TRPA
GOVERNING BOARD
PACKETS

JANUARY
1979
NOTICE IS HEREBY GIVEN that on January 24, 1979 at 10:00 a.m. at the hearing room of the Tahoe Regional Planning Agency, located at 2155 South Avenue, South Lake Tahoe, California, the Governing Body of said agency will conduct its regular meeting. The agenda for said meeting is attached to and made a part of this notice.

DATED: January 15, 1979

BY: James J. Jordan
   Executive Director
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<th>Agenda Item</th>
<th>Action Taken</th>
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<tr>
<td>Harrah's Tahoe, Administrative Permit for Parking Structure, Douglas County</td>
<td>Approval with conditions and findings of 3,572 parking space garage, to result in not more than 4,884 parking spaces within the project site</td>
</tr>
<tr>
<td>Lake Village Professional Building, Tentative Map for 19 Commercial Units, Douglas County</td>
<td>Approved with conditions</td>
</tr>
<tr>
<td>Fairway Pines, Tentative Map for 48 Condominium Units, Washoe County</td>
<td>Continued to March 28, 1979 pending outcome of General Plan amendment to reclassify property to Medium Density Residential</td>
</tr>
<tr>
<td>Jerry Cruitt, Tentative Map for 4 Condominium Units, Washoe County</td>
<td>Approved with conditions and a finding that the circumstances in this case are extremely unusual and approval in no way sets a precedent</td>
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<tr>
<td>Incline Village GID, Incline Village/Crystal Bay Community Swimming Pool Complex, Washoe County</td>
<td>Approved with conditions</td>
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<td>Nevada Highway Department, Pedestrian Undercrossing Between Harrah's Tahoe and Harvey's Resort Hotel, Douglas County</td>
<td>Advisory review with recommendation for approval</td>
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<td>Discussion of Policy on Grandfathering Shorezone Structures Constructed Prior to 1968</td>
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<td>Determination on Agency Pierhead Line</td>
<td>Continued to February meeting</td>
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<td>Discussion of Plan for the Attainment of Federal Air Quality Standards (Nonattainment Air Quality Plan)</td>
<td>Staff presentation on status of air quality planning process; special meeting to discuss the Plan scheduled for afternoon of Advisory Planning Commission meeting on February 14, 1979 at 1:00 p.m.</td>
</tr>
<tr>
<td>Discussion on Processing Tentative Condominium Maps On Nonconforming Properties</td>
<td>Action deferred until the March meeting</td>
</tr>
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Action Sheet
TRPA Governing Body Meeting
January 24, 25, and 26, 1979 - page two

Item
General Plan Amendment on Parcels 58 and 59 of the Granite Springs Subdivision, Douglas County, Nevada, from Low Density Residential to Public Service to Accommodate the Douglas County Administrative Center

Action Taken
Approved with the implementing ordinance to become effective upon transfer of the two parcels to Douglas County

Ordinances:

Second Reading of Grading Ordinance Amendments
Continued to February meeting

Second Reading of Ordinance Amending the Regional Plan to Include the Lake Tahoe Basin Water Quality Management Plan as an Element of the Regional Plan
Continued to February meeting

Second Reading of Ordinance Implementing the Lake Tahoe Basin Water Quality Management Plan
Continued to February meeting

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

First Reading of Ordinances Approving the Land Use Ordinance
Approved first reading

- Section 7.103 to Allow Land Coverage Not to Exceed 50% in Public Service.

- Section 7.13 Clarifying Calculation on Building Height
PRELIMINARY AGENDA

I CALL TO ORDER AND DETERMINATION OF QUORUM

II APPROVAL OF AGENDA

III DISPOSITION OF MINUTES

IV AGENCY REVIEW
   A. Harrah's Tahoe, Administrative Permit for a Parking Garage Structure, Douglas County
   B. Lake Village Professional Building, Tentative Map for 19 Commercial Units, Douglas County
   C. Fairway Pines, Tentative Map for 48 Condominium Units, Washoe County
   D. Jerry Cruitt, Tentative Map for 4 Condominium Units, Washoe County

V PUBLIC WORKS
   A. Incline Village General Improvement District, Incline Village/Crystal Bay Community Swimming Pool Complex, Washoe County
   B. Nevada Highway Department, Pedestrian Undercrossing Between Harrah's Tahoe and Harvey's Resort Hotel, Douglas County

VI PLANNING AND POLICY MATTERS
   A. Discussion of Policy on Grandfathering Shorezone Structures Constructed Prior to 1968
   B. Determination on Agency Pierhead Line
   C. Discussion of Plan for the Attainment of Federal Air Quality Standards (Nonattainment Air Quality Plan)
   D. Discussion on Processing Tentative Condominium Maps on Nonconforming Properties

VII GENERAL PLAN AMENDMENT
   Parcels 58 and 59 of the Granite Springs Subdivision, Douglas County, Nevada, from Low Density Residential to Public Service to Accommodate the Douglas County Administrative Center
VIII 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

IX ORDINANCES

A. Second Reading of Grading Ordinance Amendments

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

C. Second Reading of Ordinance Implementing the Lake Tahoe Basin Water Quality Management Plan

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

E. First Reading of Ordinances Amending the Land Use Ordinance

1. Section 7.103 to Allow Land Coverage Not to Exceed 50% in the Public Service Land Use District
2. Section 7.13 to Clarify Calculation of Limitations on Building Height

X RESOLUTIONS

XI PENDING MATTERS

XII OTHER BUSINESS

XIII ADJOURNMENT
Projects to be reviewed at January 24-25, 1979 governing board meeting.

AR- AGENCY REVIEW
PW- PUBLIC WORKS
GPA- GENERAL PLAN AMENDMENT
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Harrah's Tahoe
Administrative Permit for a Parking Structure
Douglas County

Project Location and Description

The applicant, Harrah’s Tahoe, is requesting an administrative permit, as required under Sections 7.12(4) and 9.21(3) of the Land Use Ordinance, to allow construction of a multi-story parking garage designed to accommodate 3,572 vehicles. The proposed garage is to be located behind or to the east of the existing Harrah’s Tahoe hotel/casino complex (see attachment #1) upon ground that is predominantly occupied by existing open surface parking.

