

April 22, 2023

Dear TRPA Staff,

**Subject TRPA filing: LLAD2022-1420 and ERSP2022-2023**

8305 & 8307 MEEKS BAY AVE, TAHOMA, EL DORADO COUNTY, CALIFORNIA, ASSESSOR'S PARCEL NUMBERS (APNs) 016-063-001 & 016-063-016

There is significant neighborhood concern regarding the proposed lot line adjustment LLAD2022-1420 and subsequent development proposal ERSP2022-2023.

We request the TRPA **deny** the application, LLAD2022-1420 as the findings cannot be made for approval.

Our detailed analysis is below:

First and foremost, these parcels lie within the Rubicon Plan Area Statement ("PAS"), which states, "The Rubicon area should remain residential, maintaining the **existing character** of the neighborhood." The proposed LLA will have a **significant** effect on the parcels adhering to the Plan Area Statement, as the reallocation in size would create an **anomalously large parcel** that in turn dramatically changes the existing character of the neighborhood. Parcels and homes in the Rubicon PAS are consistent in size and development intensity. The subsequent proposed home of more than 15,000 square feet in dramatically larger than any home in the Rubicon PAS.

## **PARCEL AREA**

Parcel Size		
Parcel	Parcel Area to HWL (sq. ft.)	Length of HWL (ft.)
<i>Original Parcel Configuration</i>		
APN 016-063-001	25,939	172
APN 016-063-016	31,346	440
<i>Adjusted Parcel Configuration</i>		
APN 016-063-001	15,307	35
APN 016-063-016	41,978	577

The Lot Line Adjustment proposal reconfigures two lots that are essentially equivalent in size (+20%) to one small parcel and one **anomalously large parcel (+275%)**.

There are required findings that need to be made for a Lot Line Adjustment based on the TRPA code as follows:

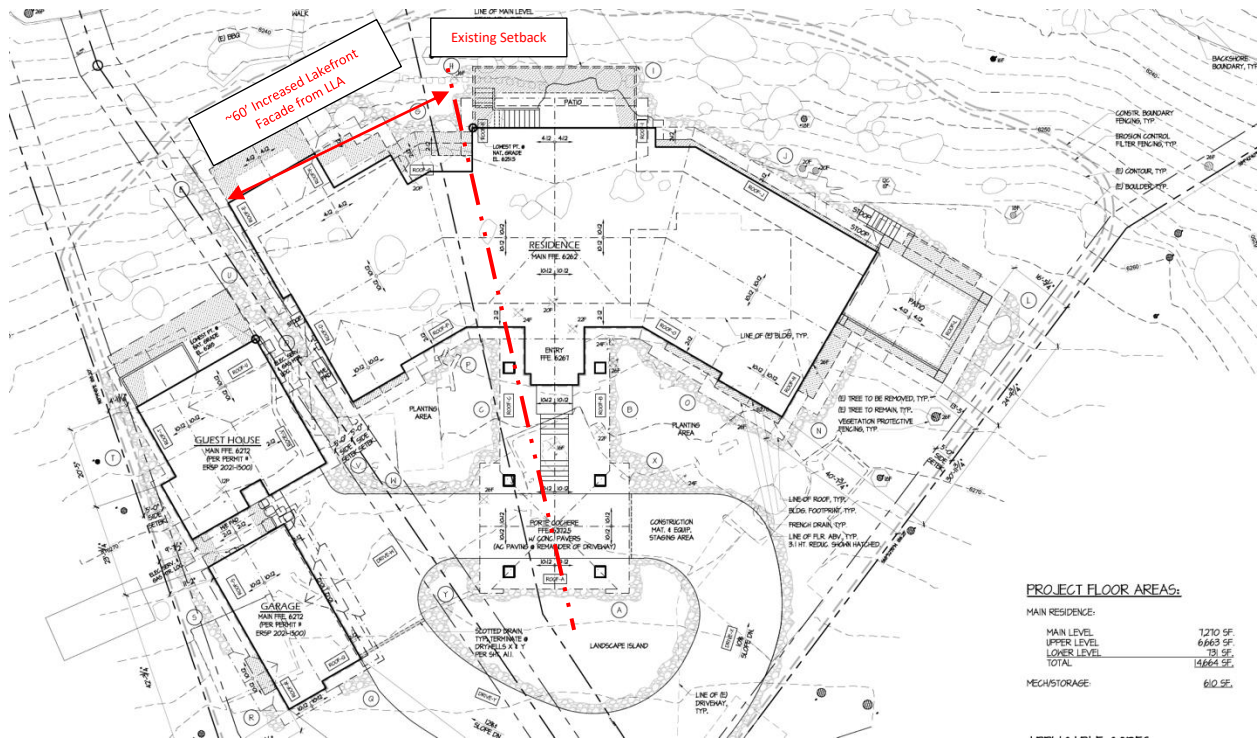
### ***Chapter 3: Findings Required***

***Finding 3.4.2.*** Findings for Environmental Assessment Based on the information contained in the environmental assessment and other information known to TRPA, TRPA shall make one of the findings listed under subsection 3.3.2 and take the action prescribed in the applicable finding.

**Response: This finding cannot be made.** The proposed lot line adjustment **MAY** have a significant effect on the environment. The change in parcel size from two essentially

equivalently sized parcels to one small and one anomalously large parcel would be out of character with the Rubicon area as required in the Rubicon Area Statement.

