Tahoe log cabin design which blends in with the surrounding mixture of residential and commercial uses. The project will provide a visual transition from the State Highway to the Kings Beach residential neighborhood found half a block north of the project site. Staff finds the project design and use is considered compatible with the existing surrounding development and would not divide an established community and is therefore considered less than significant impact.

The proposed project is on State Highway 28 (North Lake Boulevard) which includes future Kings Beach street improvements such as sidewalks, street trees, benches and hardscape paves. The type and design of the future Kings Beach street improvements has not been selected in advance of the proposed project. Therefore, depending when the project will be constructed, staff has placed a condition to either have the development construct the community plan improvements, (sidewalk, pavers, street trees and lighting) or pay cash in lieu of construction. When cash in lieu is paid, it will be placed into the Kings Beach Community Plan Improvement fund for the County to use at a future date for the street improvements.

Air Quality

The proposed project is located in the Lake Tahoe Air Basin portion of Placer County where it's designated as non-attainment for the State's particulate matter standards. The proposed project will be below the District's project-only thresholds for construction and operational activities. However, the project may result in a net increase of ozone precursor's emissions that would contribute to the cumulative impacts to Lake Tahoe, unless certain mitigation measures are implemented to reduce air quality impacts to less than significant. The Initial Study identified mitigation measures including a prohibition on the operation of faulty construction equipment, the cessation of all construction work when fugitive dust exceeds Placer County standards APCD Rule 228 (fugitive dust), and the suspension of grading operations when wind speeds exceed 25 miles an hour and dust is impacting adjacent properties. Additionally, construction emissions would potentially contribute to existing nonattainment conditions in the Lake Tahoe Air Basin for PM10 emissions. The impact on local air quality from the generation of temporary construction-related emissions would be considered significant without mitigation. Implementation of air quality mitigation measures would reduce the emission of pollutants that would be generated by construction activities below the District's thresholds of significance.

Exterior Lighting

The project would increase light and glare which will introduce artificial nighttime light that could radiate upward and outward from the project site, disturbing views of the nighttime sky. Placer County Sheriff's office has provided comment to have adequate lighting for the project site to prevent loitering and have large front and side windows for a clear view to the interior to discourage criminal activity. To address these effects, the mitigated negative declaration includes a mitigation measure that requires the project to comply with the TRPA Design Review

Guidelines and the Placer County Guidelines regarding lighting. These standards will reduce impacts to a less-than-significant level, yet provide adequate lighting for the project site to help deter criminal activities. A condition was also added to the project to provide a surveillance video system that would be approved throughout Sheriff's Department to help deter criminal activities.

Landscaping and Fencing

A landscape plan and perimeter fencing plan will be required to be submitted with the Design Review application and will be reviewed for consistency with the landscaping and design site review requirements to ensure compatibility and screening with the adjoining uses. The Design Review of the project will ensure that the areas of landscaping and fencing are designed to screen the property and the new development. Staff has worked with the adjacent northerly property owner and the applicants to replace the existing wood fence that is located off the project site and replace it with the same fence design and material to the existing fence found along the Minnow Street parking lot. This will ensure property boundaries are defined and continue an established designed fence along the property line for aesthetic appeal.

Biological Resources

The proposed project will result in the removal of three (3) trees that are protected by the Placer County Tree Preservation Ordinance; one 14" Fir tree, one 9" Jeffrey Pine and one 27" pine tree. Impacts resulting from the removal of the protected trees will be mitigated by replacing trees on-site on an inch by inch basis or by payment into a Tree Preservation fund at a rate of \$100.00 per inch removed.

Geology and Soil

The project would result in the disturbance of a majority of the unimproved 0.426 acre site. The preliminary Geotechnical Investigation Report by Ferrell Civil Engineering, dated April 20, 2004 identified groundwater at a depth of about three (3) feet. Grading is associated with the installation of the building and parking areas, roadway improvements, and underground utilities and the two underground 20,000-gallon fuel tanks. The Initial Study for this project was expecting approximately 2,100 cubic yards of fill material to be imported to the site. A clarification with the projects engineering firm, Ferrell Civil Engineering, proposes soil cuts and fills of up to approximately two feet with the fuel tanks proposed at 12 feet below grade. The site earthwork is expected to result in the export of up to 250 cubic yards, with approximately 750 cubic yards of earth imported on-site to raise the site to meet the street grade and existing paved driveway that bisects the property.

The proposed grading changes to the project site are considered minor and consistent with typical commercial development in an urban core area. However, to ensure all proposed grading, drainage and other on-site improvements will be mitigated to less than significant levels, the applicant shall submit for review and approval a geotechnical engineering report and Improvement Plans. County and outside agency approvals will ensure slope stability; structural foundations, grading practices, and erosion/winterization control for the project are maintained and completed.

Hazards and Hazardous Materials

The proposed gas station will involve delivery, storage and handling of gasoline and diesel fuel. The use and storage of these products has the potential to a release that could create a hazard to the public and/or the environment. The use and storage of hazardous materials will be subject to Federal, State and Local regulations and laws. Specifically, the underground storage of hazardous materials will be regulated through the California Health and Safety Code and Title 23 of the California Code of Regulations and the Underground Storage Tanks (UST's). With these requirements, the business operator will also be under permit and inspection with the Placer County Environmental Health Services (PCEHS).

Prior to operation of the fueling station, PCEHS will ensure vacuum/pressure testing of all secondary containment tanks, associated piping, including product, vent and venting recovery piping. There will be a continued monitoring of the containment fields in the event of a breach in the primary or secondary field where detection can be made before the liquid or vapor is released to the environment. There will also be annual inspections and monitoring of the containment and detection equipment with a Hazardous Materials Business Plan that will include employee training on appropriate actions for accidental fuel spills from customers that may spill fuel at the site.

Hydrology and Water Quality

There is a potential for short-term accelerated soil erosion and sedimentation and/or release of pollutants to nearby water bodies during construction of the proposed project. Additionally, excavation during construction of the project could intercept the groundwater table, creating the potential for introduction of contaminants to groundwater. Furthermore, with the development of the project, the impervious surface area would possibly increase and/or alter runoff from the project site to down-gradient areas during storm events, including impacts to Lake Tahoe. In order to ensure that there are no potentially significant water quality impacts associated with the project and its construction, the Mitigated Negative Declaration identifies mitigation measures such as requiring the preparation of a geotechnical engineering report to prohibit grading activities during winter months, develop and implement a permanent and temporary Best Management Plan (BMP) and BMP Maintenance Plan, and develop and implement a dewatering plan and groundwater quality BMPs that would reduce the potential significant impacts to a less than significant level.

Transportation and Traffic

The proposed project creates site specific impacts on the transportation network. Development of the project will result in an increase in traffic volumes and a cumulative effect. To off-set impacts to the area's transportation system, the project is required, through the mitigation measures to pay traffic impact fees to fund the Capital Improvement Program for area roadway improvements. The current estimate for the project for traffic fees is \$18,772.62 and shall be due to the County prior to issuance of any building permits for the project.

RECOMMENDATION:

The Development Review Committee (DRC) recommends the Planning Commission approve the Conditional Use Permit (PCPA 2008 0597) for the Kings Beach Service Station.

FINDINGS:

CEQA:

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

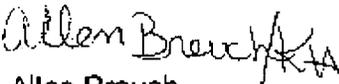
1. The Mitigated Negative Declaration has been prepared as required by law. Mitigation measures address biological resources, hydrology and water quality, soils, and transportation and traffic. With the incorporation of all mitigation measures, the project is not expected to cause any significant adverse impacts.
2. There is no substantial evidence in the record as a whole that the project 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 Mitigation Plan/Mitigation Monitoring Program prepared for the project, as set forth in Attachment E, is approved and adopted.
5. The custodian of records for the project is the Placer County Planning Director, 3091 County Center Drive, Suite 140, Auburn CA, 95603.

Conditional Use Permit

1. The proposed use is consistent with the objectives, policies, general land uses and programs as specified in the Kings Beach Community Plan and the Placer County General Plan.
2. 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.
3. The proposed use is consistent with the character of the immediate neighborhood and would not be contrary to the orderly development of the Kings Beach Community Plan.

4. 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 Kings Beach Community Plan and Placer County General Plan.
5. The proposed service station will be consistent with the character of the immediate neighborhood by and will not be contrary to its orderly development.

Respectfully submitted,


Allen Breuch
Supervising Planner

:KH

ATTACHMENTS:

- Attachment A - Conditions of Approval
- Attachment B - Vicinity Map
- Attachment C - Site Plan
- Attachment D - Written Comments
- Attachment E - Mitigated Negative Declaration

cc: Applicant Bill Fallon, Leah Kaufman on behalf of Leah Kaufman Planning and Consulting Services
Applicant Representative Kristina Hill on behalf of Hill Planning
Sarah Gillmore - Engineering and Surveying Division
Jill Kearney - Environmental Health Services
Angel Rinker - Air Pollution Control District
Vance Kimbrell - Parks Department
Scott Finley - County Counsel
Christa Darlington - County Counsel
Holly Heinzen - CEO Office
Michael Johnson - CDRA Director
Paul Thompson - Planning Deputy Director
North Tahoe Regional Advisory Committee

Subject/chrona files



COUNTY OF PLACER
Community Development Resource Agency

Michael Johnson, AICP, Agency Director

**ENVIRONMENTAL
COORDINATION
SERVICES**

Gina Langford, Coordinator

**NOTICE OF INTENT
TO ADOPT A MITIGATED NEGATIVE DECLARATION**

The project listed below was reviewed for environmental impact by the Placer County Environmental Review Committee and was determined to have no significant effect upon the environment. A proposed Mitigated Negative Declaration has been prepared for this project and has been filed with the County Clerk's office.

PROJECT: Kings Beach Gas Station (PCPA 20080597)

PROJECT DESCRIPTION: The project applicant is requesting approval of a Conditional Use Permit to construct a two-story convenience store with eight fuel pumps. The store would be approximately 2,640 square feet in size. The first floor, which would measure approximately 1,582 square feet, would contain the convenience store and the second floor, which would measure approximately 1,058 square feet, would contain an office for the owner and a lounge area for customers.

PROJECT LOCATION: 8755 North Lake Boulevard, Kings Beach, CA
The project site is located on the north side of North Lake Boulevard, between Chipmunk and Fox Streets, Placer County

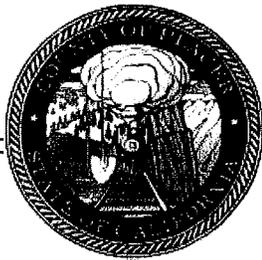
APPLICANT: Kaufman Planning, PO Box 253, Carnelian Bay, CA 96140

The comment period for this document closes on **October 7, 2009**. A copy of the Negative Declaration is available for public review at the County's web site <http://www.placer.ca.gov/Departments/CommunityDevelopment/EnvCoordSvcs/NegDec.aspx>, Community Development Resource Agency public counter, and at the Kings Beach Public 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 Environmental Coordination Services, at (530)745-3132, between the hours of 8:00 am and 5:00 pm, at 3091 County Center Drive, Auburn, CA 95603.

