TRPA
GOVERNING BOARD
PACKETS

DECEMBER
1978
NOTICE OF MEETING OF THE
GOVERNING BODY OF THE
TAHOE REGIONAL PLANNING AGENCY

NOTICE IS HEREBY GIVEN that on December 20, 1978 at
10:00 a.m. at the hearing room of the Tahoe Regional Planning Agency, located at 2155 South Avenue, South Lake Tahoe, California, the Governing Body of said agency will conduct its regular meeting. The agenda for said meeting is attached to and made a part of this notice.

DATED: December 8, 1978

BY:

James J. Jordan
Executive Director
PRELIMINARY AGENDA

I CALL TO ORDER AND DETERMINATION OF QUORUM

II APPROVAL OF AGENDA

III DISPOSITION OF MINUTES

IV CONSENT CALENDAR

V AGENCY REVIEW
   A. Sahara Tahoe, Administrative Permit for Parking Structure, Douglas County
   B. Administrative Permit for 24 Unit Apartment at 929 Southwood Boulevard, Washoe County
   C. Traffic Impact Determination for Crystal Bay Motel on Addition of Commercial Facility, Washoe County

VI PUBLIC WORKS
   South Lake Tahoe Public Works Department, Pine Boulevard Extension, Modification of Condition of Approval

VII PLANNING AND POLICY MATTERS
   A. Determination of Agency Pierhead Line
   B. Draft Non-Attainment Air Quality Plan

VIII REPORTS
   A. Appeals of Staff Decisions
   B. Executive Session
   C. Business Manager Report
   D. Preliminary Budget and Work Program, Fiscal Year 1979-80
   E. Legal Services Contract Amendments
   F. Executive Director Report on Administrative Matters
   G. Legal Counsel Report
H. Governing Body Members

I. Public Interest Comments

IX ORDINANCES

A. First Reading of Ordinance Establishing Indirect Source Review Standards and Procedures

E. First Reading of Amendments to the Land Use Ordinance

1. Section 7.103 to Allow Land Coverage Not to Exceed 50% in the Public Service Land Use District

2. Section 7.13 to Clarify Calculation of Limitations on Building Height

C. First Reading of Ordinance Amending the Regional Plan for Property in Washoe County Owned by the Tantara Company, Totaling 4.29 Acres Reclassified High Density Residential

X RESOLUTIONS

XI PENDING MATTERS

XII OTHER BUSINESS

XIII ADJOURNMENT

CONSENT CALENDAR

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<tr>
<th>Item</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>U.S. Forest Service, Lake Tahoe Basin Management Unit</td>
<td></td>
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<td><strong>Acquisitions</strong></td>
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<td>1. 2.2 Acres on the Truckee River, Placer County</td>
<td>Support</td>
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<td>2. 68 Acres 1/2 Mile West of Tahoe City, Placer County</td>
<td>Support</td>
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<td><strong>Exchange</strong></td>
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<td>Two Properties Totaling .56 Acres on the Truckee River Owned by Inter-County Title Company, Placer County</td>
<td>Support</td>
</tr>
</tbody>
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PROJECTS TO BE REVIEWED
AT DECEMBER 20-21, 1978
GOVERNING BOARD MEETING

AR-AGENCY REVIEW
PW-PUBLIC WORKS
CC-CONSENT CALENDAR
MEMORANDUM

DATE December 11, 1978

TO: The TRPA Governing Board

FROM: The Staff

SUBJECT: Meeting Minutes

As in past years, because there are three weeks instead of four weeks between the November and December, 1978 meeting dates, staff has not had adequate time to complete the November Board minutes. These minutes along with the December minutes will hopefully be available for the January, 1979 packet mailing.
Clearinghouse
U. S. Forest Service Acquisition
2.2 Acres, Scott and Betty Smith

Summary
The U. S. Forest Service is proposing to acquire an undeveloped 2.2 acre parcel of land located in the northwest portion of the Lake Tahoe Basin and along the Truckee River (see Attachment 1). The proposed purchase consists of one lot with about 280 feet of river frontage. This property is bounded by the river and National Forest land.

This purchase is a part of the on-going acquisition program along the Truckee River by the Forest Service.

TRPA Plans
The parcel in question is zoned General Forest by the TRPA. The parcel is in land capability district 1a. The Recreation Element of the TRPA General Plan identifies the subject parcel as being appropriate for maintenance as a natural environmental area and for day-use recreation.

Recommendation
Agency staff recommends support of the subject clearinghouse application.
Clearinghouse
U. S. Forest Service Acquisition
68 Acres, Martha I. Riley
Placer County

Summary

The U. S. Forest Service is proposing to acquire an undeveloped 68 acre parcel of land located one mile west of Tahoe City. This parcel is bounded on the west by the Tahoe National Forest (see Attachment 1). This purchase is consistent with the U. S. Forest Service acquisition program near Lake Tahoe and the Truckee River.

TRPA Plans

The parcel in question is zoned General Forest and Low Density Residential (LDR) by the TRPA. There is approximately 50 acres of General Forest and 18 acres of LDR. TRPA would, therefore, allow up to 72 units on the LDR (up to 4 units per acre), and one unit on the General Forest land. The CTRPA ordinances currently limit development to one residential unit per assessor's parcel.

Land capability on the parcel is a mixture of levels 1, 2 and 4. The TRPA Recreation Element identifies this area as natural environmental area.

Recommendation

Agency staff recommends support of the subject clearinghouse application.

12/11/78
Clearinghouse
U. S. Forest Service Exchange
Two Properties Totaling .56 Acres on the
Truckee River Owned by Inter-County Title Company
Placer County

Summary

The U. S. Forest Service is proposing to acquire .56 acres of undeveloped land along the Truckee River in Placer County in exchange for 3.88 acres of undeveloped land in El Dorado County.

The .56 acres consist of two parcels. The first parcel is located approximately 1/2 mile west of Tahoe City on the south side of the Truckee River and provides 50 feet of frontage on the river. The second parcel is located six miles northwesterly from Tahoe City and provides 25 feet of frontage on the river. This exchange is a part of the on-going acquisition program along the Truckee River by the U. S. Forest Service (see Attachment 1).

The U. S. Forest Service will be exchanging two parcels of land which they obtained through survey error. One parcel is 2.48 acres and located about two miles southeast of South Lake Tahoe in the Mountain View Subdivision. The other parcel is 1.40 acres and located two miles south of Meeks Bay in Rubicon (see Attachment 2). Both parcels are in existing subdivided areas.

TRPA Plans

The parcels being traded are both zoned Low Density Residential by the TRPA. The parcels being obtained by the Forest Service are zoned General Forest. The Recreation Element of the TRPA General Plan identifies the Truckee River parcels as being appropriate for maintenance as a natural environmental area and for day-use recreation.

Recommendation

Agency staff recommends support of the subject clearinghouse application.

12/11/78
Sahara Tahoe Administrative Permit for a Parking Garage Douglas County

Project Location and

The applicant, Sahara Tahoe Corporation, is requesting an administrative permit, as required under Sections 7.12(4) and 9.21(3) of the Land Use Ordinance, to allow construction of a 6-level parking garage designed to accommodate 2,100 vehicles. The proposed garage is to be located to the north of the existing Sahara Tahoe casino and twin hotel towers (see attachment #1) upon ground currently occupied by self-service and valet surface parking.

The Sahara Tahoe hotel/casino complex is located on the west side of U.S. Highway 50 in Douglas County, Nevada and is one of the four major hotel/casino complexes within the South Lake Tahoe casino core area (see attachment #2). The footprint of the proposed garage is rectangular in shape, dimensioning 195 feet along the frontage of U.S. Highway 50 by 600 feet. A porte cochere, containing two levels of parking and dimensioning 130 feet along the frontage of U.S. Highway 50 by 230 feet, is to be constructed between the existing casino and the proposed garage structure. The total dimension of the proposed garage, including the porte cochere, along the frontage of U.S. Highway 50 is 325 feet.

There are presently a total of 1,726 parking spaces on the Sahara Tahoe site. Approximately 968 surface spaces will be lost as a result of the construction of the proposed garage. Therefore, with the construction of the 2,100 spaces contained in the proposed garage, there will be a net gain of 1,132 parking spaces on the Sahara Tahoe site, increasing the total supply to 2,858 spaces.

Land Use Classification

The Sahara Tahoe hotel/casino complex, including the proposed parking garage, is located on 21.6 acres of land that is presently classified Tourist Commercial (TC) by the Agency (see attachment #3). The majority of the land classified TC, 20.44 acres, was shown as TC on the original 1971 TRPA General Plan. The remaining 1.16 acres was reclassified from Recreation to TC under a General Plan amendment approved by the Agency on July 26, 1978. The applicant requested the General Plan amendment for the specific purpose of building the proposed parking garage.

In addition to the 21.6 acres of land classified TC, the total project site includes 2.22 acres of land classified Recreation. The only improvements proposed within the Recreation use classification are a main access road from the loop road and an access road to the rear parking lot for buses and campers.

The uses proposed within the total project site, which contains 23.82 acres, conform with the applicable use regulations set forth in the Land Use Ordinance.

Land Capability and Land Coverage

Except for two small areas of land within the Recreation district, the total project site is identified as EFB soil type. The EFB soil type is classified as land capability level 7 which permits 30 percent land coverage. The two small areas of land within the Recreation district are identified as Jac and Ev soil types. The Jac soil type is classified as land capability level 5, permitting 25 percent land coverage and the Ev soil type is classified as land capability level 1a, permitting 1 percent land coverage.

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The maximum land coverage permitted within the area classified TC, as set forth under Section 7.83 of the Land Use Ordinance, is 50 percent, or 470,600 square feet. There is presently 860,255 square feet of land coverage within the area classified TC. Therefore, there is presently 389,655 square feet of nonconforming land coverage within the TC area. Allowable land coverage within the area classified Recreation must be calculated in conformance with the applicable land capability constraints. The only existing or proposed land coverage in the Recreation district is within the Eib soil type area which totals 1.3 acres in size. The allowable coverage is 17,015 square feet and the existing is 39,600 square feet. Therefore, there is presently 22,585 square feet of existing nonconforming land coverage within the Recreation district. The total amount of existing nonconforming land coverage within the project area is 412,246 square feet.

The regulations set forth under Section 9.21(3) of the Land Use Ordinance require the applicant to remove existing nonconforming land coverage in an amount equal to 9 percent of the total nonconforming land coverage within the TC district plus the square footage of land coverage created by the proposed parking garage. The proposed parking garage will create 144,500 square feet of land coverage and 9 percent of the 389,655 square feet of nonconforming land coverage equals 35,069 square feet. Therefore the total amount of existing nonconforming land coverage that must be removed is 179,569 square feet or 4.12 acres. The applicant proposed to remove all of the 22,585 square feet of existing nonconforming land coverage within the Recreation district and the remainder required, 156,784 square feet, from the TC district.

The Proposed Site Plan submitted by the applicant to the Agency on November 13, 1978 identifies the 179,569 square feet of existing nonconforming land coverage that is to be removed.

Height

Section 7.13 of the Land Use Ordinance establishes that no structure proposed within the Tourist Commercial district can exceed an average height of 40 feet measured from the finished ground level at the center of all exterior walls. In addition, appurtenances may be erected to a fifteen percent (15 %) greater height.

The height of the proposed parking garage, including appurtenances, has been properly calculated in accordance with the provisions of Section 7.13 and does not exceed an average height of 40 feet. As shown on plans submitted by the applicant to the Agency on November 13, 1978, based on the reference that the elevation of the existing grade adjacent to the northerly U.S. Highway 50 driveway is 101.4 feet, the maximum finish floor elevation of the sixth floor is 135.0 feet.

Storm Drainage

The stormwater runoff from the proposed parking structure is to be collected and then treated in the following manner:

1. The stormwater collected from the parking structure will be discharged into a series of drop inlets designed to remove floating debris, grease, and oil.

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2. The stormwater discharge through the drop inlets will be collected in a 72 inch diameter concrete pipe for transport into the existing storm drain system.

3. The stormwater from the 72 inch diameter pipe will be discharged into the existing retention pond located at the southwest corner of the Sahara Tahoe property. This retention pond has capacity sufficient to accommodate the stormwater flows from the entire area of both the Sahara Tahoe and the Park Tahoe sites for a 10 year frequency, 2 hour duration storm.

4. The stormwater will again pass through a screen at the inlet to the retention pond to remove floating trash and debris.

5. A baffle on the existing pipe from the retention pond will retain grease and oil within the retention pond.

6. The stormwater will be discharged from the retention pond into a series of leach fields for disposal to ground water.

The total stormwater treatment system is designed to meet the discharge standards set forth in the Agency's 208 Plan.

Grading

A significant amount of grading will result from the excavation required for construction of the building foundations. Plans submitted by the applicant show that in order to conform to the 40 foot height limit in some areas excavation to a depth necessary to accommodate two stories, approximately 20 feet, will be required. The applicant has not provided an indication of the number of square yards of earthen material that will be required to be removed from the site.

The applicant's Information Report does indicate, however, that all excavated material will be legally disposed of within the Basin. All excavated areas outside of the building foundations will be backfilled and will, therefore, not require specific slope stabilization treatment.

