TRPA
GOVERNING BOARD
PACKETS

NOVEMBER
1978
NOTICE OF SPECIAL MEETING OF THE
GOVERNING BODY OF THE
TAHOE REGIONAL PLANNING AGENCY

NOTICE IS HEREBY GIVEN that on November 29, 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 a special meeting.
The agenda for said meeting is attached to and made a part of this
notice.

Dated: November 15, 1978

By: James J. Jordon
Executive Director
Second Reading of Ordinance Amending the Regional Plan to Reclassify 3.5 Acres in Douglas County to General Commercial

First Reading of Grading Ordinance Amendments

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

First Reading of Ordinance Implementing the Lake Tahoe Basin Water Quality Management Plan

First Reading of Ordinance Establishing Indirect Source Review Standards and Procedures

Resolution Adopting Memorandum of Understanding Between TRPA and the RC&D Council

Miscellaneous:

The Governing Board approved a revised overall work program and budget for FY 1978/79.

The Governing Board approved a benefits package for the TRPA staff in lieu of cost of living salary increases.
### Item Action Taken

**Traffic Impact Determinations:**

- **Incline Village Community Pool Complex, Washoe County**
  - Finding made that the proposed project is in compliance with Sec. 3.10 of Ordinance 78-5 and would therefore not generate more than 105 vehicle trips per day per acre.

- **24 Unit Apartment at 929 Southwood Boulevard, Washoe County**
  - Finding made that the proposed project is in compliance with Sec. 3.10 of Ordinance 78-5 and would therefore not generate more than 105 vehicle trips per day per acre.

- **Lake Tahoe Resort and Racquet Club, 212 Room Hotel and 8 Unit Apartment, Washoe County**
  - Finding made that the proposed project is in compliance with Sec. 3.10 of Ordinance 78-5 and would therefore not generate more than 105 vehicle trips per day per acre.

- **Harrah's Tahoe, Parking Garage Structure, Douglas County**
  - Due to the failure to obtain a dual majority on a motion that the parking structure be found in compliance with Sec. 3.10 of Ordinance 78-5, the application is deemed to be in compliance and can be reviewed by TRPA in December.
  - Approved with staff directed to prepare an effectuating ordinance.

- **General Plan Amendment, The Tantara Company, 4.3 Acres in Washoe County from General Commercial to High Density Residential**
  - Directed staff to prepare and process an amendment to the Land Use Ordinance to allow land coverage not to exceed 50% in the Public Service use district.

- **Douglas County Administrative Center Findings Relative to Permitted Land Coverage**
  - Staff update report only. Staff to advise the Nevada Environmental Commission on December 13, 1978 that TRPA as the lead agency in Nevada for preparation of the plan prefers not to submit any material until a plan has been completed, submitted to the local agencies for comment and approved by the Governing Board.

- **Draft Non-Attainment Air Quality Plan**

- **General Plan Update**
  - The Governing Body acted to continue until a future date the public forums and hearings on a revised General Plan based on findings regarding: 1) implications of potential Compact amendments being considered by California and Nevada; 2) initiation of a joint transit planning effort by all concerned entities; 3) the Federal effort to undertake a threshold/carrying capacity
TAHOE REGIONAL PLANNING AGENCY
GOVERNING BODY

ACTION SHEET
SPECIAL MEETING NOVEMBER 29, 30, 1978

Agenda Item

Consent Calendar

Action Taken

Approved

Special Report - Impacts of Parking Structures at South Stateline

No action was taken due to failure to achieve dual majority vote on motion to approve the staff recommendation to defer approval of additional parking expansion and to bring the expansion of trip-generating uses in the core area under direct regulatory control of TRPA and/or NTRPA.

Douglas County, Administrative Permit for Sahara Tahoe Sign to Exceed the Height Limit

Approved

Rocky Ridge Unit No. 4, Tentative Map for 49 Lots, Placer County

Approved

Millstone Manor, Tentative Map for 4 Condominium Units, Washoe County

Approved

Daniel Sheehan, Variance for Pier to Extend Past Pierhead Line, Placer County

Continued until such time as accuracy of the pierhead line maps is clarified.

Chapman General Hospital for the Round Hill General Improvement District, Determination on Economic Hardship Pursuant to Ordinance Nos. 78-5 and 78-6, Douglas County

Approved staff recommendation which permits a tentative map in the Round Hill area to be considered by TRPA prior to January 1, 1979.

Determinations of Permeability of "Fastdry" Artificial Surfacing, Washoe County

Approve staff recommendation to count "Fastdry" or similar surfaces as land coverage and to request Soil Conservation Service review and comment on permeability of prepared grass surface for tennis courts.

Appeal of the Shorezone Hearing Officer Decision, Unauthorized Rock Jetty for M. Wangenheim and N. Dewhurst, Washoe County

N. Dewhurst and M. Wangenheim jetty found to be authorized structures in accordance with the Shorezone Ordinance with staff directed to prepare a policy statement for consideration in January, 1979 on grandfathering all shorezone structures constructed prior to December, 1968.
NOTICE OF SPECIAL MEETING  
OF THE GOVERNING BODY OF THE  
TAHOE REGIONAL PLANNING AGENCY  

TRPA Office, 2155 South Avenue South Lake Tahoe, California  
November 29, 1978 10:00 a.m. November 30, 1978 9:00 a.m.  

SPECIAL MEETING AGENDA  

I  CALL TO ORDER AND DETERMINATION OF QUORUM  

II  APPROVAL OF AGENDA  

III  DISPOSITION OF MINUTES  

IV  CONSENT CALENDAR  

V  SPECIAL REPORT - Impacts of Parking Structures at South Stateline  

VI  AGENCY REVIEW  

A. Douglas County, Administrative Permit for Sahara Tahoe Sign to Exceed the Height Limit  

B. Rocky Ridge Unit No. 4, Tentative Map for 49 Lots, Placer County  

C. Millstone Manor, Tentative Map for 4 Condominium Units, Washoe County  

D. Daniel Sheehan, Variance for Pier to Extend Past Pierhead Line, Placer County  

E. Chapman General Hospital for the Round Hill General Improvement District, Determination on Economic Hardship Pursuant to Ordinance No. 78-5 and 78-6, Douglas County  

F. Determination of Permeability of "Fastdry" Artificial Surfacing, John Wayland, Washoe County  

G. Appeal of the Shorezone Hearing Officer Decision, Unauthorized Rock Jetties for M. Wangenheim and N. Dewhurst, Washoe County  

H. Traffic Impact Determinations  
   1. Incline Village Community Pool Complex, Washoe County  
   2. 24 Unit Apartment at 929 Southwood Boulevard, Washoe County  
   3. Lake Tahoe Resort and Racquet Club, 212 Room Hotel and 8 Unit Apartment, Washoe County  
   4. Harrah's Tahoe, Parking Garage Structure, Douglas County  

VII  GENERAL PLAN AMENDMENT  

The Tantara Company, Lots 1, 3 through 13, 15 and Utilities Parcel C, Block D, Industrial Subdivision No. 2, 4.3 Acres in Washoe County, General Commercial to High Density Residential
VIII PLANNING AND POLICY MATTERS

A. Douglas County Administrative Center Findings Relative to Permitted Land Coverage
B. Draft Non-Attainment Air Quality Plan
C. General Plan Update

IX REPORTS

A. Appeals of Staff Decisions
B. Executive Session
C. Business Manager Report
D. Executive Director Report on Administrative Matters
E. Legal Counsel Report
F. Governing Body Members
G. Public Interest Comments

X ORDINANCES

A. Second Reading of Ordinance Amending the Regional Plan to Reclassify 3.35 Acres in Douglas County to General Commercial
B. First Reading of Grading Ordinance Amendments
C. First Reading of Ordinance Amending the Regional Plan to Include the Lake Tahoe Basin Water Quality Management Plan as an Element of the Regional Plan
D. First Reading of Ordinance Implementing the Lake Tahoe Basin Water Quality Management Plan
E. First Reading of Ordinance Establishing Indirect Source Review Standards and Procedures

XI RESOLUTIONS

Resolution Adopting Memorandum of Understanding Between TRPA and the Lake Tahoe Resource Conservation and Development Area Council

XII PENDING MATTERS

XIII OTHER BUSINESS

XIV ADJOURNMENT

CONSENT CALENDAR

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PROJECTS TO BE REVIEWED
AT NOVEMBER 29-30 1978
GOVERNING BOARD MEETING

AR- AGENCY REVIEW
PM- PLANNING MATTERS
CC- CONSENT CALENDAR
GPA- GENERAL PLAN AMENDMENT
Clearinghouse Review
U.S. Forest Service
40 Acre Land Acquisition
Douglas County

Summary

The U.S. Forest Service Lake Tahoe Basin Management Unit proposes to purchase 40 acres in Douglas County near Zephyr Cove from Richard H. McAuliffe. Land and Water Conservation Fund monies will be utilized for the acquisition.

The proposed purchase consists of two adjacent parcels lying about one-half mile east of Highway 50 and about four miles north of Stateline Nevada. The parcels are bounded on all sides by National Forest Land.

TRPA Plans

The two parcels are located in a General Forest Land-use district, allowing recreation, resource production, and a single family residence per parcel. The subject parcels will be utilized to increase the opportunity for dispersed recreation activities.

Recommendation

Staff recommends support of this U.S. Forest Service acquisition.
Clearinghouse
U.S. Forest Service
450 Acre Land Acquisition
George Whittell Estate
Douglas County and Carson City

Summary

The U.S. Forest Service Lake Tahoe Basin Management Unit proposes to purchase 450 acres of the Whittell Estate within Douglas County and Carson City. The subject property consists of three parcels, including 3,300 feet of frontage on Lake Tahoe. Land and Water Conservation Fund monies will be utilized for the acquisition.

Parcel 1. Parcel 1 lies within Douglas County and contains approximately 255 acres. The parcel is bounded by National Forest land on the east, private land and a subdivision on the south, Lake Tahoe on the west and the Douglas County Park on the north. U.S. Highway 50 traverses the parcel in a north-south direction. The portion east of the highway has relatively steep terrain on the eastern portion which changes to relatively gentle slopes along the highway. The northern portion is developed with a riding stable and accessory buildings. The southerly portion includes a service station and a 165 unit campground. The portion on the west side of the highway, adjacent to the Lake, contains approximately 2,300 feet of beach with a 300 ft. pier used by the M.S. Dixie excursion boat and others. The portion near the highway includes Zephyr Cove Lodge, guest cottages, and a residence.

Parcel 2. Parcel 2 lies within Douglas County and contains 155 acres. The parcel is bounded by National Forest land and a subdivision on the north, National Forest land on the east, Whittell High School and the Dreyfus property on the south, and Lake Tahoe on the west. This portion is adjacent to the Skyland Residential Subdivision and includes approximately 1,000 ft. of rocky frontage on Lake Tahoe. The tract east of Highway 50 ranges from gentle slopes near the highway to relatively steep slopes on the eastern portion.

Parcel 3. Parcel 3 contains 40 acres and lies within Carson City. The parcel is completely surrounded by National Forest land. The entire parcel is steep with 40-60% slopes.

TRPA Plans

Parcel 1 is primarily zoned General Forest, but does include some Medium Density Residential and Recreation. Parcel 2 is comprised of Low Density Residential and Medium Density Residential zoning. Parcel 3 is zoned entirely General Forest.

In October 1974 TRPA approved a General Plan Amendment for 9 specific land use changes on the Whittell Estate. This proposal was submitted by Sharp Krater and Associates of Reno representing Don Steinmeyer of Incline Village. In conjunction with the General Plan Amendment request, Sharp Krater developed a Preliminary Development Analysis Report for 340 acres of the Whittell Estate.
That amendment allowed for 90 multi-family units and 169 single family dwelling units for parcel 2, and 274 multi-family units for Parcel 1, for a total of 533 units. This amounted to fewer units than would have been allowed under the TRPA General plan zoning.

While this purchase removes a large number of potential developable units and lessens the impact on Tahoe Basin Resources, there are two negative impacts involved in this purchase. Although these impacts are minor they should be examined by the U.S. Forest Service and by Douglas County. These impacts are: A) the removal of permanent residents living in mobile homes on the property and B) the financial impact on Douglas County economy.

Staff Recommendation

Staff recommends support of the U.S. Forest Service acquisition.
Clearinghouse
U.S. Forest Service
1.1 Acre Land Acquisition
Placer County

Summary

The U.S. Forest Service Lake Tahoe Basin Management Unit proposes to purchase 1.1 acres of land located along the Truckee River from Marjorie Morrison and Betty Walkup. The property is located about three-quarters of a mile west of Tahoe City. Land and Water Conservation Fund monies will be utilized for the acquisition.

The proposed purchase consists of 150 feet of frontage on the Truckee River. The property is bounded by the River and National Forest Land.

TRPA Plans

The subject parcel is located in a General Forest Land-use district. The Recreation element of the TRPA General Plan identifies the subject parcel as being appropriate for maintenance as a natural environment and for day-use recreation.

Recommendation

Agency staff recommends support of this U.S. Forest Service acquisition.
Agency Review
Bullwheel
Modification of Prior Approval
Washoe County

Summary

The applicant, Charles Johnston, the original developer of the Bullwheel Restaurant, is requesting approval of a modification to a condition of approval granted by the Governing Board on April 28, 1977 for the Bullwheel Restaurant project located on Fairview Boulevard in Incline Village, Nevada. The applicant is requesting that condition 3i be modified to allow an eight (8) month extension on the completion of all onsite improvements. The extension would be until December 28, 1979.

On September 15, 1978, John Rogers, attorney for the Bullwheel project sent a letter to the Agency specifying the work that had been completed and requested a response regarding the TRPA staff's judgment of the status of the project. In reply, Agency staff, in a letter dated September 22, 1978, indicated that condition 3h, requiring that substantial construction be performed within 18 months of the Agency approval, had been satisfied. Further, Agency staff indicated that condition 3i, requiring the completion of all onsite improvements within 24 months of the Governing Board approval, would need to be satisfied by April 30, 1979, or the administrative permit would be revoked.

On September 29, 1978, Charles Johnston sent a letter to the Agency requesting an extension for eight months be granted on condition 3i. The reasons for the extension request were:

1. Mr. Johnston's partner and co-developer passed away early this summer leaving the Bullwheel project without an operating manager to oversee the continuing construction activity.

2. Mr. Johnston and the other principals were unwilling to continue the construction and substantial financial outlay required until another partner had been found.

Mr. Johnston indicates in his letter of September 29, 1978 that another operating partner has joined the project and that Johnston Investments is again ready to proceed with the project. Due to the time that was required to locate a new partner and the associated delays to the construction of the project, Mr. Johnston does not feel that the project can be completed by the end of April, 1979. Mr. Johnston has indicated that the project will resume as early as possible in the spring of 1979 and can be completed by December, 1979. He therefore requests that the extension be granted.

11/20/78
Recommendation

Agency staff recommends that the request for an extension on the completion of all onsite improvements until December 31, 1979 be approved with the condition that this approval shall be contingent on the complete satisfaction of all the conditions contained in the Governing Board approval of April 28, 1977 except condition 3i of said approval which is modified to read as follows:

"Construction of all improvements shall be completed within thirty-two (32) 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 fail 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."
Agency Review
Tahoe Village Unit #2
Modification of Prior Approval
Douglas County

Summary
Jerry Alley, representing Tahoe Village #2, located on Tramway Drive at the
top of Kingsbury Grade, is requesting a modification of prior approval to allow
a time extension on the drainage and slope stabilization work required in Tahoe
Village #2. This work was to be completed by October 15, 1978.

Mr. Alley requested an extension at the July 1978 Tahoe Regional Planning Agency
Governing Board meeting. However, at that time, TRPA Legal Counsel, pointed
out that a modification of prior approval would require Board action and the
applicant would need to have such a request placed on the Governing Board agenda
in order for the Board to take action. At that time, the request was not on the
agenda.

Mr. Alley has submitted a request to be placed on the Governing Board agenda
for the time extension. Mr. Alley states that the slope stabilization and revege-
teation work is approximately 40% complete, but that the work could not be completed
by the initial time deadline of October 15, 1978. Mr. Alley requests an extension
to September 1, 1979 as the date for the total completion of the project.

Due to the extensive nature of the erosion and drainage project in Tahoe Village #2,
the applicant was requested to take out a bond with Douglas County in the amount
of $120,000. That Bond will not be released until the total drainage and slope
stabilization work is complete.

Recommendation
Staff recommends approval of this modification for Tahoe Village #2. September 1,
1979 should give the applicant adequate time to complete the entire drainage and
slope stabilization project and only at that time will the bond be released. This
approval is contingent on the complete satisfaction of all the conditions contained
in the Governing Board approval of May 16, 1978, except condition 3 of said
approval which would be modified to read as follows:

"3. All improvements shown on the storm drainage and slope stabilization
plan shall be completed by September 1, 1979."
TAHOE REGIONAL PLANNING AGENCY

MEMORANDUM

DATE: November 22, 1978

TO: Governing Board

FROM: Staff

SUBJECT: Analysis of Potential Parking Expansion, South Lake Tahoe Gaming Core Area

Staff distributed to you the above referenced report at your October 25 meeting. Subsequent to that, we have received comments on the report and have carried through our evaluation to arrive at specific conclusions relative to the issue of parking expansion, and have formulated a recommendation. Attached is a summary of the comments received on the report and the staff conclusions and recommendation. We will be discussing this addendum, plus the original report at the November 29 meeting.

Also attached is a letter received from the U.S. Department of Transportation regarding the parking garage issues. This letter was received too late for incorporation in staff analysis.
ADDENDUM TO:
ANALYSIS OF POTENTIAL PARKING EXPANSION

Subsequent to publication of the above referenced TRPA staff analysis, formal comments have been received on that analysis from Harrah's consulting firm of Creegan & D'Angelo, the California Tahoe Regional Planning Agency (CTRPA) and the Nevada Highway Department. Their comments are attached to this addendum. In addition, Douglas County Public Works Director Bob Gardner offered comments by telephone on the analysis. The following is a summary of the principal substantive points of these comments, and the conclusions and recommendations of TRPA staff on the issue of parking expansion at the South Shore gaming core area.

Summary of Substantive Comments

Creegan & D'Angelo: Creegan & D'Angelo have submitted two letters responding to the parking expansion analysis generally, and the concerns of Caltrans referenced therein regarding the potential conversion of walk trips to vehicle trips if the garage expansion is approved.

The main point referenced regarding the analysis of parking expansion is a concern that TRPA staff may have been in error in extrapolating a trip generation rate from the information supplied by Creegan & D'Angelo. The specific issue is developed on pages 13 and 14 of the TRPA report, where it is concluded that the applicant's figures translate into a trip generation rate of 755 trips per thousand square feet of gaming area, compared to a Nevada Highway Department conclusion of only 254 trips per thousand square feet documented in the 1974 Tahoe Regional Transportation Study.

In discussing this point with the Nevada Highway Department, TRPA staff has concluded that the analysis is a valid comparison of the applicant's data and that developed by the Department. The magnitude of the discrepancy in generation rates is of concern, however. It appears, based upon additional analysis by TRPA staff, that the most likely reasons for the divergent figures are: 1) the gaming floor area of Harrah's is in fact significantly larger than the figure referenced in the analysis, and 2) the study by Creegan & D'Angelo may not have fully discriminated between through traffic using Harrah's parking lot to bypass Highway 50 congestion and traffic actually seeking a parking space.

With respect to the gaming area, staff acknowledged in the report that the estimate used therein was conservative, and did not include the "North Casino". Harrah's 1978 Annual Report states "at our Lake Tahoe complex we added over 4,000 square feet of casino space, for a total of 65,000 square feet." With an estimate in excess of 20,000 square feet of floor area in the North Casino, it appears this could account for much of the discrepancy between the figure quoted in the report, 45,400 square feet, and the figure quoted by Harrah's. If one applies the latter to the trip generation analysis questioned by Creegan & D'Angelo, the trip generation rate would be approximately 528 trips per thousand square feet. This is certainly a more reasonable figure, although still significantly above previously referenced rates.

With respect to the Caltrans comments regarding the potential conversion of motel walk trips to vehicle trips as a result of additional parking availability, Creegan & D'Angelo have reassessed this issue and have concluded that there may be a potential for such conversion, but that at its maximum it would be likely to generate no more than a thousand additional short trips on a peak summer day.
CTRPA: The comments offered by CTRPA are generally of a technical nature, questioning various figures referenced in the TRPA analysis. In the judgement of TRPA staff, these comments for the most part suggest that TRPA figures are too conservative and underestimated such factors as the number of new games and devices in the core area. TRPA staff does not view these as substantially altering the basic considerations of the analysis or the conclusions drawn therefrom, with two exceptions.

CTRPA contends that expansion of gaming activity does have a direct impact upon patronage and parking; that the figure reference in Harrah's annual report represents a more reasonable estimate of current gaming area; and that the TRPA analysis should be more explicit in this regard. Instead of concluding that the gaming expansion "may" be influencing patronage and parking demand, (page 7 of the TRPA report) they suggest that the conclusion should state that these factors "are" being influenced by gaming expansion. Based upon subsequent review, TRPA staff concurs with these points.

The other point, which poses a substantive issue, is regarding the parking garage as a mitigation measure. The TRPA report concludes that garages are a mitigation measure to improve traffic flow and air quality if they do not result in new traffic generation. CTRPA contends that this depends upon the design and management of the parking structure and of the surface lots; and that improvement should not be assumed as a result of garage accommodation rather than open surface accommodation. TRPA staff concurs with this point.

Nevada Highway Department: The Nevada Highway Department has reevaluated the 1974 Tahoe Regional Transportation Study data to provide more definitive information regarding parking in the gaming core area. Based upon this review, they have concluded that in 1974 there was a significant demand for parking in the core area that was not accommodated by available parking, and that subsequent expansion of gaming activity in the core area has likely resulted in worsening of that condition. They conclude, however, that they cannot arrive at an estimate of just how much parking should be provided because of the limited data available and the changes in trip generating core area facilities which have occurred since the 1974 study.

With respect to the impact of enhanced parking upon transit, they have concluded that there is not sufficient evidence to determine what the implications of additional parking would be on transit, but that there is question regarding the potential for such transit being effective in the South Shore area. This is based upon the patronage of the existing system with the existing parking constraints at State line. Similarly, they suggest that it would be inappropriate to force the South Tahoe area to continue reliance upon the existing highway as the only cross town arterial and require private vehicle restrictions as the means of attaining air quality standards when other comparably sized towns utilize several such arterials to achieve the same ends.

Douglas County: Douglas County Public Works Director Bob Gardner identified three main points of concern with respect to the TRPA staff report. The first is regarding the total parking increase in the core area. He contends that more emphasis needs to be given to the point that there are two facilities which are already approved that will expand parking in the area by approximately 50% over current levels; and that the figure contained in the report identifying a 100% increase in parking reflects these approved projects plus Harrah's and the Sahara Tahoe, and not the latter two alone.
The other major point questioned by Mr. Gardner is the reference to gaming area as being a principle trip generator. He suggests that restaurants, showrooms and other uses are high intensity and that it may not be appropriate to single out gaming. Staff concurs with this point to a degree, but it is a fact that a number of observers, including the consultants for Harvey’s masterplan and the Nevada Highway Department have seen sufficient evidence documenting gaming trip generation to utilize gaming floor area as a “rule of thumb” index of relative impacts, since the intense uses identified by Mr. Gardner are present in most major gaming establishments.