Newspaper: Sierra Sun

Publish Date: Wednesday, September 9, 2009

6/



COUNTY OF PLACER
Community Development Resource Agency

**ENVIRONMENTAL
COORDINATION
SERVICES**

Michael J. Johnson, AICP
Agency Director

Gina Langford, Coordinator

MITIGATED NEGATIVE DECLARATION

In accordance with Placer County ordinances regarding implementation of the California Environmental Quality Act, Placer County has conducted an Initial Study to determine whether the following project may have a significant adverse effect on the environment, and on the basis of that study hereby finds:

- 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: Kings Beach Gas Station	Plus# PCPA T20080597
Description: The project applicant is requesting approval of a Conditional Use Permit to construct a two-story convenience store with eight fuel pumps. The store would be approximately 2,640 square feet in size. The first floor, which would measure approximately 1,582 square feet, would contain the convenience store and the second floor, which would measure approximately 1,058 square feet, would contain an office for the owner and a lounge area for customers.	
Location: 8755 North Lake Boulevard, Kings Beach, CA The project site is located on the north side of North Lake Boulevard, between Chipmunk and Fox Streets.	
Project Owner: Bill Fallon, PO Box 5490, Incline Village, NV 89450	
Project Applicant: Kaufman Planning, Leah Kaufman, PO Box 253, Carmelian Bay, CA 96140	
County Contact Person: Allen Breuch	530-581-6284

PUBLIC NOTICE

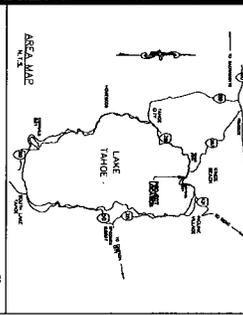
The comment period for this document closes on **October 7, 2009**. A copy of the Negative Declaration is available for public review at the County's web site (<http://www.placer.ca.gov/Departments/CommunityDevelopment/EnvCoordSvcs/NegDec.aspx>), Community Development Resource Agency public counter, and at the Kings Beach Public 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 Environmental Coordination Services, at (530)745-3132 between the hours of 8:00 am and 4:00 pm at 3091 County Center Drive, Auburn, CA 95603. For Tahoe projects, please visit our Tahoe Office, 565 West Lake Blvd., Tahoe City, CA 96145.

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.

RECORDERS CERTIFICATION

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THESE PLANS AND SPECIFICATIONS SHALL BE CONSIDERED AS PART OF THE CONTRACT DOCUMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.



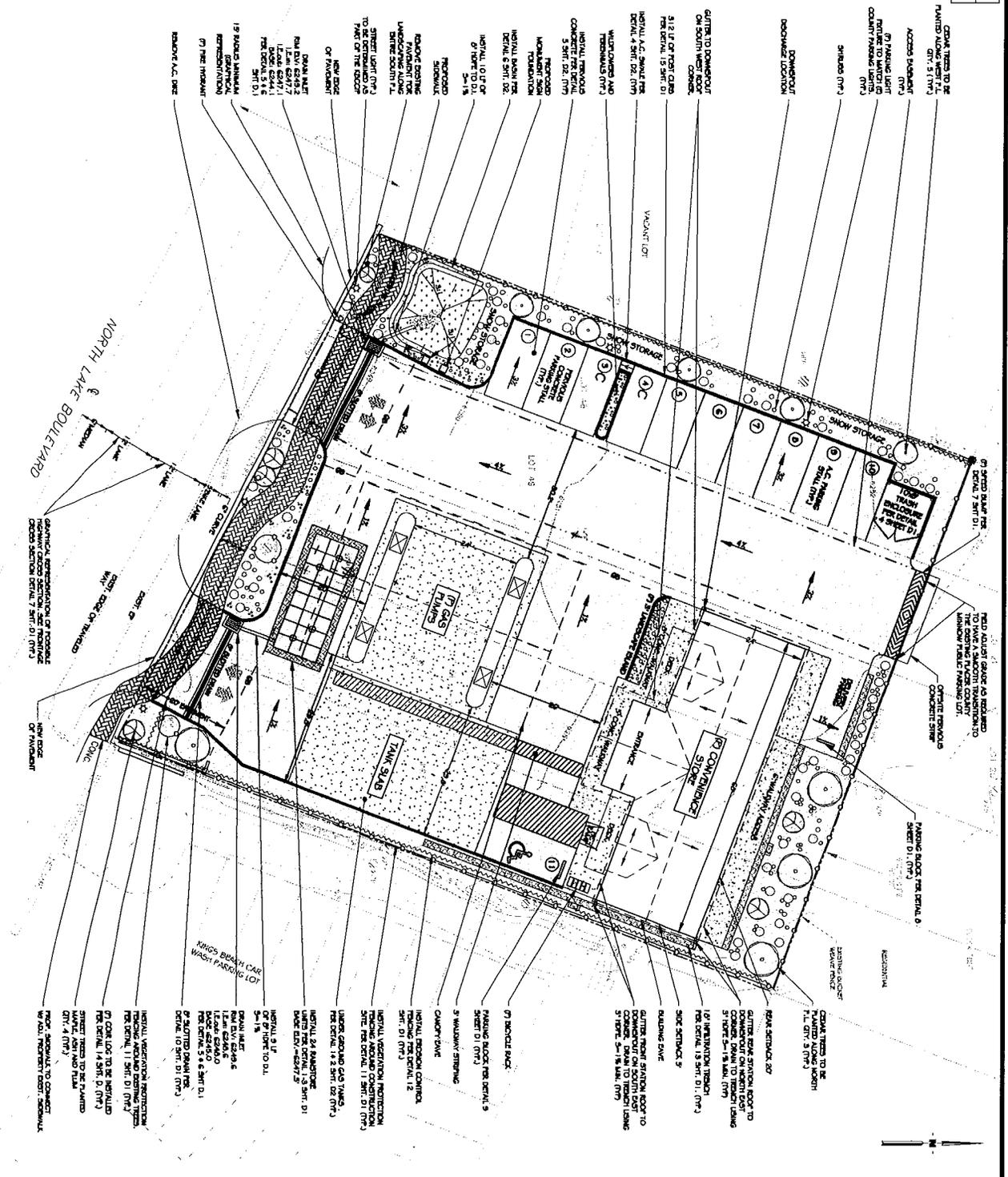
LEGEND

LANDSCAPE PLANTING NOTES

1. CONSTRUCTION IS RESPONSIBLE FOR CONSIDERING THE LOCAL LANDSCAPE PLANTING SCHEDULES AND THE LOCAL 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

LANDSCAPE LEGEND

COMMON NAME	SIZE	# OF PLANTS
MAPLE VARIETY	1.5 GAL	15 GAL
FLORIBUNDA	1.5 GAL	15 GAL
WINTER BURN VARIETY	1.5 GAL	15 GAL
ALDER	1.5 GAL	15 GAL
SHRUBS		
MOUNTAIN SPRUCE	3 GAL	3 GAL
WESTERN SERVICE BERRY	3 GAL	3 GAL
CHOICE BERRY	3 GAL	3 GAL
WINTER BURN VARIETY	3 GAL	3 GAL
WILDOZONERS AND TOWNSONS		
CALIFORNIA COLUMBINE	5 GAL	5 GAL
LEAVY FLAX	5 GAL	5 GAL
MOUNTAIN PEAK PENICILLON	5 GAL	5 GAL
CALIFORNIA FLOPSIA	5 GAL	5 GAL



**PROPOSED SITE PLAN
NORTH SHORE STATION**

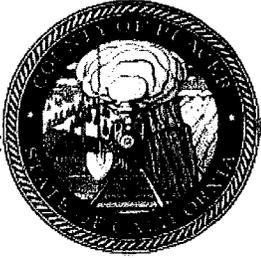


Ferrell Civil Engineering
 1000 S. GARDEN ST., SUITE 100, GARDEN CITY, CA 94645
 TEL: (925) 255-1111 FAX: (925) 255-1112
 www.ferrellcivil.com

REV.	DATE	DESCRIPTION	APPROVED	DATE
1				
2				
3				
4				
5				

DATE: AUGUST 31, 2009

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COUNTY OF PLACER
Community Development Resource Agency

**ENVIRONMENTAL
COORDINATION
SERVICES**

Michael J. Johnson, AICP
Agency Director

Gina Langford, Coordinator

3091 County Center Drive, Suite 190 • Auburn • California 95603 • 530-745-3132 • fax 530-745-3003 • www.placer.ca.gov/planning

INITIAL STUDY & CHECKLIST

This Initial Study has been prepared to identify and assess the anticipated environmental impacts of the following described project application. The document may rely on previous environmental documents (see Section C) and site-specific studies (see Section I) prepared to address in detail the effects or impacts associated with the project.

This document has been prepared to satisfy the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) and the State CEQA Guidelines (14 CCR 15000 et seq.) CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects.

The Initial Study is a public document used by the decision-making lead agency to determine whether a project may have a significant effect on the environment. If the lead agency finds substantial evidence that any aspect of the project, either individually or cumulatively, may have a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial, the lead agency is required to prepare an EIR, use a previously-prepared EIR and supplement that EIR, or prepare a Subsequent EIR to analyze the project at hand. If the agency finds no substantial evidence that the project or any of its aspects may cause a significant effect on the environment, a Negative Declaration shall be prepared. If in the course of analysis, the agency recognizes that the project may have a significant impact on the environment, but that by incorporating specific mitigation measures the impact will be reduced to a less than significant effect, a Mitigated Negative Declaration shall be prepared.

A. BACKGROUND:

Project Title: Kings Beach Gas Station	Plus# PCPA T20080597
Entitlements: Conditional Use Permit, Design Review, Voluntary Merger	
Site Area: 18,569 square feet	APN# 090-192-061
Location: 8755 North Lake Boulevard, Kings Beach, CA The project site is located on the north side of North Lake Boulevard, between Chipmunk and Fox Streets.	

Project Description:

The project applicant is requesting approval of a Conditional Use Permit to construct a two-story convenience store with eight fuel pumps. The store would be approximately 2,640 square feet in size. The first floor, which would measure approximately 1,582 square feet, would contain the convenience store and the second floor, which would measure approximately 1,058 square feet, would contain an office for the owner and a lounge area for customers.

A total of eleven parking spaces (including one disabled parking space) and one delivery parking space would be provided. The delivery parking space would be located at the rear of the convenience store and the disabled parking space would be located at the front of the store. The remaining 10 parking spaces would be located at the western portion of the property. Access to the project site would be provided via two driveway access points located off of North Lake Boulevard (Highway 28). The project site includes an existing 20-foot wide paved driveway that would connect the proposed western driveway entrance to the Minnow Avenue Parking Lot located to the rear of the property. This parking lot provides secondary access for the project site via Minnow Avenue.

A four-column canopy would be located at the front of the convenience store to provide shelter for the eight fuel pumps proposed. To the east of the canopy, two 20,000 gallon underground fuel storage tanks would be installed to serve the fuel pumps.

Water service for the project site would be provided by an existing pipeline operated by the North Tahoe Public Utilities District (NTPUD). Wastewater service is provided by the Tahoe-Truckee Sanitation Agency via an existing sewer pipeline.

A freestanding sign, measuring approximately 14 feet in height, would be located at the front of the property. In addition, construction of the Kings Beach Community Plan improvements for the property frontage would occur. These improvements include meandering sidewalks, street trees, lighting, and street amenities.

The project would also require approval of a Design/Site Agreement to address design elements of the project, and a Voluntary Merger, as the project site is currently comprised of five legally created, separately saleable lots that were created as part of the Brockway Vista parcel map. In order to avoid conflicts with setbacks and any other boundary line issues, the parcels will be required to be merged into one lot as a condition of any entitlement issued for the project.

Project Site:

(Background/Existing Setting):

The project site previously contained an 11-unit motel and manager's house (North Shore Lodge). The lodge was demolished and the existing swimming pool was compacted and filled approximately two years ago. Three of the parcels located to the north (rear) of the property were developed by Placer County Redevelopment Agency as the Minnow Avenue Parking Lot. The project site contains a 20-foot easement (recently paved) that allows access via Highway 29 through the project site directly to the parking lot. The remainder of the parcel is vacant and undeveloped.

The project site is relatively flat (less than 5 percent slope) and contains no understory or shrub vegetation. However, there are several trees including Jeffrey Pine, fir and ornamental spruce.

Surrounding land uses include single-family residences and the Minnow Avenue parking lot to the north, a car wash facility to the east, Highway 28 and a motel and other commercial uses to the south, and offices to the west.