The Harrah’s Tahoe hotel/casino complex is located on the east side of U.S. Highway 50 in Douglas County, Nevada and is one of the four major hotel/casino complexes within the South Shore casino core area (see attachment #2).

The proposed parking garage is to contain seven (7) stories which, including the roof level, will provide eight (8) levels of parking. In order that the proposed structure does not exceed an average height of 40 feet, the three (3) lower levels of parking are to be constructed below the existing grade. The footprint of the proposed garage is to be rectangular in shape, dimensioning 466 feet in a north-south direction (parallel to U.S. Highway 50) and 320 feet in an east-west direction. The garage footprint is to be approximately 3.42 acres in size.

Pedestrian access from the proposed parking garage to the existing hotel/casino complex is to be provided by way of two below-grade pedestrian tunnels. Two elevator towers, each containing four elevators, are to be constructed on the west side of the garage to provide vertical pedestrian access to each of the eight parking levels.

As part of this project, the applicant proposes to construct a road to provide access to the loop road. Construction of this road is to include curbs, gutters, and a gravel base, but paving is not to be completed until the loop road is connected to Montrose Road.

There are presently a total of 2,491 delineated parking spaces on the Harrah's Tahoe property. This figure includes approximately 800 parking spaces contained in an existing four-story parking garage used for valet parking, located adjacent to U.S. Highway 50 north of the main hotel/casino structure.

Construction of the proposed parking garage over existing open surface parking and compliance with Agency regulations relative to replacements of existing nonconforming land coverage will result in the loss of 1,179 existing parking spaces. Therefore, with the construction of the 3,572 spaces contained in the proposed garage, there will be a net gain of 2,393 parking spaces on the Harrah’s Tahoe property, increasing the total supply to 4,884 spaces.

Land Use Classification

The total project area of this Harrah's Tahoe application contains 26.41 acres of land, all of which are owned by the applicant. The project area does not include that land in California and Nevada that is leased by Harrah’s Tahoe and which is presently utilized for open surface valet parking (see attachment #1).
Harrah's Tahoe
Administrative Permit for a Parking Structure
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The project area includes a total of 24.18 acres in Douglas County, Nevada. This 24.18
acres contains 21.03 acres classified Tourist Commercial (TC) and 3.15 acres classified
High Density Residential (HDR). The project area also includes 2.23 acres of land in
California. This 2.23 acres is classified General Commercial (GC) by the Agency and is
presently utilized for open surface valet parking.

The proposed garage is to be located entirely within the Tourist Commercial use classifi-
cation and therefore conforms with the applicable use regulations set forth in the Land
Use Ordinance. The existing uses within the project area also conform to the applicable
use regulations set forth in the Land Use Ordinance.

Land Capability and Land Coverage

Approximately 60 percent of the total project area is in a land capability level 7. This
level 7 land is generally situated adjacent to U.S. Highway 50. All of the existing
structures that are associated with Harrah's Tahoe and the westerly 1/3 of the proposed
parking garage structure are within this level 7 area.

The easterly 2/3 of the proposed garage is to be located in a land capability level 4 which,
except for a small stream environment zone, dominates the easterly portion of the property
(see attachment #3).

The maximum land coverage permitted within the 21.03 acres of the project area that is
classified Tourist Commercial is 50 percent as set forth under Section 7.83 of the Land
Use Ordinance or 458,000 square feet. There is presently 764,200 square feet of land
coverage within the area classified Tourist Commercial. Therefore, there is 306,200
square feet of existing nonconforming land coverage within the area classified
Tourist Commercial.

The regulations set forth under Section 9.21(3) of the Land Use Ordinance require the
applicant to remove an amount of existing nonconforming land coverage from the project
area equal to 9 percent of the total nonconforming land coverage within the area
classified Tourist Commercial, plus the square footage of land coverage created by the
proposed parking garage. The following calculations indicate the total amount of
nonconforming land coverage that must be removed from within the project area:

\[
\begin{align*}
\text{Nonconforming coverage in Tourist Commercial} & = 306,200 \text{ sq. ft.} \\
9\% \text{ of nonconforming coverage in Tourist Comm.} & = 27,558 \\
\text{Plus land coverage of proposed garage} & = 152,800 \\
\text{(including tunnels)} & \\
\text{Total amount of coverage to be removed} & = 180,358 \text{ sq. ft.}
\end{align*}
\]

In addition to the land coverage directly associated with the parking garage, the
proposed loop road connection will create 11,800 square feet of additional land
coverage. In order to conform to the requirements of Section 9.21(3) of the Land
Use Ordinance, the applicant proposes to remove an additional 11,800 square feet of
existing nonconforming land coverage to allow construction of the loop road connection.
Therefore, the total amount of existing nonconforming land coverage that the applicant
is required to remove from the project area is 192,158 square feet, or approximately 4.41
acres.

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Since there is presently 891,000 square feet of existing land coverage within the project area and the applicant must reduce the amount of existing land coverage by 192,158 square feet, upon completion of the proposed project, the maximum amount of land coverage permitted within the project area will be 698,842 square feet, or 16.04 acres.

A site plan showing proposed land coverage, submitted to the Agency on September 25, 1978, identifies the 192,158 square feet of existing nonconforming land coverage that is to be removed.

Height

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

As shown on plans submitted by the applicant to the Agency on September 25, 1978, the average elevation of the existing ground level at the center of the four exterior walls of the garage is 114.125 feet. By adding the maximum permitted height of 40 feet to the average existing ground level elevation of 114.25 feet, the maximum permitted elevation of the proposed garage structure is 154.125 feet. Appurtenances such as light standards and elevator towers can extend an additional 15 percent, or 6 feet, to elevation 160.125 feet. The elevations shown on the applicant's plans are based on the main casino floor elevation being 100.00 feet.