One additional concern voiced by Mr. Gardner is the conclusion in the TRPA report that differing interpretations were given to the County parking requirements for the Park Tahoe, Harrah’s, and the Sahara. He contends that there were not different interpretations, but acknowledges that there does appear to be some discrepancy in the relative number of parking spaces required for the facilities. Staff believes, based upon the evidence supplied by the County and the applicants, that different standards were applied, even though it may have been inadvertent.

New Transit Developments

Though not in direct response to the issue of parking expansion, there have been recent developments on the transit front which are relevant to the issue of parking expansion. A preliminary study design for a study of transit options along the Highway 50 corridor at South Shore has been developed. The preliminary study design was reviewed at a meeting on November 17, 1978 involving the City of South Lake Tahoe, Douglas County, TRPA, CTRPA, the State Transportation Agencies from California and Nevada and the U.S. Forest Service. At that meeting there was general concurrence given to the study design and it is now being refined for distribution as a "Request for Proposals" from would-be consultants. In the meantime, the various participants in the meeting will be securing commitments from their respective jurisdictions for participation in the program as laid out in the study design.

Under the study design the program would be steered by the local government jurisdictions with support from Caltrans and the Nevada Highway Department. TRPA could quite possibly serve as an administrative agent, but otherwise neither TRPA nor CTRPA would be directly involved in program direction. Under the current schedule it is the intent of the group to secure a consultant by January 1979 and to have at least a preliminary analysis of available options and their feasability completed by April 1979.

Conclusions

Based upon the analysis of parking expansion in the South Lake Tahoe gaming core area, staff has come to a number of conclusions. These conclusions are based principally upon the analysis contained in the "Analysis of Potential Parking Expansion, South Lake Tahoe Gaming Core Area", dated October 1978, with consideration given also to the comments and developments discussed in this Addendum. The staff conclusions are as follows:
1. **The Level of Demand for Parking Spaces During Peak Conditions Exceeds the Number of Spaces Currently Available**

This conclusion is based upon the following considerations:

* The applicants for both the Sahara Tahoe and Harrah's have provided documentation of excess demand.

* Opponents of the projects have contended that additional trips would be generated to the core area even though the spaces themselves would not be attractors; thus implying that there is an unmet demand.

* All parties acknowledge that the existing parking is at capacity occasionally under current circumstances.

2. **The Number of Spaces Actually Required Has Not Been Clearly Documented**

This conclusion is based upon the following considerations:

* Estimates of the number of parking spaces required to service the existing facilities in the core area vary grossly among the interested parties. Both Harrah's and the Sahara have conducted independent surveys of their facilities and concluded that a certain level of parking is necessary. These estimates differ markedly from one another. Opponents of the facilities argue that they both are excessive.

* The County parking requirements have been differentially applied to the various facilities to the end result that they may be interpreted either as finding the existing parking adequate or requiring a three fold increase in parking. Other parking standards have been analyzed, but offer little guidance since they, too, are markedly varied in the level of parking they would require.

* The Nevada Highway Department, which conducted the hotel/motel survey and the gaming core area parking lot survey in the 1974 Tahoe Regional Transportation Study, has indicated that they cannot arrive at a figure for the number of spaces currently required in the core area.

3. **There is Evidence That the Number of Spaces Proposed is in Excess of That Required to Service the Existing Core Area Facilities**

This conclusion is based upon the following considerations:

* There are two major parking garage projects in the Stateline core area which already have approvals and permits. These facilities would provide a 50% increase in parking.

* The parking requirement analysis conducted for Harrah's translates into a trip generation rate that is significantly higher than any rate previously referenced.

* The parking requirement analysis conducted for the Sahara Tahoe arrived at a rate significantly lower than that arrived at by the Harrah's study. It also concluded that the level of current demand is actually less than the proposed Sahara Tahoe parking expansion would provide for.
Opponents of the projects have offered documentation indicating significant generation of new trips as a result of the proposed expansions.

The Douglas County Ordinance interpretation by which the parking requirements for Harrah's and the Sahara Tahoe have been established appear to be excessively high when compared with parking standards, applied to other gaming areas in the Basin and around the State of Nevada. The County interpretation when applied to the core area as a whole would be approximately 30% higher than the next highest standard analyzed and approximately 130% higher than the average of all the standards analyzed.

4. There is No Consensus Regarding the Long Term Need for or Feasability of Transit in the South Shore Area

This conclusion is based upon the following considerations:

- The projected long range transit analysis to be undertaken under the Tahoe Regional Transportation Study was never accomplished due to dissolution of the study.
- Opponents of the parking garages contend that transit will be required in the long term to solve the congestion and air quality problems of the area.
- Proponents of the projects argue that the conclusions regarding the need for transit inappropriately dismiss other alternatives for solving the traffic and air quality problems and ignore the relative lack of success of transit as a viable alternative to the automobile.

5. Significant Expansion of Parking Available in the Core Area Can Significantly Diminish Any Opportunities for Transit That May Exist

This conclusion is based upon the following considerations:

- The Highway 50 corridor is the most likely area for transit in the Basin, and the Stateline area is the heaviest point of both worker and visitor concentration, making it the most desirable point of transit activity.
- Studies offered for analysis by the U.S. Forest Service and the findings of studies undertaken for TRPA suggest a necessity for regulation of parking as a means of making transit more competitive with the automobile.
- Significant expansion of parking in the core area will make it easier for larger numbers of person trips to access the core area by car, thereby diminishing the incentive to rely upon transit for such trips.

6. There Has Been and May Continue to be Significant Expansion of Trip Generating Attractors in the Stateline Area Which are Not Currently Subject to Regulatory Review, But Which Directly Influence the Demand for Parking in the Area

This conclusion is based upon the following considerations:

- Gaming Control Board figures document a significant increase in the level of gaming activity in the core area which is the product of unregulated internal expansion.
Harrah's 1978 Annual Report documents internal modification to create gaming expansion without review. The report also documents a level of gaming floor space nearly 60% greater than that authorized for Harrah's in previous reviews by TRPA or the Nevada Tahoe Regional Planning Agency.

**Recommendation**

Based upon the preceding conclusions, staff recommends the following:

1. Due to the uncertainties regarding the amount of parking necessary to service the core area, the amount of parking already approved for the core area, and the implication of parking expansion for possible future transit options; action to approve any additional increments of parking expansion in the 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.

2. Due to the implication of unregulated expansion of trip generating attractors for parking demand, TRPA and/or the Nevada TRPA should take whatever steps are necessary to bring the expansion of trip generating uses in the core area under direct regulatory control.

11-22-78
October 25, 1978

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

Subject: Review of TRPA "Analysis of Potential Parking Expansion, etc."

Dear Jim:

Jere Williams handed me a copy of the referenced analysis just about an hour ago and asked that I review it to determine our position with regard to the information contained in the analysis.

Although I have not had sufficient time to verify data provided in detail, it appears to me that Tom Jacob has done a fine job of presenting an impartial overview of the situation. However, it appears to me that there is a rather serious misinterpretation of some information we presented. The portion that appears to me to be in error is at the bottom of Page 13 of the analysis and at the top of Page 14. If, in fact, the analysis made by Mr. Jacob is in error, the conclusions on Page 14 would also be entirely incorrect. As a result, I am attempting to get my comments in to you as rapidly as possible in the hope that this information may get to persons considering the analysis during the current meeting of the Governing Body.

I will continue my review and provide additional comments if such comments should appear appropriate.

The trip generation information presented on Page 13 does not appear to me to be based upon correct factors concerning Harrah's Club. Tom has not considered the entire potential for trip generation in his analysis because he relates all demand for parking to gaming area alone and does not recognize the demand created by hotel rooms, restaurants, show rooms, offices, employees and service areas.
In view of the above, I feel that it would be appropriate for the TRPA staff to inform the Governing Body and others considering Tom's analysis that there is a possible error in Pages 13 and 14 and that this section of the analysis should not be considered until the questioned portions are either confirmed or corrected.

Very truly yours,

[Signature]

JOHN E. GLAB, P.E.
Project Engineer

JEG: cc

cc:  Dan Cook  
     John Gianotti  
     Dan Jenkins  
     Milton Manoukian, Esq.  
     Brian Webb
October 31, 1978

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

Attention: Mr. Jim Jordan

Subject: Harrah's Proposed Parking Garage - Revised Estimate of Traffic Generation Potential

Dear Jim:

On August 31, 1978, a copy of a "Traffic Impact Assessment" which we prepared for the Harrah's proposed parking garage was submitted to your agency. Subsequent to submittal of this document, we discussed the matter at a meeting of the Development Review Committee which included representatives of a number of California agencies and the Forest Service. We also received comments on the document from CTRPA, CALTRANS, CARB and the Forest Service and prepared responses to comments received.

On pages 12 and 13 of our August submittal, the traffic generating potential of the proposed parking complex was discussed, and, in spite of the strong position taken by the Nevada Highway Department, we acknowledged that "up to 100 trips per day could be generated during peak periods." Our conclusion to this effect was reached in the absence of any quantitative input from any source other than the Nevada Highway Department which concluded that the garage would have no traffic generation potential.

Our conclusion has been strongly contested by the CTRPA, the CARB and CALTRANS. We have carefully evaluated the estimates made by these agencies, and while we feel that the CTRPA and CARB estimates are not reasonable, we recognize a basis of logic in the information provided by CALTRANS. CALTRANS has cited data on walking trips provided in a 1974 Hotel/Motel Survey conducted by
the Nevada Highway Department, and while CALTRANS does not provide an estimate as to how many of the walking trips covered in the survey could likely be converted to automobile trips, we felt that we should re-examine our estimate on the basis of the new information cited.

Our re-examination recognizes that the information provided was in reference to a summer day when the area is full of vacationers who would normally be inclined to seek outdoor activities and who would encounter crowded traffic conditions on Highway 50. With this fact in mind, and in view of the short walking distance between motels and the casinos for the majority of the walkers, we felt that most of those people on the street would choose to walk even if there were plenty of parking available at Harrah's and at the other casinos. However, an impartial analysis leads us to believe that a certain number of these people (especially those staying at motels west of Park Avenue) may likely use their cars if they could be sure of finding a parking place.

We, therefore, have produced the analysis on the attached page - an analysis which indicates that a maximum of 1,012 automobile trips could be generated by the proposed parking structure on a summer day. We have had to make some assumptions to arrive at these figures; however, the assumptions are logical and we have attempted to envision the "worst possible" situation to arrive at what we consider to be the maximum number of trips which could be generated. We would like to amend our original transmittal and indicate that we recognize the potential for a maximum generation of 1,012 additional short trips on a peak summer day. These additional trips are more than adequately accounted for in the future traffic projections and no conclusions in the original transmittal should be altered.

Very truly yours,

Jere E. Williams
Vice President

cc: Ken Archer
    Dan Cook
    John Gianotti
    Dan Jenkins
    Milt Manoukian
    Bob Martin
    Brian Webb

Enclosure
ESTIMATE OF TRIP GENERATION POTENTIAL
RESULTING FROM CONVERSION FROM WALKING TRIPS BY MOTEL GUESTS

Based on NHD Hotel/Motel Survey as cited by CALTRANS on September 20, 1978:

Walking trips by summer patrons of motels between Park Avenue and Stateline (average walking distance of about 850 feet as determined from map analysis) 28,000

Because of short distance, good weather, crowded traffic conditions on Highway 50 and vacationers' natural desire to be outdoors, we estimate 90% of walkers would choose to walk even if adequate parking were available at the casinos. Therefore, number of person-trips converted to autos = 2,800

Walking trips by summer patrons of motels west of Park Avenue (minimum walking distance 1,700 feet) 5,800

Because of longer distances involved, we estimate only 25% of walkers would choose to walk if adequate parking were available at the casinos. Therefore, number of person-trips converted to autos = 4,350

TOTAL PERSON WALKING TRIPS CONVERTED TO AUTO TRIPS 7,150

Surveys conducted in June 1978 show average of 2.091 occupants per car. Therefore, 7,150/2.091 = 3,419 auto trips

Under present conditions, Harrah's Club has 2,100 out of 7,100 "usable" parking spaces in casino core area. (7,100 is figure provided by TRPA) 2,100/7,100 = 29.58% of total parking spaces are in Harrah's facilities

Total potential trip generation of Harrah's = 3,419 x 29.58% = 1,012 vehicle trips
November 6, 1978

Jim Jordan
Executive Officer
Tahoe Regional Planning Agency
P.O. Box 8896
South Lake Tahoe, CA 95731

Attention: Tom Jacobs

RE: ANALYSIS OF CASINO PARKING EXPANSION IMPACT AT SOUTH SHORE

Dear Mr. Jordan:

The following comments were developed in response to the October 1978 report prepared by Tom Jacobs for the TRPA Governing Board meeting.

Page 1, para. 3

The analysis should include the motels in zones 10 and 11 on the California side of Stateline as part of the total facilities. The parking spaces available at these motels, because of their easy foot access to the casinos, serve the same demands to be served by the new parking structures.

Page 2, Table J-1

The Harrah's gambling area should be increased to the 65,000 square feet as identified in their 1978 annual report. This will substantially increase the facility trip generation based on trips/1000 square feet of gambling area.

Page 5, para. 1

The indication that a "sea of parking" in the core area will be removed does not appear to be a fair statement. This can be seen by comparing Figure 1-1 with Figure 1-2. The changes appear to be at the Sahara Tahoe where the new bank will be located on a paved surface, behind the Sahara where some paved area will be eliminated and a relatively small gain behind Harrah's. Much of the coverage removed, however, will be or has been already replaced by roadways.

Page 5, para. 4

The report acknowledges a 30% increase in gaming activity during the past 5 years. Review of gaming revenue reports by our Agency places this figure at 35%.
Page 6, Table I-2

1) Should be properly titled "...Games and Devices..." not slots.

2) Information was not from fiscal year reports (in fact, 1978 fiscal reports are not yet printed).

3) The numbers do not coincide with those in the Nevada Gaming Abstracts. The number of games are incorrect for 1977 and 1978. The chart shows no change in the number of games within this period, however, Harrah's alone admits to an increase of 31 games.

4) The numbers obtained by CTRPA from the Nevada Gaming Control Board Staff (see attached charts) are more accurate and better addresses the subject of casino expansion. These charts refer to the number of licenses held by the six major casinos for operation of games and devices rather than the numbers based on revenues as contained within the TRPA chart.

The number of licenses indicates the maximum number of games (devices that may legally be operated whereas the numbers based on revenues refer only to those presently operating and generating revenues.

Page 7, para. 2

The paragraph should be rewritten as a positive statement. Unregulated gaming expansion does influence patronage and parking. How can any analysis of impact be made if a direct conclusion cannot be made based on the facts in the preceding paragraph?

Page 7, para. 3

The report should recognize that Harvey's Inn, the Nugget and Barney's are considered major casinos in that they generate more than one million dollars in revenue. The point being that all the casinos must be included in the trip generation analysis.

Our records show Harvey's Inn, Gary's and the Nugget to have at least 21,000 square feet of gambling area. Perhaps the numbers in your report need updating.

Page 8, para. 3

This section of the report should be supplemented by the DeLeuw Cather comments on the Sahara Tahoe Parking Structure.

On page 25 of this report they state relative to parking demands that: "Based on the results of vehicle movement surveys conducted on a peak Saturday in the summer, the consultant estimate that the 'latent' demand for parking could be about 300+ spaces above existing peak usage. This would result in total peak
parking demand of about 2,300 spaces on a peak summer weekend".

There are currently 1,726 spaces, indicating a total need of 2,026 spaces (the consultant says 2,300 for peak summer weekends). Why then, do they want to construct a total of 2,958 spaces?

The consultant report on page 31 goes on to state that: "the estimated latent parking demand associated with the overcrowded Sahara Tahoe parking lot is assumed to add approximately 150 trips in the peak hour, with completion of the Sahara Tahoe parking structure". The consultant is here acknowledging added auto trips to the site, supporting previous trip generation studies submitted to your office on this subject.

Page 10, para. 4

This section arrives at a questionable conclusion. The basic input to the air quality analysis has been the subject of considerable past correspondence. The structure is not necessarily viewed as a mitigation measure, as it will depend on design and management of the structure and of the existing surface lots. The consultant reports assumes air quality gains based on traffic changes that are not necessarily a part of the project being proposed (i.e., pedestrian separations).

Page 14, para. 4

Your staff analysis of parking demand clearly shows the discrepancies in the consultant analysis. The final impact report to the Board should clearly acknowledge this fact. The parking supply demand analysis must also consider the available parking in zones 10 and 11 on the California side of Stateline as meeting much of the parking demands of the casino core.

The discussion of parking structure impacts on transit ridership are well presented and must be a major concern in any decisions related to the proposed project.

We are forwarding under separate cover, a copy of a traffic and trip generation study prepared by our office to better present the relationship of trips to traffic delay. Please review that document before completing your analysis. If there are questions, we would be pleased to meet with you or your staff.

Sincerely,

John Vostrez
Executive Officer

JB/mnh
enclosures
**FISCAL YEAR TOTALS OF GAMES & DEVICES**—based on Revenues  
South Shore Major Casinos (six)

<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
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<tbody>
<tr>
<td>Games</td>
<td>191</td>
<td>211</td>
<td>239</td>
<td>265</td>
<td>284</td>
<td>292</td>
<td>316</td>
<td>455</td>
<td>394</td>
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<tr>
<td>Devices</td>
<td>3949</td>
<td>4291</td>
<td>4545</td>
<td>4601</td>
<td>4887</td>
<td>5031</td>
<td>5402</td>
<td>7765</td>
<td>6281</td>
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<tr>
<td>Other</td>
<td>24</td>
<td>30</td>
<td>27</td>
<td>29</td>
<td>28</td>
<td>26</td>
<td>26</td>
<td>UNK</td>
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<tr>
<td><strong>Total</strong></td>
<td>4164</td>
<td>4532</td>
<td>4811</td>
<td>4895</td>
<td>5199</td>
<td>5349</td>
<td>5744</td>
<td>8220</td>
<td>6675</td>
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**ANNUAL TOTALS**—based upon licenses

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Games</td>
<td>280</td>
<td>303</td>
<td>328</td>
<td>358</td>
<td>394</td>
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<tr>
<td>Devices</td>
<td>4630</td>
<td>5138</td>
<td>5382</td>
<td>6052</td>
<td>6281</td>
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<td><strong>Total</strong></td>
<td>4910</td>
<td>5441</td>
<td>5710</td>
<td>6410</td>
<td>6675</td>
</tr>
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</table>

**DIFFERENCE**

|        | 44   | 270  | 387  | 692  | 0              |

*Source—Nevada Gaming Abstracts/Gaming Control Board Staff

*Through Sept. 1978—Includes Park Tahoe*
### Expansion of Gambling at Existing South Shore Casinos (1974-1978)

<table>
<thead>
<tr>
<th></th>
<th>Barneys</th>
<th>Harrah's</th>
<th>Harvey's</th>
<th>Harvey's Inn</th>
<th>Sahara</th>
<th>Nugget</th>
<th>Total</th>
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<tbody>
<tr>
<td>Games</td>
<td>-2</td>
<td>72</td>
<td>12</td>
<td>14</td>
<td>18</td>
<td>0</td>
<td>114</td>
</tr>
<tr>
<td>Slots</td>
<td>70</td>
<td>618</td>
<td>465</td>
<td>138</td>
<td>287</td>
<td>73</td>
<td>1651</td>
</tr>
<tr>
<td>Total</td>
<td>68</td>
<td>690</td>
<td>477</td>
<td>152</td>
<td>305</td>
<td>73</td>
<td>1765</td>
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### Increase in Number of Games & Devices (1974-1978) - without Park Tahoe

<table>
<thead>
<tr>
<th></th>
<th>1974</th>
<th>1978</th>
<th>Increase</th>
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<tbody>
<tr>
<td>Games</td>
<td>280</td>
<td>394</td>
<td>114 - 40.71%</td>
</tr>
<tr>
<td>Slots</td>
<td>4630</td>
<td>6281</td>
<td>1651 - 35.66%</td>
</tr>
<tr>
<td>Total</td>
<td>4910</td>
<td>6675</td>
<td>1765 - 35.95%</td>
</tr>
</tbody>
</table>

### Increase in Number of Games & Devices (1974-1978) - with Park Tahoe

<table>
<thead>
<tr>
<th></th>
<th>1974</th>
<th>1978</th>
<th>Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Games</td>
<td>280</td>
<td>455</td>
<td>175 - 62.5%</td>
</tr>
<tr>
<td>Slots</td>
<td>4630</td>
<td>7765</td>
<td>3135 - 67.71%</td>
</tr>
<tr>
<td>Total</td>
<td>4910</td>
<td>8220</td>
<td>3310 - 67.41%</td>
</tr>
</tbody>
</table>
Mr. James J. Jordan, Executive Director  
Tahoe Regional Planning Agency  
P. O. Box 8896  
South Lake Tahoe, California 95731

Re: Parking Proposals in Stateline Casino Core

Dear Jim:

This Department has reviewed the TRPA report "Analysis of Potential Parking Expansion" and, like your staff, we also have mixed feelings regarding approved and proposed parking garages for the total casino core. Based upon TRPA prescribed scenarios, we have concluded that traffic flow improvements will be realized from proposed garage projects and conversely, air quality and vehicle/pedestrian safety will also be improved.

Your report addresses the issues of (1) should additional parking be provided in the casino core and if so, how much; and (2) what effect will parking expansion have upon development of alternative modes of transportation. These issues are addressed as part of transportation and land use plan development and updating in urban areas and are usually a stated policy that is considered for proposed projects. Unfortunately for Tahoe, this continuing combined planning process has not been in effect and therefore, the TRPA Governing Board is being asked to consider individual garage projects based upon technical and subjective evaluations depending upon which policy direction each board member feels should be applied. The issues and questions posed by your report are complex and the following viewpoints, though subjective, should also be considered.

Data from the 1974 TRTS substantiates that available parking spaces were not sufficient to accommodate the demand, however, we cannot assess the number of additional parking spaces that would be required to meet current and future demands. Exterior changes have occurred since 1974 in the casino core and if, as your report states, the interior gaming capacity has also increased, then the trip generation potential has also increased which indicates the parking deficiency is greater now than in 1974.

Presently, there are no supportive studies or data that measure the effect additional parking would have upon an adequate public transportation system serving the casino core. Other urban areas are finding that they have to be able to control on-street, informal and illegal parking for a parking management policy to be effective. In the summer of 1974 the casino core was served by taxi, casino shuttle bus, and the City of South Lake Tahoe bus system which had half-hour stops at Stateline. Although parking was inadequate during peak periods, public transportation services were able to capture only 2% of the overnight tourists’ trips and less than 1% of trips made by residents. It is realized public transportation vehicles must compete with private vehicles for use of the only through arterial street in Southshore (U.S. 50), and therefore can offer no savings of travel time, however, it would also appear that parking inconvenience in the casino core does
not decrease the propensity of the trip maker to use their private vehicle.

Another point to consider is the new trip generation potential of an expanded public transportation system. Although undocumented, there are presently tourists and potential residents that do not come to Tahoe due to traffic inconvenience and lack of adequate public transportation. An expanded public transportation system, if attractive and if incentives or disincentives are utilized, may not be able to properly distribute new trips and also accommodate existing vehicle trip makers that prefer transit if parking is inconvenient.