Revegetation

The applicant's Information Report indicates that all areas disturbed during construction and those areas where the existing asphalt is to be removed are to be landscaped and maintained by the hotel staff. The type of plants to be used will be chosen to conform to the natural vegetation in the area and to enhance the aesthetic characteristics of the hotel/casino complex.

If this project is approved, the applicant will be required to submit a specific revegetation plan to the Agency for approval by Agency staff.

12/13/78
Snow Storage

The applicant's Information Report indicates that snow storage areas will be located around the perimeter of the surface parking lot so that the runoff from snow melt will be discharged into appropriate leaching facilities. Snow accumulated on the top floor of the parking structure will be physically removed and hauled to a legal disposal site.

Phasing

The proposed parking structure is to be built in two phases. Phase 1, as identified on plans submitted by the applicant, is the westerly, or rear portion dimensioning 195 feet x 420 feet. Phase 1, which constitutes approximately two-thirds of the total garage, is to be in use prior to work commencing on Phase 2. This phasing is proposed to minimize the impact on the existing parking supply during construction. The applicant has not provided a breakdown of the number of parking spaces included in either Phase 1 or 2 or the net number of spaces available on the Sahara Tahoe site upon completion of Phase 1. Calculations by Agency staff indicate that Phase 1 of the parking garage will contain approximately 1,500 spaces.

The applicant anticipates that it will take about seven months to construct each phase.

Traffic Analysis

Agency staff has received much information from the applicant and the consultants, Douglas County, the Nevada Highway Department, the Nevada Division of Environmental Protection, the California Tahoe Regional Planning Agency, Cal Trans, the California Air Resources Board, and the U.S. Forest Service relative to their assessments of the potential traffic impacts resulting from proposed parking garages at South Stateline. Analysis by Agency staff of the information provided by all these various sources is contained in the report entitled "Analysis of Potential Parking Expansion, South Lake Tahoe Gaming Core Area" dated October, 1978.

In preparation of the following analysis of the potential traffic impacts resulting from the parking garage proposed by Sahara Tahoe, the Agency staff has considered the analysis and conclusions contained in the October 1978 report and all the other information received pertinent to the subject.

In order to properly assess the major elements of the Sahara Tahoe project that have the potential to affect traffic movement and circulation within the South Stateline casino core area, Agency staff has considered: 1. access and internal circulation; 2. subregional traffic impacts; 3. Douglas County parking requirements; 4. the significance of parking demand relative to vehicle trip generation; 5. the applicant's assessment of parking demand; 6. other methods of calculating parking demand; and 7. resulting vehicle trip generation. Based on these seven elements, Agency staff has been able to draw the conclusions set forth in this summary.

12/13/78
Access and Internal Circulation

Access to the proposed garage and remaining parking lot, as shown on Attachment #4, will be provided via one driveway at U.S. Highway 50 and three driveways on the loop road. The existing secondary driveway at the southwest corner of the property will continue to serve casino dropoff and valet parking access.

The applicant originally proposed to continue the use of the main driveway off of U.S. Highway 50. However, condition #4 of the Douglas County approval required that "all left-turn movements on and off Highway 50 opposite the existing bank be eliminated". As indicated in the staff summary and recommendation prepared by the Douglas County Public Works Director, Bob Gardner, dated October 2, 1978, the County felt it was important to eliminate the 343 left-turn movements per hour at this driveway during peak conditions on U.S. Highway 50.

The applicant's traffic report, prepared by DeLieuw, Gather & Company, includes an assessment of peak driveway activity at all access points to the Sahara Tahoe, both before and after opening of the west portion of the loop road. Peak movements were determined from a survey conducted on two days in August, 1978 and two days in September, 1978. Utilizing traffic volumes projected to 1979, the applicant's assessment indicates that, through use of the 3 access points on the loop road and the access point on U.S. Highway 50, smooth traffic flow should be possible for vehicles entering or leaving the Sahara Tahoe site.

Subregional Traffic Impacts

The applicant's traffic report includes an assessment of traffic impacts under three hypothetical conditions or Scenarios. Each of the scenarios is assessed relative to the existing condition, which is Scenario I.

Scenario II considers the proposed parking garage completed and in use in 1979, but other proposed improvements affecting traffic movement, such as road modifications and pedestrian separations, etc., to not be completed. Except for the proposed parking garage, Scenario II assumes the elements affecting traffic movement within the South Stateline casino core area to be as presently exist.

Scenario A considers the proposed parking garage completed and in use in 1979 and other proposed improvements affecting traffic movement in the area completed. These improvements include the pedestrian undercrossing between Harvey's Resort Hotel and Harrah's Tahoe, the removal of the pedestrian signal at the same location, and the proper phasing of other signals in the general area.

Scenario B assumes projected 1982 traffic volumes with the proposed garage completed and in use and other improvements such as the completion of the total loop road and an additional pedestrian grade separation between the Park Tahoe and Sahara Tahoe. The proposed parking garages for Harvey's Resort Hotel and Harrah's Tahoe are assumed to be completed and the total facilities of the Park Tahoe operational under Scenario B.

12/13/78
The conclusions of significant importance derived from the applicant's assessment of the three scenarios are:

1. Under Scenario II the peak hour volumes along State Highway 50 in both directions from just south of Park Avenue to just north of Harrah's Tahoe exceed existing design capacity.

2. Under Scenario II the peak hour volumes on Park Avenue on both sides of State Highway 50 exceed existing design capacity.

3. With the traffic circulation improvements considered in Scenario A, the peak hour volumes along U.S. Highway 50 in a southerly direction south of Park Avenue and in a northerly direction from just south of Park Avenue to the Stateline exceed projected design capacity.

4. Under Scenario B which includes the total loop road, the traffic volumes in a northerly direction on Highway 50 just south of Park Avenue will exceed projected design capacity.

It is important to note that the applicant's assessment of traffic impacts recognizes traffic volume increase due only to the historical annual trend. Consideration was not given to increases in traffic volumes due to the provision of additional or more convenient parking accommodation. The applicant's assessment of traffic impacts is based on the assumption that no additional vehicle trips will be generated by the provision of an additional 1,132 parking spaces.

Parking Requirement Per Douglas County Code

On the following page is the applicant's tabulation of the minimum parking requirement per Douglas County code for the existing Sahara Tahoe hotel/casino complex. This tabulation indicates that 229,900 square feet of floor area (47,100 square feet from the basement, 173,000 square feet from the casino level, and 9,800 square feet from the 2nd floor) is considered to fall under the classification of "restaurants, taverns, clubs, etc." as set forth under Douglas County Code 17.48.040 and therefore requiring 1 parking space per 100 square feet. Agency staff calculations and the applicant's inclusion of "remaining areas" indicate that the figure of 229,900 square feet includes the entire existing building floor space with the only exclusions being those areas devoted to hotel rooms, offices, or showrooms which have separate parking requirements under the Douglas County Code.

The "Analysis of Potential Parking Expansion, South Lake Tahoe Gaming Core Area" report includes a comparative analysis of various parking standards applied to hotel/casino projects at Lake Tahoe and also in the Reno-Sparks and Las Vegas areas. Based on the conclusions in this report and the expansive application of the County parking requirements to the Sahara Tahoe hotel/casino complex. Agency staff suggests that the total number of parking spaces required, 3,472, should more properly be considered as the maximum number required under the Douglas County Code, instead of the minimum.
### Level/Use

<table>
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<tr>
<th>Area</th>
<th>Douglas County Minimum Parking Requirement</th>
<th>Parking Required (Min.)</th>
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</thead>
<tbody>
<tr>
<td>Basement:</td>
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<tr>
<td>Offices</td>
<td>900</td>
<td>1:250 S.F.</td>
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<tr>
<td>Kitchen, cafeteria, public, support, remaining areas, etc. per Douglas Co. requirements</td>
<td>47,100</td>
<td>1:100 S.F.</td>
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<tr>
<td>Total spaces required for basement level</td>
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<tr>
<td>Casino Level: 1st floor</td>
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<tr>
<td>Theater 1,800 seats</td>
<td>11,750</td>
<td>1:3 seats</td>
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<tr>
<td>Lounge 200 seats</td>
<td>3,660</td>
<td>1:3 seats</td>
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<tr>
<td>Restaurants, kitchens, casino, shops, remaining areas, etc. per Douglas Co. requirements</td>
<td>173,000</td>
<td>1:100 S.F.</td>
</tr>
<tr>
<td>Offices</td>
<td>1,000</td>
<td>1:250 S.F.</td>
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<tr>
<td>Total spaces required for casino and mezzanine</td>
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<tr>
<td>2nd floor</td>
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<td></td>
</tr>
<tr>
<td>Offices</td>
<td>11,000</td>
<td>1:250 S.F.</td>
</tr>
<tr>
<td>Convention, public, remaining areas, etc. per Douglas Co. requirements</td>
<td>9,800</td>
<td>1:100 S.F.</td>
</tr>
<tr>
<td>Total spaces required for 2nd floor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hotel rooms: 12 floors - East Tower - 337 rooms</td>
<td>1/1st 30 rooms</td>
<td>30</td>
</tr>
<tr>
<td>8 floors - West Tower - 224 rooms</td>
<td>.8/room after 30</td>
<td>425</td>
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<tr>
<td>Total spaces required for hotel rooms</td>
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<td></td>
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<tr>
<td>Total spaces required for hotel/casino building per Douglas Co. requirements</td>
<td>3,472</td>
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</table>

**Significance of Parking Demand Relative to Vehicle Trip Generation**

Agency staff considers it extremely important to establish a reasonable projection for the number of additional vehicle trips that could be generated within the South Lake Tahoe casino core area as a result of the proposed parking garage. Due to the current severe traffic congestion within the south casino core area, especially along U.S. Highway 50 in a northerly direction, the determination of whether or not the proposed garage will result in additional vehicle trips is a critical issue.

The proposed parking garage could result in additional vehicle trips under the following assumptions:

1. If the project results in a total number of parking spaces in excess of that required to satisfy the present need for parking created by the hotel/casino complex, the excess spaces could result in more customers than the complex can accommodate. This situation could, in turn, create the incentive or desire to expand the existing complex, which would presently not necessarily be reviewed by the TRPA or NTRPA.

12/13/78
2. Currently, due to severe traffic congestion and difficulties experienced in finding a suitable parking space, many trips into the South Stateline casino core area are walk or bus trips. The 1974 Hotel/Motel Survey conducted by the Nevada Department of Highways found that summer patrons of motels between Park Avenue and Stateline generated 43,080 person trips. Of these, approximately 65% were walk trips. If the project results in a total number of parking spaces in excess of the demand represented by the total number of vehicles desiring to park, the excess spaces will attract new vehicles that are otherwise not entering the casino core area.

Applicant's Assessment of Parking Demand

The applicant contends that, based on a random sample conducted in the Sahara Tahoe parking lot on August 5, 1978, a total of 2,821 spaces are required to satisfy the current parking demand. The additional spaces were determined to be necessary to satisfy the demand resulting from vehicles entering the parking lot but not finding an available space plus vehicles that never enter the parking lot but would if spaces were available. The random sample revealed that approximately 30%, or 480, of the vehicles entering the parking lot within a 3 hour period left without parking. Based on the same survey, the applicant estimates that an additional 300 vehicles would attempt to park in the Sahara Tahoe parking lot if there were assurances that parking was available. By adding the additional 480 and 300 spaces required to the number of vehicles parked on the site at the time of the survey, 2,041 vehicles, the applicant arrived at the total number of parking spaces required of 2,821.

For several reasons, Agency staff questions the validity of the applicant's determination that, based on current demand, 2,821 spaces are required. In the traffic report submitted to the Agency on October 16, 1978, the applicant stated that "Based on the results of vehicle movement surveys conducted on a peak Saturday in the summer, the consultant estimates that the 'latent' demand for parking could be about 300+ spaces above the existing peak usage. This would result in total peak parking demand of about 2,300 spaces on a peak summer weekend." The applicant basically reiterated the same conclusion in an October 30, 1978 addendum to the traffic report by stating "During the survey on a peak day, it was observed that 150 vehicles were circulating in the parking lot looking for parking spaces during the peak hour. 150 peak hour trips represents about 300 parking spaces. Considering the approximate 300 vehicles in excess of the current parking capacity and using the above rationale it is estimated that for a peak day during the peak period some 300 additional vehicles would park at the site."

However, in response to being asked at the Development Review Committee meeting why 2,858 spaces were being proposed when the applicant's own survey indicated a peak day demand for only 2,300 spaces, the applicant on December 8, 1978 provided a second addendum to the traffic report. In a letter signed by John Frankovich, the applicant's attorney, it was indicated that on August 5, 1978 during a three hour period from 7:15 p.m. to 10:15 p.m. 1,602 vehicles entered the parking lot when it was full and, based on a random sample, 30%, or 480, of these vehicles left without parking. The applicant then proceeds to add the figure of 480, which represents the number of vehicles seeking a parking space in a three hour period to the estimated 300 vehicles per hour that would enter the parking lot if parking were available. To arrive at a
peak hour figure for parking demand, based on the applicant's survey, the 480 figure must be divided by 3, then added to the estimated 300 spaces. If this correction is made and the resulting figure of 460 additional spaces (300 + 160) is added to the 1,726 existing spaces, the total parking required for a peak hour in August, 1978 based on the applicant's survey, becomes 2,186 spaces. It is appropriate to add the 460 spaces to the 1,726 existing spaces instead of the peak occupancy of 2,041, since the information sought is the number of vehicles seeking to park during a one hour period and not the total number of vehicles parked. Since the project proposes 2,858 spaces but, based on the applicant's corrected calculations, there is a current demand for 2,186 spaces, the difference of 672 spaces represents accommodation in excess of present demand.