The plans submitted by the applicant depict a parking garage whose maximum height does not exceed elevation 154.125 feet. The plans also show that all appurtenances do not exceed elevation 160.125 feet. Therefore, the proposed parking garage as depicted on the plans submitted by the applicant conforms to the height restrictions as set forth under Section 7.13 of the Land Use Ordinance.

Grading

Construction of the three levels of parking below grade will require the excavation of approximately 180,200 cubic yards of earthen material. The applicant's information report indicates that all excavated material is to be trucked to a location outside of the Tahoe Basin. Assuming that the average ten-wheel dump truck can haul 10 cubic yards, approximately 18,000 truckloads of material must be transported from the Harrah's Tahoe site. The maximum depth of the required excavation will be approximately 38 feet along the westerly side of the proposed structure. Agency staff is concerned that since this excavation is to take place in close proximity to a stream environment zone there could be a problem relative to the presence of a high water table.

Storm Drainage

The applicant's information report sets forth the major elements of a conceptual storm drainage system which he indicates will be designed to meet the runoff quality guidelines set forth in the 208 Handbook of Best Management Practices for surface water runoff discharged to Lake Tahoe or its tributaries. Onsite infiltration trenches, grease and oil traps, and overflow drainage facilities designed to have sufficient capacity to store runoff from a 2 year frequency, 6 hour duration storm are to be utilized to reduce floatable debris, turbidity and nutrient concentrations. All conveyance facilities within the drainage
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system are to be designed for a 25 year flow.

According to the applicant's information report, grease and oil are to be washed from parking and driveway surfaces on a biweekly schedule and all grease and oil traps are to be cleaned following each storm or washing event. The infiltration facilities are to reduce the quantity of stormwater flowing from the project area by at least .58 acre feet during each storm event, according to the applicant's information report, and are to retain 6 percent of the total flow from a 25 year storm.

Overflow from the on-site storm drainage system is to be discharged, as it presently is, into an underground conduit located between Harvey's Resort and the Sahara Tahoe. This 3 foot diameter conduit serves as a collector storm drain for essentially all of the existing impervious surfaces associated with Harrah's Tahoe and Harvey's Resort Hotel and presently discharges into the sediment basin and trash collection structure located at the southwest corner of the Sahara Tahoe property. The stormwater flows discharged from this conduit do not enter the large holding pond recently constructed behind the Sahara Tahoe. Stormwater flows discharged from the sediment basin then traverse a fairway of the Edgewood Golf Course in an underground conduit and enter Edgewood Creek by way of an open manmade ditch. Edgewood Creek discharges into Lake Tahoe at a location just north of the Edgewood Golf Course clubhouse.

Agency staff, upon review of the conceptual plan, is not satisfied that the plan as proposed will effectively treat the stormwater runoff to the extent required to meet the runoff quality guidelines set forth in the Handbook of Best Management Practices. Therefore, it is possible that in the final analysis additional treatment measures may be required.

Revegetation

The applicant's information report indicates that the revegetation of all areas disturbed as a result of this project, including those areas where existing asphalt is to be removed, will be in accordance with the General Planting and Seeding Specifications set forth in the 208 Best Management Practices Handbook. According to the applicant's information report all areas which are to be revegetated will be seeded with perennial grasses and legumes and will be planted with shrubs and trees that are native to the Tahoe Basin and which normally occur in Jeffery pine forests. The applicant's revegetation plan indicates the general planting and seeding specifications, the methods for selection of seed and live plants, seedbed preparation, broadcasting seed, drilling seed, straw mulch, fertilizer use, vegetative planting and vegetative maintenance including irrigation which will be utilized on the project.

Slope Stabilization

The applicant's information report identifies adequate methods that are to be used for runoff control and slope stabilization on the construction site. The applicant proposes to utilize a combination of filter fences, filter berms and rock-lined ditches to control runoff from the site during construction. Straw mulch and crushed stone and gravel mulches are to be used to temporarily stabilize the soil surfaces on the construction site during construction.
Snow Storage

The applicant's information report indicates that snow from the project area is to be stored on graveled areas, on infiltration facilities, and/or on paved areas. According to the information report, no surface runoff from snow storage will be allowed to leave the project site without passing through an infiltration facility and no snow storage will occur upon areas that have been revegetated.

Phasing

The applicant plans to construct the proposed parking garage in two phases in order to reduce the negative impacts on traffic circulation and parking accommodation that will result during construction. Since it will be necessary to fence off the actual construction area, a substantial number of parking spaces will be lost. In addition, movement of construction equipment, storage of construction materials and parking of workers' vehicles will require additional space which is presently utilized for customer parking.

Plans submitted by the applicant identify Phase I construction to include the northerly portion of the proposed garage, dimensioning 320 feet by 265 feet. According to Agency staff calculations, Phase I construction will provide approximately 1,950 parking spaces, or approximately 55 percent of the 3,572 spaces contained in the total garage. Phase I construction is to be completed and in use prior to work commencing on Phase II.

Traffic Analysis

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

In preparation of the following analysis of the potential traffic impacts resulting from the parking garage proposed by Harrah's Tahoe, the Agency staff has considered the assessments and conclusions contained in the above-referenced report and all other information received pertinent to the subject, including that submitted to the Agency in conjunction with the review of the proposed Sahara Tahoe parking garage approved in December, 1978.