Concerning air quality, there is no comprehensive study for Tahoe that has a cost/benefit analysis that compares air quality benefits of the proposed garages to benefits that could be produced by expanded public transportation service, or combinations of these strategies. Such a study would have to address cost effectiveness, or public costs compared to environmental benefits. With available technical data and feasibly implementable plans that are proposed for Tahoe Basin, it cannot be concluded that a new transit alternative would offer a better solution for air quality attainment and be more cost effective than some combination of traffic flow improvements.

Although some insight can be gathered from large urban area plans and studies, it is not appropriate to assume that a single strategy, such as parking management, can be extracted from a long range regional transportation and land use plan for the Denver area and have application for Tahoe Basin. Southshore is continually referred to as an urban area, however, the arterial street and highway network does not compare to similarly populated towns such as Carson City.

Like Southshore, we feel Carson City should offer alternatives to the automobile with appropriate incentives and disincentives, however, to conceive of all of Carson City being served by the single arterial street/highway of U.S. 395 is mind-staggering, and Carson does not have the peak influxes of visitors that Tahoe experiences. It would also be impossible for Carson to achieve attainment of air quality standards under that condition without severe restrictions upon the use of the private vehicle. For Tahoe, the latter is a policy direction that we are unwilling to support unless it is contained in a bi-state transportation plan adopted by the TRPA Governing Board with local government and citizen involvement and support that is necessary to make such a policy effective.

If you have any questions concerning the above, please contact my office.

Sincerely,


JOSEPH A. SOUZA
State Highway Engineer

JAS:DAP:es
Mr. W. A. Morgan  
Tahoe Regional Planning Agency  
U.S. Department of Agriculture  
P. O. Box 8465  
South Lake Tahoe, California 95731

Dear Bill:

This is in response to your letter of November 15, to Paul Rasmussen, to which was attached a letter from Mr. James Jordan of the Tahoe Regional Planning Agency (TRPA). TRPA has requested the U.S. Department of Transportation's (DOT) views on the following two questions:

1. The traffic and associated environmental impact of the proposed parking garage at Harrah's.

2. The impact of the garage construction on future DOT grants for either a transit study and/or capital funds for use in South Lake Tahoe.

In regard to the first question, it is the recommendation of this office that a decision on the parking garage request be deferred until a comprehensive transportation plan for the Tahoe Basin, and especially the South Tahoe–Stateline area, can be prepared. One of the tasks of such a plan should be a detailed analysis of the parking and traffic situation in this increasingly congested part of the Tahoe region. It would be the intention of DOT Region IX to provide an expedited review of any proposed work program supporting such a study.

There would be no immediate prohibition on the use of DOT funds, provided through Caltrans and the Nevada State Highway Commission, on either the described study or possible capital projects recommended by such a study. It should be noted that until a comprehensive study has been completed, it would be impossible to determine whether the construction of the Harrah's and other parking garages would negatively impact the future justification for transit improvements.

We trust these comments will be of use to Mr. Jordan and yourself in consideration of the issue.

Sincerely,

[Signature]

Darren H. Mackenzie
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Douglas County

Administrative Permit for Sahara Tahoe
Sign to Exceed the Height Limit

Project Description and Location

The applicant has submitted revised plans for a proposed sign that will be 56 feet in height. The new sign will be sited in the same location as the existing 140 foot sign it is to replace. The new sign will be an earth tone pylon with a 12 foot x 25 foot reader board.

Analysis

At the August, 1978 Governing Body meeting, an administrative permit to exceed the 40 foot height limit was denied for the proposed 64 foot Sahara Tahoe sign. In a later action, the Governing Body approved a new 56 foot sign for the Park Tahoe located directly across the street from the Sahara Tahoe. Based upon the action concerning the Park Tahoe sign, the Governing Body reconsidered the Sahara Tahoe action and directed the applicant to resubmit plans for a sign that would be equal in height to the 56 foot high Park Tahoe sign. The Ad Art Sign Company has submitted plans for a sign similar in design to the sign submitted at the August meeting but has reduced the height to 56 feet.

Recommendation

Agency staff finds the applicant has complied with the Governing Body's direction and recommends approval of the administrative permit based upon the Governing Body's directive.

11/20/78
Rocky Ridge Unit No. 4
Tentative Map for 49 Lots
Placer County

Project Description and Location

The applicant, Rocky Ridge Properties, represented by Ronald C. Nahas, is requesting approval of a tentative map, as required under Section 4.00 of the Subdivision Ordinance, for a single family subdivision containing 49 lots. The subject tentative map is part of an overall proposal by the applicant to develop a 49 lot subdivision in place of Rocky Ridge Unit No. 3, a 116 unit condominium project for which a final map was recorded in June, 1971.

The applicant proposes to do the following:

1. Revert to acreage as permanent open space 9.5 ± acres of Unit No. 3;
2. Resubdivide the remaining 13.0 ± acres of Unit No. 3 into 29 single family lots;
3. Subdivide 11.6 ± acres of land that is presently unsubdivided into 20 single family lots plus two lots, Lots A and B, that presently contain the Rocky Ridge sales office and maintenance building; and
4. Record a 3.8 ± acre parcel and a 3.6 ± acre parcel as permanent open space (see attachment #1).

In summary, the applicant's proposal will result in the 116 condominium units of Rocky Ridge Unit No. 3 being replaced with 49 single family lots of Rocky Ridge Unit No. 4 and the remaining 17.0 ± acres of land owned by Rocky Ridge Properties being placed in permanent open space.

The proposed 49 lot subdivision will occupy 24.8 ± acres with lot sizes ranging from a minimum of 12,200 ± sq. ft. to 61,000 ± sq. ft. The average lot size is 19,600 ± sq. ft. Fifteen of the 49 proposed lots, plus Lots A and B, are located on the lower portion of the Rocky Ridge property on 11.0 ± acres northeast of the existing condominiums and adjacent to State Highway 28. The remaining 34 proposed lots are located on 14.0 ± acres northwest of the existing condominiums on the higher, northerly portion of the property (see attachment #1).

The owners of the residences to be constructed on the proposed lots will become members of the existing Rocky Ridge Homeowners Association for maintenance, security, and onsite recreational amenities.

The subject property is located 1/2 mile north of Tahoe City on State Highway 28, Placer County (see attachment #2).

Background

The applicant has a vested right to construct the 116 condominium units of Rocky Ridge Unit No. 3 because a final map was properly recorded in June, 1971 prior to the effective date of the Agency's Subdivision Ordinance.

11/21/78
Rocky Ridge Unit No. 4
page two

Land Capability

Soil scientist Grant Kennedy has reviewed the Soils Investigation Report prepared by Geomechanics, Inc., and concurs with the identification of the five soil types within the area of the proposed tentative map. The table on attachment #3 shows the five separate soil types, the total area of each, the allowable coverage, existing coverage, proposed road coverage, proposed coverage allocated to lots, and unused coverage.

The proposed amounts of permitted land coverage per lot are as follows:

<table>
<thead>
<tr>
<th>Lot Number</th>
<th>Proposed Total Allowable Coverage Per Lot (sq. ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 - 4</td>
<td>5,000</td>
</tr>
<tr>
<td>5</td>
<td>4,239</td>
</tr>
<tr>
<td>6</td>
<td>3,932</td>
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<td>7</td>
<td>4,432</td>
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<tr>
<td>8 - 10</td>
<td>5,000</td>
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<tr>
<td>11 - 16</td>
<td>4,861</td>
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<td>17 - 22</td>
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<td>4,065</td>
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<td>26 - 49</td>
<td>3,970</td>
</tr>
<tr>
<td>Lot A</td>
<td>11,000</td>
</tr>
<tr>
<td>Lot B</td>
<td>15,050</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td><strong>234,114 sq. ft.</strong></td>
</tr>
</tbody>
</table>

In summary, the subject tentative map proposes slightly less land coverage than permitted per land capability districts and, overall, substantially less land coverage than would be permitted within Rocky Ridge Unit No. 3. More importantly, the applicant's proposal will result in substantially less construction on sensitive and steep land areas than would have resulted from construction of Unit No. 3. Rocky Ridge Unit No. 3 would be permitted a total of 23 + percent land coverage; whereas, the subject tentative map proposes a maximum of 15.03 percent total land coverage.

Land Use Classification

All of the property within the Rocky Ridge development, including the area of the subject tentative map, is classified Low Density Residential. At the permitted density of 4 single family dwelling units per acre, the entire acreage involved in the proposal (41.5 + acres), including the land areas to be established as permanent open space, would be permitted a maximum of 166 single family units. Rocky Ridge Unit No. 3 contains 116 condominium units which are to be replaced with the proposed tentative map for 49 lots.

11/21/78
Existing Environmental Setting

The vegetative cover of both the lower (southerly) and upper (northerly) areas to be subdivided generally consists of mixed stands of predominantly White Fir with lesser numbers of Jeffrey Pine and Incense Cedar. The understory is predominantly Manzanita with some Huckleberry Oak and Mountain Whitethorn. Throughout the upper area, there are existing cleared and rough graded areas resulting from early construction of Unit No. 3. The proposed subdivision streets for Unit No. 4 have been designed to utilize these disturbed areas.

Grading

A minimum amount of grading will be required to construct the proposed subdivision improvements. The maximum fill required will be 3-1/2 feet in height, and the maximum cut will be 2 feet in height.

The extent of grading required for the proposed subdivision improvements will be substantially less than required for construction of Unit No. 3, primarily because Unit No. 3 included construction on steep slopes that are to become permanent open space under the current proposal.

Slope Stabilization and Drainage

All cut and fill slopes resulting from the construction of the subdivision improvements and all existing cut and fill slopes and areas denuded of vegetation will be either revegetated as per specifications provided by the Soil Conservation Service or mechanically stabilized.

The tentative map shows a conceptual drainage plan designed to collect all stormwater runoff emanating from the proposed subdivision streets and provides for percolation of flows generated from a 2 year frequency, 6 hour duration storm. Overflow runoff will be directed by way of rock-lined channels into existing natural drainage channels.

Tree Removal

The proposed subdivision improvements will require the removal of approximately 80 healthy trees and 16 dead trees. The total required tree removal amounts to approximately 3 to 5 percent of the existing trees.

Public Services

The requirements for general public services will be substantially less for the proposed subdivision than for Unit No. 3. For example, the 116 condominiums of Unit No. 3 would generate 236% of the effluent generated from the 49 lots of the proposed subdivision. Likewise, the impacts on public schools and demands for water, power, and natural gas supplies will be substantially less.

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Population

The proposed 49 lot subdivision will add approximately 156 persons to the Tahoe Basin; whereas, the 116 condominiums of Unit No. 3 would add approximately 371 persons.

Will-Serve Letters

The Tahoe City Public Utility District has stated that it supports the lower land use density from 116 condominiums to 49 lots; however, the proposed 49 lots have not been allocated sewer capacity and adequate existing sewer capacity does not presently exist. Placer County condition of approval #28 requires sewer capacity prior to sale of the lots.

Will-serve letters have been received from the Tahoe City Firc Protection District, Southwest Gas Corporation, and Sierra Pacific Power Company. The letter from Sierra Pacific Power Company, dated June 24, 1977, states that the capacity of the supply system is adequate but the reliability of the system does not meet accepted industry standards.

Traffic

The amount of traffic generated by the proposed 49 lots will be substantially less than that generated by the 116 condominiums of Unit No. 3; however, the applicant projects that the proposed 49 single family homes at 50% occupancy will increase the average daily traffic (ADT) on State Highway 28 at buildout in 1981 by between 233 to 294 vehicles. The contribution to ADT from both the existing and proposed units in Rocky Ridge would be a maximum of approximately 874 trips.

The applicant's Environmental Impact Report indicates that left turns onto the Rocky Ridge property during periods of high traffic volumes could significantly impede the movement of traffic along State Highway 28. The applicant suggests two possible mitigation measures: 1) a left-turn lane on State Highway 28 at Rocky Ridge Road; or 2) work with Placer County on the desirability of a traffic control signal at the intersection. Agency staff recommends that a left-turn lane be provided by the applicant on State Highway 28 to mitigate the potential adverse impacts to traffic movement. The CTRPA approval of the subject project included a condition requiring the applicant to provide a left-turn lane on the highway.

Air Quality

Although the additional vehicle trips generated by the proposed project will contribute to the further degradation of air quality in the Tahoe Basin, the severity of degradation will be substantially less than that resulting from the 116 condominiums of Unit No. 3.

Other Agency Approvals

On April 14, 1978, the Placer County Planning Commission approved the tentative map for Rocky Ridge Unit No. 4 and a conditional use permit for the project subject to 28 conditions. On September 1, 1978, the CTRPA Governing Board approved the tentative map for Rocky Ridge Unit No. 4 subject to 56 conditions.

11/21/78
Rocky Ridge Unit No. 4
page five

Staff Comment

Although the subject application originally included the construction of a children's play area, swimming pool, pool club house and one tennis court, these improvements cannot be considered as part of the subject tentative map since they are all proposed to be located outside of the boundaries of Unit No. 4 and within an area that presently contains existing nonconforming land coverage. The applicant has agreed to process a separate administrative permit to replace existing nonconforming land coverage in order to construct the additional recreational amenities proposed.

Ordinances 78-5 ans 78-6

Agency staff recommends that the Governing Board find, as required under Section 3.30 of Ordinance 78-5, that the subject tentative map will not result in increased vehicle trips per day based on the applicant's vested right to construct the 116 condominiums of Rocky Ridge Unit No. 3.

Recommendation

Agency staff recommends that the Governing Board approve the tentative map for Rocky Ridge Unit No. 4 subject to the following findings and conditions:

Findings

1. The subject tentative map will not result in increased vehicle trips and therefore satisfies the requirements of Section 3.30 of Ordinance 78-5.

2. The subject tentative map conforms to the standards and regulations of the Land Use and Subdivision Ordinances.

Conditions

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

   a. The final construction drawings for all site improvements shall be submitted to and approved by Agency staff. The final construction drawings shall clearly depict: 1) slope stabilization methods to be performed to stabilize all existing and proposed cut and fill slopes and areas denuded of vegetation; 2) areas to be revegetated, including complete specifications for such revegetation; 3) fencing for vegetation protection; 4) temporary and permanent erosion control devices; 5) measures to be taken for dust control; and 6) all drainage facilities.

   b. An undertaking by corporate surety or other similar and appropriate document 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 7.140 of the Grading Ordinance. The undertaking or other document shall provide that the Agency may enforce the same and use the funds provided therein to assure compliance with the landscaping, revegetation and slope stabilization and drainage plans.

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

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. Covenants, conditions, and restrictions respecting all of the real property of the proposed development shall be subject to TRPA review and approval. Such document shall include: a prohibition of the use of chemicals for deicing in all vehicular areas except public streets; a prohibition of vehicles in all nonvehicular open spaces; vegetation preservation and protection plan with adequate provision to insure the permanent maintenance of open spaces and the temporary installation of vegetation protection fencing within each building site prior to the commencement of construction; and a provision making TRPA an express beneficiary of said document with the right to pursue such judicial remedies as it wishes arising out of or relating to such document.

f. The final subdivision map shall not be recorded until the Agency staff has found, and so indicated in writing, that the final map substantially conforms to the approved tentative map.

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.

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3. 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.

4. Whenever possible, all utilities shall occupy common trenches and shall be installed at one time. Trench spoil shall be stored upgradient of the trench.

5. There shall be no grading or land disturbance performed with respect to the project during periods of inclement weather or when there is snow on the site.

6. 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 October 15.

7. 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.

8. Areas to be paved shall be paved prior to October 15 unless an extension permit is approved by Agency staff.

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

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

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

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

13. 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.

14. All other permits regarding the development shall comply with these conditions.
15. No structure shall exceed an average height of 35 feet as calculated under the provisions of Section 7.13 of the Land Use Ordinance.

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

17. Physical barriers shall be provided to confine all vehicles to designated parking and driveway areas. The type and design of the barriers shall be approved by Agency staff.

18. The maximum land coverage on the site including the permitted coverages for each lot after completion of the project shall not exceed those figures contained in the column entitled "Total Coverage Existing and Proposed" on Attachment #3 of the TRPA staff Summary and Recommendation.

19. 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.

20. A left-turn storage lane shall be constructed by the applicant within the right-of-way of State Highway 28 at its intersection with Rocky Ridge Road in accordance with Caltrans specifications. Construction of the required left-turn lane shall be completed prior to the sale of any of the subject 49 lots.
1. Revert to acreage as permanent open space 9.5 acres of Unit No. 3.

2. Resubdivide the remaining 13.0 acres of Unit No. 3 into 29 single family lots.

3. Subdivide 11.6 acres of land that is presently unsubdivided into 20 single family lots plus two lots, Lots A & B.

4. Record a 3.8 acre parcel and a 3.6 acre parcel as permanent open space.
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<th>Existing</th>
<th>Remainining</th>
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<th>Total Coverage</th>
<th>sg.</th>
<th>gh.</th>
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Includes 11,000 sq. ft. for Lot A and 15,050 sq. ft. for Lot B.
Millstone Manor
Tentative Map for 4 Units
Washoe County

Project Location and Description

The applicant, James Miller, represented by Ken Barrow, is requesting approval of a tentative map for a 4 unit condominium project located on Assessor's Parcel #125-291-04 in Incline Village, Nevada. The 1.69 acre parcel is located on Dana Court off of Mount Rose Highway and Country Club Drive. (See attachment #1)

The applicant failed to submit the proposed tentative map to the Agency for approval as required under Sec. 4.1 of the Subdivision Ordinance and Condition #8 of the Regional Planning Commission recommendation. Not recognizing this, the Washoe County Building Department issued building permits for the construction of the project. The project was constructed and, upon completion, the applicant attempted to record the final map. At that time, Washoe County discovered the error and required Mr. Miller to submit the tentative map to the Agency.

The project consists of 4 condominium units and a studio above a 4 car garage. The 4 units are each 1,200 square feet in size. The studio will be used as a working studio by the owner of unit 4. Access to the studio is by an outside stairway located along the north side of the studio. Parking for 4 cars is provided in enclosed garages located under the studio. Additional off-street parking is available on the northern edge of the driveway for 2 cars.

Existing Environmental Setting

The project site was used as a construction yard and material storage site for other construction that occurred in the area. The majority of the native vegetative cover was removed at that time. There is a Stream Environment Zone that runs along the western edge of the property. The vegetation within the Stream Environment Zone consists of fir and pine trees as well as mature willows. The Stream Environment Zone was not disturbed by the construction of this project.

Land Use and Land Capability

Washoe County zoning on the parcel is E-1 (First Estates). The lot is designated a 4-plex lot in the approval for Incline Village Unit 3 granted by Washoe County. The TRPA land use classification is Low Density Residential which allows up to 4 units per acre. The parcel is 1.69 acres in size and is allowed up to 7 units. The land capability on the subject property is level 4, soil type IsD, Inville Somy, coarse, sandy loam, with 9-15% slopes, allowable coverage 20%. The applicant proposes to cover 6,638 square feet, or 9%.

Height

The buildings are 2 stories and have an average height of 31 feet. The maximum allowable height in Low Density Residential is 35 feet.

Drainage

There are currently no specific drainage facilities incorporated into the project. The applicant has agreed to the construction of infiltration trenches along the south side.

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of the 4 units to handle drainage from the building driplines. The trenches will be
designed to handle a 2 year frequency, 6 hour duration storm. These facilities will be
constructed next spring or as soon as the project site is naturally dry and stable.

Utilities

A will-serve letter for the provision of water, sewer and solid waste removal services
has been provided by the Incline Village General Improvement District. Electrical
energy will be provided by Sierra Pacific Power; fire protection will be provided by
the North Lake Tahoe Fire Protection District, and police protection by Washoe County.

Application of Ordinance Nos. 78-5 and 78-6

The Washoe County Commissioners conditionally approved this tentative map on
November 15, 1977. The application was in process at the local level prior to
March 22, 1978 and would be exempt from Ordinances 78-5 and 78-6 under Section
4.60 of said ordinances. This exemption would allow action by the TRPA Governing
Board regarding the proposed tentative map.

Local Agency Action

The Regional Planning Commission of Washoe County recommended approval of the
subject project on November 1, 1977. The Washoe County Commissioners conditionally
approved the tentative map on November 15, 1977.

Recommendation

Agency staff recommends conditional approval of the tentative map recognizing that
Millstone Manor was intended as a condominium project by the applicant. The
recommended conditions of approval are:

1. Each of the following conditions shall be completely satisfied prior to the
   recordation of the final map:

   a. The final construction drawings for all site improvements shall be submitted
to and approved by Agency staff. The final construction drawings shall clearly
depict: 1) slope stabilization methods to be performed to stabilize all existing
and proposed cut and fill slopes and areas denuded of vegetation; 2) areas to
be revegetated, including complete specifications for such revegetation; and
3) all drainage facilities.

   b. An undertaking by corporate surety or other similar and appropriate document
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 7.140 of the Grading Ordinance.
The undertaking or other document shall provide that the Agency may enforce
the same and use the funds provided therein to assure compliance with the
landscaping, revegetation and slope stabilization and drainage plans.
c. Calculations showing the adequacy of the infiltration trench design prepared by a qualified civil engineer shall be submitted to the Agency.

d. Covenants, conditions, and restrictions respecting all of the real property of the proposed development shall be subject to TRPA review and approval. Such document shall include: a prohibition of the use of chemicals for deicing in all vehicular areas except public streets; a prohibition of vehicles in all nonvehicular open spaces; vegetation preservation and protection plan with adequate provision to insure the permanent maintenance of open spaces and the temporary installation of vegetation protection fencing within each building site prior to the commencement of construction; and a provision making TRPA an express beneficiary of said document with the right to pursue such judicial remedies as it wishes arising out of or relating to such document.

e. The final subdivision map shall not be recorded until the Agency staff has found, and so indicated in writing, that the final map substantially conforms to the approved tentative map.

2. 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.

3. There shall be no grading or land disturbance performed with respect to the project during periods of inclement weather or when there is snow on the site.

4. 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 June 1, 1979.

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

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

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

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

9. No structure shall exceed an average height of 31 feet measured from the finished grade.

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

11. The maximum land coverage on the site after completion of the project shall not exceed 6,638 square feet.

11/20/78
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Daniel Sheehan
Variance for Pier to Extend Past
Pierhead Line
Placer County

Project Description and Location:

The applicant is requesting a variance from the terms of the Shorezone Ordinance to extend a proposed single-use pier past the established pierhead line. The subject parcel is located on Lassen Drive in Dollar Point.

The pierhead line is located approximately 120 feet from the highwater line of Lake Tahoe, and the applicant is requesting a permit to extend the proposed pier 90 feet past the pierhead line to lake bottom elevation 6220.0 feet (see Attachment 1).

Purpose of Governing Body Review:

Section 4.51 of the Shorezone Ordinance states that the Governing Body shall take final action on variances from the terms of the Shorezone Ordinance.

Analysis:

In shallow waters such as found in the Dollar Point area, the intent of the pierhead line is to prevent unduly long piers from extending into Lake Tahoe. However, there are two existing piers that do extend past the pierhead line in the Dollar Point area - Northshore Townhouses and Dollar Point Subdivision - but they are both multiple-use piers. The subject pier is to be located between these two piers. There are five existing and four approved piers in the subject area, and they do not extend past the pierhead line (see Attachment 2).