Other Methods of Calculating Parking Demand

Agency staff has developed a series of three separate calculations in order to arrive at an estimate of the number of parking spaces required to satisfy the present demand for parking at the Sahara Tahoe hotel/casino complex.

Calculation A (see Attachment #5)

This calculation is based on the information provided by Don Pray of the Nevada Highway Department in a letter dated October 24, 1978, in which he evaluated data developed in the Tahoe Regional Transportation Study (TRTS) to arrive at an estimate for the total number of parking spaces required on a peak day in 1974 to accommodate the patrons of Harrah's, Barney's, Sahara, and Harvey's. Inherent in this calculation is the assumption that the relationship between gaming floor area and parking that existed in 1974 is generally the same under present conditions. This calculation results in an estimation of the number of parking spaces required to satisfy the demand created during the 30th highest hour. This approach seems appropriate since the major roadways and intersections providing access to the Sahara Tahoe site are designed to accommodate projected traffic volumes for the 30th highest hour.

Calculation A results in an estimation of 2,408 spaces being required for the 30th highest hour to satisfy the parking demand created by the present Sahara Tahoe hotel/casino complex.

Calculation B (see Attachment #6)

This calculation is based on the figure of 254 trips generated per 1,000 square feet of gaming area per average summer day developed in the TRTS. This figure has been converted to 116 trips generated per 1,000 square feet per peak 8 hours during an average summer day. Both the Nevada Highway Department and CalTrans agree with the 116 figure. The turnover rate of 1.33 vehicles per space was developed by Croegan & D'Angelo, consulting engineers, based on actual counts taken in the Harrah's Tahoe parking lot on September 9, 1978. The use of the 1.33 turnover rate in lieu of the turnover rate of 1.5, which Cal Trans has developed using data derived from the TRTS, results in more spaces being required to satisfy current demand.

12/13/78
Calculation B results in an estimation of 1,990 spaces being required for the peak 8 hour period during an average summer day to satisfy the parking demand created by the present Sahara Tahoe hotel/casino complex.

**Calculation C (see Attachment #7)**

This calculation establishes an estimate of required parking based on a "fair share" allocation for each of the four major hotel/casino complexes at South Stateline. The allocation is based on the ratio of casino floor space to the number of parking spaces established under approvals granted by the Agency. Calculation C indicates that, based on a "fair share" allocation, the Sahara Tahoe hotel/casino complex should be allowed 2,107 parking spaces.

Since all three calculations developed by Agency staff appear to be equally appropriate, the results of each were averaged to arrive at an estimate for required parking of 2,168 spaces. It is interesting to note that the estimate for required parking of 1,268 spaces derived from Agency staff calculations is extremely close to the estimate of 2,186 spaces derived from the survey conducted by the applicant.

Subtracting the estimation developed by Agency staff for required parking of 2,168 spaces from the 2,858 spaces proposed by the applicant indicates that the project will result in 690 spaces in excess of the number required to satisfy the present demand.

**Resulting Vehicle Trip Generation**

The evidence developed from the above calculations relative to parking demand indicates that the proposed project will result in 690 parking spaces in excess of the number of spaces required to satisfy the present demand. Based on the fact that 2 vehicle trips result each time a parking space is occupied and vacated and on the assumption that the turnover rate for each parking space is 1.33 times during the peak 8 hour period on an average summer day, the following calculation establishes the potential number of additional vehicles generated by the 690 excess spaces.

\[
(690 \text{ spaces}) \times (2 \text{ vehicle trips per space}) \times (1.33 \text{ vehicles per space per peak 8 hours}) = 1,835 \text{ additional vehicle trips per peak 8 hours during an average summer day}
\]

In summary, the 690 parking spaces determined by Agency staff to be in excess of the 2,168 spaces required to satisfy the present demand will result in 1,835 additional vehicle trips being generated during the peak 8 hours on an average summer day.

**Conclusions**

Based on the evidence developed in this staff summary relative to traffic impacts, Agency staff draws the following conclusions:

1. The proposal to provide 2,858 parking spaces on the Sahara Tahoe site will result in approximately 690 spaces in excess of the 2,168 spaces required to satisfy the present demand for parking.
2. The approximate 690 excess parking spaces have the potential of generating 1,835 additional vehicle trips within the South Stateline casino core area during the peak 8 hour period on an average summer day.

Air Quality Analysis

The applicant's air quality assessment, which was prepared by DeLeuw, Cather and Company and Donald Ballanti, was based on the assumption that the project would not generate any additional vehicle trips. The report identifies the carbon monoxide (CO) concentrations at 20 representative receptor sites during the peak hour and peak 8 hour periods in the summer and on the Washington's birthday weekend under the three scenarios identified in the section of this report entitled Subregional Traffic Impacts.

The report identifies improvements in CO concentrations at 17 of the 20 receptor sites upon completion of the proposed parking garage. However, the report shows that the concentrations of CO at three receptor sites will increase upon completion of the parking garage. These three receptor sites are located at the intersection of Highway 50 and the loop road, at the main hotel entrance to the Sahara Tahoe and at the intersection of the proposed Sahara Tahoe driveway and the loop road.

George Thiel, Environmental Specialist for the Nevada Division of Environmental Protection reviewed the air quality assessment prepared for the project and concluded in a letter to the Agency dated November 8, 1978 that:

"1. The proposed parking structure will not increase the local emissions inventory as analyzed in the text of this report;

2. the source will help reduce emissions in the area and aid in the attainment/maintenance of the ambient standards; and

3. according to Don Pray of NDII the movements of traffic from Highway 50 to the loop road area will relieve congestion in the Highway 50 area.

The net result will be higher ambient CO concentrations in the loop road but a decrease in concentrations in highway 50 area. Also a total decrease of vehicle emissions will occur due to the caging of traffic movements in the area."

Mr. Thiel also stated in the November 8 letter that:

"The main question is whether the building of these parking structures will negate any transportation control measure, including mass transit, as incorporated in the 1979 non-attainment plan. The casino core area could possibly see completion of the garages by 1982 whereas the mass transit solution would not occur until the mid 1980's. Therefore the short term solution may well be the application of traffic improvements in conjunction with the garages where the long term solution could be the various control measures as discussed in
the Ad-hoc committee meetings including Mass Transit by the mid 1980's. The disincentive for use of the auto will still be there as the congestion on Highway 50 will be. The improved traffic movements will only alleviate some congestion in the short term Scenario during periods approaching peak traffic hours and not on days such as those occurring on Presidents weekend or on Labor Day peak traffic periods."

The official position of the Nevada Highway Department as stated in a letter to the Agency dated October 18, 1978, and signed by Joseph A. Souza, State Highway Engineer, is that:

1. the traffic impact analysis prepared by DeLuew, Cather, and Company is technically sound;

2. that the garage will provide benefits for the overall environment of the area that is addressed; and

3. that the provision of adequate parking will not significantly increase the trip generation potential of the casino/hotel.

Approvals

On October 5, 1978, the Douglas County Commissioners approved a special use permit and an administrative permit for the subject project. This approval is subject to seven conditions.

Comment

Agency staff is generally in favor of providing parking garages in lieu of open surface parking lots to satisfy present parking needs in the South Stateline casino core area. However, based on the evidence developed in this staff summary and in the report entitled "Analysis of Potential Parking Expansion, South Lake Tahoe Gaming Core Area", Agency staff concludes that the Sahara Tahoe parking garage proposal will result in approximately 690 spaces more than necessary to satisfy the present demand for parking. Agency staff considers the evidence relative to uncontrolled casino floor space expansion, as discussed in the above-referenced report, adequate to support the conclusion that the 690 excess spaces proposed will eventually generate additional vehicle trips.

Therefore, Agency staff cannot recommend approval of the Sahara Tahoe parking garage project as presently proposed. However, if the project were modified to the extent that the total number of parking spaces resulting did not exceed those needed to serve the existing facility, Agency staff could recommend approval.

12/13/78
Recommendation

Agency staff recommends that, based on the evidence developed in the staff summary and the report entitled "An Analysis of Potential Parking Expansion, South Lake Tahoe Gaming Core Area", the Governing Board deny the administrative permit for the Sahara Tahoe parking garage project. The reasons for recommending denial are:

1. The evidence developed in this staff summary is sufficient to conclude that the Sahara Tahoe parking garage project will result in the generation of approximately 1,835 additional vehicle trips during the peak 8 hour period on an average summer day within an area that is presently subjected to traffic volumes for extended periods that cause severe traffic congestion and a resultant threat to the public's safety and welfare.

2. As discussed in the report prepared by Agency staff entitled "Analysis of Potential Parking Expansion, South Lake Tahoe Gaming Core Area", the approval of projects that will result in the provision of parking accommodation in excess of present demand within the gaming core area should be deferred until such time as an overall assessment of the transit and parking relationships and requirements in the gaming core area can be developed.
CALCULATION A

Estimation of Parking Demand for the
Existing Sahara Tahoe Facility for the
30th Highest Hour

Assumptions

1. NHD - TRTS - Peak day parking demand for Sahara Tahoe and Harvey's in 1974 was 4,700 spaces.
2. NHD - TRTS - Peak day parking demand for Harrah's and Barney's in 1974 was 3,500 spaces.
3. Sahara Tahoe gaming area in 1974 = 33,500 sq. ft. ¹
4. Harvey's gaming area in 1974 = 38,000 sq. ft.
5. Harrah's gaming area in 1974 = 41,100 sq. ft. ²
6. Barney's gaming area in 1974 = 10,500 sq. ft. ³
7. Requirement for 30th highest hour = requirement for peak day x .85.
8. Existing Sahara Tahoe gaming area = 43,000 sq. ft.

I Total Spaces Required on Peak Day

(Spaces required for Sahara and Harvey's) + (Spaces required for Harrah's and Barney's)

4,700 + 3,500 = 8,200 spaces on peak day

II Total Gaming Area in 1974

(Gaming area of Sahara) + (Gaming area of Harvey's) + (Gaming area of Harrah's) + (Gaming area of Barney's)

33,500 sq. ft. + 38,000 sq. ft. + 41,100 sq. ft. + 10,500 sq. ft. = 123,100 sq. ft. total gaming area

III Average Spaces Required On Peak Day Per 1,000 Sq. Ft. of Gaming Area in 1974

Total spaces required on peak day ÷ total gaming area = 8,200 ÷ 123,100 sq. ft. = 67 spaces/1,000 sq. ft.

IV Average Spaces Required Per 1,000 Sq. Ft. of Gaming Area in 1974 for 30th Highest Hour

(Average spaces required on peak day) x .85

67 spaces x .85 = 56 spaces/1,000 sq. ft. of gaming area

Attachment #5
V Parking Demand for Existing Sahara Tahoe Facility for 30th Highest Hour

(Average spaces required per 1,000 sq. ft. of gaming area in 1974 for 30th highest hour) x (existing square footage of gaming area)

\[ \frac{56 \text{ spaces/1,000 sq. ft.} \times 43,000 \text{ sq. ft.}}{2,408 \text{ spaces for 30th highest hour}} \]

1 Computed from plans submitted.

2 Computed from plans and reports submitted with Harrah's 1971 master plan.

3 Computed from aerial photographs and site inspection.
CALCULATION B
Estimation of Parking Demand for the
Existing Sahara Tahoe Facility for 8 Hour
Peak During Average Summer Day

Assumptions

1. TRTS - 254 trips/1,000 sq. ft. gaming area/average summer day

2. NHD & CalTrans - 116 trips/1,000 sq. ft. gaming area/average summer peak 8 hours.

3. Creegan & D'Angelo - parking turnover rate = 1.33 vehicles/space/average summer peak 8 hours.

4. Sahara gaming floor area = 43,000 sq. ft.

5. Fair share of Barney’s gaming floor area = 10,500 sq. ft. x 4 major hotel/casino complexes = 2,625 sq. ft.

6. Existing Sahara parking = 1,726 spaces

7. Proposed Sahara parking = 2,858 spaces

I Existing Trip Demand

Existing gaming area (Sahara + Barney’s) x trip rate (43,000 sq. ft. + 2,625 sq. ft.) x \frac{154}{116} = 5,293 trips/peak 8 hours

II Existing Trips Accommodated by Parking Spaces

Parking turnover rate x 2 x existing parking

1.33 x 2 x 1,726 = 4,591 trips/peak 8 hours

III Existing Trip Demand Not Accommodated

Existing trip demand - Existing trip supply

5,293 - 4,591 = 702 trips/peak 8 hours

IV Additional Parking Spaces Required

Trips not accommodated (turnover rate x 2)

702 + (1.33 x 2) = 264 spaces

V Existing Parking Demand

Existing parking + latent demand

1,726 + 264 = 1,990 spaces

1 Calculated from actual count taken in Harrah's Tahoe parking lot on September 9, 1978.

Attachment #6
CALCULATION C

Determination of "Fair Share" Allocation of Parking for Each of the Four Major Hotel/Casino Complexes at South Stateline

Assumptions

1. The parking demand for Barney's Club is shared equally among the four major hotel/casino complexes; therefore, for purposes of this comparative analysis, the parking demands for Barney's Club are excluded.