Based on the conclusions contained in the October 1978 staff report, Agency staff has concerns with some of the assessments or conclusions contained in the applicant's traffic and air quality reports. As far as Agency staff can determine, the applicant's reports were based on the fundamental assumption that the project which will result in the provision of 2,393 additional parking spaces on the Harrah's Tahoe property, will result in a maximum of only 100 additional vehicle trips being generated under peak conditions. Although in a letter to the Agency, dated October 31, 1978, the applicant substantially increased his original estimation of the number of additional vehicle trips to 1,012, there have been no corrections made to either the traffic or air quality reports.
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To properly assess the major elements of the Harrah's Tahoe project that have the potential
to affect traffic movement and circulation within the South Stateline casino core area, Agency
staff has considered: 1. access and internal circulation; 2. subregional traffic impacts;
3. Douglas County parking requirements; 4. the significance of parking demand relative
to vehicle trip generation; 5. the applicant's assessment of parking demand; 6. other
methods of calculating parking demand; and 7. resulting vehicle trip generation. Based
on these seven elements, Agency staff has been able to draw the conclusions set forth
in this summary.

Access and Internal Circulation

Generally, access to the Harrah's property upon completion of the proposed garage is to
remain in its present configuration (see attachment #4). Direct access from Highway 50
will be provided by way of the primary California access located just south of the main
casino and the Nevada access located between the existing parking garage and the north casino.
Secondary access from California will be provided by way of Van Sickle Road. As shown
on the site plan submitted by the applicant, the only proposed modification will be the
conversion of the two-way driveway located between the existing parking garage and the
north casino to a one-way driveway providing only access to the property.

Although the applicant proposes to grade and construct a 30 foot wide roadway to provide
access to the loop road as part of this project, the applicant's plans indicate that this
loop road connection will not be paved or opened for use until the easterly portion of the
loop road is extended to Montreal Road.

The applicant's air quality report contains estimates of traffic volumes at each of the three
access points to the property. However, since the applicant's report is based on the
assumption that the project will generate only 100 additional vehicle trips on a peak day,
the projected traffic volumes do not represent increases over the present situation.

Vehicular ingress and egress to the proposed parking structure will be provided by
three controlled and supervised points of entry on the westerly side of the structure and
three controlled and supervised points of entry on the easterly side of the structure. A
two-way roadway is proposed around the entire perimeter of the parking structure. This
perimeter roadway will intertie with the existing City of South Lake Tahoe street system
by way of Van Sickle Road.

Subregional Traffic Impacts

The applicant's report entitled "Air Quality Impacts" dated August 29, 1978 contains traffic
volume projections for 75 different traffic movements within the general vicinity of the project.
Projected traffic volumes for each of the traffic movements have been calculated relative
to three hypothetical conditions or scenarios.

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Scenario A considers the proposed parking garage to be completed and in use but all other factors affecting traffic movement such as proposed roadway modifications, pedestrian separations, and loop road construction to be as existed prior to construction of the westerly portion of the loop road. Scenario A utilizes projected 1979 traffic volumes and assumes the complete absence of the loop road.

Scenario B considers the proposed parking garage to be completed and certain other proposed modifications affecting traffic movement in the area completed. The major modifications considered are the completion of the westerly portion of the loop road, completion of the pedestrian separation between Harrah's Tahoe and Harvey's Resort Hotel, elimination of the pedestrian signal between Harrah's Tahoe and Harvey's Resort Hotel and proper phasing of the other traffic signals in the area. Scenario B utilizes projected 1979 traffic volumes and assumes the easterly portion of the loop road to be closed just past the entrance to the Park Tahoe parking facility.

Scenario C considers the entire loop road completed and in use, both in Nevada and California, along with the construction of pedestrian separations at two locations: between Harrah's Tahoe and Harvey's Resort Hotel and between the Park Tahoe and the Sahara Tahoe. Scenario C utilizes projected 1982 traffic volumes and assumes the total facilities of the Park Tahoe to be completed and in use.

The general conclusions that the applicant has reached relative to adverse traffic impacts are that the project will result in additional trip generation and inadequate parking during construction. The applicant's traffic report also identifies the following to be favorable impacts of the project:

1. Improved safety within Harrah's Club property and on public streets.
2. Improved traffic circulation within Harrah's Club property and throughout the casino core area.
3. Reduced vehicular emissions.
4. Improved fuel economy.
5. Increased open space.
6. Improved handling of snow melt runoff.

Agency staff generally agrees that parking garages designed to replace equal amounts of open surface parking may result in the above listed favorable impacts. However, Agency staff does not agree that this project, resulting in an additional 2,393 parking spaces, will improve traffic circulation throughout the casino core area or reduce vehicular emissions.

Parking Requirement Per Douglas County Code

The following table shows the application of the Douglas County parking requirements to the existing facilities of Harrah's Tahoe as interpreted by the applicant. The table shows that the parking requirement for "restaurants, taverns, clubs, etc." as stated in the

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Douglas County Code was applied to 394,000 sq. ft. of floor area. This figure represents the gross building area accessible to the public or employees that does not fall under one of the other categories. A more customary application of parking requirements would focus only on public access areas and would therefore considerably reduce the parking required. It is noteworthy that Harrah's Tahoe could technically increase casino floor space to 394,000 square feet and not be required to provide additional parking under this interpretation of the Douglas County Code.

<table>
<thead>
<tr>
<th>Douglas County Parking Ordinance Requirements for Resort Hotels</th>
<th>Cars</th>
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<tbody>
<tr>
<td>1 car per room first 30 rooms</td>
<td>30</td>
</tr>
<tr>
<td>.8 car per room after 30 rooms</td>
<td>408</td>
</tr>
<tr>
<td>510 x .8</td>
<td></td>
</tr>
<tr>
<td>1 car per 100 sq. ft. of casino, restaurants, public &amp; service areas (394,000 sq. ft.)</td>
<td>3,940</td>
</tr>
<tr>
<td>1 car per 250 sq. ft. of offices (23,620 sq. ft.)</td>
<td>94</td>
</tr>
<tr>
<td>1 car per 3 seats in theaters (1,493 seats)</td>
<td>498</td>
</tr>
<tr>
<td>Total cars required by Douglas County</td>
<td>4,970</td>
</tr>
</tbody>
</table>

The "Analysis of Potential Parking Expansion, South Lake Tahoe Gaming Core Area" report includes a comparative analysis of various parking standards applied to hotel/casino projects at Lake Tahoe and also in the Reno-Sparks and Las Vegas areas. Based on the conclusions in this report and the expansive application of the County parking requirements to the Harrah's Tahoe hotel/casino complex, Agency staff suggests that the total number of parking spaces calculated above should be considered as a maximum number resulting from this application of the Douglas County Code.