B. ENVIRONMENTAL SETTING:

Location	Zoning	General Plan / Community Plan	Existing Conditions & Improvements
Site	029 Kings Beach SA #2: East/West Entry Commercial	029 Kings Beach SA #2: East/West Entry Commercial	The project site is relatively flat (less than 5 percent slope) and contains no understory or shrub vegetation. There are several trees including Jeffrey Pine, fir and ornamental spruce. A 20-foot easement (recently paved) is located on the project site that allows access via Highway 29 through the project site directly to the parking lot. The remainder of the parcel is vacant and undeveloped.
North	029 Kings Beach SA #2: East/West Entry Commercial	029 Kings Beach SA #2: East/West Entry Commercial	Minnow Avenue parking lot and single-family residences, a car wash facility to the east, Highway 28 and a motel and other commercial uses to the south, and offices to the west.
South	029 Kings Beach SA #2: East/West Entry Commercial	029 Kings Beach SA #2: East/West Entry Commercial	Highway 28 and a motel and other commercial uses
East	029 Kings Beach SA #2: East/West Entry Commercial	029 Kings Beach SA #2: East/West Entry Commercial	Carwash facility
West	029 Kings Beach SA #2: East/West Entry Commercial	029 Kings Beach SA #2: East/West Entry Commercial	Office (phone company)

C. PREVIOUS ENVIRONMENTAL DOCUMENT:

The County has determined that an Initial Study shall be prepared in order to determine whether the potential exists for unmitigatable impacts resulting from the proposed project. Relevant analysis from the County-wide General Plan and Community Plan Certified EIRs, and other project-specific studies and reports that have been generated to date, were used as the database for the Initial Study. The decision to prepare the Initial Study utilizing the analysis contained in the General Plan and Specific Plan Certified EIRs, and project-specific analysis summarized herein, is sustained by Sections 15168 and 15183 of the CEQA Guidelines.

Section 15168 relating to Program EIRs indicates that where subsequent activities involve site-specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity, to determine whether the environmental effects of the operation were covered in the earlier Program EIR. A Program EIR is intended to provide the basis in an Initial Study for determining whether the later activity may have any significant effects. It will also be incorporated by reference to address regional influences, secondary effects, cumulative impacts, broad alternatives, and other factors that apply to the program as a whole.

The following documents serve as Program-level EIRs from which incorporation by reference will occur:

- ➔ County-wide General Plan EIR
- ➔ Kings Beach Community Plan

Section 15183 states that "projects which are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified shall not require additional environmental review, except as may be necessary to examine whether there are project-specific significant effects which are peculiar to the project or site." Thus, if an impact is not peculiar to the project or site, and it has been addressed as a significant effect in the prior EIR, or will be substantially mitigated by the imposition of uniformly applied development policies or standards, then additional environmental documentation need not be prepared for the project solely on the basis of that impact.

The above stated documents are available for review Monday through Friday, 8am to 5pm, at the Placer County Community Development Resource Agency, 3091 County Center Drive, Auburn, CA 95603. For Tahoe projects, the document will also be available in our Tahoe Division office, 565 West Lake Blvd., Tahoe City, CA 96145.

D. EVALUATION OF ENVIRONMENTAL IMPACTS:

The Initial Study checklist recommended by the State of California Environmental Quality Act (CEQA) Guidelines is used to determine potential impacts of the proposed project on the physical environment. The checklist provides a list of questions concerning a comprehensive array of environmental issue areas potentially affected by the project (see CEQA Guidelines, Appendix G). Explanations to answers are provided in a discussion for each section of questions as follows:

- a) A brief explanation is required for all answers including "No Impact" answers.
- b) "Less Than Significant Impact" applies where the project's impacts are insubstantial and do not require any mitigation to reduce impacts.
- c) "Less Than Significant with Mitigation Measures" 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 earlier analyses may be cross-referenced).
- d) "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be 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 as well as project-level, indirect as well as direct, and construction as well as operational impacts [CEQA Guidelines, 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 [CEQA Guidelines, Section 15063(c)(3)(D)]. A brief discussion should be attached addressing the following:
 - ➔ **Earlier analyses used** – Identify earlier analyses and state where they are available for review.

- ➔ **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.
 - ➔ **Mitigation measures** – For effects that are checked as “Less Than Significant with Mitigation Measures,” 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.
- g) References to information sources for potential impacts (i.e. 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.

I. AESTHETICS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect on a scenic vista? (PLN)			X	
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a state scenic highway? (PLN)			X	
3. Substantially degrade the existing visual character or quality of the site and its surroundings? (PLN)			X	
4. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (PLN)		X		

Discussion- Items 1-1,2,3:

The proposed project includes the construction of a convenience store and gas station on a parcel that was previously developed with a motel. Although the proposed project will result in the removal of several trees, the project site is largely free of visual resources that would be impacted by the proposed development. Additionally, the project would result in the development of a currently undeveloped lot in accordance with development and design standards applicable to the project area. The project will not have a substantial adverse impact on a scenic vista, will not damage scenic resources within a state scenic highway, and will not degrade the existing visual character or quality of the site and surroundings. No mitigation is required.

Discussion- Item 1-4:

The proposed project would include the development of a site that is currently undeveloped. The project is comprised of a convenience store and gas station, and on-site lighting would be a component of the project. Because the project includes a gas station, lighting will be required in the fuel pump canopy, as well as in the parking lot and on the exterior of the building. Due to the amount of lighting required for this project there is a potential for the project to create a new source of substantial light or glare that could result in a negative impact to the surrounding area. Implementation of mitigation set forth below will reduce impacts to a less than significant level.

Mitigation Measures – Item 1-4:

MM I.1 Concurrent with submittal of Improvement Plans, a detailed lighting and photometric plan shall be submitted to the DRC for review and approval. The site lighting plan shall demonstrate compliance with Chapter 4 of the Standards and Guidelines for Signage, Parking, and Design for the Lake Tahoe Region of Placer County.

II. AGRICULTURAL RESOURCE – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (PLN)				X
2. Conflict with General Plan or other policies regarding land use buffers for agricultural operations? (PLN)				X
3. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (PLN)				X

4. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland (including livestock grazing) to non-agricultural use? (PLN)				X
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Discussion- All Items:

The project site is located in the Kings Beach SA #2: East/West Entry Commercial Community Plan and zone district and is currently surrounded with residential and commercial land uses. The proposed project does not include the conversion of agricultural lands or involve other changes to the existing environment which will result in a conversion of agricultural lands; nor the does the project conflict with any General/Community Plan policy or zoning related to agricultural use.

III. AIR QUALITY – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Conflict with or obstruct implementation of the applicable air quality plan? (APCD)			X	
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (APCD)			X	
3. Result in a cumulatively considerable net increase of any criteria for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (APCD)		X		
4. Expose sensitive receptors to substantial pollutant concentrations? (APCD)		X		
5. Create odors affecting a substantial number of people? (APCD)		X		

Discussion- Item III-1:

The project is located in the Lake Tahoe Air Basin portion of Placer County. The Lake Tahoe Air Basin is in non-attainment of State standards for PM₁₀. Further, Placer County is under evaluation by EPA to be designated as non-attainment for PM_{2.5}. The project, as proposed, would not conflict with the Placer County Air Quality Management Plan to attain the federal and state ambient air quality standards. No mitigation measures are required.

Discussion- Item III-2:

The project will not violate any air quality standard or contribute substantially to an existing or projected air quality violation. No mitigation measures are required.

Discussion- Item III-3:

This proposed project is located in the Lake Tahoe Air Basin portion of Placer County. This area is designated as non-attainment for the state particulate matter standard. According to the preliminary analysis, the project will be below the District's project-only thresholds for construction and operational activities. However, the project may result in a net increase of ozone precursor's emissions that would contribute to the cumulative impacts to the Lake Tahoe area. With the implementation of the following mitigation measures, impacts related to air quality would be reduced to a less than significant level.

Mitigation Measures - Items III-3:

Construction:

MM III.1

Construction equipment exhaust emissions shall not exceed District Rule 202 Visible Emission limitations. Operators of vehicles and equipment found to exceed opacity limits are to be immediately notified to cease operations and the equipment must be repaired within 72 hours.

Additional information regarding Rule 202 can be found at:
<http://www.placer.ca.gov/Departments/Air/Rules.aspx>

- MM III.2 The contractor shall suspend all grading operations when fugitive dust exceeds Placer County APCD Rule 228 (Fugitive Dust) limitations. The prime contractor shall be responsible for having an individual who is CARB-certified to perform Visible Emissions Evaluations (VEE). This individual shall evaluate compliance with Rule 228 on a weekly basis. It is to be noted that fugitive dust is not to exceed 40% opacity and not go beyond property boundary at any time. If lime or other drying agents are utilized to dry out wet grading areas they shall be controlled as to not to exceed Placer County APCD Rule 228 Fugitive Dust limitations.
- MM III.3 During construction, no open burning of removed vegetation shall be allowed. All removed vegetative material shall be taken to an appropriate disposal site.
- MM III.4 The prime contractor shall be responsible for keeping adjacent public thoroughfares clean of silt, dirt, mud, and debris, and shall "wet broom" or wash streets if silt, dirt, mud or debris is carried over to adjacent public thoroughfares. Dry mechanical sweeping is prohibited.
- MM III.5 During construction, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less.
- MM III.6 The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) exceed 25 miles per hour and dust is impacting adjacent properties.
- MM III.7 During construction, the contractor shall minimize idling time to a maximum of 5 minutes for all diesel powered equipment.
- MM III.8 The contractor shall use CARB ultra low diesel fuel for all diesel-powered equipment. In addition, low sulfur fuel shall be utilized for all stationary equipment.
- MM III.9 The contractor shall utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators.
- MM III.10 All on-site stationary equipment shall be classified as "low emission" equipment.
- MM III.11 Pursuant to the Placer County Air Pollution Control District Rule 501, General Permit Requirements, and the proposed project may need a permit from the District prior to construction. In general, any engine greater than 50 brake horsepower or any boiler greater than 1,000,000 Btu per hour will need a permit issued by the District. In addition, processes that discharge 2 pounds per day or more of air contaminants, as defined by Health and Safety Code Section 39013, to the atmosphere may require a permit. Permits are required for both construction and operation. Developers/contractors shall contact the District prior to construction and obtain any necessary permits.

Discussion- Item III-4:

Construction of the project would result in short-term diesel exhaust emissions from on-site heavy-duty equipment. Particulate exhaust emissions from diesel-fueled engines (diesel PM) were identified as a toxic air contaminant by Air Resource Board in 1998. Construction of the project would generate diesel PM emissions from the use of off-road diesel equipment required for site grading and excavation, and other construction activities. With the implementation of the following mitigation measures refer to text in MM III-1 thru MM III-11. Item III-4 impacts will be reduced to a less than significant level.

Discussion- Item III-5:

Construction of the project would result in diesel exhaust emissions from on-site construction equipment. The diesel exhaust emissions would be intermittent and temporary and would dissipate rapidly from the source with an increase in distance. In addition, no existing odor sources are located in the vicinity of the proposed project site. The project does; however, include a new long-term operation of a new source. However, with implementation of the following mitigation measure, impacts will be reduced to a less than significant level.

Mitigation Measure - Items III-5:

Refer to text in MM III-11

IV. BIOLOGICAL RESOURCES – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service? (PLN)			X	
2. 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, substantially reduce the number of restrict the range of an endangered, rare, or threatened species? (PLN)			X	
3. Have a substantial adverse effect on the environment by converting oak woodlands? (PLN)				X
4. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations or by the California Department of Fish & Game or U.S. Fish & Wildlife Service? (PLN)				X
5. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (PLN)				X
6. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (PLN)			X	
7. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (PLN)		X		
8. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (PLN)				X

Discussion-Item IV-1: The proposed project would be located on an 18,569 square-foot parcel that was previously developed with an 11-unit hotel that included a parking area and swimming pool. Although the hotel, paved parking area, and swimming pool have been demolished, and the property is currently in a more natural state, it lacks vegetation that would support habitat for any species identified as candidate, sensitive, or special status. The project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species. No mitigation measures are required.

Discussion-Item IV-2: The proposed project includes the construction of a gas station and convenience store on an 18,569 square-foot parcel of land that contains very little vegetation. Because of the limited size of the project site, and the limited amount of natural resources on the site, the proposed project would not 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, substantially reduce the number of restrict the range of an endangered, rare, or threatened species. No mitigation measures are required.