Based on the submission of ERSP2022-2023, there is information known to TRPA about the planned land used by the applicant – building a massive scale home from setback to setback. Such an **anomalously large parcel** would allow a significant increase in development intensity including up to 200' of façade facing the shoreline, a more than 60' increase from the current parcel configuration and as proposed home is a 9-bedroom, 12 bath, 2 laundry room (3 washers) house there **MAY** be adverse impacts on water usage and water quality.



As the project is found that it **MAY** have a significant effect on the environment, therefore, Section 3.3.2 Findings under subsection C must be made.

*C. The proposed project **may** have a significant effect on the environment and an environmental impact statement shall be prepared in accordance with this chapter and the Rules of Procedure, Article 6.*

**Response:** The applicant has not submitted an EIS in accordance with Chapter 3 or the Rule of Procedure, Article 6.

**Finding 3.5** *If TRPA finds that a project or matter will not have a significant effect, no further environmental documentation shall be required.*

**Response: This finding cannot be made.** The proposed lot line adjustment **MAY** have a significant effect on the environment, character of the neighborhood and development intensity, therefore further environmental documentation is required.

**Finding 3.6** *If TRPA finds a project or matter will not have a significant effect if certain mitigation measures are incorporated into and made a part of the project, the project description shall be correspondingly modified and no further environmental documentation shall be required.*

**Response: This finding cannot be made.** The proposed lot line adjustment **MAY** have a significant effect on the environment, character of the neighborhood and development intensity, therefore further environmental documentation is required. No mitigation measures have been proposed.

#### **Chapter 4: Findings Required**

**Finding 4.4.1** *To approve any project TRPA shall find, in accordance with Sections 4.2 and 4.3, that:*

**Finding 4.4.1.A** *The project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, plan area statements and maps, the Code, and other TRPA plans and programs;*

**Response: This finding cannot be made.** The proposed lot line adjustment **WILL** adversely impact the implementation of the Rubicon Plan Area Statement. The proposed LLA will have a **significant** effect on the parcels adhering to the Plan Area Statement, as the reallocation in size, creating an **anomalously large parcel**, would dramatically change the existing character of the neighborhood. The subsequent proposed home of more than 15,000 square feet is dramatically larger than any home in the Rubicon PAS, adversely impacting the existing character of the PAS.

**Finding 4.4.1.B:** *The project will not cause the environmental threshold carrying capacities to be exceeded; and*

**Response: This finding cannot be made.** TRPA has not completed a comprehensive Environmental Impact Review and carrying capacity study since the 1980s. Therefore, TRPA does not know if the environmental threshold carrying capacities have been or will be exceeded by this or any other project.

**Finding 4.4.1.C:** *Wherever federal, state, or local air and water quality standards apply for the region, the strictest standards shall be attained, maintained, or exceeded pursuant to Article V(d) of the Tahoe Regional Planning Compact.*

**Response: This finding cannot be made.** While the lot line adjustment itself will not impact the air or water quality standards, the subsequent development of the **anomalously large parcel** **MAY** impact air and water quality standards. The proposed 9-bedroom, 12 bath, 2 laundry room (3 washers) house will have a significant increase in water usage and add significant load to the sewer system. Without a comprehensive EIS and mitigation measure plan, the detailed impact is unknown.

Further, we request the TRPA **deny** the application, **ERSP2022-2023** as the findings cannot be made for approval as detailed below:

**Finding 21.2.2.A:** *The project to which the use pertains is of such a nature, scale, density, intensity, and type to be an appropriate use for the parcel on which and surrounding area in which it will be located.*

**Response: This finding cannot be made.** The **SCALE**, density, **INTENSITY** and **TYPE** are not appropriate for the project site and within the Rubicon PAS. The LLA proposal changes the SCALE – making one parcel much larger than all the others. This leads to increased development INTENSITY (9 bedroom, 15,000 square ft is a significant increase in development intensity, including over 200’ of lake facing façade, water usage, traffic, parking, etc.). And TYPE – while called a “SFR” but scaled as a lodge (or hotel). The “nature” of the proposed residence is **NOT** similar to the nature of the surrounding residential units, thus not compatible with the neighborhood or PAS.

**Finding 21.2.2.B:** *The project to which the use pertains will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water, and air resources of both the applicant’s property and that of the surrounding property owners; and*

**Response: The finding cannot be made.** The proposed project will disturb the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region.

- Safety will be compromised: Additional vehicles of users of 9-bedroom proposal may potentially clog the roadways with street parking as there is not enough on-site parking capacity for occupants. Further, there is no parking allowed in the roadways in the winter – where will these cars go?
- Enjoyment of Property will be compromised: The addition of more than 22 people (at full occupancy of the current VHR) into the neighborhood on a single property will reduce the enjoyment of surround properties due to increase traffic loading and noise and used of natural resources.
- General welfare will be compromised: The intensity of development (the proposed 9-bedroom, 12 bath, 2 laundry room (3 washers) house) will adversely impact the use of natural resources (water and air resources) and adversely impact the Lake’s carrying capacity with increased wastewater, run off, vehicular emissions, roadway wear and tear.

**Finding 21.2.2.C:** *The project which the use pertains to will not change the charter of the neighborhood, or detrimentally affect or alter the purpose of the applicable planning area statement, community plan, and specific or master plan, as the case may be.*

**Response: The finding cannot be made.** The proposed project, while a SFR, is more than 6 times larger than the home that was removed. This is an increase in development scale and intensity that is not in keeping with the community character. The proposal is in conflict with Rubicon Plan Area Statement (“PAS”), which states, “The Rubicon area should remain residential, maintaining the **existing character** of the neighborhood.” Therefore, the proposal should be scaled to no greater than the largest home in the surrounding neighborhood.