The Significance of Parking Demand Relative to Vehicle Trip Generation

Agency staff considers it extremely important to establish a reasonable projection for the number of additional vehicle trips that could be generated within the South Lake Tahoe casino core area as a result of the proposed parking garage. Due to the current severe traffic congestion within the south casino core area, especially along U.S. Highway 50 in a northerly direction, the determination of whether or not the proposed garage will result in additional vehicle trips is a critical issue.
Based on the report entitled "Analysis of Potential Parking Expansion, South Lake Tahoe Gaming Core Area" dated October, 1978, and all other information submitted concerning this project, Agency staff considers that the evidence supports the conclusion that the proposed parking garage will result in additional vehicle trips due to the following:

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

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

**Applicant's Assessment of Parking Demand**

In a report entitled "Determination of Parking Requirements", the applicant, based on a survey of the Harrah's Tahoe parking lot on June 17, 18, and 24, 1978, concludes that 4,911 parking spaces are required to satisfy the parking demand for the 30th highest hour. The conclusion of the report is derived directly from the applicant's determination based on an actual count, that there were 8,059 vehicles utilizing the Harrah's parking lot between 2:00 p.m. and 10:00 p.m. on a peak day. The applicant considered vehicles utilizing the parking lot to include vehicles that were parked or circulating at the time the survey was taken.

Agency staff cannot agree with the methodology used by the applicant to determine parking demand. In the applicant's traffic report, it is estimated that prior to the opening of the loop road in August of 1978 approximately 11,000 vehicles per day passed through Harrah's parking lot by way of Van Sickle Road to avoid traffic congestion on U.S. Highway 50. There is no indication in the applicant's report that the number of vehicles found circulating in the parking lot was adjusted to account for vehicles that were only passing through and not actually seeking a parking space.

**Other Methods of Calculating Parking Demand**

Agency staff has developed a series of four separate calculations in order to analyze the number of parking spaces required to satisfy the present demand for parking at the Harrah's Tahoe hotel/casino complex.

**Calculation A (attachment #5)** - This calculation is based on the information provided by Don Pray of the Nevada Highway Department in an October 24, 1978 letter in which he evaluated data developed in the Tahoe Regional Transportation
Study (TRTS) to arrive at an estimate for the total number of parking spaces required on a peak day in 1974 to accommodate the patrons of Harrah's, Barney's, Sahara, and Harvey's. Inherent in this calculation is the assumption that the relationship between gaming floor area and parking that existed in 1974 is generally the same under present conditions. This calculation results in an estimation of the number of parking spaces required to satisfy the demand created during the 30th highest hour. This approach seems appropriate since the major roadways and intersections providing access to the Harrah's Tahoe property are designed to accommodate projected traffic volumes for the 30th highest hour.

Calculation A results in an estimation of 3,640 spaces required for the 30th highest hour to satisfy the parking demand created by the existing Harrah's Tahoe hotel/casino complex.

Calculation B (attachment #6) - This calculation is based on the figure of 254 trips generated per 1,000 square feet of gaming area per average summer day developed in the TRTS. This figure has been converted to 116 trips generated per 1,000 square feet per peak 8 hour period during an average summer day. Both the Nevada Highway Department and Caltrans agreed with the 116 figure as of December 18, 1978. On that date, Don Pray, of the Nevada Highway Department, submitted a report in which he recommends that the 116 figure be increased to 119 due to the likelihood of underreporting of internal trips that traditionally occur in studies similar to TRTS.

The turnover rate of 1.33 vehicles per space during the peak 8 hour period was developed by Creegan & D'Angelo, consulting engineers, based on actual counts taken in the Harrah's Tahoe parking lot on September 9, 1978. The use of the 1.33 turnover rate in place of the turnover rate of 1.5, which Caltrans has developed using data derived from the TRTS, results in more spaces being required to satisfy current demand.

Calculation B results in an estimation of 2,949 spaces required to satisfy the demand for parking during the peak 8 hour period on an average summer day. If the 119 figure developed by Don Pray were substituted for the 116 figure, the estimation of parking spaces required for the same period would be 3,025 spaces.

Calculation C (attachment #7) - This calculation is based on the trip generation factor developed by Don Pray's December 18, 1978 report in which he increased the earlier TRTS trip generation factors due to the likelihood of underreporting. In his report, Don Pray indicates that a trip generation factor of 154 trips per 1,000 square feet of casino area should be used to determine parking demand for the peak 8 hour period on the peak summer day. The turnover rate of 1.33 vehicles per space was developed by Creegan & D'Angelo based on actual counts taken in the Harrah's Tahoe parking lot on September 9, 1978.

Calculation C results in an estimation, based on Don Pray's adjusted trip generation factors, of 3,915 spaces required to satisfy the demand for parking during the peak 8 hour period on a peak summer day.

1/17/79
Parking Ratio Approved for Sahara Tahoe

On December 20, 1978, the TRPA Governing Board approved a parking garage project for the Sahara Tahoe resulting in a total of 2,400 parking spaces on the property. Assuming that the Sahara Tahoe complex contains approximately 43,000 square feet of casino floor space, the approval of 2,400 parking spaces establishes a ratio of 55.8 spaces per 1,000 square feet of casino floor space. If this ratio is applied to the 65,000 square feet of existing casino floor space contained in the Harrah's Tahoe complex, the resulting number of total parking spaces is 3,627.