Discussion-Item IV-3: The proposed project would be constructed on a parcel that does not contain any oak trees, therefore the project would not have a substantial adverse effect on the environment by converting oak woodlands.

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Discussion-Item IV-4: The proposed project would be constructed on a site that was previously developed with an 11-unit motel, and does not contain any riparian habitat or sensitive community, as such the project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations or by the California Department of Fish & Game or U.S. Fish & Wildlife Service.

Discussion-Item IV-5: The proposed project site does not contain any wetland areas, and will not result in any impacts to such areas on or off-site.

Discussion-Item IV-6: The proposed project will not interfere with any known native or migratory fish or wildlife species as the site does not support or contain habitat for native or migratory fish or wildlife species, including wildlife corridors or native wildlife nursery sites. No mitigation measures are required.

Discussion-Item IV-7: The proposed project will result in the removal of three trees that are protected by the Placer County Tree Preservation Ordinance; one 14" Fir tree, one 9" Jeffrey Pine, and one 27" pine tree. Impacts resulting from the removal of protected trees will be mitigated in accordance with policies set forth in the Placer County Tree Preservation Ordinance. Implementation of mitigation measures set forth below will reduce impacts to a less than significant level.

Mitigation-Item IV-7:

MM IV.1 The applicant shall mitigate for the removal of and impacts to trees by replacing trees on-site on an inch-for-inch basis. Prior to approval of Improvement Plans, the applicant shall submit to the DRC for review and approval a Planting Plan that details the tree replacement, irrigation, and monitoring plan for the mitigation of impacted trees (including removal and impacts to dripline). In lieu of replacement on-site the applicant may mitigate impacts to the trees with payment into the Tree Preservation fund at a rate of \$100.00 per inch removed.

Discussion-Item IV-8:

At the present time, Placer County has not adopted a Habitat Conservation Plan or a Natural Communities Conservation Plan. Therefore, there would be no impacts to such plans.

V. CULTURAL RESOURCES – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Substantially cause adverse change in the significance of a historical resource as defined in CEQA Guidelines, Section 15064.5? (PLN)				X
2. Substantially cause adverse change in the significance of a unique archaeological resource pursuant to CEQA Guidelines, Section 15064.5? (PLN)				X
3. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (PLN)				X
4. Have the potential to cause a physical change, which would affect unique ethnic cultural values? (PLN)				X
5. Restrict existing religious or sacred uses within the potential impact area? (PLN)				X
6. Disturb any human remains, including those interred outside of formal cemeteries? (PLN)			X	

Discussion- Items V-1,2,3,4,6:

According to the records search conducted by the California State North Central Information Center in May 2008, the project area does not contain any recorded prehistoric archaeological sites or historic period resources. However, the report further stated that although there are no resources recorded on the project site, resources have been recorded one mile west and one-half mile east of the project site. Therefore, there is a low to moderate

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potential for ethnohistoric-period Native American sites to be present in the project area. The Information Center recommended further archival and/or field study by a cultural resources professional. Susan Lindstrom, Ph.D. was retained by the applicant to implement this recommendation. A letter dated March 2009 was submitted that provided the results of her consultation with the Washoe Tribe. In the report, Ms. Lindstrom indicated that the Tribe contacted her and stated that there are no immediate Native American concerns regarding the project area. Ms. Lindstrom also made a determination to forgo the surface field survey given the project site has been completely disturbed and has been subsequently covered with bark chips thereby making it impractical to perform a field survey.

Although the letter report prepared by the Susan Lindstrom and the results of the Cultural Records Search did not identify the presence of any significant cultural remains, the proposed project may result in adverse cultural impacts related to the discovery of unknown resources.

The following standard conditions of approval will be required as part of the projects permits.

If an inadvertent discovery of cultural materials is made during project-related construction activities, ground disturbances in the area of the find shall be halted and a qualified professional archaeologist will be notified regarding the discovery. The archaeologist shall determine whether the resource is potentially significant as per the California Register of Historical Resources (CRHR) and develop appropriate mitigation.

In accordance with the California Health and Safety Code, if human remains are uncovered during ground-disturbing activities, the contractor and/or the project proponent shall immediately halt potentially damaging excavation in the area of the burial and notify the Placer County Coroner and a professional archaeologist to determine the nature of the remains. The coroner is required to examine all discoveries of human remains with 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination. Following the coroner's findings, the property owner, contractor, or project proponent, an archaeologist and the NAHC-designated Most Likely Descendent (MLD) shall ensure that additional human interments are not disturbed.

Upon the discovery of Native American remains, the procedures above regarding involvement of the County Coroner, notification of NAHC and identification of a MLD shall be followed. The landowner shall ensure that the immediate vicinity is not damaged or disturbed by further development activity until consultation with the MLD has taken place. The MLD shall have 48 hours to complete a site inspection and make recommendations after being granted access to the site. A range of possible treatments for the remains may be discussed; concerned parties may extend discussion beyond the initial 48 hours to allow for the discovery of additional remains.

The landowner shall comply with one or more of the following:

- record the site with the NAHC or the appropriate Information Center
- utilize an open-space or conservation zoning designation or easement
- record a document with the County in which the property is located.

The landowner or its authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance in the NAHC is unable to identify a MLD or the MLD fails to make a recommendation within 48 hours after being granted access to the site. The landowner or their authorized representative may also re-inter the remains in a location not subject to further disturbance if they reject the recommendation of the MLD and mediation by the NAHC fails to provide measures acceptable to the landowner.

With implementation of these conditions of approval, impacts will remain less than significant.

Discussion- Item V-5:

The project site is not currently used for sacred or religious purposes and there is no evidence of these uses. The proposed project will not result in negative impacts to unique cultural values, nor will it restrict existing religious or sacred uses.

VI. GEOLOGY & SOILS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Expose people or structures to unstable earth conditions or changes in geologic substructures? (ESD)		X		

2. Result in significant disruptions, displacements, compaction or overcrowding of the soil? (ESD)		X		
3. Result in substantial change in topography or ground surface relief features? (ESD)				X
4. Result in the destruction, covering or modification of any unique geologic or physical features? (ESD)				X
5. Result in any significant increase in wind or water erosion of soils, either on or off the site? (ESD)		X		
6. Result in changes in deposition or erosion or changes in siltation which may modify the channel of a river, stream, or lake? (ESD)		X		
7. Result in exposure of people or property to geologic and geomorphological (i.e. Avalanches) hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? (ESD)			X	
8. Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? (ESD)			X	
9. Be located on expansive soils, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property? (ESD)			X	

Discussion- Items VI-1,2:

The project proposal would result in the disturbance of majority of the currently vacant 0.4 +/- acre site for the construction of structures, a parking lot and associated utilities for a gas station with convenience market. Groundwater was encountered at depths of about three feet during the geotechnical field investigation. Due to the presence of shallow groundwater, the Preliminary Geotechnical Investigation Report by Ferrell Civil Engineering, dated April 20, 2004 recommends that the site be raised by a minimum of two feet.

Grading activities are associated with the installation of the building and parking areas, roadway improvements, and underground utilities. To construct the proposed improvements, potentially significant disruption of soils could occur, including excavation/compaction for roadways, building pads and various utilities. The project proposes soil cuts and fills of up to approximately three feet maximum with all resulting finished grades to be no steeper than 2:1 at locations identified on the preliminary grading plan. Installation of the tanks will require excavations up to 12'. The site earthwork is expected to result in the export of up to 250 cubic yards, with approximately 2100 cubic yards of earth moved onsite. Exported material will be taken to the Truckee or Carson City landfill.

To construct the improvements proposed, potentially significant disruption of soils onsite could occur. The proposed project's impacts associated with unstable earth conditions, soil disruptions, displacements, and compaction of the soil will be mitigated to a less than significant level by implementing the following mitigation measures:

Mitigation Measures- Items VI-1,2:

MM VI.1 The applicant shall prepare and submit Improvement Plans, specifications and cost estimates (per the requirements of Section II of the Land Development Manual that are in effect at the time of submittal) to the Engineering and Surveying Department for review and approval. The plans shall show all conditions for the project as well as pertinent topographical features both on and offsite. All existing and proposed utilities and easements, onsite and adjacent to the project, which may be affected by planned construction, shall be shown on the plans. All landscaping and irrigation facilities within the public right-of-way (or public easements), or landscaping within sight distance areas at intersections, shall be included in the Improvement Plans. The applicant shall pay plan check and inspection fees. Prior to plan approval, all applicable recording and reproduction cost shall be paid. The cost of the above-noted landscape and irrigation facilities shall be included in the estimates used to determine these fees. It is the applicant's responsibility to obtain all required agency signatures on the plans and to secure department approvals. If the Design/Site Review process and/or Design Review Committee review is required as a condition of approval for the project, said review process shall be completed prior to submittal of Improvement Plans. Record drawings shall be prepared and signed by a California Registered Civil Engineer at the applicant's expense and shall be submitted to the Engineering and Surveying Department prior to acceptance by the County of site improvements.

MM VI.2 All proposed grading, drainage improvements, vegetation and tree removal shall be shown on the Improvement Plans and all work shall conform to provisions of the County Grading Ordinance (Ref. Article 15.48, Placer County Code) that are in effect at the time of submittal. No grading, clearing, or tree disturbance shall occur until the Improvement Plans are approved and all temporary construction fencing has been installed and inspected by a member of the Design Review Committee. All cut/fill slopes shall be at 2:1 (horizontal:vertical) unless a soils report supports a steeper slope and the Engineering and Surveying Department concurs with said recommendation.

The applicant shall revegetate all disturbed areas. Revegetation undertaken from April 1 to October 1 shall include regular watering to ensure adequate growth. A winterization plan shall be provided with project Improvement Plans. It is the applicant's responsibility to assure proper installation and maintenance of erosion control/winterization during project construction. Where soil stockpiling or borrow areas are to remain for more than one construction season, proper erosion control measures shall be applied as specified in the Improvement Plans/Grading Plans. Provide for erosion control where roadside drainage is off of the pavement, to the satisfaction of the Engineering and Surveying Department.

Submit to the Engineering and Surveying Department a letter of credit or cash deposit in the amount of 110 percent of an approved engineer's estimate for winterization and permanent erosion control work prior to Improvement Plan approval to guarantee protection against erosion and improper grading practices. Upon the County's acceptance of improvements, and satisfactory completion of a one-year maintenance period, unused portions of said deposit shall be refunded to the project applicant or authorized agent.

If, at any time during construction, a field review by County personnel indicates a significant deviation from the proposed grading shown on the Improvement Plans, specifically with regard to slope heights, slope ratios, erosion control, winterization, tree disturbance, and/or pad elevations and configurations, the plans shall be reviewed by the Design Review Committee/Engineering and Surveying Department for a determination of substantial conformance to the project approvals prior to any further work proceeding. Failure of the Design Review Committee/Engineering and Surveying Department to make a determination of substantial conformance may serve as grounds for the revocation/modification of the project approval by the appropriate hearing body.

MM VI.3 Submit to the Engineering and Surveying Department, for review and approval, a geotechnical engineering report produced by a California Registered Civil Engineer or Geotechnical Engineer. The report shall address and make recommendations on the following:

- A) Road, pavement, and parking area design
- B) Structural foundations, including retaining wall design (if applicable)
- C) Grading practices
- D) Erosion/winterization
- E) Special problems discovered onsite, (i.e., groundwater, expansive/unstable soils, etc.)
- F) Slope stability

Once approved by the Engineering and Surveying Department, two copies of the final report shall be provided to the Engineering and Surveying Department and one copy to the Building Department for their use. If the soils report indicates the presence of critically expansive or other soils problems which, if not corrected, could lead to structural defects, a certification of completion of the requirements of the soils report will be required prior to issuance of Building Permits. It is the responsibility of the developer to provide for engineering inspection and certification that earthwork has been performed in conformity with recommendations contained in the report.