The Agency has never approved a single-use pier in the Dollar Point area that extends past the pierhead line, and, in fact, a variance request by Mr. David Hartley to extend his proposed pier past the pierhead line in the same area was denied by the Governing Body on October 27, 1977.

Section 20.00 of the Shorezone Ordinance states that a variance may be granted by the Governing Body only if it is found that because of special circumstances applicable to the property involved a strict application deprives such property of privileges or safety enjoyed by other similarly situated property. It also states that in no case may a variance be granted that will provide the applicant with any special privileges not enjoyed by other similarly situated properties.

11/21/78
Recommendation:

Agency staff can not find that the applicant is being deprived of privileges or safety enjoyed by other similarly situated property as required under Section 20.00; therefore, Agency staff recommends this request be denied. Agency staff recommends that the applicant submit revised plans for a pier to extend no further than 140 feet from the highwater line to be consistent with the other single-use piers in the subject area (see Attachment 2).
Chapman General Hospital for the Round Hill General Improvement District, Determination on Economic Hardship Douglas County

Application Description

The applicants, Chapman General Hospital, Inc. and Michael Barnato, a licensed real estate broker, are requesting that the Governing Board make the finding required under Section 3.30 of Ordinance 78-5, as amended by Ordinance 78-6, to allow Douglas County and the Agency to consider a tentative map for 73 single family lots on 116 acres owned by the Round Hill General Improvement District (see attachment #1). In order for a tentative map to be considered prior to January 1, 1979. Section 3.30(2) of Ordinance 78-6 requires that Douglas County and the Agency Governing Board find that a governmental or quasi-governmental entity has demonstrated that it will suffer severe economic hardship from the failure to review said tentative map prior to January 1, 1979. The ordinance defines the term severe economic hardship as meaning an immediate and severe monetary crisis incurred by such a governmental or quasi-governmental entity by virtue of the lack of tentative map review and shall not include such monetary hardship as may be incurred by virtue of the inability to impose higher assessed valuations on real property.

Demonstration of Economic Hardship

The following is a summary of the information provided by the applicants to establish that the Round Hill General Improvement District (RHGID) will suffer an immediate and severe monetary crisis if the proposed tentative subdivision map is not considered on its merits prior to January 1, 1979.

In 1971, the Round Hill General Improvement District was compelled to commence foreclosure proceedings on 375 ± acres of land within the District due to the failure of the owner to pay the required assessments. The District, having an obligation to its bondholders, pursued the foreclosure proceedings and on December 18, 1974 settled the foreclosure suit by accepting 116 ± acres of land from the delinquent property owner by transferring over $2.5 million in assessments to the 116 ± acres. The 116 ± acres now represents the principal security behind the outstanding delinquent bonds.

Since December of 1974, the District has made a concerted effort to sell the property, which can be sold either at public sale or by private sale. At the present time, the Chapman General Hospital has made an offer to purchase the 166 acres at a price of $3.2 million under reasonable terms which are acceptable to both the District and the majority of the bondholders. The offer from the Chapman General Hospital is the first bona fide offer that the District has received which will allow the District to elevate itself from bankruptcy.

11/22/78
In order for the transaction to close, the Chapman General Hospital must be assured that it is financially feasible to develop the property. It is imperative that this determination be made prior to January 19, 1979 at which time the RHGID must appear in court to report on the status of the potential purchase which could assure payment to the bondholders. For this reason, the applicant is requesting that the Governing Board make the required finding at the November meeting to allow consideration of the proposed tentative map at the December meeting.

Hardship

At the present time Round Hill General Improvement District has a bonded indebtedness of $3,078,000. The interest rates on the bonds range from 5-1/2% to 7%, for an average of 6%. Below is a table identifying the delinquent bond principal, the due dates on the bonds, and the interest for which the taxpayers of the RHGID are liable.

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<th>Delinquent Principal</th>
<th>Through</th>
<th>% Of Outstanding Bonds That Are Delinquent</th>
<th>Accrued Interest Per Day</th>
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<td>3/08/82</td>
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<td>506</td>
<td>184,690</td>
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</table>

Pursuant to court order, the District must bring current all interest coupons, accrued interest on delinquent bonds and accrued interest on delinquent interest coupons before any of the delinquent bonds can be redeemed. On October 30, 1978, those delinquencies amounted to $216,000. This will escalate to $332,000 by July 1, 1979.

The Round Hill General Improvement District ad valorem tax rate for 1978/79 is $1.4296 per $100 assessed valuation for a total income of $156,637. The District budgeted $35,372 of the $156,637 to be transferred from the general fund to the combined special assessments funds, for payment of bond delinquencies. This amounts to 23% of the ad valorem revenue. As can be seen from the table above, the amount of bond interest presently due and payable exceeds the revenue generating capacities of the District. Without relief, the situation will continue to deteriorate as subsequently issued bonds reach maturity.

The District has been required to tax all the residents within its District at the maximum limit allowed by law so that excess funds could be used to pay bondholders. In spite of the maximum taxation, which represents a hardship and inequity on all residents in the District, the revenues generated are far short of the interest that accrues daily. In essence, then, unless the District sells the property and consummates the sale within a short period of time, the District will remain in its bankrupt state and may well never be able to recover from the interest that is accruing. The effect of such bankruptcy would not only be disastrous on all residents within the District and the bondholders, but also on all other governmental entities in the State of Nevada, inasmuch as the State of Nevada under the legislative enactments allowing the issuance of bonds has pledged its full faith to said bonds.

11/22/78
The applicants request that the Governing Board consider both the taxpayers of Round Hill and the bondholders who own these delinquent Nevada bonds. The sale of this property will pay off the bondholders and eliminate excessive taxes for the property owners. If the property is not sold, the bondholders will not be paid and the taxpayers will continue to pay excessive taxes for many years. The ad valorem tax revenue cannot pay for the maintenance and operation of the District and the costs related to the delinquent bonds. The District will not be able to redeem any bonds; consequently, its delinquencies will continue to grow and it will be in a worse financial position than at the present time.

Action of the Douglas County Commissioners

By resolution adopted on November 2, 1978 (copy attached), the Douglas County Commissioners have found that a sufficient and substantial hardship exists to the Round Hill General Improvement District, its bondholders, citizens and, resultantly, to the County of Douglas and the State of Nevada if the proposed tentative map for the subject property is not allowed to be considered by the County and TRPA prior to January 1, 1979.

Staff Recommendation

Agency staff recommends that, based on the special circumstances discussed in this staff summary, the Governing Board find that the applicant has demonstrated, as required under Section 3.30 of Ordinance 78-6, that if the proposed tentative map for 73 single family lots is not considered by Douglas County and the Agency prior to January 1, 1979, a severe economic hardship, as defined under said section, will result for the Round Hill General Improvement District.
RESOLUTION NO. 78-34

RESOLUTION FINDING OF HARDSHIP FOR
ROUND HILL IMPROVEMENT DISTRICT

WHEREAS the Round Hill General Improvement District ("District"), a duly formed and validly existing legal division of the County of Douglas, is title holder of all of that approximately 116 acres of real property located in three separate parcels on U.S. Highway 50 and Blk Point Road at Round Hill, Zephyr Cove, Douglas County, Nevada, and

WHEREAS, District has previously sold and issued Improvement Bonds for necessary improvements in said District, and said Bonds have long been in default, and

WHEREAS, through prior efforts the District has acquired title to the aforesaid 116 acres for purposes of selling said property for development which would provide sufficient proceeds to cure said defaults and pay off said bondholders, and that said 116 acres constitutes the only reasonable property available to the District in order to meet its defaulted obligations to bondholders, and

WHEREAS, after much effort on the part of the District for said 116 acres that District has entered buyer and Distri ("TRPA") and
WHEREAS, litigation is pending by bondholders against the District and time is of essence to the District in its efforts to cure its defaults, and that inability to cure such defaults in a timely manner creates a substantial risk of far greater loss and liability to the District through penalties, interest and foreclosures, its bondholders and all citizens who live within or own land in the District, as well as the resulting hardship to the reputation and credit of the County of Douglas, who originally approved said Bonds, and the State of Nevada that might result from such hardship to the District, and

WHEREAS on December 19, 1973 the TRPA passed a resolution that directed its staff to work with the owners of said property in an effort to help District solve its financial default problems, and such solution, if accomplished in a timely fashion now appears to be at hand,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners, acting for Douglas County, finds that a sufficient and substantial hardship exists to the Round Hill General Improvement District, its bondholders, citizens and resultantly to the County of Douglas and State of Nevada if the pending application for approval of the proposed development plans for the District's 116 acre Round Hill Property is not heard on a current basis, and that also find that said location be heard subject to
John Wayland
Determination of Permeability of "Fastdry"
Artificial Surfacing, Washoe County

Determination to be Made

The applicant desires to construct a tennis court in Incline Village as an accessory use for two single family residences. Since land coverage limitations are of prime importance in this project, the applicant requests an Agency determination for the applicability of the definition of land coverage for: 1) a pervious surface termed "fastdry" a fine crushed aggregate; and 2) a prepared grass surface to be utilized for tennis courts.

Analysis

The TRPA Land Use Ordinance defines land coverage as:

"A manmade structure, improvement or covering that prevents normal precipitation from directly reaching the surface of the land underlying the structure, improvement or covering. Such structures, improvements and coverings include roofs, surfaces that are paved with asphalt, stone, or the like such as roads, streets, sidewalks, driveways, parking lots, tennis courts, patios, and lands so used that the soil will be compacted so as to prevent substantial infiltration, such as parking of cars and heavy and repeated pedestrian traffic. A structure, improvement or covering shall not be considered as land coverage if it permits at least seventy-five (75) percent of normal precipitation directly to reach the surface of the land underlying it."

The definition above utilizes two concepts for determination of land coverage. The first concept is a barrier that does not allow at least 75% of the normal precipitation to directly reach the ground. The "fastdry" surface may allow a very high percolation rate but it does not permit the normal precipitation to directly reach the ground.

The second concept is that the "soil will be compacted so as to prevent substantial infiltration". Both the "fastdry" surface and the grass surface require grading and the preparation of a compacted base before the finished surface is completed. The site preparation for "fastdry" requires a 95% compacted surface with special drainage facilities, indicating the surface does affect the percolation aspects of the site. The applicant has yet to submit the specifications for grass courts.

Recommendation

Agency staff recommends the following determinations on land coverage be made:

1. The surface known as "fastdry" or similar surfaces be determined to be land coverage.

2. Grass surfaces overlaysing graded and compacted surfaces be determined to be land coverage.

11/21/78
Appeal of the Shorezone Hearing Officer
Decision, Unauthorized Rock Jetties for
M. Wangenheim and N. Dewhurst, Washoe County

October 25, 1978 Governing Body Action

On October 25, 1978, the Tahoe Regional Planning Agency Governing Board considered appeals filed by Mrs. Gladys Shelby, Mr. Norman Dewhurst, and Mr. Mervin Wangenheim of a decision rendered by the Shorezone Hearing Officer on September 5, 1978. The Hearing Officer, after considering all evidence and testimony presented at the July 25, 1978 shorezone hearing and inspecting the subject property on two separate occasions with staff members from the Nevada Department of Fish and Game, the Nevada Division of State Lands, and the U.S. Army Corps of Engineers found on September 5, 1978 that the three existing jetties located lakeward of the single family lots owned by Mr. Norman Dewhurst, Mr. Mervin Wangenheim, and Mr. Eugene Dale in Incline Village, Nevada (see attachment #1) had been maintained without authorization, and, under Section 16.50 of the Shorezone Ordinance, were found to be a public nuisance. The Hearing Officer’s finding of a public nuisance was based on a determination by the Nevada Department of Fish and Game that the continued maintenance of the three jetties had resulted in significant disturbance to the natural lakebottom substrate in an area that has been identified as “prime fish and aquatic habitat”. Based on the Hearing Officer’s findings and as permitted under Section 16.50, Mr. Dale, Mr. Dewhurst and Mr. Wangenheim were directed to abate the public nuisances by dispersing the rocks located above the existing water lines that create the three jetties in a manner recommended by the Nevada Department of Fish and Game. Shortly after the Hearing Officer rendered his decision, Mr. Dale informed Agency staff that he would comply with the directive to disperse the rocks located above the existing water line.

The Governing Board after considering all evidence and testimony presented at the regular October 25, 1978 Governing Board meeting reversed the Shorezone Hearing Officer’s finding that the three jetties and their continued maintenance were creating a public nuisance by passing a motion stating that no public nuisance exists. However, the Governing Board continued further consideration of the Hearing Officer’s finding that the jetties were maintained without authorization until the special meeting of the Governing Board to be held on November 29, 30, 1978. The Governing Board also directed Agency staff to prepare for the special meeting a staff summary and recommendation relative to the Hearing Officer’s finding that the jetties were maintained without authorization.

Ordinance Definition of Unauthorized Structures

The Shorezone Ordinance establishes that a structure located within the shorezone is an unauthorized structure if constructed without a permit that was required at the time of the construction. The use of the word "construction" in the Shorezone Ordinance includes repair of a structure unless the context specifically indicates that repairs are not included. Therefore, a structure is unauthorized under the terms of the Shorezone Ordinance if constructed or repaired without a permit that was required at the time of its construction or repair or was not constructed or repaired in conformity with existing law at the time of its construction or repair.

11/21/78
Application to Subject Jetties

The following is evidence establishing that the subject jetties are unauthorized structures:

1. Neither Mr. Dewhurst nor Mr. Wangenheim have provided any evidence establishing that the required permits were granted by the Corps of Engineers for the original construction of the subject jetties in the early 1960's.

2. The Corps of Engineers has researched its files and has reported to Agency staff that no applications were filed with or permits were issued by the Corps of Engineers for the original construction of the subject jetties.

3. Mr. Dewhurst stated at the October 25, 1978 Governing Board meeting that to his knowledge no permits were obtained from the Corps of Engineers for the construction of the subject jetties.

4. Mr. Dewhurst stated at the October 25, 1978 Governing Board meeting that at least twice that he can remember, once in 1967 and again in 1976, he had equipment down on the beach to repair the subject jetties.

5. Mrs. Dewhurst stated in a letter dated March 1, 1967 to Mr. and Mrs. Shelby (a copy of which is contained in the Agency files) that "last fall we had Carl Brooks dredge out ours (beach) and put up a new breakwater".

6. On June 29, 1967, a complaint was received by the State of Nevada Division of Health from Mr. Ray Shelby stating that "rocks had been placed along the extended property line between his residence and the Dewhurst residence, that a permit for this activity was required but had not been obtained, and that this accumulation of rocks resulted in extending the sandy beach and creating a stagnant water area just inside the property line." In response to the complaint, Mr. Dewhurst made application to the Health Division to remove those rocks that had spilled over onto the Shelby property, to clean up the area, and to maintain a pile of rocks adjacent to his easterly property line.

7. The State Division of Health issued a permit to Mr. Dewhurst on August 27, 1967. The permit was specifically limited to allowing the rocks that had spilled over onto the Shelby property to be moved onto the Dewhurst property and to clean up and maintain the property line above 6229.1 elevation. The permit limited maintenance in this case to replacing rocks displaced by storm and, where lake levels permitted, to removal of three large rocks that were located about 10 feet offshore when the Lake level was at 6228.7 feet.

8. On two separate occasions in the public notice prepared by the State Division of Health for the Dewhurst application and in a letter from the State Division of Health to Mr. Dewhurst informing him that he had been issued a permit, Mr. Dewhurst was informed by the State Division of Health that their permit did not obviate the necessity of obtaining a permit from the Corps of Engineers or Washoe County for the work requested.
9. In 1967 Mr. Mervin Wangenheim submitted an application to the Corps of Engineers for a permit to construct a rock groin. In response to the Corps public notice, the Nevada Division of Health and the U.S. Department of the Interior requested that the Corps of Engineers deny the permit. The Corps of Engineers informed Mr. Wangenheim that before it could issue the requested permit he would have to resolve the objections from the two agencies that responded. Due to a lack of action on the part of Mr. Wangenheim in 1969; the Corps withdrew his application.

10. Mrs. Talamantes, who leased the Shelby home from September 1976 to June 1, 1977, informed Mrs. Shelby that she had witnessed a large piece of equipment being used on the beach to push rocks along the common property line. Mrs. Talamantes stated that to the best of her recollection the work was done in May of 1977. Mr. Dewhurst, in a letter to the Agency dated November 11, 1977, stated that "the witness to work being done on the jetties in May of 1977 is not telling the truth." He goes on to explain that the "work was done last year, 1976, not this year".

Recommended Action

Agency staff recommends that based on the evidence contained in items 1 through 10 above the Governing Board find that:

1. the subject jetties were originally constructed without a required permit from the U.S. Army Corps of Engineers;

2. the subject jetties have been repaired and maintained without permits required by the Agency and the Army Corps of Engineers; and

3. based on findings (1) and (2) above, the Governing Board confirm the Shorezone Hearing Officer's decision of September 5, 1978, that the subject jetties are unauthorized structures as set forth under the Agency's Shorezone Ordinance.

As requested at the October 25, 1978 Governing Board meeting, the attached page is an excerpt from the U.S. Army Corps of Engineers "Civil Regulatory Functions", specifically paragraph (7) relative to unauthorized structures and structures completed before December 18, 1968.
already accomplished and established a reasonable period of time for the application to complete such actions. The District Engineer, after denial of the permit, will again consider whether civil or criminal action is appropriate.

(6) If the applicant declines to accept the proposed permit conditions, or fails to take corrective action prescribed in the notification of denial, or if the District Engineer determines, after denying the permit application, that legal action is appropriate, the matter will be referred to HQDA (DAEN-GCK) WASH DC 20314 with recommendations for appropriate action.

(7) Applications will generally not be required for work or structures completed before 18 December 1968, nor where potential applicants had received expressions of disclaimer prior to the date of this regulation; provided, however, that the procedures of subparagraph 1(6), above, shall apply to all work or structures which were commenced or completed on or after 18 December 1968, and may be applied to all specific cases, regardless of date of construction or previous disclaimers, for which the District Engineer determines that the interests of navigation so require.

m. Facilities at the Borders of the United States.

(1) The construction, operation, maintenance, or connection of facilities at the borders of the United States are subject to Executive control and must be authorized by the President, Secretary of State, or other delegated official.

(a) Applications for permits for the construction, operation, maintenance, or connection at the borders of the United States of facilities for the transmission of electric energy between the United States and a foreign country, or for the exportation or importation of natural gas to or from a foreign country, must be made to the Federal Power Commission. (Executive Order 10485, September 3, 1953, 16 U.S.C. 824(a)(e), 15 U.S.C. 717b, and 18 C.F.R. Parts 32 and 153).

(b) Applications for the landing or operation of submarine cables must be made to the Federal Communications Commission. (Executive Order 10530, May 10, 1954, 47 U.S.C. 34 to 39, and 47 C.F.R. Section 1.767).

(c) The Secretary of State is to receive applications for permits for the construction, connection, operation, or maintenance, at the borders of the United States, of: (1) pipelines, conveyor belts, and similar facilities for the exportation or importation of petroleum products, coals, minerals, or other products to or from a foreign
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Traffic Impact Determination
Incline Village Community Pool Complex
Washoe County

Project Description and Location

The applicant, the Incline Village General Improvement District, represented by Jeff Lundahl, is requesting a determination that the proposed Incline Village Community Pool project 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 the southeast side of the intersection of Northwood Boulevard and Fairway Boulevard (see attachment #1). The project, consisting of 13 acres, utilizes all of a 2.1 acre parcel (Assessor's Parcel #124-120-29) and a portion (10.9 acres) of a 78.17 acre parcel (Assessor's Parcel #124-180-15). The 78.17 acre parcel is a portion of the Incline Village Country Club property which contains a total of 126 acres and is owned by the Incline Village General Improvement District. The 2.1 acre parcel is also owned by the District. The proposed project is to be funded by Washoe County and the Reno/Sparks Convention Authority and operated by the Incline Village General Improvement District.

The proposed project consists of a 25,000 square foot enclosed 50 meter long, 8 lane indoor swimming pool joined to a 3 story building at the north. The lower floor of the 3 story building will contain 12,000 square feet and house support facilities, i.e. lockers, showers, administration and recreation rooms, for the pool complex. The two upper floors will be 12,000 square feet each and will be for future public office space. Access to the project and parking will be provided on the 10.9 acre portion of the Country Club acreage. There are currently 124 parking spaces available on the golf course parcel, and the applicant projects the need for 202 spaces at buildout of the project. The expanded parking will also be provided on the Country Club acreage. (See attachment #2.)

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 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 2.1 acre parcel upon which the pool and office complex will be located currently generates no traffic. The 126 acre golf course site of which 10.9 acres (8.6%) is included in this application currently generates 270 user trips and 50 employee and service trips per day for a total of 320 trips per day. Taking 8.6% of the figure determines the number of vehicle trips per day attributable to the 10.9 acre portion

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of the golf course acreage that is included in this application. This figure is 28 vehicle trips per day. Therefore, for the proposed 13 acre project, the current trip generation figure is 28 trips per day.

Proposed Trips

For trip generation analysis, the proposed project is broken down as follows:

<table>
<thead>
<tr>
<th>Proposed Use</th>
<th>Trip Generation Factor</th>
<th>Trips Generated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing golf course trips</td>
<td>-</td>
<td>28.0</td>
</tr>
<tr>
<td>2.1 acre pool complex</td>
<td>78.3 veh. trips/acre</td>
<td>164.0</td>
</tr>
<tr>
<td>12,000 sq.ft. of 2nd floor office space</td>
<td>28 veh. trips/1,000 sq.ft.</td>
<td>336.0</td>
</tr>
<tr>
<td>12,000 sq. ft. of 3rd floor office space</td>
<td>28 veh. trips/1,000 sq.ft.</td>
<td>336.0</td>
</tr>
<tr>
<td>Total trips generated</td>
<td></td>
<td>864</td>
</tr>
</tbody>
</table>

Subtracting out the 28 existing vehicle trips leaves a net of 836 additional vehicle trips generated on the 13 acre site or an additional 64.30 vehicle trips per day per acre. This figure is below the 105 additional vehicle trips per day per acre maximum specified under Section 3.10 of TRPA Ordinance 78-5. Therefore this project passes through the traffic generation screen established under Section 3.10 of TRPA Ordinance 78-5.

Local Agency Action

Agency staff has a copy of a letter dated October 25, 1978 to the applicant from Lynn Krupp of the Washoe County Building Department indicating the County's finding that the proposal does not violate the provisions of TRPA Ordinance 78-5.

Recommendation

Agency staff recommends that the Governing Board of the TRPA make an affirmative finding that the proposed project is in compliance with Section 3.10 of TRPA Ordinance 78-5 as required by Section 4.40 of said ordinance.
Traffic Impact Determination
24 Unit Apartment Complex at 929 Southwood Boulevard
Washoe County

Project Description and Location

The applicants J. Johnson and Preston Hale, represented by Jeff Lundahl, are requesting a determination that a 24 unit apartment 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 24 unit apartment complex will be located on a 1.95 acre parcel (Assessor's Parcel #122-263-11) in Incline Village, Nevada. The parcel is located 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 sq. ft. and will consist of 4 bedrooms, 4 baths, kitchen, living room and dining area. There will be a total of 96 bedrooms available for rent, one of which will be for the complex manager.