However, since according to Agency records the existing 43,000 square feet of casino floor space at Sahara Tahoe has been properly approved by the Agency, it might be more appropriate to determine the number of parking spaces required for Harrah's Tahoe based on the 41,100 square feet of casino floor space approved by TRPA action. If the ratio of 55.8 spaces per 1,000 square feet of casino area is applied to the 41,100 square feet of casino area that has been approved, the result is 2,293 spaces. It is interesting to note that this figure of 2,293 spaces is actually less than the number of parking spaces that presently exists on the Harrah's Tahoe property.

Calculations A - D Relative to Approved Casino Area

If Calculations A through D were based on the 41,100 square feet of casino area that has been approved for Harrah's Tahoe by the Agency instead of the 65,000 square feet that presently exists due to recent unapproved expansion, the results are as follows:

Calculation A = 2,302 parking spaces
Calculation B = 1,906 parking spaces
Calculation C = 2,532 parking spaces
Calculation D = 2,014 parking spaces

Based on the approved casino area of 41,100 square feet, Harrah's Tahoe would require only 2,532 parking spaces to satisfy the demand for parking during the peak 8 hour period on the peak summer day. This parking requirement of 2,532 spaces is only 41 spaces more than presently exists on the Harrah's Tahoe property.

Resulting Vehicle Trip Generation

The evidence developed from the above calculations relative to parking demand based on the 65,000 square feet of existing casino area contained in Harrah's Tahoe indicates that between 2,949 and 3,915 parking spaces are required to satisfy the present demand for parking at Harrah's Tahoe. Since the project proposes a total of 4,884 parking spaces, Agency staff concludes that the project is likely to result in a range of between 1,935 and 969 parking spaces in excess of that required to satisfy present demand. Based on the fact that two vehicle trips result each time a parking space is occupied and vacated and on the assumption...
Calculation D (attachment #8) - This calculation establishes an estimate of required parking based on a "fair share" allocation for each of the four major hotel/casino complexes at South Stateline. The allocation is based on the ratio of casino floor space to the number of parking spaces established under approvals granted by the Agency prior to approval of the Sahara Tahoe parking garage on December 20, 1978. Calculation D indicates that, on a "fair share" basis, the Harrah's hotel/casino complex could be allocated 3,185 parking spaces.

Staff Analysis of Calculations A - D

The four calculations set forth in this staff summary establish a range of figures representing parking need for Harrah's Tahoe. There is a basic difference between Calculations A and B and Calculation C. The relationships between casino floor space and parking utilized in Calculation A and the trip generation factors utilized in Calculation B were derived directly from the TRTS and, as of December 18, 1978, were agreed upon by both the Nevada Highway Department and Caltrans. The trip generation factor utilized in Calculation C was developed by Don Pray, of the Nevada Department of Highways, in a December 18, 1978 report. Mr. Pray increased the trip generation factor originally derived from the TRTS under the assumption that traditionally in other studies similar to the TRTS study a certain degree of underreporting is common. Agency staff has no official comment from Caltrans regarding this assumption of underreporting; however, discussions with Caltrans staff personnel indicate that they generally disagree. As understood by Agency staff, it is the opinion of Caltrans that due to certain supplemental surveys that were performed as part of the TRTS, such as the hotel/motel study, the common occurrence of underreporting is not likely.

The following table shows the estimated parking need under the various staff calculations for related periods of time.

<table>
<thead>
<tr>
<th>Calculation</th>
<th># of Parking Spaces</th>
<th>Period of Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>3,640</td>
<td>30th highest peak hour</td>
</tr>
<tr>
<td>B</td>
<td>2,949</td>
<td>Peak 8 hr. average summer day</td>
</tr>
<tr>
<td>C</td>
<td>3,915</td>
<td>Peak 8 hr. peak summer day</td>
</tr>
<tr>
<td>D</td>
<td>3,185</td>
<td>&quot;Fair share allocation&quot;</td>
</tr>
</tbody>
</table>

The applicant indicates in his traffic report that peak summer usage extends for the 8 hour period from approximately 2:00 p.m. to 10:00 p.m. daily. Therefore, Agency staff considers the most appropriate range of required parking to be from 2,949 spaces for the peak 8 hour period, average summer day to 3,915 spaces for the peak 8 hour period, peak summer day.

1/17/79
that the turnover rate for each parking space is 1.33 times during the peak 8 hour period, the following calculations establish a range for the potential number of additional vehicles that will be generated.

\[(1,935 \text{ excess spaces}) \times (2 \text{ vehicle trips/space}) \times (1.33 \text{ turnover rate}) = 5,147 \text{ additional vehicle trips}\]

\[(969 \text{ excess spaces}) \times (2 \text{ vehicle trips/space}) \times (1.33 \text{ turnover rate}) = 2,578 \text{ additional vehicle trips}\]

In summary, Agency staff concludes that the proposed Harrah's Tahoe parking garage project will result in the generation of between 2,578 and 5,147 additional vehicle trips within the peak 8 hour period.

Air Quality Analysis

The applicant's air quality report, which was prepared by Cook Associates, is based on the assumption that the project will result in the generation of up to 100 vehicle trips. The air quality report assesses the carbon monoxide (CO) concentrations at 20 representative receptor sites for peak hour and peak 8 hour periods during four times of the year: the Christmas-New Years holiday, the Washington's Birthday holiday, the Easter holiday, and the peak summer day.

The report indicates that under the three scenarios discussed earlier, based on 1978 traffic volumes, the adopted standards for peak hour CO concentrations is theoretically exceeded at 5 of the 20 receptor sites and the standards for peak 8 hour CO concentrations is theoretically exceeded at 13 of the 20 receptor sites. The most serious violations of the peak hour and peak 8 hour CO standards occur at receptor site D which is located at the crosswalk between Harrah's Tahoe and Harvey's Resort Hotel and receptor site I which is located at the entrance to the Harvey's Resort Hotel parking lot adjacent to U.S. Highway 50. At receptor site D, the theoretical CO concentration is more than twice the peak hour standard of 35 parts per million and nearly four times the average 8 hour standard of 6 parts per million.