MM VI.4 Staging Areas: Stockpiling and/or vehicle staging areas shall be identified on the Improvement Plans and located as far as practical from existing dwellings and protected resources in the area.

Discussion- Item VI-3:

The project proposes soil cuts and fills of up to approximately three feet maximum as identified on the preliminary grading plan. The proposed changes to topography are minor and consistent with typical development of this type and with the Placer County General Plan and the Grading Ordinance.

Discussion- Item VI-4:

The subject property is a vacant lot that has been previously used as a motel. There are no known unique geologic or physical features at this site that could be destroyed, covered or modified.

Discussion- Items VI-5,6:

The commercial project proposal would result in the construction of onsite a gas station with convenience market. Grading activities are associated with the installation of the building and parking areas, roadway improvements, and underground utilities.

According to the Preliminary Hydrology Report by Ferrell Civil Engineering, dated May 2009; the soil at the project site has a high runoff potential and slow infiltration rates. The disruption of soils on this currently

undeveloped property increases the risk of erosion and creates a potential for contamination of stormwater runoff with disturbed soils or other pollutants introduced through typical grading practices. The construction phase will create significant potential for erosion as disturbed soil may come in contact with wind or precipitation that could transport sediment to the air and/or adjacent waterways. Discharge of concentrated runoff in the post-development condition could also contribute to the erosion potential impact in the long-term. Erosion potential and water quality impacts are always present and occur when protective vegetative cover is removed and soils are disturbed. It is primarily the grading for roads and trenching for utilities that are responsible for accelerating erosion and degrading water quality. The disruption of soils on the site has the potential to result in significant increases in erosion of soils both on and off the site. The proposed project's impacts associated with deposition or soil erosion or changes in siltation will be mitigated to a less than significant level by implementing the following mitigation measures:

Mitigation Measures- Items VI-5,6:

Refer to text in MM VI.1

Refer to text in MM VI.2

Refer to text in MM VI.3

Refer to text in MM VI.4

MM VI.5 Water quality Best Management Practices, shall be designed according to the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction, for New Development/ Redevelopment, and/or for Industrial and Commercial, (and/or other similar source as approved by the Engineering and Surveying Department).

Construction (temporary) Best Management Practices for the project include, but are not limited to: filter fabric, revegetation techniques and protective fencing.

Storm drainage from on and offsite impervious surfaces (including roads) shall be collected and routed through specially designed catch basins, vegetated swales, vaults, infiltration basins, water quality basins, filters, etc. for entrapment of sediment, debris and oils/greases or other identified pollutants, as approved by the Engineering and Surveying Department. Best Management Practices shall be designed at a minimum in accordance with the Placer County Guidance Document for Volume and Flow-Based Sizing of Permanent Post-Construction Best Management Practices for Stormwater Quality Protection. Post-development (permanent) Best Management Practices for the project include, but are not limited to: infiltration structures. No water quality facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals.

MM VI.6 Projects with ground disturbance exceeding one-acre that are subject to construction stormwater quality permit requirements of the National Pollutant Discharge Elimination System program shall obtain such permit from the State Regional Water Quality Control Board and shall provide to the Engineering and Surveying Department evidence of a state-issued WDID number or filing of a Notice of Intent and fees prior to start of construction.

Discussion- Items VI-7,8:

According to the Preliminary Geotechnical Investigation Report by Ferrell Civil Engineering, dated April 20, 2004: no faults have been mapped crossing the project site. The nearest active faults include the North Lake Tahoe and West Lake Tahoe faults located approximately 1.2 miles east and 8.0 miles southeast of the site, respectively. The potential hazard associated with earthquake faults involves surface rupture and strong ground motion. Since no faults are mapped crossing the site, the potential for surface rupture is low. Due to the in-situ density and fines content of the native soil, the potential for liquefaction is low. The potential for lateral spreading and slope instability are also low.

Structures will be constructed according to the current edition of the California Building Code, which includes seismic standards. Therefore the likelihood of severe damage due to ground shaking/motion should be minimal. No avalanches, mud slides or other geologic or geomorphological hazards have been observed at or near the project site. Therefore, the projects impacts associated with exposure of people or property to geologic and geomorphological hazards, as well as geological units/soils that are unstable are less than significant. No mitigation measures are required.

Discussion- Item VI-9:

Expansive soil expands and contracts due to changes in the moisture content of the soil, potentially causing slope instability and/or structural problems through differential movement of the structure. Additionally, moisture in the soils adjacent to foundation walls will cause the soils to expand and increase the lateral pressure applied to the foundation wall, potentially causing structural damage.

According to the Preliminary Geotechnical Investigation Report by Ferrell Civil Engineering, dated April 20, 2004, the soil consists of 0.5 to 4 feet of fill material, underlain by silt sand, sand and gravelly sand. These soils do not have a significant potential for developing expansive soil properties. Therefore, the projects impacts associated with expansive soils are less than significant.

VII. HAZARDS & HAZARDOUS MATERIALS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Create a significant hazard to the public or the environment through the routine handling, transport, use, or disposal of hazardous or acutely hazardous materials? (EHS)			X	
2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (EHS)			X	
3. Emit hazardous emissions, substances, or waste within one-quarter mile of an existing or proposed school? (APCD)		X		
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (EHS)			X	
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (PLN)				X
6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing in the project area? (PLN)				X
7. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (PLN)			X	
8. Create any health hazard or potential health hazard? (EHS)		X		
9. Expose people to existing sources of potential health hazards? (EHS)			X	

Discussion Items VII-1,2:

The project proposes construction of a gas station, which will involve delivery, storage, and handling of gasoline and diesel fuel. The use and storage of gasoline and diesel could potentially lead to a release of these materials, which could create a hazard to the public or the environment. However, the use and storage of hazardous materials is subject to federal, state and local regulations. Additionally, underground storage of hazardous materials is subject to the provisions of the California Health and Safety Code and Title 23 of the California Code of Regulations and the Underground Storage Tanks (UST's) will be installed and operated under permit and inspection with Placer County Environmental Health Services (PCEHS).

PCEHS will require that installation of the USTs complies with all requirements regarding underground storage tank systems in Title 23 of the California Code of Regulations and Chapter 6.7 of the California Health and Safety Code, as well as all requirements of PCEHS. Applicable regulations include requirements for secondary containment of tanks and associated piping, including product, vent and vapor recovery piping. Prior to installation of the USTs, a vacuum/pressure test is conducted to verify the integrity of the primary and secondary containment of the tank and all associated piping. In order to pass this test and proceed with installation, the UST system must be product tight, which is defined as "impervious to the liquid and vapor of the substance that is contained, or is to be contained, so as to prevent seepage of the substance from the containment." [Health and Safety Code §25290.2(a).] Additionally, all sumps and underdispenser containment associated with the UST system must be double-walled and product tight. This integrity testing verifies that neither liquid nor vapor leaks are detected in the primary or secondary containment of the UST system, indicating that all components of the UST system are

product tight prior to installation. To ensure that components of the UST system are not damaged during installation and construction of the gas station and UST system, enhanced leak detection testing is required after installation, but prior to the UST system being placed into use. If the UST system fails the enhanced leak detection testing, necessary repairs must be made and the system retested using the same test method until the system passes the enhanced leak detection test.

Title 23 of the California Code of Regulations and Chapter 6.7 of the Health and Safety Code require that the interstitial space of tanks and product piping be maintained under constant vacuum or pressure. This continuous monitoring of the interstitial spaces of the tank and piping is designed such that a breach in the primary or secondary containment would be detected before the liquid or vapor of the substance is released to the environment. Additionally, monitoring system certifications are conducted annually and the results are submitted to PCEHS for review and approval. These certifications are accepted by PCEHS only if they are conducted by a qualified technician with the appropriate licensing. Issuance and renewal of facility operating permits are contingent on the facility remaining in compliance with these operation and testing requirements and maintaining a properly operating monitoring system.

Operation of the gas station will likely result in the generation of small amounts of hazardous waste, including used fuel filters and gasoline and/or diesel mixed with water generated during annual testing of the monitoring system. These materials will be subject to standard handling and storage requirements. Additionally, it is possible that small surface spills of gasoline and/or diesel fuel may result from operator error while customers are fueling their vehicles. The facility will be required to prepare and submit a Hazardous Materials Business Plan, which will include provisions for employee training on appropriate actions for such accidental releases of hazardous materials. The HMBP and associated training documents will be reviewed and the facility will be inspected by PCEHS on an annual basis. Therefore, the potential for this project to create a significant hazard resulting from operation of the gas station is less than significant.

Given the installation, monitoring and testing requirements for underground storage tank systems, it is unlikely that a significant release of gasoline or diesel fuel would escape primary or secondary containment of the tank system without detection. PCEHS will require that the facility submit a HMBP for all materials that are stored onsite and all hazardous waste that is generated by the facility; this HMBP will be reviewed on an annual basis. Therefore, the potential for the project to create a significant hazard to the public or the environment related to the handling, transport, use, or disposal of hazardous materials or accident or upset conditions involving the release of hazardous materials is less than significant. No mitigation measures are required.

Discussion Item VII-3:

The proposed project would emit hazardous emissions. Although there are no existing or proposed schools within one quarter mile of distance to the project's proposed location, the project would affect the people in the vicinity. With the implementation of the following mitigation measure, impacts will be reduced to a less than significant level.

Mitigation Measures- Item VII-3:

MM VII.1 Pursuant to the Placer County Air Pollution Control District Rule 501, General Permit Requirements, and the proposed project may need a permit from the District prior to construction. In general, any engine greater than 50 brake horsepower or any boiler greater than 1,000,000 Btu per hour will need a permit issued by the District. In addition, processes that discharge 2 pounds per day or more of air contaminants, as defined by Health and Safety Code Section 39013, to the atmosphere may require a permit. Permits are required for both construction and operation. Developers/contractors should contact the District prior to construction and obtain any necessary permits.

Discussion Items VII-4,9:

A Phase I Environmental Site Assessment dated January 30, 2009 was conducted for the project site by David Herzog, CEG. The Phase I ESA states that the property has been used as a motel with a swimming pool and office since at least the 1950's. The swimming pool and the motel buildings were properly destroyed through permit by Environmental Health Services and the Building Department. During this time-frame, it was common for structures to be heated using heating oil, which was usually stored in underground tanks. However, the Phase I ESA and the project applicant state that heating oil was not used as a heating source for the motel; documents provided with the Phase I ESA do not indicate that the heating source for the motel was heating oil. However, it is possible that prior uses of the property used heating oil as a heating source. As a project condition of approval, if any heating oil tanks are discovered during construction of the project, the applicant shall immediately stop the project and contact the PCEHS Hazardous Materials Section. The project shall remain stopped until there is resolution of the problem to the satisfaction of PCEHS and the Lahontan Regional Water Quality Control Board. This potential impact is less than significant.

Several sites in the vicinity of the project have documented groundwater contamination resulting from current and/or prior uses. According to the Phase I ESA, a former Texaco gas station is located immediately adjacent to the east of the property, the former Swiss Mart is located approximately 615 feet east of the property, and a former dry cleaner is located approximately 125 feet west of the property. Unauthorized releases at these properties have created several groundwater plumes in the vicinity of the property; these plumes are located cross gradient and downgradient to the project site and contain hazardous materials in the form of diesel, gasoline, motor oil, TCE, PCB, PCE, and associated chemicals. Soil and groundwater monitoring and remediation are ongoing for these sites. Groundwater flow in the vicinity of the property is variable, but overall, is south-southwest towards Lake Tahoe. Based on the direction of local groundwater flow, contamination plumes from nearby sites are either downgradient or cross-gradient and pose a low risk to the project site. Therefore, potential impacts related to groundwater contamination from nearby sites is less than significant. No mitigation measures are required.

Discussion- Item VII-5:

The project is not located within an airport land use plan or within two miles of a public airport or public use airport.

Discussion- Item VII-6:

The proposed project is not located within the vicinity of a private airstrip and would not result in a safety hazard for people residing in the project area.

