

## **FAIRWAY DRIVE EASEMENTS**

**Recommended Action:** Adopt Resolution 17-03-07 (Attachment 1) authorizing four Offers of Dedication to Placer County for highway, unmaintained highway, multi-purpose, and snow storage easements for a portion of the existing Fairway Drive through Placer County Assessor's Parcel Number 094-180-059.

**Location:** Placer County Assessor's Parcel Numbers 094-180-002, 094-180-003, and 094-180-059. The easements are located along Fairway Drive in Tahoe City, north of State Route 89, in the immediate vicinity of the Tahoe City Golf Course, North Tahoe Fire Protection District Fire Station, and Tahoe City Public Utility District Office (Location Map, Attachment 2).

**Fiscal Summary:** Survey costs totaling \$15,250 have been incurred to date. Final survey work, up to \$5,000, will be included within the scope of a survey contract being prepared for the 2017 field season pursuant to the June 2016 property management authorization. Incidental staff costs related to document preparation, review, and recordation are ongoing. All survey costs are recorded in the capital outlay budget and paid with Tahoe Conservancy Funds.

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### **Overview**

#### **Description of Recommended Action**

Staff recommends the Board authorize four Offers of Dedication to Placer County (County). The Offers of Dedication to the County will: 1) recognize the existing Fairway Drive as a County right-of-way for maintenance and public highway access and use, and 2) facilitate access from Fairway Drive to two privately-owned in-holding parcels.

Offers of Dedication (Project Map, Attachment 3):

- **Highway Easement** – This County-maintained public easement will formalize the existing Fairway Drive’s right-of-way for motorized and non-motorized uses including pedestrians and bicycles, existing or future utilities, and incidental road improvements. The Easement width is: 1) 30 feet west of the centerline, and 2) up to 60 feet east to the common property boundary, from the centerline.
- **Multi-purpose Easement** – This 12.5-foot-wide easement allows installation and maintenance of utilities such as street lighting, slopes, drainage and erosion control, vegetation maintenance, and mail delivery boxes. It is located 12.5 feet west of the abutting 30-foot-wide Highway Easement.
- **Snow Storage Easement** – This 20-foot-wide easement allows placement and storage of snow along Fairway Drive, using various snow removal methods. The easement is located 20 feet west of the abutting 30-foot-wide Highway Easement and overlaps with a portion of the Multi-purpose Easement.
- **Unmaintained Highway Easement** – This 50-foot-wide unmaintained public easement will facilitate access to Fairway Drive for two one acre privately-owned parcels (Placer County Assessor’s Parcel Numbers 094-180-002 and 094-180-003) (in-holding parcels) by providing the additional area needed for access to the County’s Highway Easement.

## History

The Conservancy acquired Placer County Assessor’s Parcel Number 094-180-059 (Conservancy parcel) located on Fairway Drive in October 1989 for \$244,000. The Conservancy parcel was acquired under the Environmentally Sensitive Lands program using Lake Tahoe Acquisition Bond Act funds. This parcel is 34 acres and currently zoned recreation.

Fairway Drive is a two lane paved County-maintained road connecting to State Route 89 in Tahoe City. It provides access to local government facilities and Mount Watson Road. Mount Watson Road is a dirt road crossing the Conservancy parcel, a portion of the in-holding parcel, and provides access to U.S. Forest Service lands.

The County historically maintained this portion of Fairway Drive without a formal right-of-way. Additionally, the Conservancy has not formalized the Fairway Drive right-of-way location or any of the specific easement rights with the County. Tahoe City Public Utility District formalized the County’s right to an adjacent portion of Fairway Drive in 2010 to complete the North Tahoe Fire Protection District Fire Station.

The owners of the two in-holdings are now requesting access to Fairway Drive, which requires formalizing the County's right-of-way to the portion of Fairway Drive on Conservancy land. The in-holding parcels could potentially support private residential development if this authorization is approved and the projects are permitted by the County.

The in-holding parcels were created prior to the Conservancy's October 1989 acquisition. Although Fairway Drive also existed at that time, the in-holding parcels neither front on Fairway Drive nor have they been granted easements through the Conservancy parcel for vehicular or driveway access to Fairway Drive.