2. Since, under previous approvals by the Agency, the four major hotel/casino complexes will include facilities other than gaming areas, such as hotel rooms, showrooms, restaurants and convention rooms that will be generally equal in size, it is appropriate to relate parking demand directly to approved gaming floor area.

In the following chart, the * indicates the square footage of gaming area and the number of parking spaces approved by the Agency for each of the four major hotel/casino complexes.

<table>
<thead>
<tr>
<th></th>
<th>Gaming Area Sq. Ft.</th>
<th>Parking Spaces</th>
<th>Spaces Per 1,000 Sq.Ft. of Game Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Harrah's</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*1974</td>
<td>41,100</td>
<td>2,425</td>
<td>59</td>
</tr>
<tr>
<td>Existing</td>
<td>65,000</td>
<td>2,491</td>
<td>38</td>
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<tr>
<td>Proposed</td>
<td>65,000</td>
<td>4,884</td>
<td>75</td>
</tr>
<tr>
<td>Sahara</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1974</td>
<td>33,500</td>
<td>1,775</td>
<td>53</td>
</tr>
<tr>
<td>*Existing</td>
<td>43,000</td>
<td>1,726</td>
<td>40</td>
</tr>
<tr>
<td>Proposed</td>
<td>43,000</td>
<td>2,858</td>
<td>66</td>
</tr>
<tr>
<td>Harvey's</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1974</td>
<td>38,000</td>
<td>1,568</td>
<td>41</td>
</tr>
<tr>
<td>Existing</td>
<td>38,000</td>
<td>1,568</td>
<td>41</td>
</tr>
<tr>
<td>*Proposed</td>
<td>88,000</td>
<td>4,500</td>
<td>51</td>
</tr>
<tr>
<td>Park Tahoe</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1974</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Existing</td>
<td>40,250</td>
<td>1,351</td>
<td>34</td>
</tr>
<tr>
<td>*Proposed</td>
<td>40,250</td>
<td>1,823</td>
<td>45</td>
</tr>
</tbody>
</table>

Attachment #7
Calculations

I  Average number of spaces/1,000 sq. ft. of gaming area =
   (Harrah's - 59) + (Sahara - 40) + (Harvey's - 51) + (Park Tahoe - 45)
   = 195 ÷ 4 = 49 spaces/1,000 sq. ft.

II Applying the 49 spaces per 1,000 sq. ft. of gaming area to each of the existing hotel/casino complexes indicates the following "fair share" allocation of parking:

   Harrah's  (65,000 sq. ft. gaming area) x 0.49 = 3,185 spaces
   Sahara    (43,000 sq. ft. gaming area) x 0.49 = 2,107 spaces
   Harvey's  (38,000 sq. ft. gaming area) x 0.49 = 1,862 spaces
   Park Tahoe (40,250 sq. ft. gaming area) x 0.49 = 1,972 spaces

I Based on ratio of casino floor area to number of parking spaces approved by TRPA.
Administrative Permit
24 Unit Apartment Complex
929 Southwood Boulevard
Washoe County

Project Location and Description

The applicants, Jay Johnson and Preston Hale, represented by Jeff Lundahl, are requesting approval of a 24 unit apartment complex to be located at 929 Southwood Boulevard in Incline Village, Nevada. The project will be located on a 1.95 acre site (Washoe County Assessor's Parcel #122-263-11) on the southwest corner of Southwood Boulevard and Incline Way across from the bowling alley (see attachment #1).

The project proposes the construction of two 3-story buildings with 12 apartment units in each building. Each apartment unit will have a floor area of 1,300 square feet and will consist of 4 bedrooms, 4 baths, kitchen, living room and dining area. There will be a total of 94 bedrooms available for rent under a multi-resident concept, two of which will be for the complex manager. Rentals for this project will be arranged by bedroom. Each potential resident will contract for the exclusive use of a bedroom and a bathroom. The other areas of a 4 bedroom apartment will be shared in common with the other residents of the apartment.

A total of 73 offstreet parking spaces will be provided for the project. Due to the multi-resident apartment sharing arrangement of this project, the applicant proposes 3 parking spaces per unit while the Washoe County parking requirement is 1.5 parking spaces per unit.

Previous TRPA Action

At the August 23, 1978 meeting, the Governing Board of the Agency recognized the applicant's intent to construct moderate and low income housing by approving a land use district change from Tourist Commercial to High Density Residential on the property. This change was to allow 50% land coverage in conjunction with the construction of a 24 unit apartment complex to provide affordable housing to low and moderate income residents in the Incline Village area.

At the November 29, 1978 meeting, the Governing Board of the Agency made an affirmative finding that the project, as proposed, would not generate more than an additional 105 vehicle trips per day per acre.

Existing Environmental Setting

The site slopes gently at 3 to 5% from north to south. There is no surface concentration of water or existing riparian vegetation on the site. The site is forested with an upper-story of Jeffrey Pine and White Fir. The understory vegetation is composed of manzanita and squaw carpet.

Land Use

Washoe County zoning on the subject property is C2, General Commercial. The TRPA land use designation is High Density Residential with an allowance of 50% coverage.

12/12/78
Land Capability

The site's soil type has been identified as IsC, Inville, stoney, coarse, sandy loam with 2 to 9% slopes, land capability district 6. Under Section 9.23 of the TRPA Land Use Ordinance, High Density Residential parcels of 2 acres or less are allowed up to 50% coverage. The maximum permissible land coverage for this site is 42,471 square feet. The applicant proposes to cover 37,450 square feet or 44% of the 1.95 acre site.

Height

The maximum allowable height in High Density Residential is 35 feet. The proposed buildings are 35 feet in height.

Grading

The building foundations will be stepped to fit with the existing contours. There will be no cut or fill slopes resulting from the construction of the project. Approximately 6 inches of soil will be removed for placement of base material for the parking area. The parking area will conform to the existing contours of the site.

Drainage

Stormwater from the building driplines will be collected in infiltration trenches located on the north and south sides of the buildings. Drainage from the paved parking areas will be collected in infiltration trenches located on the southerly, downhill side of the parking areas. The trenches will be designed to handle the flows emanating from a 2 year frequency, 6 hour duration storm.

Revegetation

Areas disturbed during construction will be revegetated as per the specifications contained in the submitted plans. The applicant shall also construct an earth berm along the northern edge of the parking area. This berm shall be planted with shrubs and pine or fir trees which will create a visual barrier between the project parking lot and Southwood Boulevard.

Traffic

The site is bordered by Southwood Boulevard which currently has minimal traffic. As development continues in this area, the intersection of Village and Southwood Boulevards with Highway 28 will become more congested. There is a proposed traffic signal approved for Village Boulevard and Highway 28, and it will likely be utilized by north or westbound traffic crossing Highway 28. The project is anticipated to generate 205 vehicle trips per day at maximum occupancy. It is estimated that the local streets, Southwood Boulevard and Incline Way, will be able to accommodate the additional traffic loads. The close proximity of the project site to Incline employment and shopping centers will provide the opportunity to utilize other modes of transportation such as walking, bicycling or busing. This should reduce the total number of vehicle trips generated from the site. Agency staff concludes that the proposed project will not have a substantial negative impact on the local street system. It is anticipated that the project will have a beneficial impact on Highway 28 around Crystal Bay by reducing the need for Incline workers to find housing in the Kings Beach and Brockway, California areas.

12/12/78
These factors were recognized by the Governing Board in the August 23, 1978 General Plan amendment approval and the affirmative finding on traffic generation made at the November 29, 1978 meeting.

Public Services

Will-serve letters to provide the necessary public services have been received from the following service providers: Sierra Pacific Power Company, the Incline Village General Improvement District, Southwest Gas, and the North Lake Tahoe Fire Protection District.

Local Agency Action

On November 7, 1978, the Washoe County Commissioners conditionally approved a special use permit to allow the construction of the 24 unit apartment complex.

Staff Comment

This project has been proposed by the applicant to help meet the identified need for low and moderate income housing in Incline Village. To meet this need, the units must be available at a rental rate that does not preclude low and moderate income residents. While the Agency cannot require or enforce any rent restriction measures, staff recommends that the applicant provide the necessary information to the Agency and to Washoe County to show that the proposed rental rates will not price out the low and moderate income target population. Condition 3 of the recommended conditions of approval reflects this staff recommendation.

Recommendation

Agency staff recommends that the Governing Board conditionally approve the subject request with the following conditions:

1. Each of the following conditions shall be completely performed prior to the issuance of any building or grading permits:

   a. The final revegetation, slope stabilization; and drainage plans shall be submitted to and approved by the Agency staff. These plans shall clearly depict revegetation and/or other methods of slope stabilization to be performed by the applicant for all existing and proposed cut and fill slopes and areas denuded of vegetation. These plans shall also depict: fencing for vegetation protection; temporary and permanent erosion control devices; dust control; and all drainage facilities.

   b. An undertaking by corporate surety guaranteeing the performance of landscaping, revegetation, and proper installation of slope stabilization and drainage facilities shall be posted with the permit-issuing authority as provided in Section 7.130 of the Grading Ordinance.

12/12/78
c. Calculations showing the adequacy of the infiltration trench design prepared by a qualified civil engineer shall be submitted to Agency staff.

d. All authorizations (except building and grading permits) from appropriate public authority applicable to the proposed development shall be obtained, i.e. state highway encroachment permits.

e. The final construction drawings for all site improvements shall be found by Agency staff to be in substantial conformance with the plans and information submitted as part of this application and this finding so indicated in writing to the permit-issuing authority.

2. Upon the issuance of building and grading permits, construction shall proceed in the following sequence:

a. Such trees as TRPA has authorized shall be removed and the initial phase of the vegetation preservation and protection plan shall be completed.

b. Installation of fencing for vegetation protection.

c. Installation of temporary erosion protection devices.

d. Prior to the removal of spoil materials from the construction site, a separate grading permit shall be obtained from the permit-issuing authority for offsite disposal of spoil materials.

e. Installation of utilities including water mains and fire hydrants required by the fire department.

f. Completion of rough grading including installation of mechanical stabilization devices.

g. Completion of structure foundations.

h. Final grading and installation of base for paved areas.

i. Completion of structures.

j. Paving.

k. Landscaping and revegetation.

3. Prior to the issuance of any occupancy permits, the applicant shall provide information to TRPA and the County guaranteeing that the rental rates to be charged shall be structured so as to be reasonably affordable to low and moderate income residents of the Lake Tahoe Basin.

4. Compliance with all requirements and conditions of the permit-issuing authority. None of said requirements and conditions shall be waived or modified without the concurrence of TRPA.
5. Whenever possible, all utilities shall occupy common trenches and shall be installed at one time. Trench spoil shall be stored upgradient of the trench.

6. There shall be no grading or land disturbance performed with respect to the project between October 15 and May 1 unless the proper approvals for same are obtained.

7. Replanting of all exposed surfaces, as per the revegetation and slope stabilization plan, shall be accomplished within the first growing season following disturbance. Planting shall be accomplished prior to the October 15 grading and land disturbance deadline.

8. An earth berm shall be constructed along the north edge of the property adjacent to Southwood Boulevard. Vegetation types for planting in this area shall be specified on the revegetation plan.

9. Trees and natural vegetation to remain on the site shall be fenced for protection. Scarring of trees shall be avoided and, if scarred, damaged areas shall be repaired with tree seal.

10. Areas to be paved shall be paved prior to October 15.

11. Mud shall not be tracked off the construction site. Grading operations shall cease in the event that a danger of tracking mud off-site exists. The site shall be cleaned up and road right-of-way swept clean when necessary.

12. During construction, environmental protection devices such as adequate erosion control devices, dust control and vegetation protection barriers shall be maintained.

13. Rehabilitation and cleanup of the site following construction must include removal of all construction waste and debris.

14. This approval expires eighteen (18) months from the date of Governing Body approval unless substantial work has commenced on the project.

15. Construction of all improvements shall be completed within twenty-four (24) months of the date of Governing Body approval. If construction is not completed within said time, this approval shall expire and the applicant or his successor in interest shall immediately remove all partially completed work and return the site, as far as possible, to its original condition. If the applicant or his successor in interest fails to do so, the permit-issuing authority or the Agency may have the work performed at the applicant's or his successor's in interest expense, costs to constitute a lien against all the real property which is the subject of this approval.

16. All other permits regarding the development shall comply with these conditions.

12/12/78
17. No structure shall exceed an average height of 35 feet measured from the natural grade.

18. This approval becomes invalid if a local government permit for this project expires or will-serve letters are cancelled.

19. Physical barriers shall be provided to confine any vehicles to designated parking and driveway areas.

20. The maximum land coverage on the site after completion of the project shall not exceed 37,450 square feet, or 44%.

21. Agency staff shall be notified at least 48 hours prior to the commencement of construction. This notification shall include: a) who will be doing the work; b) when the work will commence; and c) when the completion of work is expected.
Traffic Impact Determination
Crystal Bay Motel, 19 Unit Motel and Liquor Store
Washoe County

Project Location and Description

The applicant, Craig McFarland, represented by Jeff Lundahl, is requesting a determination that a proposed liquor store on a site with an existing motel complex will not generate more than 105 additional vehicle trips per day per acre as prescribed under Section 4.40 of TRPA Ordinance 78-5. The proposed project is located on a .87 acre parcel (Washoe County Assessor's Parcel #123-042-01) in Crystal Bay, Nevada. The parcel fronts on the east side of State Highway 28 across from the North Shore Club (see attachment #1). The parcel of land is currently classified as Tourist Commercial.