Discussion- Item VII-7:

The project site appears in the "Very High" zone on the CAL Fire "Fire Hazard Severity Zones in SRA (State Responsibility Area)" map, however the the proposed development is in an area where other existing commercial and residential development exists and wildland fire fuel is greatly limited. Additionally, the project will be required to conform to the current fire safe building codes including the Placer County Fire Safe Ordinance and Section 4290 of the California Public Resource Code. The proposed project will not increase wildfire hazards in the area.

Discussion Items VII-8:

The project will not create any health hazard besides potential hazards discussed in Discussion Items VII-1, 2, 4 and 9 herein.

VIII. HYDROLOGY & WATER QUALITY – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Violate any potable water quality standards? (EHS)				X
2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lessening of local groundwater supplies (i.e. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (EHS)				X
3. Substantially alter the existing drainage pattern of the site or area? (ESD)			X	
4. Increase the rate or amount of surface runoff? (ESD)		X		
5. Create or contribute runoff water which would include substantial additional sources of polluted water? (ESD)		X		
6. Otherwise substantially degrade surface water quality?(ESD)				X
7. Otherwise substantially degrade ground water quality? (EHS)			X	

8. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard boundary or Flood Insurance Rate Map or other flood hazard delineation map? (ESD)				X
9. Place within a 100-year flood hazard area improvements which would impede or redirect flood flows? (ESD)				X
10. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (ESD)				X
11. Alter the direction or rate of flow of groundwater? (EHS)				X
12. Impact 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? (EHS, ESD)		X		

Discussion- Item VIII-1:

The project will not violate any potable water quality standards as it will utilize a publicly treated potable water supply from the North Tahoe Public Utility District.

Discussion- Item VIII-2:

This project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge as the project is utilizing treated water from North Tahoe Public Utility District for its domestic water supply.

Discussion- Item VIII-3:

According to the Preliminary Hydrology Report by Ferrell Civil Engineering, dated May 2009, the project site is relatively flat and comprised of compacted dirt with a 20 foot asphalt driveway connecting Highway 28 to a public parking lot to the north. Conveyance of drainage runoff through the site is via overland sheet flow that eventually leaves the site at the southwest and southeast corners of the property.

The project has analyzed a drainage system that will change the onsite drainage patterns due to the construction of proposed structures, parking lot, and driveways, as well as some underground storm drain systems. However, the project will continue to convey flows to existing discharge points. The proposed onsite improvements will change the direction of existing onsite surface water runoff. However, the change in direction from existing onsite surface runoff is less than significant as the overall onsite watershed runoff continues to be conveyed to the same existing discharge points as the pre-development conditions. Therefore, this impact is less than significant and no mitigation measures are required.

Discussion- Item VIII-4:

According to the Preliminary Hydrology Report by Ferrell Civil Engineering, dated May 2009; the soil at the project site has a high runoff potential and slow infiltration rates. The proposed project will increase impervious surfaces including parking and buildings, which typically has the potential to increase the stormwater runoff amount and volume. These increases in impervious surfaces have the potential to result in downstream impacts. In addition to installing storm water facilities to stabilize and direct the storm water, the project will install infiltration facilities that will be capable of infiltrating the 20-year/1-hour storm event.

According to the Preliminary Hydrology Report by Ferrell Civil Engineering, dated May 2009, peak flows are not increased over pre-project conditions. A final drainage report will be prepared and submitted with the site improvement plans for County review and approval in order to monitor the preliminary report, drainage calculations and results. The proposed project's impacts associated with an increase in rate or amount of surface runoff will be mitigated to a less than significant level by implementing the following mitigation measure:

Mitigation Measures- Item VIII-4:

Refer to text in MM VI.1

Refer to text in MM VI.2

MM VIII.1 Prepare and submit with the project Improvement Plans, a drainage report in conformance with the requirements of Section 5 of the Land Development Manual and the Placer County Storm Water Management Manual that are in effect at the time of submittal, to the Engineering and Surveying Department for review and approval. The report shall be prepared by a Registered Civil Engineer and shall, at a minimum, include: A written text addressing existing conditions, the effects of the improvements, all appropriate calculations, a watershed map,

increases in downstream flows, proposed on- and offsite improvements and drainage easements to accommodate flows from the project. The report shall identify water quality protection features and methods to be used both during construction and for long-term post-construction water quality protection. "Best Management Practice" measures shall be provided to reduce erosion, water quality degradation, and prevent the discharge of pollutants to stormwater to the maximum extent practicable.

Discussion- Items VIII-5, 12:

The site is located near Lake Tahoe and the construction of the proposed improvements has the potential to degrade water quality. Stormwater runoff naturally contains numerous constituents; however, as the intensity of land use by man increases, the constituent concentrations typically increase to levels that potentially impact water quality. Pollutants associated with stormwater include, but are not limited to suspended solids, nutrients, oils/greases, construction waste, metals, pesticides, herbicides, fertilizers, etc. The proposed commercial development has the potential to result in the generation of new dry-weather runoff containing said pollutants and also has the potential to increase the concentration and/or total load of said pollutants in wet weather stormwater runoff. The proposed project's impacts associated with water quality will be mitigated to a less than significant level by implementing the following mitigation measures:

Mitigation Measures- Items VIII-5, 12:

Refer to text in MM VI.1

Refer to text in MM VI.2

Refer to text in MM VI.5

Refer to text in MM VIII.1

MM VIII.2 Provide an Irrevocable Offer of Dedication on the Improvement Plans to the satisfaction of the Engineering and Surveying Department and Design Review Committee for easements as required for access to, and protection and maintenance of post-construction water quality enhancement facilities (Best Management Practices). Said facilities shall be privately maintained until such time as the Board of Supervisors accepts the offer of dedication.

MM VIII.3 Prior to Improvement Plan approval, provide the Engineering and Surveying Department with permits/comments from TRPA and/or Lahontan Regional Water Quality Control Board indicating their approval.

Discussion- Item VIII-6:

The project will not otherwise substantially degrade surface or groundwater quality.

Discussion- Item VIII-7:

The project proposes construction of a gas station, which will involve delivery, storage, and handling of gasoline and diesel fuel. These materials will be stored in underground storage tanks (USTs). The use and storage of gasoline and diesel in USTs could potentially lead to a subsurface release of these materials, which could result in degradation of groundwater quality. However, the UST's will be installed and operated under permit and inspection with Placer County Environmental Health Services (PCEHS).

PCEHS will require that installation of the USTs complies with all requirements regarding Underground Storage Tanks in Title 23 of the California Code of Regulations and Chapter 6.7 of the California Health and Safety Code, as well as all requirements of PCEHS. Applicable regulations include requirements for secondary containment of tanks and associated piping, including product, vent and vapor recovery piping. Prior to installation of the USTs, a vacuum/pressure test is conducted to verify the integrity of the primary and secondary containment of the tank and all associated piping. In order to pass this test and proceed with installation, the UST system must be product tight, which is defined as "impervious to the liquid and vapor of the substance that is contained, or is to be contained, so as to prevent seepage of the substance from the containment." [Health and Safety Code §25290.2(a).] Additionally, all sumps and underdispenser containment associated with the UST system must be double-walled and product tight. This integrity testing verifies that neither liquid nor vapor leaks are detected in the primary or secondary containment of the UST system, indicating that all components of the UST system are product tight prior to installation. To ensure that components of the UST system were not damaged during installation and construction of the gas station and UST system, enhanced leak detection testing is required after installation, but prior to the UST system being placed into use.

Title 23 of the California Code of Regulations and Chapter 6.7 of the Health and Safety Code require that the interstitial space of tanks and product piping be maintained under constant vacuum or pressure. This continuous monitoring of the interstitial spaces of the tank and piping is designed such that a breach in the primary or secondary containment would be detected before the liquid or vapor of the substance is released to the environment. Additionally, monitoring system certifications are conducted annually and the results are submitted to

PCEHS for review and approval. These certifications are accepted by PCEHA only if they are conducted by a qualified technician with the appropriate licensing. Issuance and renewal of facility operating permits are contingent on the facility remaining in compliance with these operation and testing requirements and maintaining a properly operating monitoring system.

Given the installation, monitoring and testing requirements for underground storage tank systems, it is unlikely that a significant release of gasoline or diesel fuel would escape primary or secondary containment of the tank system without detection. Therefore, the potential for the project to violate any water quality standards is less than significant. No mitigation measures are required.

Discussion- Items VIII-8,9,10:

The project site is not within a 100-year flood hazard area as defined and mapped by the Federal Emergency Management Agency. No improvements are proposed within a 100-year flood hazard area and no flood flows would be impeded or redirected. Therefore there are no impacts due to exposing people or structures to a significant risk or loss, injury, or death, including flooding as a result or failure of a levee or dam.

Discussion- Item VIII-11:

The project will not utilize groundwater; therefore it will not alter the direction or rate of flow of groundwater.

Discussion- Item VIII-12:

Environmental Health Services defers the uses of BMPs to Engineering and Surveying Department's mitigation measures and comments for this project.

IX. LAND USE & PLANNING – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Physically divide an established community? (PLN)				X
2. Conflict with General Plan/Community Plan/Specific Plan designations or zoning, or Plan policies adopted for the purpose of avoiding or mitigating an environmental effect? (EHS, ESD, PLN)				X
3. Conflict with any applicable habitat conservation plan or natural community conservation plan or other County policies, plans, or regulations adopted for purposes of avoiding or mitigating environmental effects? (PLN)			X	
4. Result in the development of incompatible uses and/or the creation of land use conflicts? (PLN)				X
5. Affect agricultural and timber resources or operations (i.e. impacts to soils or farmlands and timber harvest plans, or impacts from incompatible land uses)? (PLN)				X
6. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? (PLN)				X
7. Result in a substantial alteration of the present or planned land use of an area? (PLN)				X
8. Cause economic or social changes that would result in significant adverse physical changes to the environment such as urban decay or deterioration? (PLN)				X

Discussion- Item IX-1:

The proposed project involves the development of a gas station within a commercial area. Due to the nature of the development, the project would not physically divide an established community.

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Discussion- Item IX-2:

The Kings Beach Community Plan designates the zoning and land use for the property as 029 Kings Beach SA #2: East/West Entry Commercial which allows gas stations as a land use. Therefore, the proposed use is consistent with the Community Plan, County General Plan and Zoning Ordinance.

Discussion- Item IX-3:

The project site is located within Area 2 of the Placer County Tree Preservation Ordinance and is subject to the requirements indicated in this tree preservation zone. The applicant will be required to implement this ordinance as applicable to prevent significant impacts prior to project approval. In addition, the project site is not located within any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved Habitat Plan Area. No mitigation measures are required.

Discussion- Item IX-4:

The Kings Beach Community Plan designates the zoning and land use for the property as 029 Kings Beach SA #2: East/West Entry Commercial which allows gas stations as a land use. With the exception of the existing single – family residences located to the north, the property is surrounded by commercial uses. However, all of the surrounding properties are designated for commercial land uses (029 Kings Beach SA #2: East/West Entry Commercial) by the Kings Beach Community Plan. The project does meet all zoning requirements for building setbacks, height, and lot coverage to ensure consistency with the Community Plan and County General Plan and will not create incompatible land uses .

Discussion- Item IX-5:

The proposed project will not affect agricultural or timber resources as there are none of these resources or operations on the project site.

Discussion- Item IX-6:

The proposed project includes the construction of a gas station and convenience store on a parcel that was previously developed with an 11-unit motel. The motel and it's related facilities, including swimming pool and parking lot, were demolished and the project site is currently the only vacant property within the surrounding area. The construction of the property would not disrupt or divide the physical arrangement of an established community as it would entail re-building on a lot that was previously developed.

Discussion- Item IX-7:

The Kings Beach Community Plan designates the zoning and land use for the property as 029 Kings Beach SA #2: East/West Entry Commercial which allows gas stations and other commercial land uses. The project site is also currently undeveloped. Therefore, the proposed project will not result in a substantial alteration of the present or planned land uses, and will be consistent with the Community Plan and County General Plan.