The Conservancy parcel also contains an existing 30-foot-wide private access and public utility easement (See Attachment 3). Permission to use the easement could be necessary for the County and in-holding parcels to obtain access to Fairway Drive.

To initiate the process of offering for dedication this portion of Fairway Drive, a licensed land surveyor performed a survey of the existing roadway and the property boundary for the Conservancy. The surveyor then wrote legal descriptions of the three easements for the County's preliminary review. The fourth easement description will be completed this spring. Conservancy staff will submit all final Offers of Dedication to the County upon authorization by the Board. County staff supports the Offers of Dedication, which require approval by the County Board of Supervisors. The existing road improvements will continue to be maintained by the County.

## **Financing**

Survey costs totaling \$15,250 have been incurred to date. Final survey work, up to \$5,000, will be included within the scope of a survey contract being prepared for the 2017 field season pursuant to the June 2016 property management authorization. All survey costs are recorded in the capital outlay budget and paid with Tahoe Conservancy Funds.

## **Authority**

### **Consistency with the Conservancy's Enabling Legislation**

The action is consistent with the Conservancy's enabling legislation (Government Code Title 7.42) which authorizes the Conservancy to: (1) initiate, negotiate, and participate in agreements for the management of land under its ownership and control with local public agencies (66907.9); (2) select and hire private consultants or contractors (i.e.,

licensed land surveyors) to achieve these purposes (66906.8); (3) transfer any real property or interest therein to local public agencies to fulfill the Conservancy's purposes (66907.8); and 4) improve and develop acquired lands for protection of the natural environment and public access to managed lands. (66907.10).

### **Consistency with the Conservancy's Strategic Plan**

The recommended action is consistent with the Strategic Plan because it facilitates efficient management of Conservancy land (Strategy III) and overall agency operational efficiency (Strategy IV).

### **Consistency with the Conservancy's Program Guidelines**

The recommended action is consistent with the Board's existing policy direction, and the Land Transfer Guidelines.

### **Consistency with External Authorities**

The recommended action is consistent with the County staff recommendation to accept the Offers of Dedication for Fairway Drive and continue to manage the road consistent with its maintained road inventory. The Offers of Dedication will follow the County's process for easement dedication and acceptance.

### **Compliance with the California Environmental Quality Act (CEQA)**

Pursuant to the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), certain classes of activities are statutorily exempt from CEQA or are exempt because they have been determined by the Secretary for Natural Resources to have no significant effect on the environment. Pursuant to Public Resources Code sections 21001(f) and 21082, the Conservancy has also adopted regulations to implement, interpret, and make specific the provisions of CEQA. (Cal. Code Regs., tit. 14, § 12100 et seq.)

Staff has evaluated this project, and has found it to be exempt under CEQA. This project qualifies for a categorical exemption under State CEQA Guidelines section 15301, and the Conservancy's CEQA regulations, section 12102.1, recognizing an existing facility in the paved Fairway Drive road in its current location. Additionally, this project may result in the construction of two separate single family residences on two separate in-holding parcels; therefore this project also qualifies for a categorical exemption under section 15303, new construction. A Notice of Exemption (NOE) has been prepared for

the Project (Attachment 4). If the Board approves the project, staff will file the NOE with the State Clearinghouse pursuant to State CEQA Guidelines, section 15062.

**List of Attachments:**

- Attachment 1 – Resolution 17-03-07
- Attachment 2 – Location Map
- Attachment 3 – Project Map
- Attachment 4 – Notice of Exemption

**Conservancy Staff Contact:**

Amy Cecchetti  
amy.cecchetti@tahoe.ca.gov

**ATTACHMENT 1**

California Tahoe Conservancy  
Resolution  
17-03-07  
Adopted: March 16, 2017

**FAIRWAY DRIVE EASEMENTS**

Staff recommends that the Conservancy adopt the following resolution pursuant to Government Code sections 66906.8, 66907.8, 66907.9 and 66907.10:

“The California Tahoe Conservancy hereby authorizes four Offers of Dedication to Placer County for highway, unmaintained highway, multi-purpose, and snow storage easements for a portion of the existing Fairway Drive through Placer Assessor’s Parcel Number 094-180-059, and authorizes staff to take all other steps consistent with the accompanying staff recommendation.”