The project proposes construction of the 1,423 square foot 1-story liquor store under a Phase I proposal. Phase II proposes a 2-story addition to the liquor store. This traffic determination evaluates only the Phase I proposal and is not traffic evaluation of the complete master plan. The site has an existing 19 unit motel and 19 parking spaces. The applicant proposes to add an additional 18 parking spaces, for a total of 37 parking spaces on the site.

Traffic Generation Analysis

Under Section 3.10 of TRPA Ordinance 78-5, "No permits or entitlements to build shall be issued for any proposed construction or use which will result in the creation of more than one hundred and five (105) additional vehicle trips per day per acre of land included within a proposed development from the proposed use. Additional vehicle trips shall be computed by subtracting from the number of vehicle trips that will result from the proposed use the number of vehicle trips resulting from the land included within the development by its use at the time of application. The number of vehicle trips per day that will result from a proposed construction or use shall be computed in accordance with the standards set forth in the Tahoe Regional Transportation Study as same presently exists and as same may hereafter be refined by resolution of the Governing Body".

Existing Trips

The existing site contains a 19 unit motel. The motel generates 11 vehicle trips per unit or an average of 209 vehicle trips per day.

Proposed Trips

The applicant proposes to construct a 1,423 square foot liquor store on the site. Utilizing the trip generation figure of 64 trips per 1,000 square feet of commercial space contained in attachment #1 of TRPA Ordinance 78-5, the proposed liquor store addition would generate an additional 91 vehicle trips per day. This project is located on a .87 acre site. Based on a full acre, the project would generate exactly 105 additional vehicle trips per day. Because the proposed project would not generate more than 105 additional vehicle trips per day as prescribed in Section 3.10 of TRPA Ordinance 78-5, the project passes through the traffic generation screen established in said ordinance.

Recommendation

Agency staff recommends that the Governing Board make an affirmative finding that the proposed project does not generate more than the 105 additional vehicle trips per day per acre allowed under the standard established in Section 3.10 of Ordinance 78-5, as required under Section 4.40 of said ordinance.

12/12/78
Public Works
City of South Lake Tahoe
Pine Boulevard Extension (Loop Road Connection)
Modification of Condition

Summary

The City of South Lake Tahoe is seeking a modification of a condition placed upon the above-referenced project by the TRPA Governing Board when the Board approved the project in August, 1978. The specific condition in question is condition #5:

"The City of South Lake Tahoe shall submit by January 1, 1979 a phased plan identifying the improvements necessary to maximize the efficiency of the lower loop road and the Highway 50 intersection and an implementation schedule to undertake such improvements as are within the power of the City to effectuate. This plan shall be based upon both traffic and air quality analysis."

The City is seeking modification of the condition to allow for an extension of the January 1, 1979 deadline because the recent resignation of the City Engineer and resultant demands placed upon the City Public Works Department staff have prevented completion of the required planning. Preparation of a full EIR and right-of-way negotiation for the project are proceeding, but the circumstances will likely prevent completion of these activities within the specified timeframe. The City has requested an extension until at least April, 1979.

Recommendation

Staff recommends approval of the requested extension.
DATE: December 12, 1978

TO: TRPA Governing Board

FROM: Agency Staff

SUBJECT: Determination of Pierhead Line

On the November Governing Board agenda, there was an application for a variance to extend a single-use pier beyond the pierhead line. This item was continued when, just prior to the meeting, Mr. Jim Williamson questioned the authenticity of the TRPA pierhead line maps. It is his contention that a set of "redline" maps he personally drafted are the official maps and not the more restrictive maps currently in use by the TRPA.

The question before you is which are the maps officially adopted by reference in Section 7.26(1) of the TRPA Shorezone Ordinance (Exhibit A)?

The best evidence seems to be the actual minutes of the April and May, 1976 Governing Board meeting at which the Governing Board adopted the TRPA Shorezone Ordinance. Exhibit B contains the summary of the April minutes approved by the Governing Board and a verbatim excerpt in which Mr. Ken Woodward specifically asked Mr. Richard Heikka about the pierhead line maps. It appears the subject maps were not available at this meeting and were to be completed by the second reading and were to be signed by the Chairman.

Exhibit C contains the summary of the May minutes approved by the Governing Board and verbatim excerpts from that meeting. These transcripts indicate the incompletely drafted maps were on Mr. Heikka's desk and not on display at the second reading of the Ordinance. The maps drafted by Mr. Heikka but never signed by the Chairman are the maps currently in use by the TRPA and were forwarded to the other State agencies.

It is Mr. Heikka's opinion that the Williamson "redline" maps were working maps and not the official TRPA maps (see Exhibit D).

Agency staff is currently scheduling a meeting with Mr. Williamson and Mr. Heikka to discuss this problem prior to the staff making a formal recommendation to the Governing Board. Agency staff will present its progress in solving this matter at the Governing Board meeting.
An owner or lessee of a littoral parcel may be permitted to construct piers and launching facilities and to place mooring buoys, floating docks and platforms within the area described in Section 7.26 for the use of individuals on a multiple or commercial use basis if such use, structure and facility is otherwise permissible. If any such structure is, or is to be, accessory to a marina, the provisions of Section 9.00 shall also apply.

7.24 Piers, Launching Facilities, Mooring Buoys, Floating Docks and Platforms for Use in Connection with a Proposed Residential Development Project

Where the littoral parcel adjacent to the proposed pier, launching facility, mooring buoy, floating dock or platform is part of a residential land development served by the shorezone which is being developed for use by, or sale or lease to, more than one person, no pier, launching facility, mooring buoy, floating dock or platform shall be approved intended solely for the use of one individual or family and guests.

7.25 Piers, Launching Facilities, Mooring Buoys, Floating Docks and Platforms for Use in Connection with an Existing Residential Land Development Project

Where the littoral parcel adjacent to the proposed pier, launching facility, mooring buoy, floating dock or platform is held in common ownership by owners of parcels within a residential land development served by the shorezone, or by an association representing them, or by a person for use of such owners, no pier or launching facility, mooring buoy, floating dock, or platform shall be approved intended solely for the use of one individual or family and guests.

7.26 Placement of Piers, Mooring Buoys, Boat Ramps, Boat Launching Facilities and Floating Docks or Platforms

(1) A Pierhead line as shown on the shorezone maps is herein adopted by reference. Except for mooring buoys and navigational structures, no facilities shall extend beyond the pierhead line except as provided in Section 7.26(4).

(2) Piers, mooring buoys, boat ramps, boat launching facilities, and floating docks and platforms shall be placed only within an area that is enclosed by lines that are parallel to and five (5) foot minimum inward of parcel lines extended lakeward at right angles from the low water line or as specified by Corps of Engineers regulations.

-18-

EXHIBIT A
IX ORDINANCES

B. First Reading of the Shorezone Ordinance

The Board members discussed the 4/9/76 draft with the proposed changes which have been brought forward since the preparation of that draft. Input was received from Roger Steele, Roy Robinette, Steve Player, Jim Williamson, Tim Sullivan, Sari Sommarstrom and others.

Mr. Leisz, Federal rep., asked that a new section entitled Section 2.50 Purpose and Goals be included setting forth the objectives and philosophies of the ordinance, stating that this ordinance is intended to balance the interest of those owning property in the vicinity of the shorezone and the public at large and further that the long term goals for the shorezone of Lake Tahoe are multiple use and community facilities, the reduction of individual piers and the elimination of piers and superstructures to preserve the integrity of the shorezone lands.

MOTION by Mrs. Onorato to add Section 2.50 stating these purposes and goals of the Shorezone Ordinance.

There was considerable discussion on this section with Ken Rollston, Associate Legal Counsel, pointing out that in fact this opinion did correspond with the opinion taken and issued by the Nevada Attorney General. Mr. Steve Player questioned whether or not it is appropriate to have this new section included in the ordinance and the Governor should look closely at the language of this section to make certain that in fact it represents the goals and purposes of the Agency for this Shorezone Ordinance. Mr. Player also reminded the Board that the introduction of the Agency’s Compact states the purpose and goals of the Agency and questioned the necessity of restating them.

MOTION amended by Mrs. Onorato to change the wording of the last sentence of the first paragraph of the Federal proposal to read: “The major objectives of this ordinance are the preservation of the lakes of the Tahoe Region from environmental degradation as public resources while reserving for those owning property in the vicinity of the shorezone and the general public reasonable access to and use of the lake’s waters, nearshore and foreshore.” Motion failed on the following vote:

Ayes: Mrs. Onorato
Nays: Mr. Meder, Mr. Woodward, Mr. Wynn, Mr. Bensinger, Mr. Cooke, Mr. Dayton, Mr. Stewart, Mr. Henry, Mr. Scott
Abstain: None
Absent: None

MOTION by Mr. Meder to direct staff to rewrite the goals and policies in conformance with the ordinance for consideration at the next meeting. Motion failed on the following vote:

Ayes: Mr. Meder, Mr. Woodward, Mrs. Onorato
Nays: Mr. Wynn, Mr. Bensinger, Mr. Cooke, Mr. Dayton, Mr. Stewart, Mr. Henry, Mr. Scott
Abstain: None
Absent: None
Break for lunch

Mr. Dayton was absent after lunch.

After further discussion the following motion was made.

MOTION by Mrs. Onorato to adopt the first reading of the Shorezone Ordinance as amended.

Ordinance was read by Ken Rollston by title:

ORDINANCE NO. 76-2
AN ORDINANCE ESTABLISHING REGIONAL SHOREZONE TOLERANCE DISTRICTS AND LIMITATIONS ON DEVELOPMENT WITHIN SUCH DISTRICTS; ESTABLISHING MINIMUM STANDARDS AND PROVIDING REGULATIONS FOR THE CONSTRUCTION, ALTERATION, REMOVAL AND MAINTENANCE OF PIERS, MOORING BUOYS, BOAT RAMPS, JETTIES, BREAKWATERS, AND SHORELINE PROTECTIVE STRUCTURES; FILLING AND DREDGING; AND OTHER SHOREZONE DEVELOPMENTS IN THE TAHOE REGION; PROVIDING FOR THE ISSUANCE OF PERMITS FOR NONCONFORMING USES AND VARIANCES; PROHIBITING CERTAIN SHOREZONE CONSTRUCTION AND DEVELOPMENTS; PROVIDING THAT VIOLATIONS OF THE PROVISIONS OF THE ORDINANCE SHALL CONSTITUTE A MISDEMEANOR; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

MOTION carried on the following vote:

Ayes: Mr. Meder, Mr. Woodward, Mr. Wynn, Mr. Bensinger, Mr. Cooke, Mrs. Onorato, Mr. Stewart, Mr. Scott
Nays: Mr. Henry
Abstain: None
Absent: Mr. Dayton

Mr. Henry: "I would like to state that I appreciate what the Board has done in at least compromising to a position of protecting the homeowners as best they can; however, I believe that a minority report should be included in this particular ordinance as it's written so therefore I will vote "no" and ask that you receive the minority report."

H. General Plan Update Review and Analysis

Bill Cramer, Principal Planner, gave an extensive presentation on the current status of the General Plan Update program explaining in detail the 1977 General Plan Graphics and Implementation Strategies for the various alternatives being proposed by the staff. Bill Cramer further asked for the Board's permission to allow staff to spend the money for the attorneys to draft possible legislation for the two park areas (National Recreation Areas for the west and east shores). He further explained the timing charts prepared by staff showing the public review and input and the adoption processes. A meeting will be set up of the sub-committee on the National Recreation Area proposals to consider drafting plans or texts that would relate to what things should be included in tentative proposed legislation in order to reach the objectives.
MOTION by Mr. Stewart that the Agency Governing Body direct Bill Cramer and Dick Heikka to follow the direction as explained by staff. Motion carried on the following vote:

Ayes: Mr. Meder, Mr. Woodward, Mr. Wynn, Mr. Bensingr, Mr. Cooke, Mrs. Onorato, Mr. Stewart, Mr. Henry, Mr. Scott
Nays: None
Abstain: None
Absent: Mr. Dayton

X RESOLUTIONS - None
XI CORRESPONDENCE - None
XII OTHER BUSINESS

Dick Scott indicated that as chairman of the Agency he would not tolerate presentations that criticized the staff and people who do so in the future would not be heard.

XIII ADJOURNMENT

THIS MEETING IS TAPED IN ITS ENTIRETY. ANYONE WISHING TO LISTEN TO THE TAPES MAY MAKE AN APPOINTMENT BY CALLING JACKIE VEIGA 511-0246. IN ADDITION, ALL STAFF SUMMARIES AND RECOMMENDATIONS IN WRITTEN FORM WITH REGARD TO CLEARINGHOUSE REVIEW, PUBLIC WORKS, GENERAL PLAN AMENDMENTS AND AGENCY REVIEW MAY BE REVIEWED AT THE AGENCY OFFICE.

Respectfully submitted,

Jacqueline E. Veiga
Secretary Treasurer

By Julie D. Frame, Deputy

Typed by Julie D. Frame

These minutes were approved at the May 26, 1976 Governing Body meeting.
Verbatim excerpts from the April 28-29, 1976 Governing Body meeting regarding the first reading of the Shorezone Ordinance; in particular, the pierhead line.