A total of 72 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 Governing Board meeting, the Governing Board of the Agency approved a General Plan amendment on the subject property from Tourist Commercial to High Density Residential. This land use district change was to allow 50% land coverage in conjunction with the construction of a 24 unit apartment complex providing low and moderate income housing in the Incline Village area.

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 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 proposed site is currently vacant and is generating no vehicle trips for the purpose of this analysis.

11/21/78
Proposed Trips

The 24 unit apartment project will be located on a 1.95 acre site. Under the standards of TRPA Ordinance 78-5, the subject project can generate no more than 205 vehicle trips per day. Utilizing the trip generation figure of 7 trips per day per apartment unit contained in attachment #1 to TRPA Ordinance 78-5, the 24 unit apartment complex would generate approximately 168 vehicle trips per day.

The design principles of this project suggest that the potential exists for each unit to exceed, in vehicle trips generated, the calculation standard of 7 vehicle trips per day per typical apartment unit. Each apartment unit will contain 4 bedrooms which could be available for rental by unrelated persons. The potential exists for each unit in essence to house 4 single person households.

Agency staff estimates that the maximum daily trip generation could be approximately 10.5 trips per day per unit. This is based on trip generation data developed by the University of California at Davis for an off-campus housing study. The units studied were 3 and 4 bedroom apartments with an average of 3 vehicles per apartment. In the Davis study each vehicle generated 3.5 trips per day. The applicant estimates there will be 3 cars associated with each 4 bedroom unit. This would result in 252 vehicle trips being generated from the project site.

The maximum allowable trip generation for this project under the standard is 8.5 trips per unit per day (105 vehicle trips per acre x 1.95 acres divided by 24 units). The applicant has addressed certain aspects of the project which he contends will keep each unit from exceeding 8.5 vehicle trips per day per unit. The Incline Village community is, relatively speaking, a small urban area. Most of all shopping alternatives are located within 1 mile of the proposed project. The proximity of these amenities makes walking and bicycling a feasible and attractive alternative to the automobile. Employment centers are also within close proximity of the project, opening up the opportunity for walking, bicycling or carpooling for the journey to work. The project is designed to provide low and medium income housing. The likelihood of 100% auto ownership among this target population is minimal. Even though the project is designed to accommodate four separate individuals per unit, the applicant feels that a full unit may be rented by less than four individuals with each individual absorbing the cost of the spare bedroom. Agency staff concurs with the applicant's contentions that the project located and constructed as represented will not exceed a per unit average of 8.5 vehicle trips per day. This would result in a total of 204 vehicle trips generated per day for the entire project. Based upon the applicant's representations, therefore, this project passes the standard established in Section 3.10 of TRPA Ordinance 78-5.

Local Agency Action

Agency staff has received a copy of a letter dated October 28, 1978 to the applicant from Lynn Krupp of the Washoe County Building Department indicating the County's finding that the proposal does not violate the provisions of TRPA Ordinance 78-5.

Recommendation

Agency staff recommends that the TRPA 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 TRPA Ordinance 78-5, as required under Section 4.40 of said ordinance.

11/21/78
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Traffic Impact Determination
Lake Tahoe Resort and Racquet Club
212 Room Hotel and 8 Unit Apartment
Washoe County

Project Description and Location

The applicant is requesting a determination that the proposed Lake Tahoe Resort and Racquet Club will not generate an additional number of average vehicle trips per day per acre in excess of the 105 standard set forth in TRPA Ordinance 78-5.

The existing Tahoe Racquet Club located adjacent to Tahoe Boulevard in Incline Village proposes to modify and expand the existing facilities. The applicant proposes to utilize 13.33 acres of the existing 16 acre site to create a new resort to be named the Tahoe Resort and Racquet Club. The proposed project will consist of the following facilities:

- two-hundred twelve hotel rooms, with appurtenant lobby facilities (3,000 sq. ft.) and a meeting and banquet room (2,500 sq. ft.);
- family restaurant providing seating for 100 persons (1,400 sq. ft.), with an outdoor area providing seating for an additional 50 persons on a seasonal basis;
- dinner restaurant providing seating for 75 persons (1,500 sq. ft.);
- cocktail lounge and bar providing seating for 50 persons (750 sq. ft.);
- kitchen facilities;
- retail stores totaling about 3,500 sq. ft. of floor area;
- retail space within the hotel totaling about 2,000 sq. ft. of floor area (newsstand, gifts, etc.);
- office rental space, 2,000 sq. ft., partially used in hotel operation;
- ten outdoor tennis courts for hotel guest use only;
- three indoor tennis courts for hotel guest use only; and
- swimming pool for hotel guest use only.

The question before the Agency is not to determine the merits or impacts of the proposed project but to determine if the project does or does not exceed the 105 vehicle trips per day per acre standard as required by Section 4.40 of Ordinance 78-5.

Existing Condition

The existing Racquet Club contains the following:

- public restaurant seating about 50 persons (1,000 sq. ft.) serving breakfast, lunch and dinner;
- public cocktail lounge and bar of about 1,000 sq. ft.;
- eight condominium units;

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Traffic Impact Determination
Lake Tahoe Resort and Racquet Club
page two

- eighteen hotel rooms;
- fourteen "cottage" rental units;
- twenty-seven tennis courts available for public use;
- Chamber of Commerce office containing about 200 sq. ft.; and
- tennis pro shop.

The 13.33 acre portion of this site generates 512 vehicle trips on a maximum day according to the analysis submitted by the applicant.

Analysis

The Arizona Department of Transportation Trip Generation Intensity Factor report indicates a 212 room hotel should generate between 1,102 vehicle trips and 1,526 vehicle trips per day, depending on the location and accessory facilities of the complex. The applicant estimates the proposed facility to generate 1,613 vehicle trips per day at 100% occupancy. A typical 212 room hotel located on a 13.33 acre site would generate 82.7 to 114.5 vehicle trips per day per acre. The applicant's analysis is as follows:

Maximum number of vehicle trips per day presently generated from the project site. 512

Maximum number of vehicle trips per day to be generated from project site upon completion of proposed construction, use, or activity. 1,613

Subtract 512 from 1,613 to determine additional number of maximum vehicle trips per day to be generated by proposed construction, use, or activity. 1,101

Number of average vehicle trips per day to be reduced due to mitigation measures. 282 possible

Subtract 292 from 1,101 to determine net number of average vehicle trips per day to be generated by proposed construction, use, or activity. 819

Size of project in acres: 13.33

Divide 819 by 13.33 to determine additional number of average vehicle trips per day per acre to be generated. 61.44

Although staff cannot conclude the 212 room hotel complex is a minor generator of traffic, the analysis indicates that the large size of the site and the established trip generation

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Traffic Impact Determination
Lake Tahoe Resort and Racquet Club
page three

figure for the existing facilities permit the additional vehicle trips per day per acre to
fall below the 105 standard. It should be noted that the mitigation of 282 vehicle trips
per day by increasing the number of guests without cars to 50% via a bus system is
not necessary to achieve the 105 standard.

Local Agency Action

On October 27, 1978, the Washoe County Building Department found the project to be
in compliance with TRPA Ordinance 78-5.

Recommendation

Agency staff recommends that the Governing Body find, as required by Section 4.40
of Ordinance 78-5, that the proposed project will not generate an additional number of
average vehicle trips per day per acre in excess of 105.

11/21/78
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Traffic Impact Determination
Harrah's Tahoe
Parking Garage Structure
Douglas County

Description of Application

The applicant, Harrah's Tahoe, is requesting that the Agency Governing Board find, as required under Section 4.40 of Ordinance 78-5, that the project application for a proposed parking garage is in compliance with Section 3.10 of said ordinance. In order to make the required finding of compliance, the Governing Board must conclude that the parking garage application will not result in the creation of more than 105 additional vehicle trips per day per acre being generated from the land area included in the development proposal. If the Governing Board makes the required finding of compliance, the total project can be heard on its merits at the December meeting.

If the Governing Board determines that the parking garage application is not in compliance with Section 3.10, the application is deemed denied without prejudice. However, due to the expiration of Ordinance 78-5 on January 1, 1979, even if the Board makes a finding of non-compliance, the total project could be heard in January. If the Governing Board fails to find the parking garage application in compliance with Section 3.10, due to a lack of dual majority the application is deemed to be in compliance. An application is not deemed to be complete for purposes of the 60 day time limit in which the Agency must take action until the Governing Board has found that the application is in compliance with Section 3.10.

Description of Project

Harrah's Tahoe proposes to construct a multi-story parking garage designed to contain 3,572 parking spaces for use by the guests of the hotel and casino. The garage structure is to contain 7 levels of parking: three levels below grade, one level at grade, and three levels rising above grade. The average height of the garage structure is to be 40 feet, measured from the finished grade. The proposed structure, the footprint of which covers approximately 3.5 acres, is to be located easterly of the existing hotel casino in an area that presently contains 1,179 open surface paved parking spaces (see attachment #1).

Access to the main hotel casino area is to be provided from the proposed parking garage by way of two subterranean pedestrian walkways terminating at elevator lobbies located on the northwesterly side of the garage. Seven elevators are to be incorporated into the garage facility to provide direct access to each level of the garage.

Application of the Standard

The Harrah's Tahoe parking garage application includes a total of 26.42 acres consisting of 21.03 acres of Tourist Commercial, 2.23 acres of General Commercial and 3.16 acres of High Density Residential. Application of the 105 vehicle trips per day per acre standard established under Section 3.10 of Ordinance 78-5 to the 26.42 acres of the subject application reveals that the proposed parking garage could generate up to 2,774 additional vehicle trips per day and still be found to be in compliance with Section 3.10.

11/22/78
Existing Parking Accommodation

There are presently a total of 2,491 parking spaces on the Harrah's Tahoe property. The 2,491 parking spaces include approximately 730 spaces in an existing 6-story parking garage located between the main hotel casino and Harrah's north casino.

The applicant estimates that approximately 600 parking spaces are presently required for employees, executives and company vehicles, and an additional 310 spaces of the existing spaces are reserved for the occupants of the 500 existing hotel rooms.

Proposed Parking Accommodation

If the proposed parking garage is approved and constructed, there will be a total of 4,884 parking spaces on the Harrah's Tahoe property. Approximately 1,179 existing parking spaces will be lost due to the proposed location of the garage over existing parking and the additional removal of approximately 4 acres of existing open surface parking as required under the Land Use Ordinance. The increase to 4,884 parking spaces, or 2,393 additional spaces, represents a 97% increase over the existing 2,491 parking spaces presently on the Harrah's Tahoe property.

Issue

The major issue arising out of the proposal by Harrah's Tahoe to construct a new parking garage and the required determination of compliance with Section 3.10 is whether or not the provision of 2,393 additional parking spaces on the Harrah's Tahoe property will result in the creation of additional vehicle trips into the south casino core or will merely accommodate an existing unmet demand for parking.

Analysis by Agency staff concludes that the provision of additional parking spaces on the Harrah's Tahoe property could indirectly result in the generation of additional vehicle trips under the following circumstances:

1. The additional parking spaces will result in parking becoming more convenient which could cause some existing non-automobile trips, i.e. walk and bus trips, to be converted to additional vehicle trips;

2. The additional parking spaces could encourage Harrah's Tahoe to continue, if not accelerate, its apparent ongoing program which has been documented since 1971 to increase the square footage of existing building floor space devoted to gaming activities and the number of casino games and slot machines;

3. The more convenient accommodation of the automobile resulting from the provision of additional parking spaces could encourage additional vehicle trips by individuals who presently avoid the south shore casino core area due to the difficulty of finding a suitable parking space.

11/22/78
Applicant's Position

The applicant contends that additional parking accommodation is necessary to satisfy the legal parking requirements of the Douglas County Code and is also necessary to provide safe and efficient parking for the number of vehicles presently seeking to park on the Harrah's Tahoe property during an average summer day. According to the applicant, although there are only approximately 2,100 parking spaces presently available for use by the general public, by actual count on June 17, 1978 there were almost 2,700 parked and moving vehicles in the Harrah's lot. On summer Saturdays and holidays, Harrah's parking officials report that the existing garage and lot are completely filled by early or midafternoon, resulting in hundreds of cars either circulating through the parking lot waiting for someone to vacate a parking space or having to park along nearby city streets or in other parking lots in the vicinity, such as the one at the Crescent V shopping center.

With respect to the potential of some existing walk trips being converted to new vehicle trips, the applicant has evaluated pertinent information derived from the 1974 Hotel/Motel Survey and has concluded that a maximum of 1,012 additional vehicle trips could be generated from people who presently walk.

Parking Requirement Per Douglas County Code

Under Section 18.48.040 of the County Code, Douglas County has established parking requirements which they apply to hotel casino applications. However, it appears that the County staff in determining the number of parking spaces required for the existing Harrah's Tahoe facilities utilized a different interpretation of the standards than in July of 1978 when the staff recommended approval of an occupancy permit for the Park Tahoe.

Under the more constrained interpretation, which was used to determine the required parking for the Park Tahoe, the County staff considered only that floor area clearly devoted to casino, restaurant and bar uses to fit under the classification of restaurants, taverns, clubs, etc., and therefore required 1 parking space per 100 square feet. Under the more expansive interpretation that was used to determine the requirement for Harrah's Tahoe, the County staff considered all the building floor area that did not fit under the classifications of hotel rooms, convention facilities, showrooms or offices as fitting under the classification of restaurant, taverns, clubs, etc., and therefore required 1 parking space per 100 square feet. This more expansive application of the County parking requirements results in areas devoted to uses such as freezer storage, dishwashing and even unassigned space being subject to the 1 parking space per 100 square foot standard.

If the more constrained interpretation were applied to the Harrah's Tahoe facility, the total parking requirement would be only approximately 2,100 parking spaces, which is approximately 2,800 spaces less than required under the more expansive interpretation.

11/22/78
Parking Demand

At the request of the Agency staff, the applicant performed a survey on September 9, 1978 in order to arrive at a more accurate determination of the number of parking spaces required for the existing Harrah's Tahoe hotel casino complex. The survey identified the number of vehicles utilizing the Harrah's parking facilities during the peak eight hour period on the 9th of September. Vehicles utilizing the parking facility included vehicles parked or circulating as determined by a physical count. The number obtained from the physical count was multiplied by a conversion factor to arrive at a peak day figure. The resultant figure of 8,059 vehicles was then used as the basis of further analysis to conclude that for the 30th highest peak period 4,911 parking spaces would be required for the present Harrah's Tahoe complex.

Agency staff suspects that the number of required parking spaces determined by the applicant's survey and analysis could be significantly high for the reason that no consideration was given to the significant number of vehicles that drive through the Harrah's parking lot, by way of Van Sickle Road, to avoid the traffic congestion on U.S. Highway 50. Actual traffic counts reveal that approximately 14,000 vehicles per day utilize Van Sickle Road. The applicant acknowledges that a significant number of these vehicles actually utilize the Harrah's parking lot to bypass U.S. Highway 50 congestion. Therefore, a significant number of the projected 8,059 vehicles identified by the applicant as utilizing the parking lot may not have been seeking a parking space and therefore should not have been considered in the parking demand calculations.

Positions of Other Agencies

The Nevada Highway Department is of the general opinion that the proposed parking garage will not directly generate additional vehicle trips in the south casino core area. Based on review of the 1974 Tahoe Regional Transportation Study data, the Department has concluded that in 1974 there was a significant demand for parking that was not being met. However, the Department informed the Agency staff that it cannot arrive at an estimate of the number of parking spaces required for the existing Harrah's Tahoe facility.

The correspondence from Caltrans indicates that its major concern is that the provision of more convenient parking will encourage people who presently walk or ride buses into the casino core area to rely on their automobile as the most appealing means of transportation in this area. Caltrans suggests that the current limitation on parking in the core area acts to suppress automobile trips under peak conditions.

The California Tahoe Regional Planning Agency contends that, based on its calculations relative to the vehicle trips generated from each existing parking space during a peak 24-hour period, each additional parking space provided has the potential to generate approximately 6.4 vehicle trips per day. The applicant has acknowledged that under certain circumstances the parking garage will be fully occupied. CTRPA calculated that under these circumstances the 2,300 additional spaces could generate as many as 14,720 additional vehicle trips per day. Based on the total acreage of the application which is 26.42 acres, the proposed parking garage could generate 557 additional vehicle trips per day per acre using the CTRPA figures.
Application of TRTS Data

Under Section 3.10 of Ordinance 78-5, it states that "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" (TRTS).

Agency staff has developed the following calculations based on data derived from TRTS and data contained in the applicant's Information Report to arrive at a number of additional vehicle trips that can be compared to the standard of 105.

Don Pray of the Nevada Highway Department, in a letter to the Agency dated October 24, 1978, indicated that based on TRTS data he estimated that in 1974 the combined facilities of Harrah's and Barney's generated a peak demand for approximately 3,500 parking spaces. Don Pray prefaced his calculations with an indication that for many reasons, including the necessity to expand the TRTS Average Daily Traffic figures to peak hourly figures, the conclusions should only be considered as estimates.

In 1974, Harrah's had approximately 41,500 sq. ft. of gaming floor area and 250 hotel rooms. In 1974, Barney's had approximately 10,500 sq. ft. of gaming floor area. The total gaming floor area in 1974 within the two facilities was 52,000 sq. ft. These figures establish a ratio of approximately 67 spaces required on a peak day per 1,000 sq. ft. of gaming area.

Presently Harrah's contains approximately 65,000 sq. ft. of gaming area and Barney's 10,500 sq. ft. for a total of 75,500 sq. ft. Using the factor of 67 developed above, the present 75,500 sq. ft. of gaming area should, on a peak day, require approximately 5,000 parking spaces. Using the applicant's factor of 84% for determining the parking requirement for the 30th highest hour, the number of spaces required could be approximately 4,200.

In comparison with the applicant's determination that 4,911 spaces are required for the 30th highest hour, staff's figures show that the applicant is proposing approximately 700 more spaces than required for the present demand as calculated using TRTS data. Using the applicant's more conservative figure for the turnover rate per parking space of 2.4 vehicles per peak 24-hour period and converting that figure to 4.8 vehicle trips per space during a peak 24-hour period, Agency staff calculations suggest that the proposed parking garage could, when totally occupied, generate an additional 3,360 vehicle trips per day.

Agency staff does not consider the figures derived from these calculations to be precise but does consider them to suggest that during an average summer day the proposed parking garage could result in the generation of more than 2,774 additional vehicle trips.
Staff Conclusions

Based on all the information and analyses received relative to the subject application and the contents of the staff’s report entitled "Analysis of Potential Parking Expansion South Lake Tahoe Gaming Core Area", the staff has reached the following conclusions:

1. During periods of peak conditions, there is a demand generated by the existing Harrah's Tahoe hotel casino complex for more parking spaces than presently exist on the Harrah's Tahoe property.

2. The inadequate parking supply problem on the Harrah's Tahoe property has been aggravated due to the substantial expansion since 1974 of the gaming floor area and the increased number of games and machines that has occurred within the existing buildings on the Harrah's Tahoe property.

3. Based on the best available data and analysis by the applicant, the maximum number of additional vehicle trips that could result due to the conversion of walk trips to vehicle trips is 1,012.

4. The conclusion reached by the applicant, based on the parking lot survey taken on September 9, 1978, that the parking demand for Harrah's Tahoe is 4,911 spaces may be significantly high due to the failure to account for the significant number of vehicles that utilize the Harrah's parking lot to avoid congestion on U.S. Highway 50.

5. The proposed parking garage is likely to be fully occupied under certain circumstances based on the representations made by the applicant and the contention that the garage is designed to satisfy an existing demand.

6. Calculations developed by Agency staff, based on the best available data from TRTS and information provided by the applicant, suggests that the proposed parking garage could indirectly result in the creation of more than 2,774 additional vehicle trips per day or more than 105 additional vehicle trips per day per acre.

Recommendation

Agency staff recommends that based on the following considerations the Governing Board find that the subject application is not in compliance with Section 3.10 of Ordinance 78-5 and is therefore denied without prejudice:

1. the evidence contained in the staff report entitled "Analysis of Potential Parking Expansion South Lake Tahoe Gaming Core Area", dated October, 1978;

2. the evidence and conclusions contained in this staff summary dated November 22, 1978; and

3. the evidence developed by Agency staff, using the TRTS data as prescribed in Ordinance 78-5, indicating that the subject parking garage application could indirectly result in the creation of more than 105 vehicle trips per day per acre.

Comment - If the Governing Board follows this recommendation, the total project could be considered on its merits as early as the January, 1979 Governing Board meeting.
Tahoe Regional Planning Agency
Staff Summary and Recommendation

Tantara Company
General Plan Amendment
Washoe County

Property Description and Location

The subject property consists of Lots 1, 3, 4 through 13 and 15 and Utilities Parcel C of Block D, Industrial Subdivision No. 2 and the land area within the right-of-way of North Enterprise, Incline Village, Nevada (see attachment #1). The subject property totals 4.29 acres in size, including the right-of-way of North Enterprise. On October 17, 1978, the Washoe County Commissioners approved the acquisition of North Enterprise by the Tantara Company. The Tantara Company requested the acquisition so that the land area within the right-of-way could be included in the density calculations.

The subject property is located west of Village Boulevard and north of Tanager Street in the commercial and light industrial core of Incline Village (see attachment #2).

Amendment Request

The subject property is presently classified General Commercial by the Agency and, until August 15, 1978 was zoned M-1 (Industrial) by Washoe County. On August 15, the Washoe County Commissioners approved a request by the Tantara Company to change the zoning to R-3 (Multiple Residential). County staff recommended approval of the zoning change based on the current need in Incline Village for lower income housing.

The applicant’s information report indicates that the amendment is being requested so that a 64 unit apartment complex can be constructed on the subject property to help satisfy the demand for lower income housing in Incline Village. North Enterprise is to be used to provide access to the proposed apartment complex but will continue to provide access to the lots north of North Enterprise over easements granted by the Tantara Company.

Land Capability

The subject property is in a level 7 land capability district which identifies lands that have high tolerance characteristics and few limitations that restrict use. The soils and land forms have slight erosion hazard and low runoff potential. The allowable impervious coverage, based on land capability, is 30 percent.

Staff Analysis Relative To:

1. Potential Land Coverage - Under the present General Commercial classification the maximum permitted land coverage on the subject property is 70 percent. Under the proposed High Density Residential classification, the maximum permitted land coverage will be 50 percent, since the total property consists of lots of record prior to February 10, 1972 that are each less than 2 acres in size (see attachment #1).

11/1/78
2. Potential Land Use - Under the present combination of the Agency's General Commercial use district and Washoe County zoning of Industrial, the uses allowed on the subject property are light industrial, limited commercial, and general commercial. Residential and motel units are presently not permitted under the combined zoning on the subject property. Under the proposed High Density Residential use district and Washoe County zoning of R-3 (Multiple Residential), the uses allowed on the subject property would be single family dwelling units at a density up to 15 dwelling units per acre, professional offices, cultural facilities, medical facilities, and other similar uses.

3. Surrounding Uses - Block D of the Incline Village Industrial Subdivision No. 2 is bordered on all sides by lots zoned for commercial and industrial uses. The two lots in closest proximity to the proposed apartment complex (Lots 2 and 14 of Block D) presently contain an automobile repair shop and a veterinarian hospital. The lots surrounding Block D also contain a mixture of commercial and light industrial uses including a contractor's yard, two real estate offices, a doctor's office, small retail commercial shops, and a second veterinarian hospital.