I hereby certify that the foregoing is a true and correct copy of the resolution duly and regularly adopted by the California Tahoe Conservancy at a meeting thereof held on the 16<sup>th</sup> day of March, 2017.

In WITNESS THEREOF, I have hereunto set my hand this 16<sup>th</sup> day of March 2017.

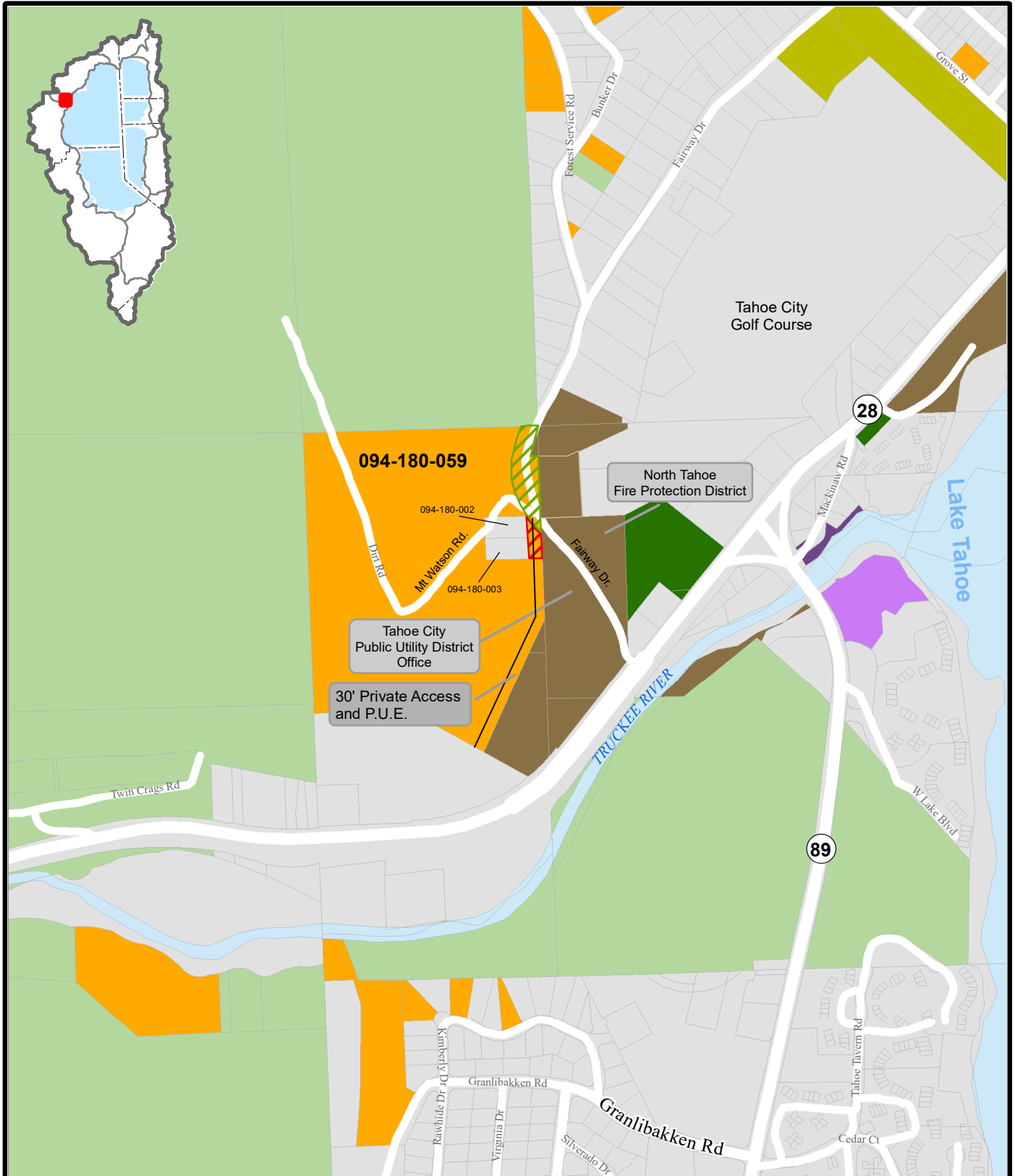
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Patrick Wright  
Executive Director