Ken Woodward - ... Under Section 6.10 you talk about the tolerance district aerial maps and I believe you have a map referring to the pierhead?

Dick Heikka: Yes.

Ken Woodward: Let's identify those maps a little better by date or title so forth because those things can be changed arbitrarily without the person who has ....

Dick Heikka: We would propose to you in answer to this one, that we are waiting until we find out if we got it past first reading, we would go in and prepare a series of mylars with a signature-title block that would be signed by the chairman and dated as the referenced maps and would become the official maps of this Ordinance and that's how we would propose and that's what I commented to you yesterday that we would then be able to send to DNOD, State Lands and the Nevada agencies a complete set of these shorezone maps and we would put both the tolerance district and the pierhead line on these maps and if we got past first reading this would be the next step that we would do within 30 days.
K. Governing Body Members

Glenn Smith wanted the Board members to be aware that the Federal Government is changing its financial situation to an October to October fiscal year, and July to September this year will be a "mini-year" with a separate budget for that time. This will have an effect on future grants and coordination of programs with Federal programs.

John Wynn asked that with regard to the consent calendar — when a Governing Body member chooses to take an item off the consent calendar for discussion that the Executive Officer be notified so that the applicant can be present.

Mr. Wynn asked that all involved parties be included when discussing funding of the 208 program rather than on a jurisdiction-by-jurisdiction basis. These meetings to establish standards for implementation should include representatives from the two States and the Forest Service as well.

Mr. Scott appointed Mrs. Onorato, Mr. Wynn and Mr. Meder to serve with him on the Finance Committee with a meeting to be held this afternoon.

VIII ORDINANCES

B. Second Reading of the Shorezone Ordinance

Dick Heilman briefly outlined the results of a meeting held with the State Fish and Game Department, the Army Corps of Engineers, the California State Lands Commission, Nevada Environmental Protection Service and the Coast Guard.

There is general agreement that shorezone applications will be initiated in this office. We would set up an application form that would automatically transmit to the affected agencies the acknowledgement of receipt of an application. Also we will be receiving from these agencies their standard criteria for processing and for placement of facilities in the Lake, so an applicant initially will be given a complete package for processing with us and other agencies. The Agency will be somewhat of a clearinghouse. We also had an interesting discussion on mooring buoys and hopefully by next year we will get into an enforcement program to bring these into a standardization program. There are an estimated 1,500 unauthorized buoys now in the Lake. We will pick up all of those on a notification procedure after a substantial education program. We plan to meet with the identified contractors that have done work on the shoreline, and we will give them a complete package of the procedures. The pierhead line maps will be ready within a week and you will be mailed a copy. These will be easily reproducible for public use. This information will be on the land capabilities maps.

We have had excellent cooperation from all State and Federal agencies as to their direction, and they are all willing to work with us. Another meeting will be scheduled with them in June. By the June Governing Body meeting, we will prepare a fee schedule for possible adoption. If the fees bring in sufficient monies, we will hopefully hire an engineer-investigator for these applications, someone who has an understanding of pier construction.
MOTION by Mr. Woodward that this ordinance be given a new first reading and that the first reading provide that the pier lengths be limited to a length of 100 feet.

In explanation, Mr. Woodward stated that subsequent to the first reading last month the Shorezone Committee of the CTRPA came out with a report recommending changes to the ordinance with regard to pier length.

Dick Heikkala in response pointed out that the staff has spent 3 years arriving at the compromise in this ordinance. This committee which has met for less than 3 months has not once invited any member of this staff to discuss with them at any sessions its conclusions. Further explanation was given on the reasons for establishment of the pierhead line with the conclusion that this is the fairest approach and most reasonable approach at getting reasonable use of the Lake.

Mr. Meder continued that the establishment of the pierhead line is the most equitable solution and oftentimes people who are not familiar with boating activities have a tendency to believe that 4 feet of depth at the end of a pier is adequate. It is adequate if the water doesn't move. We are now using boats that require a greater depth than previously.

MOTION by Mr. Stewart to approve the second reading of the Shorezone Ordinance.

Ken Rollston read the ordinance by title:

TAHOE REGIONAL PLANNING AGENCY
ORDINANCE NO. 76-3

AN ORDINANCE ESTABLISHING REGIONAL SHOREZONE TOLERANCE DISTRICTS AND LIMITATIONS ON DEVELOPMENT WITHIN SUCH DISTRICTS; ESTABLISHING MINIMUM STANDARDS AND PROVIDING REGULATIONS FOR THE CONSTRUCTION, ALTERATION, REMOVAL AND MAINTENANCE OF PIERS, MOORING BUOYS, BOAT RAMPS, JETTIES, BREAKWATERS, AND SHORELINE PROTECTIVE STRUCTURES; FILLING AND DREDGING; AND OTHER SHOREZONE DEVELOPMENTS IN THE TAHOE REGION; PROVIDING FOR THE ISSUANCE OF PERMITS FOR NONCONFORMING USES AND VARIANCES; PROHIBITING CERTAIN SHOREZONE CONSTRUCTION AND DEVELOPMENTS; PROVIDING THAT VIOLATIONS OF THE PROVISIONS OF THE ORDINANCE SHALL CONSTITUTE A MISDEMEANOR; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Dick Heikkala for those members who also sit on the CTRPA Board indicated that there has been some discussion about CTRPA adopting regulations in the field and urged that if this is considered that the CTRPA not adopt any regulations for at least one year to give this ordinance a chance to work. If we set up two sets of standards on the shoreline of Lake Tahoe with two permit-issuing authorities, chaos will be the result. We are simply not going to be able to handle all the permits of people trying to get under the wire before the adoption of a second shorezone ordinance.
ADDENDUM

VIII  ORDINANCES

B. Second Reading of the Shorezone Ordinance

At the regular Governing Body meeting of the Tahoe Regional Planning Agency on June 23, 1976, under Item III DISPOSITION OF MINUTES it was pointed out by Mr. Ken Woodward that the action was not included on the motion made by Mr. Woodward. Following is the motion and the action to be included on page 18 of the May 26, 27, 1976 minutes.

MOTION by Mr. Woodward that this ordinance be given a new first reading and that the first reading provide that the pier lengths be limited to a length of 100 feet. Motion failed on the following vote:

Ayes:          Mr. Woodward
Nays:         Mr. Meder, Mr. Wynn, Mr. Cooke, Mrs. Onorato,
              Mr. Stewart, Mr. Henry, Mr. Scott
Abstain:       None
Absent:       Mr. Bensinger, Mr. Dayton
TRPA REGULAR MEETING MINUTES MAY 27, 1976

Motion carried on the following vote:

Ayes: Mr. Meder, Mr. Woodward, Mr. Wynn, Mr. Cooke, Mrs. Onorato, Mr. Stewart, Mr. Scott
Nays: Mr. Henry
Abstain: None
Absent: Mr. Bensinger, Mr. Dayton

Mr. Henry: I want to make it clear that I am voting no but I support the idea of the compromise. I am voting no so we can get a minority report.

MOTION by Mr. Cooke to repeal the Shoreline Ordinance upon the effective date of the new Shorezone Ordinance. Motion carried on the following vote:

Ayes: Mr. Meder, Mr. Woodward, Mr. Wynn, Mr. Cooke, Mrs. Onorato, Mr. Stewart, Mr. Henry, Mr. Scott
Nays: None
Abstain: None
Absent: Mr. Bensinger, Mr. Dayton

IX RESOLUTIONS - None
X CORRESPONDENCE - None
XI OTHER BUSINESS - None

XII ADJOURNMENT - The meeting adjourned at 10:20 a.m.

This meeting is taped in its entirety. Anyone wishing to listen to the tapes may make an appointment by calling Jackie Veiga 541-0246. In addition, all staff summaries and recommendations in written form with regard to clearinghouse review, public works, General Plan amendments and agency review may be reviewed at the Agency office.

Respectfully submitted,

Jacqueline E. Veiga
Secretary Treasurer

By Julie D. Frame, Deputy

Typed by Julie D. Frame
Verbatim excerpts from the May 26-27, 1976 Governing Body meeting regarding the second reading of the Shorezone Ordinance; in particular, the pierhead line.

Dick Heikka: We will, have, complete, particularly Ken for your benefit, the pierhead line-tolerance zones. I still have some lettering to do and it has forced me to dust off all my drafting equipment, I had to do it personally cause I can't steal a draftsmen from Cramer, and those will be ready within probably a week and I will be shipping a copy down to you so that you will have them for the State agencies. They will be available and reproducible for anyone. We have put this information right on our land capability maps and will be selling them for the same price as the land capability maps which is $1.50 which covers our cost of printing. They will actually be stored at Sacramento Blue Print and you order directly through them, the tracings.

In response to Ken Woodward's motion that pier lengths be limited to a length of 100 feet -

Dick Heikka: ...As an example, the pierhead line around Lake Tahoe, I got them all drafted, I got them on my desk right now, from a point...westerly edge of Baldwin in South Shore...Going east almost all the way to Roy's (Robinettes) house that pierhead line is about 100 feet, in fact some places we dropped it to 0 feet in a number of areas where we have barrier beaches we simply are not going to allow piers. We did this on the basis of a lot of review...At Incline the average pier, and most of those properties have piers, are about 140 to 160 feet which gets them out to a reasonable depth for use. The pierhead line along Incline at about 150 feet. Now, if you go around North Stateline westerly and south there is a tremendous variation in that shorezone, but if you want to take the time to look at those 400 scales, there's an incredible uniformity of piers along that shorezone. For the most part in the range of 100 to 150 feet. We have drawn the pierhead line at the end of those piers. Now in a few areas, such as at Tahoe City we get out to 250 feet. Very few areas though do we get those kind of problems...fairly carefully identified. Overall we have drawn that pierhead line tight against the existing line of piers around Lake Tahoe. I think this is a fair approach in representing a reasonable approach in getting a reasonable use of the lake. Everybody that has taken the time to look at it, and I remind you again that this committee (CTPRA Shorezone Committee) has never looked at that map, has said that this is the best approach.
December 4, 1978

Tahoe Regional Planning Agency
P.O. Box 8896
South Lake Tahoe, CA  95731

Attn: Gordon Barrett

Dear Mr. Barrett:

Pursuant to our phone discussion of December 4, 1978, you requested that I provide a letter of explanation regarding the status of the pierhead line as was developed in conjunction with the Agency's shoreline ordinance. There was a substantial discussion dealing with the status of these maps and the result was the development of a pierhead line from a series of maps on which a red line was placed that generally outlined the extent of the pierhead line. The question as to which set of maps was in fact the set of maps adopted by the Agency was and still is apparently a source of debate.

The red line maps were the result of discussions between myself and members of the Tahoe Shoreline Review Group which at that time was headed by Raymond Vail and Jim Williamson. I did not agree as the executive officer, however, that those maps as originally delineated were to be the final proposal to the Agency, as in a number of cases there was disagreement as to where the pierhead line should be. I am satisfied that the tracings prepared by the Agency from the red line maps were in essence the maps that are the official maps of the Agency, with the understanding at the time that there could be future interpretations based on the red line maps where a point of controversy might exist. In this specific case on Dollar Point, we reduced the location of the red line not extending out as far as was originally proposed in that the only pier at that time exceeding the red line location was a community pier which other provisions of the ordinance took into account. We did not feel however, that private piers necessarily should extend automatically to that distance and would have to be subject to specific review on a case by case basis.
We did acknowledge to the governing board at the second reading of the ordinance that there were some variations between the maps as originally discussed and what was finally adopted by reference. If you will recall, we adopted them by reference because the very nature of the shoreline map could not be that precisely identified at 400 scale. It would be my suggestion that the Agency should have the power to interpret and make adjustments by administrative action. However, as I stated earlier, we did not agree to extend the pierhead line along Dollar Point to the distance originally recommended.

I hope this will help clarify the pending matter before you. If I can be of further assistance, please do not hesitate to call me.