A comparative assessment of the theoretical CO concentrations in 1978 and the projected CO concentration under Scenario A, which considers the proposed parking garage completed and in use in 1979 but all other elements affecting traffic movements to be as presently exist, reveals that CO concentrations will increase significantly at receptor site A located on the sidewalk at the intersection of Stateline Road and U.S. Highway 50; at receptor sites L and M located at the pedestrian crosswalk between Sahara Tahoe and Barney's Club; and at receptor site O located at the intersection of the loop road and U.S. Highway 50.

In general, the applicant's air quality report indicates that improvements in CO concentrations will occur only under Scenarios B and C which consider such improvements as the complete loop road, two pedestrian separations and signal modifications to be completed. Unless these improvements are completed in conjunction with the proposed parking garage, the CO concentrations in 1979 will generally increase over the 1978 theoretical CO concentrations. It is important to note that the increases in CO concentrations in 1979, as indicated in the applicant's air quality report, are due
Harrah's Tahoe
Administrative Permit for a Parking Structure
page fourteen

primarily to the projected annual increase in traffic volumes and does not take into
account the additional vehicle trips that Agency staff concludes are likely to be generated
from the proposed increase in parking accommodation.

The air quality report concludes that "accepting the non-traffic generation narrative,
provided in other project-supporting documents, the parking structure will:

A. Eliminate 2,500 vehicle miles per year now spent searching for a
   vacant parking space.

B. Eliminate approximately 5,000 vehicle miles per year as a result
   of being more compact and centrally located.

C. The magnitude of the above saved 7,500 vehicle miles per year
   result in approximately 1,000 pounds carbon monoxide being
   expelled into the Tahoe Basin."

George Thiel, Environmental Specialist for the Nevada Division of Environmental
Protection, reviewed the air quality report prepared by Cook Associates and concluded
in a letter dated October 6, 1978 to the Agency that based on previous modeling efforts
from his office and the assessment from Cook Associates the parking garage impacts the
receptor points at lower concentrations than the existing parking facility.

Approvals

On August 3, 1978, the Douglas County Commissioners approved a special use permit
for the subject application under motion by Ken Kjer and Daniel Hickey (see attachment
#91). In addition to the conditions stated in the motion, the County approval is subject to
five conditions recommended by the County staff.

Staff Comment

Agency staff is generally in favor of providing parking garages in place of open surface
parking lots to satisfy present parking needs in the South Stateline casino core area.
However, based on the evidence developed in this staff summary and in the report
entitled "Analysis of Potential Parking Expansion, South Lake Tahoe Gaming Core Area",
Agency staff concludes that the Harrah's Tahoe proposed parking garage project is likely to
result in a range of between 1,935 and 969 parking spaces more than necessary to satisfy the
present demand for parking at the Harrah's Tahoe complex. Agency staff considers the
evidence relative to uncontrolled casino floor space expansion, as discussed in the
above-referenced report, adequate to support the conclusion that the resulting excess
spaces could generate additional vehicle trips.

1/17/79
Recommendation

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

1. The evidence developed in this staff summary is sufficient to conclude that the proposed Harrah's Tahoe parking garage project is likely to result in the generation of between 2,578 and 5,147 additional vehicle trips during peak 8 hour periods within an area that is presently subjected to traffic volumes for extended periods that cause severe traffic congestion, recorded violations of State and Federal air quality standards, and a resultant threat to the public's safety and welfare.

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

Estimation of Parking Demand for the Existing Harrah's Tahoe Facility for the 30th Highest Hour

Assumptions

1. NIHD - TRTS - peak day parking demand for Sahara Tahoe and Harvey's in 1974 was 4,700 spaces.

2. NIHD - TRTS - peak day parking demand for Harrah's and Barney's in 1974 was 3,500 spaces.

3. Sahara Tahoe gaming area in 1974 = 33,500 sq. ft. 1

4. Harvey's gaming area in 1974 = 38,000 sq. ft.

5. Harrah's gaming area in 1974 = 41,100 sq. ft. 2

6. Barney's gaming area in 1974 = 10,500 sq. ft. 3

7. Requirement for 30th highest hour = requirement for peak day divided by 0.85

8. Existing Harrah's Tahoe gaming area = 65,000 sq. ft.

I Total Spaces Required on Peak Day

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

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

II Total Gaming Area in 1974

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

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

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

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

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

(Average spaces required on peak day) x 0.85

67 spaces x 0.85 = 56 spaces/1,000 sq. ft. of gaming area

Attachment #5
V  Parking Demand for Existing Harrah's Tahoe Facility for 30th Highest Hour

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

\[(56 \text{ spaces}/1,000 \text{ sq. ft.}) \times 65,000 \text{ sq. ft.} = 3,640 \text{ spaces for 30th highest hour}\]

1 Computed from plans submitted.

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

3 Computed from aerial photographs and site inspection.
CALCULATION B

Estimation of Parking Demand for the
Existing Harrah's Tahoe Facility for 8 Hour
Peak During Average Summer Day

Assumptions

1. TRTS - 254 trips/1,000 sq. ft. gaming area/average summer day
2. NHD & Caltrans - 116 trips/1,000 sq. ft. gaming area/average summer peak 8 hours
3. Creegan & D'Angelo - parking turnover rate = 1.33 vehicles/space/peak 8 hours
4. Harrah's gaming floor area = 65,000 sq. ft.
5. Fair share of Barney's gaming floor area = 10,500 sq. ft. divided by 4 major hotel/casino complexes = 2,625 sq. ft.
6. Existing Harrah's parking = 2,491 spaces
7. Proposed Harrah's parking = 4,884 spaces

I Existing Trip Demand

Existing gaming area (Harrah's + Barney's) x trip rate (65,000 sq. ft. + 2,625 sq. ft.) x .116 = 7,845 trips/peak 8 hours