# ATTACHMENT 2

## Location Map

### Fairway Drive Easements

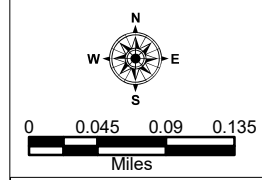


#### Easements

- Placer County Easements
  - 1) Highway Easement
  - 2) Snow Storage Easement
  - 3) Multi Purpose Easement
- Placer County Unmaintained Highway Easement
- 30' Private Access and P.U.E.

#### Ownership

- CA Tahoe Conservancy
- CA Dept of Parks and Recreation
- Placer County
- Private
- State of California
- Tahoe City Public Utility District
- Tahoe Truckee Unified School District
- US Forest Service



Sources:  
TRPA, CTC

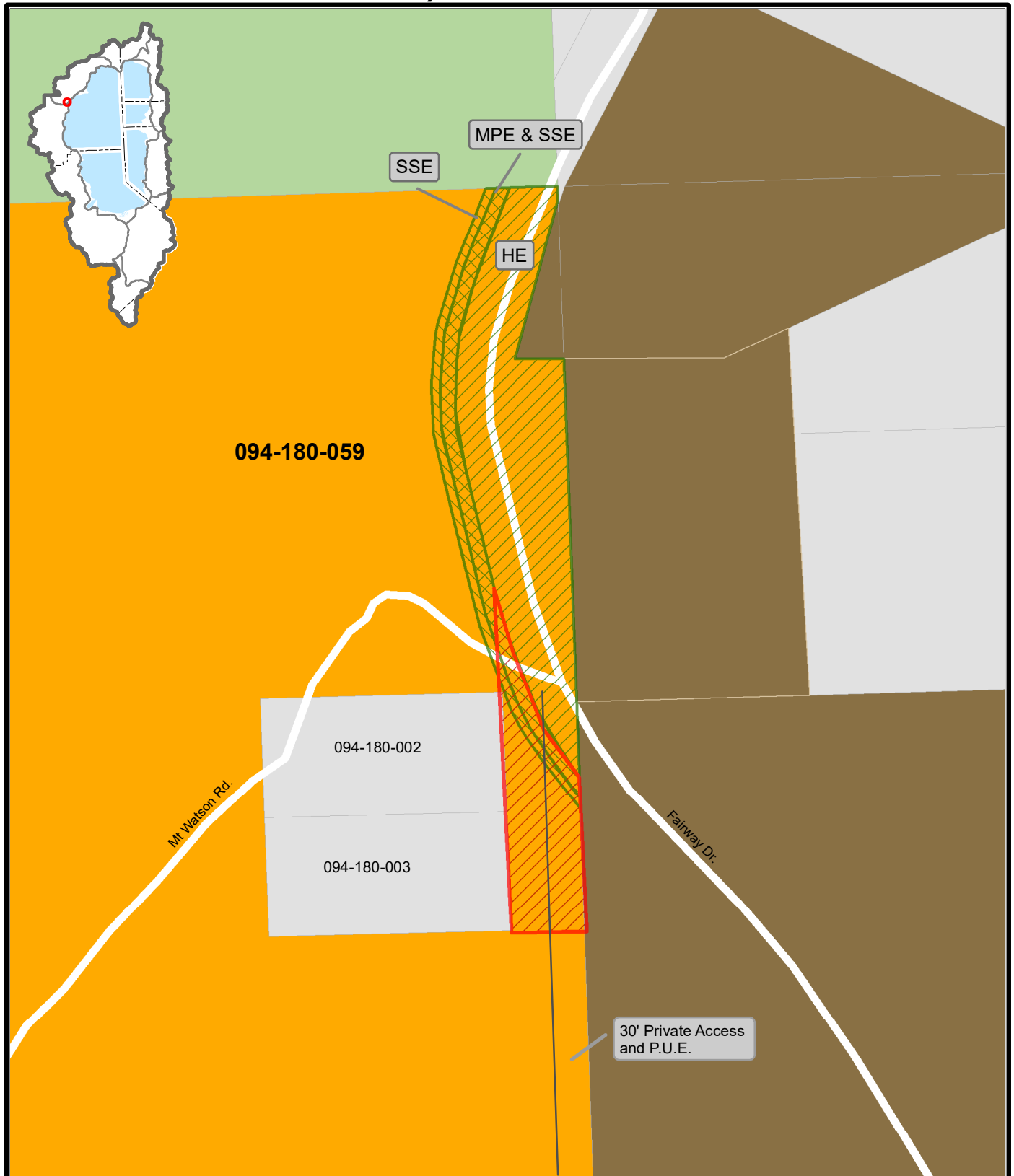
#### California Tahoe Conservancy








March 2017

\*Map for reference purposes only.


**ATTACHMENT 3  
Project Map  
Fairway Drive Easements**

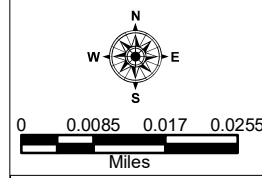


**Easements**

-  Highway Easement (HE)
-  Multi-Purpose Easement (MPE)
-  Snow Storage Easement (SSE)
-  Unmaintained Highway Easement
-  30' Private Access and P.U.E.

**Ownership**

-  CA Tahoe Conservancy
-  Private
-  Tahoe City Public Utility District
-  US Forest Service



Sources:  
TRPA, CTC

California  
Tahoe Conservancy



March 2017

\*Map for reference purposes only.



**ATTACHMENT 4  
NOTICE OF EXEMPTION**

TO: Office of Planning and Research  
1400 10th Street, Room 121  
Sacramento, CA. 95814

FROM: California Tahoe Conservancy  
1061 Third Street  
South Lake Tahoe, CA. 96150

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***Project Title:***

Access through Fairway Drive and for two adjacent parcels.

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***Project Location – Specific:***

Placer County Assessor's Parcel Numbers 094-180-002, 094-180-003, and 094-180-059, located on Fairway Drive, north of State Route 89 in Tahoe City.

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***Project Location – City:***

Tahoe City

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***Project Location – County:***