In the immediate vicinity of the subject property, there are multiple apartment units to the southwest and condominium units to the west (see attachment #1).

Agency staff concludes that through proper design the living environments within the apartment complex can be adequately buffered from the nearby commercial and light industrial environments.

4. Housing Needs - Data developed by Agency staff using a "Modified Same Share Model"* to determine the "fair share" responsibility of Placer and Washoe Counties to provide adequate housing for all income groups indicates that relative to the Northshore market area Incline Village provides less than its proportionate share of lower income housing. The "Modified Same Share Model" shows that, as of 1974, Incline Village was 230 units short of meeting its "fair share" responsibilities for lower income housing and 132 units short for very low income housing.

The requested General Plan amendment and proposed development of the subject property into a 64 unit apartment complex will assist Incline Village in meeting its "fair share" responsibilities for lower income housing.

5. Commercial and Light Industrial Needs - The requested General Plan amendment, if approved, will eliminate 13 existing lots that could be developed into commercial and light industrial uses. Data developed by the Dornbusch Analysis of various growth alternatives for the Tahoe Basin projects that under growth alternate 3, which would permit only buildout within existing urban areas, in 1985 Incline Village will need 443,000 sq. ft. of commercial floor space and in 1995, 516,000 sq. ft. It is estimated that presently there is a potential for 465,000 sq. ft. of

* contained in the recommended Housing Element of the updated General Plan

11/1/78
commercial floor space within the General Commercial districts in Incline Village and an additional 190,000 sq. ft. within the Tourist Commercial districts. Therefore, in Incline Village, the projected demand for commercial floor space in 1995 is 516,000 sq. ft. and within present General Commercial and Tourist Commercial use districts in Incline Village there is a potential for 655,000 sq. ft. Agency staff concludes that the requested reclassification of the subject 13 lots to High Density Residential will not result in a future shortage of land in Incline Village zoned for commercial and industrial uses.

6. Market Influences - The supply of land available for commercial and light industrial uses is readily influenced through the private sector by demand; however, it's extremely difficult for the private sector to increase the supply of lower income housing units to satisfy demand. Inherent high land and construction costs have made it extremely difficult for the private sector to respond to the lower income housing needs in most communities.

7. General Plan Update - Agency staff has recommended to the Governing Board that to assure adequate provision of lower income housing units within each community in the Basin regulations restricting residential development on certain property, to apartments be applied by prohibiting the processing of tentative maps. The subject General Plan amendment which will permit the development of the proposed apartment complex will lessen the extent that the recommended regulations need be applied in Incline Village.

8. Traffic - Presently many service employees are forced to commute from Tahoe Vista and Kings Beach to Incline Village because of the shortage of lower income housing in Incline. These commuter trips occur on a portion of State Highway 28 between North Stateline and Incline Village that is frequently subjected to traffic volumes in excess of its design capacity. Provision of additional lower income housing units in Incline will lessen the number of commuter trips over State Highway 28.

9. Public Services - Based on available information, a comparative analysis indicates that the requested General Plan amendment would not result in a significantly greater demand for general public services.

Recommendation

Agency staff recommends that based on the following findings the General Plan amendment be approved:

1. The reclassification of the subject property to High Density Residential will allow a proposed apartment complex that has the potential to help satisfy a present need in Incline Village for lower income housing.
2. Evidence indicates that the loss of commercial and industrial zoning on 13 lots in the core area of Incline Village will not result in an insufficient amount of land zoned for commercial and industrial uses in Incline Village in the future.

3. The subject property is suitable for a lower income housing development because it is physically located within direct proximity to the major employment and commercial service center of Incline Village.

4. The subject property is located within a low hazard land capability district, and the General Plan amendment will result in a lesser amount of permitted land coverage.

5. Evidence indicates that the General Plan amendment will not result in a significantly greater demand for public services.

6. The General Plan amendment will not result in a threat to the safety or welfare of the general public.

7. The General Plan amendment will not result in harm to property and improvements in the neighborhood or of substantial harmful environmental consequences.

Advisory Planning Commission Action

At a public hearing held on November 8, 1978, the APC, with one abstaining vote from the Lahontan representative, voted to approve the staff recommendation to reclassify the property to High Density Residential.

11/1/78
**LEGEND**

- Subject Property
- Existing Land Use
- Vacant
- Developed

**Land Use Type**

1. Veterinarian Hospital
2. Automobile Repair Shop
3. Contractor Storage Yard
4. General Professional Offices
5. Retail Commercial
6. Service Station
7. Condominiums
8. Apartments
9. Restaurant - Bar
10. Car Wash
11. IVGID Offices
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATIONS

Findings Relative to Permitted Land Coverages
Douglas County Administrative Center

Matter for Consideration

This agenda item is not in response to a project application, but as an inquiry of the Board as to the direction Douglas County should take in attempting to gain a new County Administrative Center and corresponding adequate coverage. The three directions involve consideration of:

A) Findings relative to Regional Public Facility, Section 8.24 Land Use Ordinance - Administrative Center;

B) Land Use Ordinance Amendment allowing up to 50% coverage on parcels classified Public Service (PS);

C) Findings relative to Regional Public Facility - Roads, Findings relative to Local Public Roads

The County would like to explore all three alternatives with the Board in order to determine which of the three courses to pursue and if one of the directions appears approvable. The County is currently in budget deliberations and needs to determine if the proposed site for the Administrative Center is feasible and therefore, if the County can proceed with budget allocations. It must be noted that review of the adequacy of the specific site and design of the project will take place in the General Plan Amendment and Project Review process.

Background

Douglas County is examining the possibility of a new County Administrative Center for the Tahoe Basin portion of the County. The County has expressed a need for the new, larger center since their current facilities at Zephyr Cove lack office space and adequate parking.

The present center houses the Justice Court, Sheriff's Office, Jail, Work Card Office, District Attorney's Office, and Juvenile Probation. The existing center also housed the Building Department until recently, when overcrowding caused the Building Department to be moved into the upstairs of the adjacent Fire Department. Parking is also inadequate as can be seen whenever court sessions are held. Automobiles park on the highway and up into the adjoining forested areas. The existing County Center is approximately 10,000 square feet of office space with 12,000 square feet of parking.

Proposed Location

The County has been donated two parcels of land by the Granite Springs Subdivision specifically for the County Administrative Center. These two parcels were a part of the Granite Springs Subdivision which was approved in June 1978 by TRPA. The subject property is approximately one-half mile east of the junction of U.S. Highway 50 and Kingsbury Grade (see attachment #1). The two parcels, Lots A and B, are 2.38 acres and 1.02 acres in size respectively.
Land Capability

The Granite Springs Subdivision land capability analysis identified four separate land capability districts on Lot A and two districts on Lot B. Lot A is comprised of land capability levels 2, 3, 4 and 5. Lot B is comprised of land capability levels 3 and 5 (see attachment #2).

The underlying capability districts would have permitted 11,436 square feet of land coverage on Lot A and 7,060 square feet on Lot B. However, much of the original land coverage permitted on Lots A and B under the applicable land capability districts was allocated to the 57 lots contained in the subdivision at the applicants request and with Governing Board approval. The subdivision approval of June 1978 left only 1,562 square feet allowable coverage on Lot A, and 1,000 square feet allowable coverage on Lot B.

At the time of the Granite Springs Subdivision review and approval, the Granite Springs representative stated that Lot A would be dedicated to Douglas County and that the County was exempt from land coverage constraints under Section 8.24 of the Land Use Ordinance. Lot B's future, at that time, was uncertain. Staff did not concur with the removal of coverage off Lots A and B and with the applicant's interpretation of Section 8.24. This was one of the reasons staff recommended denial of the Granite Springs Subdivision.

Land Use Classification

The Granite Springs Subdivision, including Lots A and B, is zoned Low Density Residential (LDR). A County Administrative Center, with Police Facilities, would necessitate a Public Service (PS) zoning if it was to include Police Facilities, which it is. The County is prepared to request a General Plan Amendment. It should be noted that the County Center could be placed in other Land Use Districts (i.e., Tourist Commercial) if the Jail and Police Facility was not included.

County Alternative Actions

Douglas County is proposing a County Administrative Center of approximately 60,000 square feet including parking. The County would prefer the two Granite Springs lots for the site, since they were donated, are situated on Kingsbury Grade, and have adequate access. However, as noted previously, the majority of land coverage available on the two lots was allocated for lots elsewhere in the subdivision.

It should, also, be noted that the applicant for Granite Springs could have sought land coverage for the additional subdivision lots under coverage allowances for local public roads, but elected not to do so, since that would have required a month's delay due to the timing of the "local public road" ordinance adoption.

The County feels that it is not strictly tied to land capability and corresponding coverages under Section 8.24 of the Land Use Ordinance, Application of Certain Roads, Utilities and Other Public Facilities. The County would like to explore with the Board the possibility of land capability overrides based on this section due to the County Administrative Center being a "Public Facility." At the same time the County and Agency staff would like to explore two other alternative actions each of which could allow the County additional coverage for the Center.
Below is a discussion of the three alternatives and staff's recommendation on each:

A) FINDINGS RELATIVE TO REGIONAL PUBLIC FACILITY, Section 8.24 Land Use Ordinance - County Administrative Center.

The County is proposing that Section 8.24 of the Land Use Ordinance, provides that "limitations on land coverage...shall not include certain regional public facilities." The County notes that Section 8.23 of the Land Use Ordinance, Calculation of Amount of Permissible Land Coverage states additionally that:

"The amount of permissible land coverage shall include land coverage previously authorized in connection with, or carried out within, the area designated, except that land coverage associated with regional public facilities such as regional roads and sewers that are or will be constructed or administered by public agencies and which primarily serve the needs of persons other than those who are, or will be, residents of the lands in question, or customers of the owners or users of such lands, shall be excluded from the calculation..."

Therefore, the County feels that a County Administrative Center is a regional public facility and excluded from land coverage constraints.

Staff Recommendation

Under Section 8.23 and 8.24 of the Land Use Ordinance, certain roads have been designated regional facilities and have not been counted as coverage against the related project. However, while the El Dorado County Administrative Center designated in 1973 was felt by the Board to be a regional public facility, it was not totally exempted from land coverage constraints. The initial plans for the center called for 47% coverage. The Board approved the center, but required a reduction in the parking which ultimately brought the coverage into closer conformance with capability limitations. It appeared that while the Board felt the County Center was a regional public facility, it should not be totally exempt. One member (on the tape) felt that a land coverage exemption was similar to saying to the private developer "do as I say, not as I do."

Staff is not opposed to an override to the land coverage limitations for public facilities. However, such an override would be dependent on a specific plan taking into consideration land capability and designing the project appropriately. This would have to be done on a project by project basis, with no real guidelines for the County to follow in developing its plan. For this reason staff would prefer to develop an alternative which would be more consistent from facility to facility. Therefore, while staff would be receptive to a land capability override, staff would prefer that Douglas County and the Board consider instead the following alternative:

B) LAND USE ORDINANCE AMENDMENT ALLOWING UP TO 50% COVERAGE ON PUBLIC SERVICE (PS) PARCELS.

If the Board does not concur with the general land capability override for Regional Public Facilities, the County representative, Ken Kjer, has stated that he would like to pursue, on behalf of the County, the possibility of
allowing up to 50% coverage on all Public Service parcels. The County feels that Public Service should have the same consideration at Tourist Commercial, General Commercial, or High Density Residential, which do receive some coverage overrides under the land use ordinance.

Staff Recommendation

Staff agrees that there has been a problem of equity regarding Public Service parcels, and that the private sector is in fact realizing a benefit which the public sector is not, since uses of comparable intensity are not granted comparable coverage allowances. There is also an element of public benefit which should be considered as land costs are a major budget item, yet without land coverage allowances, additional land must be acquired for the facilities which in turn is costly to the general public. Also, this would supply a guideline to the County as to maximum coverage.

For the above reasons, staff would support a land use ordinance amendment to allow up to 50% land capability on Public Service parcels. The specific amount of coverage would be determined by the Governing Board, based on the land's physical capability and appropriate project design considerations.

C) FINDINGS RELATIVE TO REGIONAL PUBLIC FACILITY - ROADS, FINDINGS RELATIVE TO LOCAL PUBLIC ROADS

The third alternative the County would like to review is the possibility of regional and local road designations which would offer the County additional land coverage.

As can be seen on attachment #1, Pyrite Drive and Cypress Lane do provide access to other parcels. The County is proposing that Pyrite Drive (renamed Meadow Lane) from Kingsbury Grade up to the intersection with Cypress be designated a Regional Public Facility and that Cypress Lane be designated a Regional Public Facility on grounds that they will service the Administrative Center. The County proposed to apply this 100% coverage discount for the roads to parcels A and B. The County proposes that the remainder of Pyrite Drive is a local public road and qualifies for 50% coverage discount, also, to be applied to Lots A and B. There was a turn-around proposed in the Granite Springs Subdivision which was to be at the end of Pyrite Drive. This turn-around was not built and the County is proposing that the unused coverage also would be included in the local public road and allocated to Parcel A and B.

Below is a listing of possible coverage from the regional and local road designations, as proposed by the County. It must be noted, of course, that the land capability of local road designations and therefore, land capability credit must be replaced on corresponding land capability. The JeD soil type and capability must be replaced on the JeD portion of parcels A or B. JeB soil type and capability must be replaced on the JeB portion of Parcels A or B, and so on.

<table>
<thead>
<tr>
<th>COUNTY PROPOSAL</th>
<th>Coverage Area</th>
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<tbody>
<tr>
<td>Parcel A remaining coverage</td>
<td>1,562 sq. ft.</td>
</tr>
<tr>
<td>Parcel B remaining coverage</td>
<td>1,000 sq. ft.</td>
</tr>
<tr>
<td>Pyrite Drive turn-around (50% Discount)</td>
<td>1,552 sq. ft.</td>
</tr>
<tr>
<td>Pyrite Drive Regional Road</td>
<td>6,500 sq. ft.</td>
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<tr>
<td>Pyrite Drive Local Road (50% Discount)</td>
<td>9,185 sq. ft.</td>
</tr>
<tr>
<td>Cypress Lane Regional Road</td>
<td>8,360 sq. ft.</td>
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<td></td>
<td>28,159 sq. ft.</td>
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Again, it would be extremely difficult to design the County facility around the land capability lines and transferring the credits to corresponding land capabilities. Also, by following this alternative, the County would be allowed at most only 28,159 square feet coverage.

Staff Recommendation

Staff disagrees with the County's proposal in that staff feels Regional Public Facilities - Roads are excluded from a subdivision's total coverage but cannot be assigned as a credit to other areas. In order to obtain additional land coverage from the Regional Road, the entire subdivision coverage would need to be recalculated. Also, staff would find it difficult to concur with designating Pyrite and Cypress Regional Public Facilities. Therefore, the appropriate calculation of coverage could be substantially less than originally outlined by the County.

Since the County's proposed Regional and Local Road designations do not allow the necessary coverage to build the proposed center, staff would again like to recommend Alternative B, which would allow the County up to 50% land capability on Public Service parcels.

Summary Recommendation

As stated previously, staff is not opposed to Alternative A, an override to the land capability system for Public Facilities. However, due to the lack of criteria for establishing overrides and the project by project basis of analysis, staff would prefer the Board accept Alternative B. Alternative B gives local government a guideline as to maximum coverage as well as being equitable with private coverage allowances while providing a public benefit.

If the Board accepts Alternative B, Douglas County will need to request an Amendment to the Land Use Ordinance and a public hearing before the TRPA Advisory Planning Commission in December. The Amendment could then be placed on the TRPA Governing Board Agenda for consideration and a possible first reading in December. The County would also need to request a General Plan Amendment on Lots A and B to change the zoning from Low Density Residential (LDR) to Public Service (PS). If the amendment is approved, the first reading of the Ordinance could also be considered at the same meeting. A General Plan Amendment is effective upon second reading. An Amendment to the Land Use Ordinance, however, is not effective until sixty days after the second reading. At that time, a project could be reviewed by the Agency.

If the Board accepts Alternative A, an override could be included in the project review phase. The County would need to request a General Plan Amendment and follow generally the same steps listed above.

Again, staff recommends that the Board accept Alternative B.
TAHOE REGIONAL PLANNING AGENCY

MEMORANDUM

DATE: November 22, 1978

TO: Governing Board

FROM: Staff

SUBJECT: Nonattainment Plan

Included in the Ordinance Section of this month's packet is the first product of the nonattainment planning process, an indirect source review regulation. We hope to have for your consideration at the November 29-30 meeting the recommendations from the Ad Hoc Air Quality Committee for additional control strategies to be included in the preliminary submittal to the State of Nevada and to be subject to hearing at the December APC and Governing Board meetings. The Ad Hoc Committee will not be meeting to formulate such recommendations until Monday, November 27, and hence, their recommendation is not available for this mailing.
TAHOE REGIONAL PLANNING AGENCY

MEMORANDUM

DATE: November 22, 1978

TO: The Governing Board

FROM: The Staff

SUBJECT: General Plan Update

Since the last meeting, Jim Jordan and Tom Jacob have met with the Department of Housing and Urban Development officials in San Francisco concerning progress on the General Plan Update. Staff's discussion with HUD highlighted the items that have been under consideration by the Governing Board and the action that the Board took at the October 25 meeting. Staff also discussed a number of issues such as Compact changes, transit analysis and the proposals of the Federal Western Regional Council which impact on further steps in relationship to the material proposed in the General Plan Update. It was mutually agreed upon that these issues, which have changed since the outlining of the work program and the work performed on the General Plan Update this year, may necessitate changing our original work proposal. Changes were discussed and conceptually agreed upon, and the staff will be prepared to discuss these with the Board.

After the meeting with HUD, Jim Jordan met with the Forest Service, the EPA and the Council on Environmental Quality to discuss a proposal by the Federal agencies concerning their carrying out a threshold/carrying capacity analysis as a basis for implementing the adopted Federal Western Regional Council policy for Lake Tahoe. In addition, the Transit Steering Committee has also met and has made an affirmative commitment to proceed with initiating a transit analysis along the Highway 50 corridor in South Lake Tahoe. The results of these two sessions also bear on the conduct of the General Plan Update process during this fiscal year and their impact will be discussed in light of actions on the General Plan.
MEMORANDUM

DATE: 11/20/78

TO: TRPA Governing Board

FROM: Agency Staff

SUBJECT: Adoption of Revised FY 78/79 Overall Work Program and Budget

A summary of the Revised Overall Work Program and Budget is attached, which reflects the Fiscal Year 1978/79 work effort in light of actual funding amounts available to the Agency. The Department of Housing and Urban Development (HUD) awarded this year's HUD grant of $70,000 with the condition that, until HUD reviews and approves a revised overall work program and budget, the Agency cannot requisition over $17,000 of the grant. Staff requests that the Governing Board adopt the attached Revised Overall Work Program Summary and Budget and direct staff to forward copies to HUD with "boilerplate" attached, to comply with the above condition.

For your information, the Preliminary Overall Work Program and Budget that HUD based its award on was adopted by the Governing Board on October 27, 1977.

Staff shall be prepared to answer any questions the Governing Board may have regarding the work program and budget at the meeting this month.

Copies of the "boilerplate" of the Revised Overall Work Program and Budget shall be available to the Governing Board next month. Staff shall also present the Fiscal Year 1979/80 Preliminary Overall Work Program and Budget at that time.
<table>
<thead>
<tr>
<th>Program Subcategory</th>
<th>Cost</th>
<th>% Staff Effort</th>
<th>Person Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>11/20/78</td>
<td>$127,775</td>
<td>39 %</td>
<td>64</td>
</tr>
<tr>
<td>Revenue</td>
<td>Total Budget</td>
<td>Regulatory Review Division</td>
<td>Planning Division</td>
</tr>
<tr>
<td>-------------------------</td>
<td>--------------</td>
<td>----------------------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>REVENUE:</td>
<td></td>
<td>100 &amp; 200</td>
<td>300 &amp; 400</td>
</tr>
<tr>
<td>State of Nevada</td>
<td>$ 37,500</td>
<td>$ 176,483</td>
<td>$ 36,432</td>
</tr>
<tr>
<td>Carson City</td>
<td>1,010</td>
<td>7,015</td>
<td>-</td>
</tr>
<tr>
<td>Douglas County</td>
<td>25,470</td>
<td>66,671</td>
<td>11,000</td>
</tr>
<tr>
<td>El Dorado County</td>
<td>62,505</td>
<td>28,935</td>
<td>346</td>
</tr>
<tr>
<td>Placer County</td>
<td>38,024</td>
<td>23,489</td>
<td>-</td>
</tr>
<tr>
<td>Washoe County</td>
<td>23,994</td>
<td>6,345</td>
<td>6,345</td>
</tr>
<tr>
<td>Filing Fee Income</td>
<td>25,000</td>
<td>58,500</td>
<td>1,010</td>
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<tr>
<td>Investment Income</td>
<td>7,000</td>
<td>-</td>
<td>7,015</td>
</tr>
<tr>
<td>Sales/Printed Matter</td>
<td>1,200</td>
<td>176,483</td>
<td>17,576</td>
</tr>
<tr>
<td>SUBTOTAL</td>
<td>$ 221,703</td>
<td>$ 176,483</td>
<td>$ 36,432</td>
</tr>
<tr>
<td>Fund Balance 7/1/78</td>
<td>65,605</td>
<td>58,500</td>
<td>7,015</td>
</tr>
<tr>
<td>State of California</td>
<td>75,000</td>
<td>66,671</td>
<td>11,000</td>
</tr>
<tr>
<td>Air Quality Grant</td>
<td>11,000</td>
<td>28,935</td>
<td>346</td>
</tr>
<tr>
<td>HUD #1049 Grant</td>
<td>70,000</td>
<td>23,489</td>
<td>-</td>
</tr>
<tr>
<td>HUD #1035 Grant</td>
<td>346</td>
<td>6,345</td>
<td>6,345</td>
</tr>
<tr>
<td>C.E.T.A.</td>
<td>39,036</td>
<td>31,775</td>
<td>1,010</td>
</tr>
<tr>
<td>TOTAL REVENUE</td>
<td>$ 482,690</td>
<td>$ 362,364</td>
<td>$ 93,046</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Expenses</th>
<th></th>
<th>Regulatory Review Division</th>
<th>Planning Division</th>
<th>Executive Assignments</th>
</tr>
</thead>
<tbody>
<tr>
<td>EXPENSES:</td>
<td></td>
<td>100 &amp; 200</td>
<td>300 &amp; 400</td>
<td>503</td>
</tr>
<tr>
<td>Staff Salaries</td>
<td>$ 221,451</td>
<td>$ 146,416</td>
<td>$ 57,900</td>
<td>$ 17,135</td>
</tr>
<tr>
<td>Employee Benefits</td>
<td>27,621</td>
<td>18,011</td>
<td>7,562</td>
<td>2,048</td>
</tr>
<tr>
<td>Legal Notices</td>
<td>2,000</td>
<td>400</td>
<td>1,600</td>
<td>-</td>
</tr>
<tr>
<td>Repairs/Maintenance</td>
<td>1,260</td>
<td>763</td>
<td>430</td>
<td>67</td>
</tr>
<tr>
<td>Office Supplies</td>
<td>4,500</td>
<td>3,114</td>
<td>1,107</td>
<td>279</td>
</tr>
<tr>
<td>Publications</td>
<td>34</td>
<td>30</td>
<td>-</td>
<td>4</td>
</tr>
<tr>
<td>Communications</td>
<td>9,500</td>
<td>6,574</td>
<td>2,337</td>
<td>589</td>
</tr>
<tr>
<td>Postage</td>
<td>4,000</td>
<td>2,768</td>
<td>984</td>
<td>248</td>
</tr>
<tr>
<td>Travel Expenses</td>
<td>3,000</td>
<td>700</td>
<td>1,300</td>
<td>1,000</td>
</tr>
<tr>
<td>Auto Maintenance</td>
<td>2,000</td>
<td>1,584</td>
<td>492</td>
<td>124</td>
</tr>
<tr>
<td>Insurance</td>
<td>4,440</td>
<td>3,073</td>
<td>1,092</td>
<td>275</td>
</tr>
<tr>
<td>Building Expenses</td>
<td>50,000</td>
<td>34,600</td>
<td>12,500</td>
<td>3,100</td>
</tr>
<tr>
<td>Office Equipment Rent</td>
<td>5,205</td>
<td>4,189</td>
<td>804</td>
<td>212</td>
</tr>
<tr>
<td>Auditing Services</td>
<td>2,900</td>
<td>2,007</td>
<td>713</td>
<td>180</td>
</tr>
<tr>
<td>Consulting Services</td>
<td>1,000</td>
<td>-</td>
<td>1,000</td>
<td>-</td>
</tr>
<tr>
<td>Reproduction/Printing</td>
<td>3,000</td>
<td>2,466</td>
<td>422</td>
<td>112</td>
</tr>
<tr>
<td>Misc. Expenses</td>
<td>54</td>
<td>54</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Equipment Purchases</td>
<td>2,100</td>
<td>1,486</td>
<td>547</td>
<td>67</td>
</tr>
<tr>
<td>Contractual Labor</td>
<td>1,854</td>
<td>1,283</td>
<td>456</td>
<td>115</td>
</tr>
<tr>
<td>Legal Services</td>
<td>70,000</td>
<td>67,000</td>
<td>2,000</td>
<td>1,000</td>
</tr>
<tr>
<td>Inspection Fees</td>
<td>725</td>
<td>-</td>
<td>-</td>
<td>725</td>
</tr>
<tr>
<td>TOTAL EXPENSES</td>
<td>$ 416,644</td>
<td>$ 296,518</td>
<td>$ 93,046</td>
<td>$ 27,280</td>
</tr>
</tbody>
</table>

FUND BALANCE 6/30/79
$ 66,046 $ 66,046
TAHOE REGIONAL PLANNING AGENCY

MEMORANDUM

DATE: November 22, 1978

TO: The Governing Board

FROM: The Staff

SUBJECT: Employee Benefits

As a result of the recent discussions concerning this subject, Agency staff has been researching various employee benefit alternatives that could be considered in lieu of a staff cost of living salary increase. These generally fall into two categories, one which would require administrative changes within the Agency but would not result in any additional cost; the other would result in additional cost through increasing the benefit package provided to the employees.