Sincerely,

[Signature]

Richard M. Heikka

/1h
MEMORANDUM

DATE: December 11, 1978

TO: The TRPA Governing Board

FROM: The Staff

SUBJECT: Non-Attainment Air Quality Plan

Staff will have a verbal report on the Non-Attainment Air Quality Plan at the December Governing Board meeting.
TAHOE REGIONAL PLANNING AGENCY

MEMORANDUM

DATE: December 13, 1978

TO: The TRPA Governing Board

FROM: The Agency Staff

SUBJECT: Revenue Statement

Following is a revenue statement concerning the Agency's finances as computed through November 30, 1978. The report shows that the expenditures to date are within the budget; however, the statement also shows in the revenue area that the Agency has received only 50 percent of its contributions from California and Nevada. The Business Manager will be prepared to discuss this matter and answer any questions at the time of the meeting.
### Statement of Revenue & Expenses from July 1, 1978 thru November 30, 1978

Percentage of Fiscal Year Completed: **42%**

<table>
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<tr>
<th>Revenue Item</th>
<th>Budgeted Revenue &amp; Expenses</th>
<th>Actual Revenue &amp; Expenses Thru 11/30/78</th>
<th>Actual in Proportion To Budgeted</th>
<th>Actual (Over)/Under Budgeted</th>
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<tbody>
<tr>
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<td>$37,500</td>
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<td>$37,500</td>
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<td>State of Nevada</td>
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<td>50%</td>
<td>18,750</td>
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<td>0%</td>
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<td>El Dorado County</td>
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<td>62,505</td>
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<td>0%</td>
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<td>Placer County</td>
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<td>Washoe County</td>
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<td>0%</td>
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<tr>
<td>Filing Fee Income</td>
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<td>Air Quality Grant</td>
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<td>11,000</td>
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<td>Investment Income</td>
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<td>Miscellaneous Income</td>
<td>-</td>
<td>344</td>
<td>(344)</td>
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<tr>
<td>Fund Balance 7/1/78</td>
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<td>0%</td>
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<td>H.U.D.</td>
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<td>17,346</td>
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<td>C.E.T.A.</td>
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<td>12,413</td>
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<td>26,623</td>
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<td><strong>Total Revenue</strong></td>
<td><strong>$482,690</strong></td>
<td><strong>$316,600</strong></td>
<td><strong>66%</strong></td>
<td><strong>$166,090</strong></td>
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### Expenses:

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<tr>
<th>Expense Item</th>
<th>Budgeted Expenses</th>
<th>Actual Expenses</th>
<th>Budgeted Proportion</th>
<th>Actual (Over)/Under Budgeted</th>
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<td>Legal Notices</td>
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<td>Office Supplies</td>
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<td>Publications</td>
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<td>34</td>
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<td>0%</td>
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<td>Communications</td>
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<td>Travel Expenses</td>
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<td>Insurance</td>
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<td>Equipment Purchases</td>
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<td>Legal Services</td>
<td>70,000</td>
<td>32,600</td>
<td>47%</td>
<td>37,400</td>
</tr>
<tr>
<td>Inspection Fees</td>
<td>725</td>
<td>725</td>
<td>100%</td>
<td>0%</td>
</tr>
<tr>
<td>Miscellaneous Expenses</td>
<td>54</td>
<td>54</td>
<td>100%</td>
<td>0%</td>
</tr>
<tr>
<td>Consulting Services</td>
<td>1,000</td>
<td>434</td>
<td>43%</td>
<td>566</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td><strong>$416,644</strong></td>
<td><strong>$164,438</strong></td>
<td><strong>39%</strong></td>
<td><strong>$252,206</strong></td>
</tr>
</tbody>
</table>

*Fund Balance 6/30/79 $66,046

Fund Balance 11/30/78 $152,162

*Carson City contributed $1,003 over and above TRPA's requested allocation of $7.
TO: The TRPA Governing Board
FROM: The Agency Staff
SUBJECT: Preliminary Budget and Work Program, Fiscal Year 1979-80

DATE: December 13, 1978

Following is a proposed budget and outline for the overall work program for Fiscal Year 1979-80. As set forth in the Compact, the Agency is required to adopt a preliminary budget by the first of each calendar year.

It has been difficult to put this budget together because of the uncertainties surrounding the Agency, its recent funding, and the level of work that should be undertaken during the coming year. Essentially, the proposed budget and work program reflect the effort originally outlined for the existing fiscal year which subsequently had to be reduced due to funding limitations. After the Governing Body takes action on this packet, staff will then put together all the necessary additional material prior to submittal of the budget to the States of California and Nevada and the Federal agencies from whom funds will be requested.

After last month's action by the Governing Body to adopt a final 1978-79 work program, staff has prepared all the necessary material to reflect the revisions brought about by the Governing Body actions. This material has been completed and is being submitted through the necessary channels. Staff will provide each of the Board members with this material at the meeting, rather than including it in the packet in order to cut down on the volume of the material being mailed to you at this time. Staff will also be prepared to answer any questions that you may have concerning this material at the meeting.
TAHOE REGIONAL PLANNING AGENCY
PRELIMINARY FISCAL YEAR 1979/80 BUDGET

<table>
<thead>
<tr>
<th>Revenue Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>State of California</td>
<td>$225,000</td>
</tr>
<tr>
<td>State of Nevada</td>
<td>$112,500</td>
</tr>
<tr>
<td>Carson City</td>
<td>$13,000</td>
</tr>
<tr>
<td>Douglas County</td>
<td>$24,985</td>
</tr>
<tr>
<td>El Dorado County</td>
<td>$60,661</td>
</tr>
<tr>
<td>Placer County</td>
<td>$34,502</td>
</tr>
<tr>
<td>Washoe County</td>
<td>$29,749</td>
</tr>
<tr>
<td>Filing Fee Income</td>
<td>$25,000</td>
</tr>
<tr>
<td>Investment Income</td>
<td>$9,000</td>
</tr>
<tr>
<td>Sales of Printed Matter</td>
<td>$1,200</td>
</tr>
<tr>
<td>Fund Balance, 7/1/79</td>
<td>$60,000</td>
</tr>
<tr>
<td>C.E.T.A.</td>
<td>$29,100</td>
</tr>
<tr>
<td>H.U.D.</td>
<td>$70,000</td>
</tr>
<tr>
<td>E.P.A.</td>
<td>$26,000</td>
</tr>
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</table>

**TOTAL REVENUE**  
$707,800

<table>
<thead>
<tr>
<th>Expense Category</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Staff Salaries</td>
<td>$340,500</td>
</tr>
<tr>
<td>Employee Benefits</td>
<td>$50,300</td>
</tr>
<tr>
<td>Legal Notices</td>
<td>$2,200</td>
</tr>
<tr>
<td>Repairs/Maintenance</td>
<td>$1,500</td>
</tr>
<tr>
<td>Office Supplies</td>
<td>$5,400</td>
</tr>
<tr>
<td>Publications</td>
<td>$300</td>
</tr>
<tr>
<td>Communications</td>
<td>$10,800</td>
</tr>
<tr>
<td>Postage</td>
<td>$5,000</td>
</tr>
<tr>
<td>Travel Expenses</td>
<td>$5,000</td>
</tr>
<tr>
<td>Auto Maintenance</td>
<td>$3,000</td>
</tr>
<tr>
<td>Insurance</td>
<td>$5,500</td>
</tr>
<tr>
<td>Building Expenses</td>
<td>$60,000</td>
</tr>
<tr>
<td>Office Equipment Rent</td>
<td>$5,400</td>
</tr>
<tr>
<td>Auditing Services</td>
<td>$3,500</td>
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<tr>
<td>Consulting Services</td>
<td>$40,000</td>
</tr>
<tr>
<td>Reproduction/Printing</td>
<td>$25,000</td>
</tr>
<tr>
<td>Equipment Purchases</td>
<td>$8,000</td>
</tr>
<tr>
<td>Legal Services</td>
<td>$90,000</td>
</tr>
<tr>
<td>Inspection Fees</td>
<td>$900</td>
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</table>

**TOTAL EXPENSES**  
$662,100

**FUND BALANCE, 6/30/80**  
$45,700

**CONTINGENCY: Closing Costs**  
$42,000

**NET REVENUE**  
$3,700
# Preliminary Fiscal Year 1979/80 Overall Work Program

## Regulatory Review Division

<table>
<thead>
<tr>
<th>Program Subcategory</th>
<th>Staff Effort In Person Months</th>
<th>% Staff Effort</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>100 Project Review Program</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>101 Review of Type B Permit Applications</td>
<td>34 pm</td>
<td>14%</td>
<td>$73,428</td>
</tr>
<tr>
<td>102 Review of Public Works Projects</td>
<td>4</td>
<td>2</td>
<td>8,791</td>
</tr>
<tr>
<td>103 Review of Shorezone Projects</td>
<td>13</td>
<td>5</td>
<td>27,923</td>
</tr>
<tr>
<td>104 Review of SEZ Projects</td>
<td>7</td>
<td>3</td>
<td>14,479</td>
</tr>
<tr>
<td>105 Review of Type A Permit Applications</td>
<td>7</td>
<td>3</td>
<td>14,996</td>
</tr>
<tr>
<td>106 Arcawide Clearinghouse Activities</td>
<td>5</td>
<td>1</td>
<td>6,722</td>
</tr>
<tr>
<td>200 Field Enforcement Program</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>201 Surveillance Efforts</td>
<td>34</td>
<td>14</td>
<td>73,428</td>
</tr>
<tr>
<td>202 Litigation Activities</td>
<td>2</td>
<td>1</td>
<td>89,156</td>
</tr>
<tr>
<td>Total This Division</td>
<td>104</td>
<td>43</td>
<td>308,903</td>
</tr>
</tbody>
</table>

## Planning Division

<table>
<thead>
<tr>
<th>Program Subcategory</th>
<th>Staff Effort In Person Months</th>
<th>% Staff Effort</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>300 Policy and Plan Development Program</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>301 Regional Plan</td>
<td>10</td>
<td>4</td>
<td>81,718</td>
</tr>
<tr>
<td>302 Air Quality</td>
<td>6</td>
<td>3</td>
<td>12,928</td>
</tr>
<tr>
<td>303 Transportation</td>
<td>13</td>
<td>5</td>
<td>27,923</td>
</tr>
<tr>
<td>304 Housing and Community Development</td>
<td>4</td>
<td>2</td>
<td>8,791</td>
</tr>
<tr>
<td>305 Water Quality Management</td>
<td>4</td>
<td>1</td>
<td>8,274</td>
</tr>
<tr>
<td>306 Energy</td>
<td>7</td>
<td>3</td>
<td>14,996</td>
</tr>
<tr>
<td>400 Policy and Plan Monitoring Program</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>401 Land Usage Elements</td>
<td>9</td>
<td>4</td>
<td>19,650</td>
</tr>
<tr>
<td>402 Transportation</td>
<td>6</td>
<td>3</td>
<td>12,928</td>
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<tr>
<td>403 Public Services and Facilities Element</td>
<td>2</td>
<td>1</td>
<td>4,137</td>
</tr>
<tr>
<td>404 Water Quality Management Element</td>
<td>5</td>
<td>1</td>
<td>6,722</td>
</tr>
<tr>
<td>405 Shorezone Element</td>
<td>7</td>
<td>2</td>
<td>14,996</td>
</tr>
<tr>
<td>406 Air Quality Element</td>
<td>3</td>
<td>1</td>
<td>6,722</td>
</tr>
<tr>
<td>500 Assessment and Update Program</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>501 Regional Plan Assessment</td>
<td>6</td>
<td>3</td>
<td>12,928</td>
</tr>
<tr>
<td>502 Regional Plan Amendment Requests</td>
<td>6</td>
<td>3</td>
<td>12,928</td>
</tr>
<tr>
<td>503 Water Quality Management Plan Update</td>
<td>2</td>
<td>1</td>
<td>4,137</td>
</tr>
<tr>
<td>Total This Division</td>
<td>38</td>
<td>37</td>
<td>249,778</td>
</tr>
</tbody>
</table>

## Management Division

<table>
<thead>
<tr>
<th>Program Subcategory</th>
<th>Staff Effort In Person Months</th>
<th>% Staff Effort</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>600 Executive Direction and Assignments Program</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>601 Internal Management</td>
<td>3</td>
<td>1</td>
<td>6,722</td>
</tr>
<tr>
<td>602 Intergovernmental Coordination</td>
<td>12</td>
<td>5</td>
<td>25,855</td>
</tr>
<tr>
<td>603 Executive Assignments</td>
<td>8</td>
<td>3</td>
<td>17,064</td>
</tr>
<tr>
<td>700 Public Involvement Program</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>701 Public Education and Information</td>
<td>5</td>
<td>2</td>
<td>10,859</td>
</tr>
<tr>
<td>702 Public Input</td>
<td>1</td>
<td>1</td>
<td>2,068</td>
</tr>
<tr>
<td>800 Business Management Program</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>801 Fiscal Services</td>
<td>6</td>
<td>3</td>
<td>12,928</td>
</tr>
<tr>
<td>802 Administrative Services</td>
<td>13</td>
<td>5</td>
<td>27,923</td>
</tr>
<tr>
<td>Total This Division</td>
<td>48</td>
<td>20</td>
<td>105,419</td>
</tr>
</tbody>
</table>

**Grand Totals**: 240 pm, 100%, $662,100
TAHOE REGIONAL PLANNING AGENCY

MEMORANDUM

TO: The TRPA Governing Board

FROM: The Agency Staff

SUBJECT: Legal Services Contract Amendment

DATE: December 13, 1978

Legal Counsel has notified the Agency that they intend to increase the hourly rate for legal services from $40 to $50. The increase is to be effective January 1, 1979. A copy of their letter regarding this matter is attached.

Staff has calculated that the Agency's budget allotment of $70,000 for legal services will fall short of estimated costs by approximately $7,500 if this increase is approved.

Staff will be prepared to discuss this matter at the time of the meeting and to explain its ramifications on the existing budget.
September 1, 1978

James J. Jordan, Executive Director
Tahoe Regional Planning Agency
Post Office Box 8896
South Lake Tahoe, CA 95731

Dear Jim:

It is with regret that Ken and I must notify the agency of our desire to increase, from $40 to $50 per hour, the hourly rate for our work upon agency projects and litigation. In view of the ever-increasing cost of performing legal services for the agency, and clients generally, the $40 per hour figure is one under which it is increasingly difficult to effectively and economically operate. Moreover, the $40 figure, and even the $50 one for that matter, are far below customary rates charged by attorneys for services, particularly in view of the difficulty and significance of the litigation concerning the agency. As with the $40 amount, however, Ken and I feel the $50 rate is more than reasonable and in keeping with our philosophical belief in the agency's purposes and objectives.