Placer

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***Description of Nature, Purpose, and Beneficiaries of Project:***

Project consists of recording four Offers of Easement Dedications to Placer County to formalize: 1) a portion of the existing Fairway Drive right-of-way crossing California Tahoe Conservancy's Placer County Assessor's Parcel Number 094-180-059, and 2) facilitate access from Fairway Drive to two in-holding parcels (Placer County Assessor's Parcel Numbers 094-180-002 and 094-180-003), located within Placer County Assessor's Parcel Number 094-180-059.

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***Name of Public Agency Approving Project:***

California Tahoe Conservancy (Conservancy meeting of 3/16/2017) (Agenda Item 9.c)

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***Name of Person or Agency Carrying Out Project:***

California Tahoe Conservancy

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***Exempt Status:***

- Ministerial (§ 21080 (b)(1); § 15268)
- Declared Emergency (§ 21080 (b)(3); § 15269 (a))
- Emergency Project (§ 21080 (b)(4); § 15269 (b)(c))
- Categorical Exemption. Classes 1 and 3, §§ 15301 and 15303 (See also Cal. Code Regs., tit. 14, § 12102.1).

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***Reasons Why Project is Exempt:***

The project will formalize an existing roadway right-of-way which is categorically exempt under Class 1 (existing facilities); and facilitate access to two separate parcels, leading to the construction of a single-family residence on each parcel, which is categorically exempt under Class 3 (new construction).

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***Contact Person:***

Amy Cecchetti

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***Telephone Number:***

(530) 543-6033

***Date Received for Filing:***

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Patrick Wright  
Executive Director