In the first category, there are two actions which would be desirable and beneficial both to the Agency and to the staff. They are:

a. Agency offer membership in the El Dorado County Federal Credit Union; and

b. Agency offer optional "flex-time" work schedules (forty hour work week per staff member; office hours Monday through Friday, 8-5, open during lunch hours; staff members work either five 8-hour days/week, four 9-hour days and one 4-hour day/week, or four 10-hour days/week to be scheduled in advance; no more than one employee per designated staff level can be off at one time).

If there is no objection from the Board, staff will begin to implement these two alternatives effective December 1.

The second category consists of two actions, one relating to participation in the California Disability/Unemployment Insurance Program which we have not participated in in the past but which, under a change in statute, we may now be required to participate in as a matter of law; the other consists of increasing the health care benefit package provided to the employees.
Following is a description of the alternatives and an analysis of the relative cost to the Agency for the remainder of this fiscal year if initiated on December 1 and an allocation of total annual cost considering our existing salaries and staff complement.

Disability/Unemployment Insurance Program

<table>
<thead>
<tr>
<th>FY78/79 Cost*</th>
<th>Total Annual Cost*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agency enroll in California Disability/Unemployment Insurance Program (until recently TRPA has been exempt and therefore unable to participate in this program, which offers disability and unemployment benefits currently unavailable to Agency staff).</td>
<td>2.2%</td>
</tr>
</tbody>
</table>

Health Care Benefits

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Agency pay entire cost of present health insurance program (currently, the Agency pays entire dental insurance premium, but only 2/3 of life and medical insurance premiums).</td>
<td>.8%</td>
</tr>
<tr>
<td>b. Agency offer and pay entire cost of visioncare insurance.</td>
<td>.2%</td>
</tr>
<tr>
<td>c. Agency pay employee's health insurance deductible of up to $100 annually per employee.</td>
<td>.5% or less</td>
</tr>
<tr>
<td>d. Agency pay for annual staff physical examinations at the Woodland Clinic ($250 per person).</td>
<td>1.7%</td>
</tr>
</tbody>
</table>

Staff is attempting to determine the legal requirements for participation in the California Disability/Unemployment Insurance Program and will present the results of that determination at the time of the Board meeting. Staff will also be prepared to discuss the relative merits of the ideas under the health care benefits and an analysis of preference for all or part of the proposed package.

Attached please find an analysis of cost of living increases which have been granted to related agencies over the past three years as a basis for comparing the proposals set forth in this memorandum.

* Cost is shown as a percentage of total budgeted salaries of current staff members this fiscal year.
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>12.0</td>
<td>6.0%</td>
<td>-0-</td>
<td>6.0%</td>
</tr>
<tr>
<td>14.38%</td>
<td>7.05%</td>
<td>7.0</td>
<td>3.3</td>
</tr>
<tr>
<td>7.35</td>
<td>5.0</td>
<td>5.5</td>
<td>5.5</td>
</tr>
<tr>
<td>11.0</td>
<td>6.5</td>
<td>5.5</td>
<td>3.0</td>
</tr>
<tr>
<td>9.0</td>
<td>6.5</td>
<td>7.0</td>
<td>7.5</td>
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<tr>
<td>16.0</td>
<td>6.5</td>
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<td>6.75</td>
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<td>14.5</td>
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<td>13.75</td>
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<td>21.3</td>
<td>9.8</td>
<td>6.5</td>
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</tr>
<tr>
<td>14.6</td>
<td>5.0</td>
<td>4.6</td>
<td>5.0</td>
</tr>
<tr>
<td>13.72%</td>
<td>-0-</td>
<td>7.12%</td>
<td>6.6%</td>
</tr>
</tbody>
</table>

Note: The table shows the proposed decreases in purchasing power from June 1976 to June 1978 (measured by C.P.I.) and the proposed average increases in living costs for various regions and government agencies.
TAHOE REGIONAL PLANNING AGENCY
ORDINANCE NO. 78-

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 78 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 78 to accomplish
a change in the applicable land use districts, which paragraph shall read as
follows:

"78. All those portions of the southwest 1/4 of the southwest 1/4 of Section 24,
T13N, R18E, MDB&M, Douglas County, Nevada, described as follows: Beginning
at the northeast corner of the southwest 1/4 of the southwest 1/4 of Section 24,
being the True Point of Beginning, which corner bears the following two courses
from the southwest corner of said Section 24: North 00 degrees 17 minutes West,
1,310.03 feet and South 89 degrees 55 minutes 06 seconds East, 1,321.11 feet;
thence from said True Point of Beginning South 00 degrees 01 minutes 22 seconds
East along the eastern line of the southwest 1/4 of the southwest 1/4 a distance of
215.61 feet to a point on the northerly right-of-way line of Nevada State Highway
Route No. 19; thence along said northerly boundary of said Highway South 72
degrees 49 minutes 53 seconds West, 200.58 feet to the end of a curve at the right;
thence along said curve whose central angle is 12 degrees 46 minutes with a
radius of 1,040 feet, and arc length of 231.74 feet to the beginning of said curve
to the right; thence along a tangent to said curve South 60 degrees 03 minutes
53 seconds West, 103.89 feet to the eastern line of the parcel of land conveyed
to Clarence F. Woodin et ux, recorded in Book 8, Page 710 Official Records of
Douglas County, State of Nevada; thence leaving said northerly boundary of said
Highway North 00 degrees 07 minutes East, 420.45 feet along said eastern boundary
to a point on the north line of said southwest 1/4 of the southwest 1/4 of Section 24;
thence along said north line South 89 degrees 55 minutes 06 seconds East, 493.47
feet to the True Point of Beginning. Said property is reclassified to General
Commercial with the limitation on land coverage being 45 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: October 25, 1978

SECOND READING:

PASSED and ADOPTED by the Governing Body of the Tahoe Regional Planning Agency at its regular meeting held, 1978, by the following vote:

Ayes:

Nays:

Abstain:

Absent:

_________________________
Chairman
TAHOE REGIONAL PLANNING AGENCY

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 5 OF THE TAHOE REGIONAL PLANNING AGENCY, AS AMENDED, CLARIFYING GRADING LIMITATIONS AND PERMIT PROCEDURES; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

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 Grading Ordinance to clarify certain provisions of such ordinance, to identify those responsible for compliance therewith and to correct certain typographical and drafting errors therein.

Section 2.00 Clarification of Certain Definitions

Section 3.00 of Ordinance No. 5, as amended, is hereby amended by deleting therefrom the present definitions of "Agency" and "Grading" and adding thereto the following definitions of "Agency" and "Grading":

"Agency - [The Governing Body and/or the staff of] The Tahoe Regional Planning Agency.

"Grading - Cutting through or otherwise disturbing the layers of the soil [solid] mantle so as to change the existing landform."

Section 3.00 Amended Administrative Permit Requirements

The first three sentences of Section 4.23 of Ordinance No. 5, as amended, are hereby amended to read as follows:
"4.23 Application Form and Required Information for Administrative Permits

Applicants for an administrative permit shall submit an application to the permit-issuing authority upon a form prescribed by the Agency. Applicants for an administrative permit shall furnish to the permit-issuing authority an information report prepared by individuals qualified by training and experience to have expert knowledge of the subject. The permit-issuing authority and the Agency shall determine the adequacy of the report and may require the submission of additional information [pursuant to Section 5.00] where necessary."

Section 4.00 Amended Section 7.70

Section 7.70 of Ordinance No. 5, as amended, is hereby amended to read as follows:

"7.70 Identification of Stream Environment Zone

The width of a particular stream environment zone shall be determined by on-the-ground investigation by [the] Agency staff. Investigation shall consider: (1) soil type and how surface water filters into the ground; (2) the type and amount of vegetative cover and how it stabilizes the soils; (3) the slope of the land within the zone and how significant it is for retaining sediment from reaching the streams; and (4) the boundaries of the 100-year flood plain."

Section 5.00 Amended Section 7.80(1)

Section 7.80(1) of Ordinance No. 5, as amended, is hereby amended to read as follows:

"(1) No clearing of vegetation, grading or filling shall take place within a stream environment zone except as provided in Section 7.80(2), and except that drainage facilities required by this ordinance, utility facilities and roads may be constructed therein if it can be demonstrated that (a) there will be no substantial alteration of natural flows of water or other detrimental effect on water quality; and (b) the proposed work will not be detrimental to the environment within or adjacent to the stream environment zone. [for example, there will be no discharge of sediment or other material into any water course and fish habitats will not be detrimentally affected by the construction.]"
Section 6.00  Amended Section 7.80(2)

Section 7.80(2) of Ordinance No. 5, as amended, is hereby amended to read as follows:

"(2) A single family dwelling may be constructed on an existing legal lot or parcel containing a stream environment zone; [pursuant to the granting of an administrative permit under Section 4.22(4);] provided, however, that (a) such dwelling unit and related land coverage are located outside the boundaries of the stream environment zone; [as determined through the provisions of Section 7.70;] or (b) such dwelling unit and related land coverage are located, designed and constructed in such a manner as to minimize encroachment on and disturbance of the stream environment zone where siting outside of the stream environment zone is impractical [if it is not possible to meet the condition specified in Section 7.80(2)(a).]

Section 7.00  Amended Responsibilities of Contractor

Section 7.154 of Ordinance No. 5, as amended, is hereby amended to read as follows:

"7.154  Responsibility of Contractor

The permittee, contractor and subcontractor shall be fully responsible for compliance with the requirements of this ordinance, including, without limitation, any damage caused to existing trees or other vegetation. Each shall be responsible for all employees from the first day of construction until the notice of completion is filed. Each shall be aware of and comply with all laws, ordinances and regulations of competent governmental authority effective as of the date of permit issuance which in any way affect the work; and each shall protect and indemnify the Agency and all officers and employees thereof connected with the work.

If any discrepancy or inconsistency is discovered in the plans, drawings, specifications, or contract for the work in relation to any such law, ordinance or regulation, the contractor shall forthwith report the same to the project engineer and Agency in writing."
[The permittee shall be fully responsible for any damage caused to existing trees or other vegetation. He shall carry the responsibility both for his own employees and for all sub-contractors from the first day of construction until the notice of completion is filed.]

Section 8.00 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 ________________, by the following vote:

Ayes:
Nays:
Abstain:
Absent:

______________________________
Chairman
TAHOE REGIONAL PLANNING AGENCY

ORDINANCE NO. 78-

AN ORDINANCE AMENDING THE REGIONAL PLAN OF THE TAHOE REGIONAL PLANNING AGENCY TO INCLUDE THE LAKE TAHOE BASIN WATER QUALITY MANAGEMENT PLAN AS AN ELEMENT OF THE REGIONAL PLAN.

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

Ordinance No. 22 of the Tahoe Regional Planning Agency is hereby amended to read as follows:

Section 1.00 Findings

The Governing Body of the Tahoe Regional Planning Agency finds that the Regional Plan, adopted December 22, 1971, by Ordinance No. 3 of the Agency, was and continues to be in compliance with the provisions of the Tahoe Regional Planning Compact, Public Law 91-148, but that said Plan should be amended by adding to said Plan the Water Quality Plan of the Lake Tahoe Basin as an element of the Land Use Plan. The Governing Body further finds that said amendment, and the Regional Plan, as amended thereby, comply with the provisions of the Tahoe Regional Planning Compact, and that all required notices have been given and public hearing held, as required by Article V of said Compact.

Section 2.00 Adoption of the Regional Plan

The Regional Plan of the Tahoe Regional Planning Agency, as adopted by Ordinance No. 3 of the Agency on December 22, 1971, is hereby continued in effect. The Lake Tahoe Basin Water Quality Management Plan is hereby added to the elements of said Regional Plan by this ordinance and, with said addition, said Regional Plan contains the following correlated elements (each of the documents hereinbelow set forth are incorporated herein by this reference):
(a) The Land Use Plan composed of:

(I) The General Plan Map setting forth land use districts;

(II) The Environmental Constraint Map and accompanying text referred to as the Land Capability Map and the report compiling the scientific bases for the preparation of said map entitled "Land Capability Classification of the Lake Tahoe Basin, California-Nevada, A Guide for Planning", by Robert G. Bailey, 1974; the accompanying text referred to is that contained in the pocket part of said report;

(III) The Summary and Findings adopted by the Tahoe Regional Planning Agency, set forth in the minutes of the meeting of the Agency held December 21-22, 1971;

(IV) The narrative of the brochures entitled "The Plan for Lake Tahoe";

(V) The "Tahoe City Urban Design Plan, 1975"; and

(VI) The "Lake Tahoe Basin Water Quality Management Plan", consisting of:

Water Quality Problems and Management Program; and

Handbook of Best Management Practices.

(b) The Transportation Plan composed of:

(I) The brochure entitled "The Plan for Lake Tahoe"; and

(II) The document entitled "Plan Summary - The Recommended Short-Range Tahoe Regional Transportation Plan", dated July 18, 1975, including the following maps incorporated in said document:

(A) "Tahoe Regional Transportation Plan, Short-Range Plan, North Tahoe Subregion, East and West Corridor Transit and Road Elements", dated July 1975;
(B) "Tahoe Regional Transportation Plan, South Tahoe Subregion, Short-Range Transportation Plan, Transit and Road Elements", dated July 1975;

(C) "Tahoe Regional Transportation Plan, Short-Range Plan, North Tahoe Subregion, East and West Corridors, Bike Trail Element", dated July 1975; and

(D) "Tahoe Regional Transportation Plan, South Tahoe Subregion, Short-Range Transportation Plan, Bike Trail Element", dated July 1975.

(III) The document entitled "Draft, Tahoe Regional Transportation Plan, Short-Range Element, 1975-1980", dated June 1975; and


(c) The Conservation Plan composed of:

(I) The brochure entitled "The Plan for Lake Tahoe";

(II) The document entitled "Conservation Recreation and Open Space Elements, Lake Tahoe Region", June 1973, including the Land Suitabilities Map which is made a part of said document; and


(d) The Recreation Plan composed of:

(I) The brochure entitled "The Plan for Lake Tahoe";

(II) The document entitled "Conservation, Recreation and Open Space Elements, Lake Tahoe Region", June 1973, including the Land Suitabilities Map which is made a part of said document; and

(e) The Public Services and Facilities Plan composed of:

(I) The brochure entitled "The Plan for Lake Tahoe";

(II) The document entitled "Water and Sewer Planning and Programming, Lake Tahoe Region", June 1973; and


Section 3.00 Planning and Policy Guidelines

The Conservation, Recreation and Public Services and Facilities Plans, and the "Tahoe City Urban Design Plan, 1975", a part of the Land Use Plan, shall serve exclusively as planning and policy guidelines to which the Agency shall refer, and upon which it shall rely, in whole or in part, for purposes of consideration of:

(a) Amendments to the Regional Plan, including but not limited to, charges of the land use district applicable to any real property included within the Regional Plan;

(b) Applications for approval of private developments, projects and proposals;

(c) Plans, programs and proposals of the State of Nevada, of the State of California, or of their executive or administrative agencies, or of any local or regional government;

(d) Public works projects;

(e) Proposed ordinances and amendments thereto; and

(f) Other proposals for consideration of which said plans reasonably may serve as guidelines.

Section 4.00 Regional Plan Amendments - Changes in Land Use Districts

All amendments to the Regional Plan accomplished by a change in the land use district applicable to any real property subject to such plan shall be set forth in Exhibit "A", attached hereto and incorporated herein by this reference. Said Exhibit "A" shall be amended by ordinance to accomplish and reflect all such changes in land use districts.
Section 5.00  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 6.00  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 a regular meeting held ______________, by the following vote:

Ayes:

Nays:

Abstain:

Absent:

____________________________________
Chairman
TAHOE REGIONAL PLANNING AGENCY

ORDINANCE NO. 78-

AN ORDINANCE IMPLEMENTING THE LAKE TAHOE BASIN WATER QUALITY MANAGEMENT PLAN.

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 implementing the Lake Tahoe Basin Water Quality Management Plan. The Governing Body further finds that the provisions of this ordinance are in accordance with the provisions and purposes of the Tahoe Regional Planning Compact.

Section 2.00 General Provisions

2.10 Compliance

Land use, construction and improvement of property shall be in compliance with the terms of this ordinance and permits respecting same shall be granted or denied in conformity with the provisions of this ordinance.

2.20 Minimum Standards

The provisions of this ordinance establish the minimum standards applicable within the region to the subject matters of the ordinance. Any political subdivision may enforce equal or higher standards within its territory and this ordinance shall not be deemed a limitation or repeal of any other powers granted to the governments of the Tahoe Region by the United States or the respective states.

2.30 Interpretation and Severability

The provisions of this ordinance shall be liberally construed to effectuate their purposes. If any section, clause, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.
2.40 Short Title

This ordinance may be cited and referred to as the "208 Ordinance".

2.50 Subject Matter of Ordinance

This ordinance addresses surface water management, wastewater management, and solid waste management pursuant to the requirements of Section 208 of Public Law 92-500.

Section 3.00 Definitions

For the purposes of this ordinance, certain terms or words used herein shall be interpreted as follows: words in the present tense include the future; words in the singular number include the plural number; and words in the plural number include the singular number. The word "shall" is mandatory, not permissive, unless the context indicates that a directory meaning is intended. All references to "sections" herein are to be sections of this ordinance and all subsections thereof (e.g., "Section 4.00" means Section 4.00 to 4.50, inclusive) unless the context indicates to the contrary.

Grading - Cutting through or otherwise disturbing the layers of the soil mantle so as to change the existing land form.

Handbook of Best Management Practices - The Handbook for controlling erosion and drainage as developed through the Areawide Waste Treatment Management (208) Program.

Permit-Issuing Authority - Anyone who issues or is charged by law with the responsibility of issuing a permit for any construction or use within the region.

Plan - The Lake Tahoe Basin Water Quality Management Plan as described in Ordinance No. 78-__.

Primary 208 Planning Agency - The governmental entity so designated pursuant to the provisions of Section 208(a)(2) of Public Law 92-500.

Region - All that area described in Article II(a) of the Tahoe Regional Planning Compact.

States - The State of Nevada and the State of California.

Stream Environment Zone ("SEZ") - A strip of land on each side of a stream bed essential or necessary to maintain existing water quality. Stream environment and related hydrologic zones consist
of natural marshes and meadow lands, watercourses and drainageways, and floodplains which provide surface water conveyance from upland areas into Lake Tahoe and its tributaries.

Section 4.00 Statement of Policy

4.10 Adoption of Plan

By Ordinance No. 78-__, TRPA adopted the Plan as a portion of its land use element of the Regional Plan for the region. This ordinance implements the Plan.

4.20 Findings

TRPA hereby finds that the interest, responsibility and capability to protect the water quality of the region is shared by local government, regional planning agencies, the States of California and Nevada and the United States. It is further found that implementation of the program to protect the quality of the waters of the region can best be achieved through cooperation of and, if possible, the adoption of this Plan by the Environmental Protection Agency (EPA), United States Forest Service (USFS), California State Water Resources Control Board (CSWRB), California Regional Water Quality Control Board, Lahontan Region (LRWQCB), Nevada Division of Environmental Protection (NDEP) and all other governmental entities with responsibility for protection of environmental resources of the region. It is further found that the Plan and this ordinance have as their objective the proper purpose of obtaining and, where necessary, restoring the natural water quality conditions of the region.

4.30 Policies

In order to maintain and, where necessary, restore the natural water quality of the region, the Governing Body of TRPA hereby adopts the following policies:

(a) Natural and manmade improvements shall be implemented so that waters entering Lake Tahoe and waters in tributary streams of Lake Tahoe are essentially natural in their quality characteristics.

(b) The actions of governments required to implement and establish the administrative procedures set forth on Figures 1-8 and I-9 of the Plan shall occur.

-3-
(c) All future construction and grading shall be planned, designed and constructed utilizing as a guide the provisions set forth in the 208 Handbook of Best Management Practices.

4.40 **Recommended Institutional and Regulatory Program**

It is hereby recommended by the Governing Body of the Tahoe Regional Planning Agency that the respective Governors of the States designate pursuant to the provisions of Section 208(c)(l) of Public Law 92-500, the entities listed on Figure I-8 of the Plan as management agencies for implementing the Plan.