If you have any questions or comments in this regard, please do not hesitate to call.

Very truly yours,

GARY A. OWEN

GAO/b
MEMORANDUM

DATE: December 11, 1978

TO: The TRPA Governing Board

FROM: The Staff

SUBJECT: Ordinances

The following ordinances were introduced for first reading at the November, 1978 Governing Body meeting:

Grading Ordinance Amendments

Ordinance Amending the Regional Plan to Include the Lake Tahoe Basin Water Quality Management Plan as an Element of the Regional Plan

Ordinance Implementing the Lake Tahoe Basin Water Quality Management Plan

Article 3, Section 3.3 of the Agency's Rules and Regulations of Practice and Procedure directs that "final action shall not be taken on a proposed ordinance for at least four (4) weeks after its introduction unless, by unanimous vote of the governing body present, an emergency which requires immediate action is declared." Since the December meeting is only three weeks after the November meeting, these ordinances will be placed on the January, 1979 agenda for second reading.
TAHOE REGIONAL PLANNING AGENCY

MEMORANDUM

DATE: December 11, 1978

TO: The TRPA Governing Board

FROM: The Staff

SUBJECT: Indirect Source Review Ordinance

Because of the short timeframe between APC and Governing Board meetings in December, staff will not be able to present a revised version of the proposed Indirect Source Review Ordinance until the Governing Board meeting. The ordinance is scheduled for discussion and recommendations at the December 13 APC meeting.
TAHOE REGIONAL PLANNING AGENCY

MEMORANDUM

DATE: December 12, 1978

TO: TRPA Governing Board

FROM: Agency Staff

SUBJECT Land Use Ordinance Amendment to Allow Land Coverage not in Excess of 50% on Public Service Parcels

Attached is the draft amendment to the Land Use Ordinance in relation to land coverage on Public Service parcels. Discussions of such an amendment with the Governing Board at the November 1978 meeting led to the Board directing staff to draft the amendment.

The proposed ordinance amendment would allow land coverage not in excess of 50%. However, land capability would be taken into consideration in the project design and location. A project would be required to utilize the highest capability land area and protect the lower capability lands.

In analyzing the merits of the proposal, staff conducted an inventory of all Public Service parcels in the Basin and made the following findings:

- The Public Service District is primarily located on school sites, utility facilities, governmental offices, and the South Lake Tahoe Airport.

- Total Public Service zoning for the Basin is 760 acres. Washoe County has 100 acres, Douglas 66 acres, Placer County 133 acres, and El Dorado County 461 acres (296 acres at the airport).

- The coverage on schools range from 5 to 40%, but this does not include the playing fields. Utility facilities range from 50 to 75% coverage, but this includes the settling ponds. Governmental offices range from 30 to 40% coverage including parking.

- Public Service parcels contain a mixture of capability districts.

- Staff could not determine if additional Public Service acreage is needed Basinwide due to lack of information on potential growth and, therefore, corresponding Public Service needs.
Staff recommends support of this Land Use Ordinance amendment. Staff will inform the Board at the meeting the APC action concerning this matter.
TAHOE REGIONAL PLANNING AGENCY

ORDINANCE NO. -

AN ORDINANCE AMENDING ORDINANCE NO. 4 OF THE TAHOE REGIONAL PLANNING AGENCY, AS AMENDED, TO ALLOW LAND COVERAGE NOT IN EXCESS OF 50% ON ALL PUBLIC SERVICE PARCELS.

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

Section 1.00 Findings

The Governing Body of the Tahoe Regional Planning Agency finds that in order to effectuate the adopted Regional Plan, it is necessary to amend the Land Use Ordinance, to allow Public Service parcels land coverage density comparable to that of other similar land use districts and uses.

Section 2.00 Amendment to Section 7.103 to Establish Coverage Allowance in a Public Service District

Section 7.103 of Ordinance No. 4 of the Tahoe Regional Planning Agency, as amended, is hereby amended to read as follows:

"7.103 Limitations on Land Coverage

No person shall create land coverages in excess of (the limits set forth in Section 6.20) 50% on the land area included in the application for a permit, as calculated in accordance with Sections 8.22 and 9.24 of this Ordinance.

This provision shall apply only to those lands contained in Public Service districts as shown on the Tahoe Regional Plan as originally adopted. The limitations on land coverage set forth in Section 6.20 shall be applicable to lands which may be reclassified into such district in the future unless the ordinance effecting such reclassification specifically provides otherwise."
Section 3.00 Amendment to Section 6.20 to include Public Service Parcels

Section 6.20 of Ordinance No. of the Tahoe Regional Planning Agency, as amended, is hereby amended to read as follows:

"6.20 The limits on land coverage in each of said districts, except as otherwise provided in Sections 7.80, (and) 7.90 and 7.100, are as established in this section."

Section 4.00 Effective Date

This ordinance shall be effective 60 days after its adoption.

FIRST READING:

SECOND READING:

PASSED and ADOPTED by the Governing Body of the Tahoe Regional Planning Agency at a regular meeting held ____________, by the following vote:

Ayes:
Nays:
Abstain:
Absent:

_________________________ Chairman
TO: The TRPA Governing Board

FROM: The Agency Staff

SUBJECT: Technical Correction to Section 7.13 of the Land Use Ordinance - Limitation on Height

Section 7.13 of the TRPA Land Use Ordinance sets forth the limitations for height for structures within the Tahoe Basin. It also describes the method for measuring height as quoted below:

"Building height shall be the vertical distance from the grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the average height of the highest gable of a pitch or hip roof. Grade is the average of the finished ground level at the center of all walls of a building or structure."

It has been staff and the local permit-issuing authority policy when measuring the height of a gable roof (a double-sloping roof that is triangular at each end) to measure from the average grade to the peak of the gable roof. This method is shown in the attached Illustration A.

Recently, an applicant in Washoe County contested this interpretation by pointing out the word "average" is used in reference to height of the highest gable. Staff explained that "average" applied to multiple peaks or sloping ridge lines and not to the average height of the total roof structure. The applicant's interpretation would allow higher structures than have been historically permitted since half of the roof structure is not counted in the measurements as shown in the attached Illustration B.

Staff consulted with legal counsel, and it was determined that the applicant's case was sufficient to permit him to construct his project in which the peak of the gable roof was over 45 feet.

In order to be fair to all previous projects and to limit the true height of the projects to the limits of the Land Use Ordinance, staff recommends the word "average" be deleted in reference to gable roofs in Section 7.13. The proposed Land Use Ordinance amendment is attached.

Attachments
TAHOE REGIONAL PLANNING AGENCY

ORDINANCE 79-

AN ORDINANCE AMENDING ORDINANCE NO. 4 OF THE TAHOE REGIONAL PLANNING AGENCY, AS AMENDED, CLARIFYING THE CALCULATION OF THE HEIGHT LIMITATION.

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

Section 1.00 Findings

The Governing Body of the Tahoe Regional Planning Agency finds that in order to effectuate the adopted Regional Plan, it is necessary to adopt this ordinance amending the Land Use Ordinance to clarify procedure for calculating the height limitation.

Section 2.00 Amended Section 7.13

Section 7.13 of Ordinance No. 4, as amended, is hereby amended to read as follows:

"7.13 Limitation on Height

No building or other structure erected in any land use district shall have a height greater than that specified below except that the permit-issuing authority, by administrative permit pursuant to Section 8.33, may authorize a greater height to the extent that the permit-issuing authority determines that (1) provision has been made for protection from fire hazards and against aviation accidents; (2) consideration has been given to the protection of view and to the character of the neighborhood; (3) proper provision has been made for light and air; and (4) such greater height will better promote the protection of the environment in the area. Only those administrative permits that allow a building or other structure of a height of 45 feet or more shall be subject to Agency review pursuant to Section 4.32. Appurtenances such as chimneys and vents may be erected to a fifteen percent (15%) greater height than specified below. Building height shall be the vertical distance from the grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the (average height) peak of the highest gable of a pitch or hip roof. Grade is the average of the finished ground level at the center of all walls of a building or structure."
<table>
<thead>
<tr>
<th>Use District</th>
<th>Permitted Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Forest</td>
<td>35 feet</td>
</tr>
<tr>
<td>Recreation</td>
<td>35 feet</td>
</tr>
<tr>
<td>Rural Estates</td>
<td>35 feet</td>
</tr>
<tr>
<td>Low Density Residential</td>
<td>35 feet</td>
</tr>
<tr>
<td>Medium Density Residential</td>
<td>35 feet</td>
</tr>
<tr>
<td>High Density Residential</td>
<td>35 feet</td>
</tr>
<tr>
<td>Tourist Commercial</td>
<td>40 feet</td>
</tr>
<tr>
<td>General Commercial</td>
<td>40 feet</td>
</tr>
<tr>
<td>Public Service</td>
<td>40 feet</td>
</tr>
<tr>
<td>Conservation Reserve</td>
<td>As approved in a specific plan.</td>
</tr>
<tr>
<td>Medium Tourist Residential</td>
<td>35 feet</td>
</tr>
</tbody>
</table>

The above table of permitted heights may be modified with respect to residential buildings by permitting height limits of 35 feet plus one foot for each two percent (2%) of cross slope, measured at the building site coverage.

**Section 3.00 Effective Date**

This ordinance shall be effective sixty (60) days after its adoption.

PASSED and ADOPTED by the Governing Body of the Tahoe Regional Planning Agency at its regular meeting held , 1979, by the following vote:

Ayes:  
Nays:  
Abstain:  
Absent:  

Chairman
TAHOE REGIONAL PLANNING AGENCY
ORDINANCE NO. 79-

AN ORDINANCE AMENDING THE LAND USE ELEMENT OF THE REGIONAL PLAN OF THE TAHOE REGIONAL PLANNING AGENCY BY AMENDING EXHIBIT "A" TO ORDINANCE NO. 22, BY ADDING PARAGRAPH 79 THERETO, TO CHANGE THE LAND USE DISTRICT APPLICABLE TO CERTAIN REAL PROPERTY

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

Section 1.00 Findings

The Governing Body of the Tahoe Regional Planning Agency finds that the following amendment to the land use element of the Regional Plan is in accordance with the provisions and purposes of the Tahoe Regional Planning Compact, and that all required notices have been given and public hearings held as required by Article V of said Compact.

Section 2.00 Change In Land Use District

Exhibit "A" to Ordinance No. 22 of the Tahoe Regional Planning Agency, as amended, is hereby amended by adding thereto new paragraph 79 to accomplish a change in the applicable land use districts, which paragraph shall read as follows:

"79. Lots 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15 and Utilities Parcel "C", Block D, Industrial Subdivision No. 2, Washoe County, Nevada and a portion of North Enterprise Street beginning at the northeasterly corner of Lot 1 Block E, Industrial Subdivision Unit 2, Washoe County Nevada according to the map thereof, filed in the Office of the County Recorder of Washoe County, State of Nevada, on February 28, 1964; thence North 38 degrees 51 minutes 7 seconds, East 110.10 feet; thence along the arc of a tangent curve to the to the right, having a radius of 275.00 feet and a central angle of 55 degrees 13 minutes 12 seconds, an arc distance of 265.04 feet; thence South 85 degrees 55 minutes 41 seconds East 366.86 feet; thence southwesterly along the arc of a curve concave to the south-east, having a radius of 50.00 feet and a central angle of 90 degrees 00 minutes 19 seconds, an arc distance of 78.54 feet; thence North 85 degrees 55 minutes 41 seconds West 316.86 feet; thence along the arc of a tangent curve to the left, having a radius of 225.00 feet and a central angle of 55 degrees 13 minutes 12 seconds, an arc distance of 216.85 feet; thence South 38 degrees 51 minutes 07 seconds West 175.08 feet; thence along the arc of a tangent curve to the left, having a radius of 25.00 feet and a central angle of 90 degrees 00 minutes 00 seconds, an arc distance of 39.27 feet; thence North 51 degrees 09 feet 30 seconds West 96.00 feet; thence along the arc of a tangent curve to the left, having a radius of 430.00 feet and a central angle of 00 degrees 30 minutes 13 seconds, an arc distance of 3.78 feet; thence northeasterly along the arc of a curve concave to the north having a radius of 25.00 feet and a central angle of 89 degrees 29 minutes 47 seconds, an arc distance of 39.05 feet; thence North 38 degrees 51 minutes 07 seconds East 65.00 feet to the Point of Beginning. Said described properties total 4.29 acres and are reclassified from General Commercial to High Density Residential with the limitation on land coverage being 50 percent of said property."
Section 3.00 Severability

If any part or provision of this ordinance, or the application thereof to any person, thing or circumstance, is held invalid by a court of competent jurisdiction, such invalidity shall not affect the parts, provisions or applications that can be given effect without the invalid part, provision or application, and to this end the parts and provisions hereof are severable.

Section 4.00 Effective Date

This ordinance shall be effective immediately upon its adoption.

FIRST READING:
SECOND READING:

PASSED and ADOPTED by the Governing Body of the Tahoe Regional Planning Agency at its regular meeting held , 1979, by the following vote:

Ayes:

Nays:

Abstain:

Absent:

Chairman