Discussion- Item IX-8:

The proposed project will not cause economic or social changes that would result in significant adverse physical changes to the environment, such as urban decay or deterioration.

X. MINERAL RESOURCES – Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. The loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (PLN)				X
2. The loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (PLN)				X

Discussion- All Items:

The Mineral Land Classification of Placer County (California Department of Conservation – Division of Mines and Geology, 1995), was prepared for the purpose of identifying and documenting the various mineral compounds found in the soils of Placer County. The Classification is comprised of three primary mineral deposit types: those

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mineral deposits formed by mechanical concentration (placer gold); those mineral deposits formed by hydrothermal processes (lode gold, silver, copper, zinc and tungsten); and construction aggregate resources, industrial mineral deposits and other deposits formed by magmatic segregation processes (sand, gravel, crushed stone, decomposed granite, clay, shale, quartz and chromite).

The site and vicinity exist in an area of unknown mineral resource significance (MRZ-4). Furthermore, no recovery site has been delineated on the subject property or vicinity.

Because the site has never been mined, and because no valuable, locally important mineral resources have been identified on the project site, there would be no impact to mineral resources.

XI. NOISE – Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Exposure of persons to or generation of noise levels in excess of standards established in the local General Plan, Community Plan or noise ordinance, or applicable standards of other agencies? (PLN)			X	
2. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (PLN)			X	
3. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (PLN)			X	
4. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (PLN)				X
5. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (PLN)				X

Discussion- Item XI-1, 2:

A noise analysis was prepared by J.C. Brennan & Associates, Inc. in July 2008 for the project. The analysis provided measurements of future ambient noise levels generated by operation of the gas station (autos entering and existing the project site, customers using the gas pumps and conducting business at the convenience store). The analysis concluded that future noise levels for the project site would comply with the County's General Plan noise level criteria. Therefore, this impact is less than significant and no mitigation measures are required.

Discussion- Item XI-3:

Noise generated by construction activities may noticeably increase noise levels above existing ambient noise levels. Construction noise levels emanating from any construction activities for which a building permit or grading permit is required is subject to noise level standards as detailed in the Placer County General Plan and shall comply with Placer County Code Article 9.36, including limitations on the permitted hours of operation for the construction of the project. Therefore, impacts related to construction noise are less than significant. No mitigation measures are required.

Discussion- Item XI-4:

The project is not located within an airport land use plan or within two miles of a public airport or public use airport.

Discussion- Item XI-5:

The proposed project is not located within the vicinity of a private airstrip.

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XII. POPULATION & HOUSING – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Induce substantial population growth in an area, either directly (i.e. by proposing new homes and businesses) or indirectly (i.e. through extension of roads or other infrastructure)? (PLN)			X	
2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (PLN)				X

Discussion- Item XII-1:

The proposed project would not induce substantial population growth in the area. It is expected that there would be three employees per shift to serve the convenience store with a total of eight employees. Employees most likely will be existing residents commuting from the Kings Beach area or other areas in the vicinity. This projects impacts to population growth will be less than significant.

Discussion- Item XII-2:

The project site does not contain existing residential uses. Therefore, the project would not result in the displacement of existing housing, which would result in the need to construct housing elsewhere.

XIII. PUBLIC SERVICES – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental services and/or facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Fire protection? (ESD, PLN)			X	
2. Sheriff protection? (ESD, PLN)			X	
3. Schools? (ESD, PLN)			X	
4. Maintenance of public facilities, including roads? (ESD, PLN)			X	
5. Other governmental services? (ESD, PLN)			X	

Discussion- Item XIII-1:

The proposed project does not propose any new fire protection facilities. However, the proposed project will result in additional demand for fire protection services as provided by the Placer County Fire Department/California Department of Forestry and Fire Protection.

The following standard conditions of approval will be required as part of the project's permits to prevent impacts from being potentially significant.

- Security gates, if provided, shall be provided with Fire Department access locks or switches.
- The on-site water storage requirement is waived due to Placer County Fire Department's ISO rating of 8 in this area.

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- Building numbers shall be visible from the access street or road fronting the property, clearly visible from both directions of travel on the road/street. Said numbers shall be a minimum 3 inch letter height, 3/8 inch stroke, reflectorized, and contrast with their background, or may be a minimum 5 inches high and contrast with their background.
- All driveways shall comply with the requirements PRC 4290 and Placer County Code.
- Defensible Space Standards shall be met pursuant to PRC 4291.

This project's impacts to fire protection is less than significant an no mitigation measures are required.

Discussion- Items XIII-2,3,4,5:

The Placer County Fire Department provides fire protection services to the project area; the Placer County Sheriff's Department provides police protection services to the project area; the Placer County Department of Public Works is responsible for maintaining County roads; and the schools serving the project site include Kings Beach Elementary School and North Tahoe High School.

The project's development will result in negligible additional demand on the need for these public services. As is required for all new projects, "will serve" letters will need to be provided from these public service providers. This incremental increase in demand for these services will not result in significant impacts. No mitigation measures are required.

The proposed project will result in the creation of a new gas station and convenience market with associated infrastructure, including driveway and parking areas that will be accessed from publicly maintained roads. The project does not generate the need from more maintenance of public facilities than what was expected with the build out of the Community Plan.

XIV. RECREATION – Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (PLN)				X
2. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (PLN)				X

Discussion- All Items:

It is not likely that the proposed project would increase the use of existing parks or other recreational facilities since the proposed project only involves commercial uses. The proposed project does not include residential uses, which typically create an increased demand for recreational facilities.

XV. TRANSPORTATION & TRAFFIC – Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. An increase in traffic which may be substantial in relation to the existing and/or planned future year traffic load and capacity of the roadway system (i.e. result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (ESD)		X		
2. Exceeding, either individually or cumulatively, a level of service standard established by the County General Plan and/or Community Plan for roads affected by project traffic? (ESD)				X

3. Increased impacts to vehicle safety due to roadway design features (i.e. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (ESD)		X		
4. Inadequate emergency access or access to nearby uses? (ESD)			X	
5. Insufficient parking capacity on-site or off-site? (ESD, PLN)				X
6. Hazards or barriers for pedestrians or bicyclists? (ESD)				X
7. Conflicts with adopted policies supporting alternative transportation (i.e. bus turnouts, bicycle racks)? (ESD)				X
8. Change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (PLN)				X

Discussion- Item XV-1:

The proposed project creates site-specific impacts on local transportation systems. Development of the project will increase traffic volumes on area roadways, contributing towards a cumulative impact on the transportation system. The cumulative effect of an increase in traffic has the potential to create significant impacts to the area's transportation system. Article 15.28.010 of the Placer County Code establishes a road network Capital Improvement Program. The project is subject to this code and, therefore, required to pay traffic impact fees to fund the Capital Improvement Program for area roadway improvements. The fee program includes roadway and intersection improvements necessary to mitigate the impacts of the increased traffic volumes. Payment of Traffic Fees ensures that the development pays for its fair share of necessary improvements. With the payment of traffic mitigation fees for the ultimate construction of the Capital Improvement Program improvements, the traffic impacts are less than significant. The cumulative impact will be partially mitigated to a less than significant level by implementing the following mitigation measure:

Mitigation Measures- Item XV-1:

MM XV.1 The project will be subject to the payment of traffic impact fees that are in effect in this area (Tahoe Fee District), pursuant to applicable Ordinances and Resolutions. The applicant is notified that the following traffic mitigation fee(s) will be required and shall be paid to Placer County Department of Public Works prior to issuance of any Building Permits for the project:

- Countywide Traffic Limitation Zone (Sunset Industrial District): Article 15.28.010, Placer County Code.

The current estimate is based on the project description provided (2,640 square foot convenience market with 8 gas pumps) and gives a fee credit for the previous motel use on the site. The current estimated fee is \$18,772.62, however, the actual fee paid will be that in effect at the time payment occurs.

Discussion- Item XV-2:

This project proposal would result in the creation of a new gas station and convenience market. According to the Traffic and Air Quality Study dated July 15, 2008 by LSC Transportation Consultants, Inc., the proposed development is not projected to have a significant impact on the level of service standard established by the County General Plan and/or Community Plan for roads affected by project traffic.

Discussion- Item XV-3:

There is the potential that on street parking on North Lake Blvd could interfere with corner sight distance. According to a letter from CalTrans, dated January 5, 2009, the project will be required to restrict parking for at least one car length on the upstream side of each proposed driveway. This will be required as part of the encroachment permit for any driveway work. The project's impacts on vehicle safety due to roadway design features can be mitigated to a less than significant level by implementing the following mitigation measures:

Mitigation Measures- Item XV-3:

MM XV.2 Obtain an Encroachment Permit from Caltrans for any work proposed within the State Highway right-of-way. A copy of said Permit shall be provided to the Engineering and Surveying Department prior to the approval of the Improvement Plans. Provide right-of-way dedications to the State, as required, to accommodate existing and future highway improvements.

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Discussion- Item XV-4:

During environmental review, the North Tahoe Fire Protection District provided a letter dated June 29, 2009 which documented their acceptance of reduced standards for fire truck access. Where a minimum 40 foot radius is usually required, the letter allowed for a reduction to a 15 foot radius. The project will be required to provide a will-serve letter from the fire department prior to approval of improvement plans, which will provide the fire department the opportunity to ensure the final design is satisfactory. Therefore the project's impacts associated with emergency access are less than significant. No mitigation measures are required.

Discussion- Item XV-5:

The proposed project would not result in insufficient parking capacity for on-site and off-site areas since the proposed on-site parking area would meet the minimum parking requirements found in the Placer County Zoning Ordinance. The proposed project would provide a total of eleven parking spaces (including one disabled parking space) and one delivery parking space.

Discussion- Item XV-6:

The proposed project will not cause hazards or barriers to pedestrians or bicyclists.

Discussion- Item XV-7:

The project will not conflict with any existing, or preclude anticipated future policies, plans, or programs supporting alternative transportation.

Discussion- Item XV-8:

This gas station project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

XVI. UTILITIES & SERVICE SYSTEMS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (ESD)			X	
2. Require or result in the construction of new water or wastewater delivery, collection or treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (EHS, ESD)			X	
3. Require or result in the construction of new on-site sewage systems? (EHS)				X
4. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (ESD)			X	
5. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (EHS)			X	
6. Require sewer service that may not be available by the area's waste water treatment provider? (EHS, ESD)			X	
7. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs in compliance with all applicable laws? (EHS)				X

Discussion- Items XVI-1,2,6:

The project site is within the service area of the North Tahoe Public Utility District and the Truckee Tahoe Sanitation Agency. North Tahoe Public Utility District has provided a letter dated July 3, 2008 constituting a commitment to

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supply water and sewer service to the project. It is anticipated that infrastructure requirements will be sufficiently met to fully service the project.

Water and sewer lines are located onsite. No construction of offsite sewer/water infrastructure is required. The proposed project's impacts associated with sewer and water facilities are less than significant. No mitigation measures are required.

Discussion- Item XVI-3:

This project will be served by a public utility district and will not require the construction of new on-site sewage systems.

Discussion- Item XVI-4: The project proposes installation of storm water facilities onsite to stabilize, direct, and infiltrate the stormwater. The applicant has demonstrated through a Preliminary Hydrology Report by Ferrell Civil Engineering, dated May 2009, that construction of the onsite stormwater conveyance system is not expected to cause significant environmental effects. The proposed project's impacts associated with storm water drainage facilities are less than significant.

Discussion- Item XVI-5:

North Tahoe Public Utility District is the agency charged with providing treated water service and has indicated their requirements to serve the project. These requirements are routine in nature and do not represent significant impacts. Typical project conditions of approval require submission of "Will-Serve" letters from each agency. No mitigation measures are required.

Discussion- Item XVI-7:

Solid waste in the project area is collected by Tahoe Truckee Sierra Disposal Co., Inc. and processed at the Lockwood landfill. This landfill has sufficient permitted capacity to accommodate the project's solid waste disposal needs. No mitigation measures are required.