4.50 **Recommended Continuing Planning Program**

It is hereby recommended by the Governing Body of the Tahoe Regional Planning Agency that the respective Governors of the States designate pursuant to the provisions of Section 208(c)(l) of Public Law 92-500 the entities listed on Figure I-9 of the Plan as management agencies for carrying out continuing planning to effectuate the Plan.

**Section 5.00 Plan Refinement and Update**

5.10 **Findings**

TRPA hereby finds and declares that periodic review and updating of the Plan is essential to assure that the Plan is and continues to be responsive to the current needs of the region.

5.20 **Schedule for Review and Updating**

Within the time specified hereinbelow, the primary 208 planning agency within the region, after considering the recommendations of all of the agencies listed on Figure I-9 of the Plan shall review and update the following elements of the Plan:

<table>
<thead>
<tr>
<th>Plan Element</th>
<th>Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Quality Problems and Management Program</td>
<td>Annually</td>
</tr>
<tr>
<td>Handbook of Best Management Practices</td>
<td>Every two (2) years</td>
</tr>
</tbody>
</table>

Schedule (beginning one year after Plan adoption)
5.30 Public Hearings

The primary 208 planning agency shall hold public hearings on each of the Plan elements defined in Section 5.20 at least sixty (60) days prior to adoption of amended Plan elements.

5.40 Cooperation with Management Agencies

In considering modifications to the Plan, the primary 208 planning agency shall seek the cooperation and consider the recommendations of all 208 management agencies and private individuals.

5.50 Annual Report

After considering the recommendations of all of the agencies listed on Figure I-9 of the Plan, the primary 208 planning agency shall prepare and submit an annual report to EPA and the States containing the following information:

(a) A summary of the testimony at each public hearing held pursuant to Section 5.30 and staff responses thereto.

(b) A summary of the modifications of each Plan element.

(c) A general description of the progress of work undertaken pursuant to the Plan.

Section 6.00 Regulations and Enforcement

6.10 Findings

TRPA, in accordance with the provisions and purposes of Article V(b)(1) and Article VI(a) of the Tahoe Regional Planning Compact, hereby finds it necessary to adopt water quality standards and objectives for the Basin.

6.20 Adoption of Water Quality Standards

The water quality standards for Lake Tahoe, as adopted by the Nevada State Environmental Commission and by California Regional Water Quality Control Board, Lahontan Region, for the water of Lake Tahoe, are hereby adopted as the water quality objectives of Lake Tahoe for the TRPA.

6.30 Adoption of Runoff Quality Guidelines

The following runoff quality guidelines for the region are hereby adopted:
5.30 Public Hearings

The primary 208 planning agency shall hold public hearings on each of the Plan elements defined in Section 5.20 at least sixty (60) days prior to adoption of amended Plan elements.

5.40 Cooperation with Management Agencies

In considering modifications to the Plan, the primary 208 planning agency shall seek the cooperation and consider the recommendations of all 208 management agencies and private individuals.

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(a) A summary of the testimony at each public hearing held pursuant to Section 5.30 and staff responses thereto.

(b) A summary of the modifications of each Plan element.

(c) A general description of the progress of work undertaken pursuant to the Plan.

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6.20 Adoption of Water Quality Standards

The water quality standards for Lake Tahoe, as adopted by the Nevada State Environmental Commission and by California Regional Water Quality Control Board, Lahontan Region, for the water of Lake Tahoe, are hereby adopted as the water quality objectives of Lake Tahoe for the TRPA.

6.30 Adoption of Runoff Quality Guidelines

The following runoff quality guidelines for the region are hereby adopted:
UNIFORM REGIONAL RUNOFF QUALITY GUIDELINES

Surface Discharges

Surface water runoff which enters Lake Tahoe or a tributary thereto shall meet the following constituent levels:

<table>
<thead>
<tr>
<th>Constituent</th>
<th>Maximum Permissible Concentration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total nitrogen as N</td>
<td>0.5 mg/liter</td>
</tr>
<tr>
<td>Total phosphate</td>
<td>0.1 mg/liter</td>
</tr>
<tr>
<td>Total iron</td>
<td>0.5 mg/liter</td>
</tr>
<tr>
<td>Turbidity</td>
<td>20 JTU</td>
</tr>
<tr>
<td>Grease and oil</td>
<td>2.0 mg/liter</td>
</tr>
</tbody>
</table>

If the constituent levels of water entering a lot or parcel from upstream areas are of a superior or equal quality to the above, waters leaving a lot or parcel shall meet the quality level listed above.

If the constituent levels of water entering a site do not meet the above, there shall be no statistically significant increase (one standard deviation at a 90 percent confidence level) in the water quality constituent of the waters as they are discharged from the site.

Runoff Discharged to Groundwaters

Waters infiltrated into soils shall not contain excessive concentrations of grease and oils, floatable organic materials, or other litter or settleable solids in quantities which could clog the infiltration system. To ensure effective operation of an infiltration system, runoff into such facilities shall meet the following recommended constituent levels:

<table>
<thead>
<tr>
<th>Constituent</th>
<th>Maximum Permissible Concentration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total nitrogen as N</td>
<td>5 mg/liter</td>
</tr>
<tr>
<td>Iron</td>
<td>4 mg/liter</td>
</tr>
<tr>
<td>Turbidity</td>
<td>200 JTU</td>
</tr>
<tr>
<td>Grease and oil</td>
<td>40 mg/liter</td>
</tr>
</tbody>
</table>
6.40 Capability of Imposing Higher Standards

The runoff quality guidelines set forth in Section 6.30 define the acceptable minimum level of water quality required in surface runoff in the region. Any governmental entity of competent jurisdiction may enforce equal or higher standards within its territory and these runoff quality guidelines shall not be deemed a limitation or repeal of any other powers granted to the governments of the region by the United States or the States.

6.50 Compliance with Best Management Practices

TRPA finds that in order to prevent erosion and surface water management problems in future land use activities, the Handbook of Best Management Practices shall be utilized as a guide for approval of a development proposal, or issuance of a building, grading, tree removal, encroachment, or other necessary permit by any permit-issuing authority or any other governmental body within the region.

6.60 Compliance with Best Management Practices on Public Lands

Handbook of Best Management Practices should be utilized as a guide on public lands by respective state or federal agencies with jurisdiction over those lands.

6.70 Issuance of Permits

The permit-issuing authority shall issue no permits for any grading or construction until it is assured that the activity will be conducted following the guides set forth in the Handbook of Best Management Practices.

Section 7.00 Erosion and Drainage Management Systems

7.10 Designation of Projects

There is hereby adopted Exhibit "A" to the Plan which consists of 17 maps scaled at approximately one inch equals sixteen hundred feet (1/1600) which maps are presently on file with TRPA. Each of said maps are hereby incorporated herein by this reference. Exhibit "A" designates erosion and drainage management projects.
7.20 Implementation of Projects Shown in Exhibit "A"

Projects defined on Exhibit "A" are to be used in carrying out the following:

(a) The counties and cities of the region shall annually review those projects in Exhibit "A" and perform the projects therein set forth as funds become available therefor.

(b) At least one full watershed erosion and drainage project should initially be completed and assessed for its cost effectiveness and environmental effects by the primary 208 planning agency and all cities and counties within the region.

7.30 Responsibility for Implementation

The management agencies identified in Section 4.40 shall be responsible for attempting to undertake and complete the projects set forth in Exhibit "A" to the extent that funds can be obtained therefor. It shall be the responsibility of each such management agency to do all things necessary to obtain the necessary approval from TRPA and Nevada Department of Environmental Protection or the Lahontan Regional Water Quality Control Board approvals for Exhibit "A" projects.

Section 8.00 On-Site Runoff Management Systems

8.10 Proposed On-Site Runoff Management Systems

In the course of development of the Plan, a list of names of specific properties for which on-site surface water management systems are desirable in the future was prepared.

8.20 Implementation of On-Site Surface Water Management Systems

Properties identified in the Plan and other properties on which on-site surface management systems are desirable, upon the application for construction or use permits, shall be reviewed for the purpose of assessing the need for, desirability of, and feasibility of requiring an on-site surface water management system.
Section 9.00 Waste Management

9.10 Findings

TRPA hereby finds that existing laws for the management of sewage effluent, solid wastes, and water craft wastes are adequate to protect the quality of the water of the region.

9.20 Dissemination of Information

Those who provide waste management facilities, including, without limitation, sewerage and solid waste disposal services shall meet and confer with entities having jurisdiction over waste management facilities and with entities having jurisdiction over planning within the region for the purpose of assuring the expeditious exchange of information concerning the capacity, efficiency, flows, operations and anticipated expansion of waste management facilities.

Section 10.00 Planning for Critical Environmental Areas

10.10 Findings and Development Policies

TRPA hereby finds that high erosion hazard lands and stream environment and related hydrologic zones (SEZ) are critical environmental areas for purposes of water quality management. It is hereby further found that the protection of SEZ against encroachment by land use activities that degrade their natural characteristics is critical to the preservation of the quality of the waters and watershed of the region.

10.20 Development on SEZ

Development on SEZ lands shall comply with the appropriate guidelines contained in the Handbook of Best Management Practices.

10.30 Determination of Precise SEZ Boundaries

In establishing SEZ boundaries, the guidelines set forth in the TRPA Grading Ordinance were utilized. Any interested party may dispute the accuracy of SEZ boundaries by an application to TRPA supported by data demonstrating the appropriate SEZ boundaries. Such application shall be evaluated based upon the criteria set forth in the TRPA Grading Ordinance and this ordinance. All such applications shall be determined by TRPA staff as provided by Section 4.00 of the TRPA Grading Ordinance.
10.40 Development on High Erosion Hazard Lands

Development on lands within land capability classification la, lc and 2 shall comply with the appropriate guidelines contained in the Handbook of Best Management Practices.

Section 11.00 Plan Financing

11.10 Findings

TRPA hereby finds that a financial program is necessary to fund implementation of the Plan, prevent water quality problems within the region on future development and to control and alleviate water quality problems created by past development practices.

11.20 Funding of Plan Implementation on Public Lands

All funding necessary to implement Plan improvements on public lands shall be paid from the annual budget or other funding source from the entity owing such lands.

11.30 Maintenance and Repair of Surface Water Management Systems

Funds necessary for maintenance and repair of all surface water management systems are the responsibility of the appropriate management agency and may be derived from such sources as are available.

11.40 Other Plan Costs

All available and feasible financial mechanisms may be utilized to implement the provisions of the Plan.

Section 12.00 Violation of Ordinance

Violation of any provision of this ordinance shall be a misdemeanor. Upon notification of such violation, each day's violation subsequent to notification shall constitute a separate offense.

Section 13.00 Effective Date

This ordinance shall be effective sixty (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:
Nayes:
Abstain:
Absent:

__________________________
Chairman
TAHOE REGIONAL PLANNING AGENCY
ORDINANCE NO.

AN ORDINANCE ESTABLISHING STANDARDS AND PROCEDURES FOR THE
REVIEW AND APPROVAL OF INDIRECT SOURCES OF AIR POLLUTION

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

Section 1.00 Findings

1.10 The Governing Body of the Tahoe Regional Planning Agency
("Agency") finds that the Tahoe Region, as defined in the
Tahoe Regional Planning Compact ("Tahoe Region"), has been
designated by the State of Nevada, the State of California and
the Environmental Protection Agency as a nonattainment area
for carbon monoxide and oxidant.

1.20 The Governing Body further finds that there is evidence that
increased use of vehicles contributes to the degradation of air
quality by directly contributing to these two pollutants.

1.30 The Governing Body further finds that there is, and likely
will continue to be, serious traffic congestion upon major
arterial highways and roads in the Tahoe Region.

1.40 In view of the foregoing, the Governing Body further finds
that in order to properly effectuate and implement the adopted
Regional Plan of the Tahoe Regional Planning Agency and
still provide for the maintainence of air quality in the region
it is necessary to determine the potential impact of proposed
land use activities on air quality, and provide for the miti-
gation of significant air quality degradation which may result
from such activities.

Section 2.00 General Provisions

2.10 Compliance

Construction, alteration and use of any structure within the Region shall be in compliance with the terms of this ordinance. Permits shall be granted or denied in conformity with the provisions of this ordinance.

2.11 The provisions of this ordinance establish the minimum standards applicable within the Region to the subject matters of the ordinance. Any political subdivision may enforce equal or higher standards within its territory and this ordinance shall not be deemed a limitation or repeal of any other powers granted to the governments of the Tahoe Region by the United States or the respective states.

2.20 Interpretation and Severability

The provisions of this ordinance shall be liberally construed to effectuate their purposes. If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 3.00 Permit Standards

3.10 No permit shall be approved for any new or modified indirect source as defined in Section 4.00, or any portion thereof unless:

(1) The source or applicable portion thereof complies with the provisions of this rule and all other applicable local,
state, and federal air quality rules and regulations; and

(2) The applicant established that all facilities in the Tahoe Region which are owned or operated by the applicant are in compliance with this rule and all other applicable local, state and federal air quality rules and regulations.

Section 4.00 Definitions

For the purpose of this ordinance, certain terms or words used herein shall be interpreted as follows: Words in the present tense include the future; words in the singular number include the plural number, and words in the plural number include the singular number. The word "shall" is mandatory, not permissive, unless the context indicates that a directory meaning is intended.

Indirect Source - A facility, building, structure, installation, real property, road or highway which attracts or may attract, mobile sources of pollution (motor vehicles) or serves as a trip end for motor vehicles. A source shall be deemed an indirect source regardless of whether the source is itself the ultimate vehicle attractor or merely provides convenient parking or access to the primary attraction. Such indirect sources shall include, but not be limited to:

a. Highways and roads.
b. Parking lots and garages.
c. Shopping centers and other retail facilities.
d. Recreational developments, including amusement parks, gaming facilities, and day use recreation areas.
e. Sports stadiums.
f. Airports.
g. Commercial, residential or industrial developments.
h. Redevelopment projects.

i. Governmental buildings.

j. Hospitals and other medical facilities.

k. Educational institutions.

l. Hotels and motels.

m. Office buildings.

n. Restaurants.

o. Theaters.

Nonattainment Designation - A designation made by either the State of California or the State of Nevada which is ratified by the U.S. Environmental Protection Agency identifying the Region or a portion thereof as an area which does not meet federal ambient air quality standards for a specified pollutant(s).

Vehicle Trips - A vehicle trip shall be considered to be a vehicle movement from one point to another.

Vehicle Trip Generation - For purposes of calculation trip generation from residential or tourist residential units shall be considered to be the total number of vehicle trips anticipated from person occupying such units. For commercial and other uses, trip generation shall be considered to be the total number of vehicle trips to and from the project site.

Section 5.00 Applicability

5.10 Exemptions

TRPA shall exempt from indirect source review:

a. Any single family residence or modification thereof on any legal lot or parcel.
b. Any source or modification thereof which has received formal approval and necessary building and construction permits by the effective date of this rule except as provided in Section 5.25. In the event that a proposed source, which received formal approval is substantially modified, the proposed source is no longer exempt and must undergo review pursuant to the criteria set forth in Section 5.20.

5.20 Pre-Screening

Except as provided in Section 5.10, any proposal for which a permit is being sought to allow creation or modification of an indirect source or portion thereof shall be reviewed by TRPA Staff prior to any action on such permit by the permit issuing authority. Such review shall be confined to a determination as to whether or not additional indirect source air quality evaluation shall be required pursuant to this ordinance. For purposes of such determination, TRPA staff shall apply the criteria set forth in Sections 5.21 through 5.25, inclusive. Any proposal determined to fall within said criteria shall be required to comply with the review procedures and evaluation requirements prescribed in subsequent sections of this ordinance. Any proposal determined not to fall within said criteria shall be exempt from additional requirements of this ordinance.

5.21 Trip Generation

The applicant shall furnish a reasonable estimate of the total number of new vehicle trips to be generated by the proposal, calculated pursuant to the vehicle trip generation definition in Section 4.00. TRPA shall compare this estimate to the remaining capacity of all major arterials within one-quarter mile of the project site boundaries, plus such additional sections of major arterials as the Agency may deem appropriate. For purposes
of such comparison, the Agency shall maintain a list of major arterials to be considered and shall update the remaining capacity of said arterials annually utilizing information supplied by the appropriate state transportation agency or local government (in the case of local streets which serve as major arterials).

Based upon this comparison, any proposal for which the total new vehicle trip generation is determined to exceed one (1%) percent of the remaining capacity of any arterials shall be required to comply with the indirect source review requirements prescribed by the subsequent sections of this ordinance.

5.22 Airports

All proposed new airport construction or modifications of an existing airport allowing an increase in capacity of aircraft, air cargo, passengers or automobiles shall be subject to review. This shall include review of decisions allowing increases in the number of flights per day.

5.23 Highways and Roadways

Any proposed new highway or roadway improvement or expansion will be subject to indirect source review if it allows an increase in capacity.

5.24 TRPA may review any proposed or modified indirect source or combination of such sources not otherwise subject to review under the above criteria if, as determined by staff, construction or modification of the source or the cumulative impacts of such sources could interfere with the attainment or maintenance of any state or national
ambient air quality standard, or cause a violation of the Lake Tahoe Basin Nonattainment Plan (NAP) or the Lake Tahoe Basin SIP control strategy as adopted by either California or Nevada.

5.25 Where an indirect source is constructed or modified in increments which are not individually subject to review, all such increments, including existing increments when the existing increments were not themselves subject to an indirect source review shall be subject to cumulative review if the total of all increments of construction completed as of December 1, 1978, would result in an indirect source which exceeds any of the criteria specified above.

Section 6.00 Permit Procedures

6.10 Any proposal for which an indirect source review is determined to be necessary pursuant to Section 5.00 must be reviewed and approved by the Governing Board of the Tahoe Regional Planning Agency.

6.11 Where such a review by the TRPA Governing Board would otherwise be required for the project (pursuant to the other ordinances of TRPA), the normal review process shall be followed, with the addition that they applicant shall provide the evaluation required pursuant to Section 7.00, (Air Quality Evaluation) and the TRPA action on such proposal shall conform to the requirements of Section 8.00 (Mitigation).

6.12 Where TRPA Governing Board Review would not otherwise be required, an applicant must first secure any necessary permit approvals from the permit issuing authority. Upon
such approvals, the applicant shall make application to the TRPA for an indirect source review. For such review, the applicant shall be required to provide only the evaluation pursuant to Section 7.00 (Air Quality Evaluation), and Governing Board action shall be confined to that necessary to satisfy the requirements of Section 8.00 (Mitigation).

6.20 TRPA may charge the applicant a filing fee sufficient to cover the cost of analysis of the Applicants Air Quality Evaluation.

6.30 Upon receipt of any application requiring an indirect source review, the TRPA shall forward notice of such application to Nevada Division of Environmental Protection and the California Air Resources Board, plus any local air pollution control district within whose boundary the project is to be located. Additionally, the TRPA shall provide to any agency so notified any additional information requested regarding the subject application, and shall afford such agency an opportunity to provide input into the decision making process.

Section 7.00 Air Quality Evaluation

7.10 Any proposal for which an indirect source review is required pursuant to the criteria set forth in Section 5.00 shall submit as a minimum the following information:

a. The name and address of the applicant.

b. The name, address, and location of the source.

c. A description of the proposed source, including the normal hours of operation of the facility and the general types of activities to be performed therein.

d. A map showing the location of the source and the topography of the area, including existing principal streets, roads, and highways within three miles of the source.
e. A site plan showing the location of associated parking areas, points of motor vehicle ingress and egress to and from the site and its associated parking areas, and the location and height of buildings on the site.

f. An identification of the principal roads, highways, and intersections both within the region and leading to the region that will be utilized by traffic generated by the proposal, and an estimate of the traffic volumes contributed to the roadways, highways and intersections by the proposal.

g. An estimate of the summer and winter peak month traffic volumes, maximum traffic volumes for 1-hour and 8-hour periods, average travel speeds at the locations identified in Sub-section f, for the first year after the substantial completion and operation of the proposed project.

h. An estimate of the nature and amount of the total vehicular emissions which may contribute to pollutants for which the region has been designated nonattainment, and for such other pollutants as may be required by the Agency. Such estimate shall reflect the total traffic generated by the proposal (as defined in Section 4.00) and shall provide identification of emissions associated with the traffic assessments contained in f and g, above.

i. Information pertaining to the location, design, construction, and operation of the facility.

j. An estimate of additional residential, commercial, and industrial development which may occur as a result of such construction or modification (secondary growth).

k. The availability of existing and projected mass transit to service the site.
1. Any additional information or documentation that the TRPA deems necessary to determine the air quality impact of the source, including the submission of measured air quality data at the proposed site prior to construction or modification, air quality impacts of construction, or an identification of the cumulative effect of the proposed project or any similar projects.

7.20 Where a proposal is to be constructed in phases, the information required by this section shall be submitted for the entire project (all phases) to facilitate assessment of the project as a whole.

Section 8.00 Mitigation

8.10 TRPA shall not approve any proposal if the air quality evaluation documents that the project will interfere with the attainment or maintainence of applicable state or national ambient air quality standards for any pollutant for which the region has been designated as a nonattainment area, or for which the Agency has required an air quality evaluation of the applicant; unless the applicant agrees as a permit condition to provide and/or contribute to the provision of mitigation measures which TRPA determines can reasonably be anticipated to reduce indirect emissions from the proposed source or from an existing source by an amount equal to the emissions attributable to the proposal.

8.20 Mitigation measures required by this section must be sufficient to preclude any contribution by the proposed project to the violation of any state or national ambient air quality standard, and may include, but shall not be limited to:

a. Supporting to the provision of public transit (i.e., financial assistance, providing public transit passes
to customers or employees, providing sheltered bus stops or bus turn-out lanes).

b. Provision of private mass transit for employees or customers.

c. Provision or expansion of telephone order and delivery services.

d. Traffic flow improvements which have the ability of improving or decreasing emissions at or adjacent to the site of the proposed construction or modification, provided, that such improvements do not increase the overall carrying capacity of the roadway or encourage additional traffic.

8.30 Traffic flow improvements which increase the overall capacity of a roadway or encourage a long term increase in vehicle traffic in an area shall not be considered as mitigation measures.
MEMORANDUM

DATE: November 20, 1978

TO: Governing Body

FROM: Agency Staff

SUBJECT: MEMORANDUM OF UNDERSTANDING BETWEEN TAHOE REGIONAL PLANNING AGENCY AND THE LAKE TAHOE RESOURCE CONSERVATION AND DEVELOPMENT AREA COUNCIL (RC&D)

As you will recall, the Washoe County Commissioners requested a Memorandum of Understanding (MOU) between the Tahoe Regional Planning Agency and the Lake Tahoe Resource Conservation and Development Area Council (RC&D) as a condition of Washoe County's participation in the Resource Conservation and Development Area Council.

A draft MOU was placed on the TRPA Governing Board Agenda for the October meeting. However, the secretary of the RC&D Area Council, requested that the MOU be postponed and requested that the RC&D Area Council review the MOU prior to TRPA Governing Board approval. The secretary noted that the next RC&D meeting would be held near the end of November and the MOU would be placed on their November agenda.

The TRPA Governing Board postponed the MOU review and deleted it from the October agenda. Since then the chairman of the RC&D Area Council has notified TRPA that the RC&D Area Council will not be meeting until February 1979, therefore, the MOU cannot be discussed until then.

Staff would recommend that consideration of and action on the MOU between TRPA and the RC&D Area Council be delayed until the RC&D Area Council has a chance to meet on the document and supply their comments to TRPA.