E. MANDATORY FINDINGS OF SIGNIFICANCE:

Environmental Issue	Yes	No
1. Does the project have the potential to degrade the quality of the environment, substantially impact biological resources, or eliminate important examples of the major periods of California history or prehistory?		x
2. Does the project have the potential for 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.)		x
3. Does the project have environmental effects, which will cause the potential for substantial adverse effects on human beings, either directly or indirectly?		x

F. 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 type="checkbox"/> California Department of Forestry	<input type="checkbox"/> National Marine Fisheries Service
<input type="checkbox"/> California Department of Health Services	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> California Department of Toxic Substances	<input checked="" type="checkbox"/> U.S. Army Corp of Engineers
<input checked="" type="checkbox"/> California Department of Transportation	<input checked="" type="checkbox"/> U.S. Fish and Wildlife Service
<input type="checkbox"/> California Integrated Waste Management Board	<input type="checkbox"/> _____
<input checked="" type="checkbox"/> California Regional Water Quality Control Board	<input type="checkbox"/> _____

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G. DETERMINATION – The Environmental Review Committee finds that:

<input type="checkbox"/>	The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input checked="" type="checkbox"/>	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.
<input type="checkbox"/>	The proposed project is within the scope of impacts addressed in a previously-adopted Negative Declaration, and that only minor technical changes and/or additions are necessary to ensure its adequacy for the project. An ADDENDUM TO THE PREVIOUSLY-ADOPTED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required (i.e. Project, Program, Subsequent, or Master EIR).
<input type="checkbox"/>	The proposed project MAY have a significant effect(s) on the environment, and at least one effect has not been adequately analyzed in an earlier document pursuant to applicable legal standards. Potentially significant impacts and mitigation measures that have been adequately addressed herein or within an earlier document are described on attached sheets (see Section D.f. above). A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT will be prepared to address those effect(s) that remain outstanding.
<input type="checkbox"/>	The proposed project is within the scope of impacts addressed in a previously-certified EIR, and that some changes and/or additions are necessary, but none of the conditions requiring a Subsequent or Supplemental EIR exist. An ADDENDUM TO THE PREVIOUSLY-CERTIFIED EIR will be prepared (see CEQA Guidelines, Section 15164).
<input type="checkbox"/>	The proposed project is within the scope of impacts addressed in a previously-certified Program EIR, and that no new effects will occur nor new mitigation measures are required. Potentially significant impacts and mitigation measures that have been adequately examined in an earlier document are described on attached sheets, including applicable mitigation measures that are imposed upon the proposed project (see Section D.f. above). NO FURTHER ENVIRONMENTAL DOCUMENT will be prepared (see CEQA Guidelines, Sections 15168(c)(2), 15180, 15182, 15183).
<input type="checkbox"/>	Other _____

H. ENVIRONMENTAL REVIEW COMMITTEE (Persons/Departments consulted):

Planning Department, Allen Breuch, Chairperson
 Engineering and Surveying Department, Sarah Gilmore
 Engineering and Surveying Department, Wastewater, Janelle Fortner
 Department of Public Works, Transportation
 Environmental Health Services, Jill Kearney
 Air Pollution Control District, Yu-shuo Chang
 Flood Control Districts, Andrew Darrow
 Facility Services, Parks, Andy Fisher
 Placer County Fire / CDF, Bob Eicholtz



Signature _____ Date 9/1/09
 Gina Langford, Environmental Coordinator

I. SUPPORTING INFORMATION SOURCES:

The following public documents were utilized and site-specific studies prepared to evaluate in detail the effects or impacts associated with the project. This information is available for public review, Monday through Friday, 8am to 5pm, at the Placer County Community Development Resource Agency, Environmental Coordination Services, 3091 County Center Drive, Suite 190, Auburn, CA 95603. For Tahoe projects, the document will also be available in our Tahoe Division office, 565 West Lake Blvd., Tahoe City, CA 96145.

County Documents	<input checked="" type="checkbox"/> Community Plan	
	<input checked="" type="checkbox"/> Environmental Review Ordinance	
	<input checked="" type="checkbox"/> General Plan	
	<input checked="" type="checkbox"/> Grading Ordinance	
	<input checked="" type="checkbox"/> Land Development Manual	
	<input checked="" type="checkbox"/> Land Division Ordinance	
	<input checked="" type="checkbox"/> Stormwater Management Manual	
	<input checked="" type="checkbox"/> Tree Ordinance	
	<input type="checkbox"/> _____	
Trustee Agency Documents	<input type="checkbox"/> Department of Toxic Substances Control	
	<input type="checkbox"/> _____	
	<input type="checkbox"/> _____	
Site-Specific Studies	Planning Department	<input checked="" type="checkbox"/> Acoustical Analysis
		<input checked="" type="checkbox"/> Biological Study
		<input checked="" type="checkbox"/> Cultural Resources Pedestrian Survey
		<input checked="" type="checkbox"/> Cultural Resources Records Search
		<input type="checkbox"/> Lighting & Photometric Plan
		<input checked="" type="checkbox"/> Paleontological Survey
		<input checked="" type="checkbox"/> Tree Survey & Arborist Report
		<input checked="" type="checkbox"/> Visual Impact Analysis
		<input checked="" type="checkbox"/> Wetland Delineation
		<input type="checkbox"/> _____
	<input type="checkbox"/> _____	
	Engineering & Surveying Department, Flood Control District	<input type="checkbox"/> Phasing Plan
		<input checked="" type="checkbox"/> Preliminary Grading Plan
		<input type="checkbox"/> Preliminary Geotechnical Report
		<input checked="" type="checkbox"/> Preliminary Drainage Report
		<input checked="" type="checkbox"/> Stormwater & Surface Water Quality BMP Plan
		<input type="checkbox"/> Traffic Study
		<input type="checkbox"/> Sewer Pipeline Capacity Analysis
		<input type="checkbox"/> Placer County Commercial/Industrial Waste Survey (where public sewer is available)
		<input type="checkbox"/> Sewer Master Plan
		<input type="checkbox"/> Utility Plan
	<input type="checkbox"/> _____	
	<input type="checkbox"/> _____	
	Environmental Health Services	<input type="checkbox"/> Groundwater Contamination Report
		<input type="checkbox"/> Hydro-Geological Study
		<input checked="" type="checkbox"/> Phase I Environmental Site Assessment
		<input type="checkbox"/> Soils Screening
		<input type="checkbox"/> Preliminary Endangerment Assessment
		<input type="checkbox"/> _____
	<input type="checkbox"/> _____	
Air Pollution Control District	<input type="checkbox"/> CALINE4 Carbon Monoxide Analysis	
	<input type="checkbox"/> Construction emission & Dust Control Plan	

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Initial Study & Checklist continued

		<input type="checkbox"/> Geotechnical Report (for naturally occurring asbestos)
		<input type="checkbox"/> Health Risk Assessment
		<input type="checkbox"/> URBEMIS Model Output
		<input type="checkbox"/> _____
		<input type="checkbox"/> _____
	Fire Department	<input type="checkbox"/> Emergency Response and/or Evacuation Plan
		<input type="checkbox"/> Traffic & Circulation Plan
		<input type="checkbox"/> _____
	Mosquito Abatement District	<input checked="" type="checkbox"/> Guidelines and Standards for Vector Prevention in Proposed Developments
		<input type="checkbox"/> _____

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RE: Proposed Notice of Application for an Extension of Time on the Conditional Use Permit for the "North Shore (Gas) Station" in Kings Beach, CA

Page 2 of 2

In addition to the environmental concerns:

- **Area Plan Update** – once again, this does not support the community's vision for Kings Beach. It would **not** be an allowed use under the proposed North Tahoe East Community Plan proposed by the community team and currently under review..
- **Impact on Existing Businesses** - why build another gas station when there are already seven gas stations in a 15-mile radius (Kings Beach, Incline, Tahoe City and Northstar)? The proposed North Station's mini-mart cannot improve business in the area; it will only dilute the existing businesses including the Tahoe Central Market, 7-Eleven, La Mexicana, Java Hut, as well as the Chevron and North Tahoe Beacon's mini-marts.
- **Visual Impact**- several trees will be removed in order to build the gas station and parking areas.
- **Traffic Safety** – the proposed station sits on the east end of Kings Beach at the bottom of the Brockway hill, where vehicles, regardless of the many traffic calming measures in place, are either speeding coming down the hill, or accelerating to get up the hill's steep incline.

It was a bad project in 2009, and remains one today.

The North Shore Gas Station simply has no benefit to our community, businesses, environment, air or lake quality.

Sincerely,



Megan and Jack Chillemi

cc: Allen Breuch

Megan and Jack Chillemi have been property owners on the North Shore since 1969. Megan is a member of the North Lake Tahoe Regional Advisory Council, but is writing as an individual, not as a member of the Council. Jack was a member of the North Tahoe East Community Plan update team.

Allen Breuch

From: Nicole Hinkle on behalf of Placer County Planning
Sent: Tuesday, February 17, 2015 8:28 AM
To: Allen Breuch
Subject: FW: NO On Kings Beach Gas Station

Thank you,
Nicole

Placer County Planning Services Division
530-745-3117
nhinkle@placer.ca.gov

From: Hopwood [<mailto:pollyhopwood@gmail.com>]
Sent: Monday, February 16, 2015 9:49 AM
To: Placer County Planning
Subject: NO On Kings Beach Gas Station

Who thought it would be a good idea to put ANOTHER gas station in Kings Beach-right at the Eastern Gateway, when there are already two gas stations in town AND two stations (with cheaper gas) at the Western Gateway of Incline Village? Kings Beach needs lots of help improving it's image. A strip of gas stations is not a proper vision for this area. These developers are already complaining, and blaming there lack of progress on the TRPA, The Commercial Core Improvement Project, etc. I do not trust that they will follow through with a project that will add value to this community. Once those tanks are in the ground, that lot will be hard to sell once that gas station goes out of business. We already have an old gas station lot in town that is surrounded in chain link fencing and not sellable due to ground contamination.

Dan Hopwood
Kings Beach, CA

Allen Breuch

From: Nicole Hinkle on behalf of Placer County Planning
Sent: Tuesday, February 17, 2015 8:27 AM
To: Allen Breuch
Subject: FW: Possible Extension on a Conditional Use Permit for the construction of the North Shore Gas Station

Thank you,
Nicole

Placer County Planning Services Division
530-745-3117
nhinkle@placer.ca.gov

From: Shana Behan [mailto:mountain_mama29@yahoo.com]
Sent: Sunday, February 15, 2015 11:01 AM
To: Placer County Planning
Subject: Possible Extension on a Conditional Use Permit for the construction of the North Shore Gas Station

Mr. Allen Breuch,

I am a local, long time homeowner and resident of King Beach. I love my little town and I am excited to see the improvements. I am asking you to seriously consider the ramifications of extending the conditional use permit for the construction of a third gas station in Kings Beach. We are a small community with plenty of fuel options – two existing gas stations, and several close by in Incline Village. Personally, I will rarely purchase gasoline locally due to the high prices not to mention the potential environmental ramifications. I just do not see how an additional gas station and mini mart would serve our community. I am sure this piece of vacant property in a prime real estate area could be better utilized.

Thank you for your considerations,
Shana Behan
8881 Dolly Varden Ave
Kings Beach, CA 96143

Allen Breuch

From: Nicole Hinkle on behalf of Placer County Planning
Sent: Tuesday, February 17, 2015 8:27 AM
To: Allen Breuch
Subject: FW: Mr. Allen Breuch

Thank you,
Nicole

Placer County Planning Services Division
530-745-3117
nhinkle@placer.ca.gov

From: Mary Cushing [<mailto:mhakala@aol.com>]
Sent: Saturday, February 14, 2015 5:49 PM
To: Placer County Planning
Subject: Mr. Allen Breuch

I am writing to let you know I am strongly against the proposed gas station in Kings Beach. I have lived on the north shore of Lake Tahoe for over 40 years. Two gas stations in Kings Beach is enough.

Mary Cushing