II Existing Trips Accommodated by Parking Spaces

Parking turnover rate x 2 x existing parking
1.33 x 2 x 2,491 = 6,626 trips/peak 8 hours

III Existing Trip Demand Not Accommodated

Existing trip demand - existing trip supply
7,845 - 6,626 = 1,219 trips/peak 8 hours

IV Additional Parking Spaces Required

Trips not accommodated divided by (turnover rate x 2)
1,219 divided by (1.33 x 2) = 458 spaces

V Existing Parking Demand

Existing parking + latent demand
2,491 + 458 = 2,949 spaces

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

Estimation of Parking Demand for the Existing Harrah's Tahoe Facility for 8 Hour Peak During Peak Summer Day

Assumptions

1. TRTS - 334 trips/1,000 sq. ft. gaming area/peak summer day
2. NHD - 154 trips/1,000 sq. ft. gaming area/peak 8 hour period on peak summer day
3. Creegan & D'Angelo - parking turnover rate = 1.33 vehicles/space/peak 8 hours
4. Harrah's gaming floor area = 65,000 sq. ft.
5. Fair share of Barney's gaming floor area = 10,500 sq. ft. divided by 4 major hotel/casino complexes = 2,625 sq. ft.
6. Existing Harrah's parking = 2,491 spaces
7. Proposed Sahara parking = 4,884 spaces

I Existing Trip Demand

Existing gaming area (Harrah's + Barney's) x trip rate (65,000 sq. ft. + 2,625 sq. ft.) x .154 = 10,414 trips/peak 8 hours

II Existing Trips Accommodated by Parking Spaces

Parking turnover rate x 2 x existing parking
1.33 x 2 x 2,491 = 6,626 trips/peak 8 hours

III Existing Trip Demand Not Accommodated

Existing trip demand - existing trip supply
10,414 - 6,626 = 3,788 trips/peak 8 hours

IV Additional Parking Spaces Required

Trips not accommodated divided by (turnover rate x 2)
3,788 divided by (1.33 x 2) = 1,424 spaces

V Existing Parking Demand

Existing parking + latent demand
2,491 + 1,424 = 3,915 spaces


2 Calculated from actual count taken in Harrah's Tahoe parking lot on September 9, 1978.
CALCULATION D
Determination of "Fair Share" Allocation of Parking for Each of the Four Major Hotel/Casino Complexes at South Stateline

Assumptions

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

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

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

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

Attachment #8
(Calculation D - page two)

Calculations

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

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

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

I Based on ratio of casino floor area to number of parking
spaces approved by TRPA.
DOUGLAS COUNTY BOARD OF COMMISSIONERS – Meeting of August 3, 1978

Item 4. c. Harrah's Tahoe – Special Use Permit for construction of Parking Structure.

MOTION by Kjer/Hickey to approve the Special Use Permit for Harrah’s parking garage, based on the findings that this will improve air quality by the parking garage structure, and circulation pattern as shown; all staff recommendations, with changing condition #1 to show that Harrah’s Club will diligently undertake connection to the Loop Road as soon as a contract is awarded for a connection to Montreal; that the map will show the Loop Road connection with a like amount of green area elsewhere as open area and be submitted for approval to the necessary agencies, so that there will be no question when that connection is to be made. Also, to clarify that the storm water drainage system is to be installed and operable prior to the construction of the parking garage. Discussion followed.

AMENDMENT TO MOTION: Stone/Dayton that exit road should be built from the garage to within 20' of the Loop Road and blocked off until the Montreal connection is made.

AMENDMENT was voted and carried unanimously.

MOTION AS AMENDED was voted and carried unanimously. So ordered.

(See staff background information and recommendations with conditions attached.)
THAT A LEFT TURN LANE ONTO LAKE VILLAGE BLVD IS NOT YET NECESSARY, BUT MAY BECOME SO IF DEVEL CONTINUE IN THE AREA. THE HIGHWAY DEP'T CURRENTLY HAS NO PLAN IMPROVEMENT PLAN FOR HIGHWAY 50.

ALL WILL SERVE LETTERS HAVE BEEN RECEIVED.

THE PARK 20 COMM. HAVE APPROVED THE PROJECT.

RTC APPROV WI ARTIF OF 20ND 13.

TH AT THE 322 PROJECT PROVIDE AN ACCESS RAMP TO 2 FOR THE HANDICAPPED.
The project consists of 19 condo office units in a 7 story building with covered parking located at the intersection of Lake Village Blvd & So. of US 50 in Douglas Co. Nev. Long wide dirt 11 kids which allows pull off bumper.

Plan show conceptual drainpipe facility to handle stormwater flows on the site.

Minimal cut

The cut slopes will be restabilized according to W. J. The slope stabilization plan.

The project is anticipated to generate 774 vehicle trips per day on a 7% increase in the annual average daily traffic of 31,715 vehicles on Highway 50 in the state line area. The applicant has dropped a portion of the part of the prop to the St of Nev. For a right turn deceleration lane onto Lake Village Blvd. The new highway dept has indicated...
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Lake Village Professional Building
Tentative Map for 19 Commercial Units
Douglas County

Project Location and Description

The applicant, John Seaton, is requesting approval of a 19 unit condominium office building in Douglas County, Nevada. The 2.4 acre parcel (Douglas County Assessor Parcel No. 07-061-01) is located adjacent to the intersection of Highway 50 and Lake Village Boulevard, approximately 1.1 miles north of Stateline (Attachment #1). The project proposes a 2-story building with lower level covered parking and one floor of office space. Under the condominium office concept, the interior office space of each unit will be available for purchase. The structure and all open space will be owned in common by the Lake Village Professional Building Association.

The project site lies between U.S. Highway 50 and Lake Village Boulevard. The professional building lies adjacent to and utilizes Lake Village Boulevard for access.

Environmental Setting

Slopes on the parcel vary from 4% near Highway 50 to approximately 20% in the fill areas adjacent to Lake Village Boulevard. The site is forested with large fir and pine trees. The understory vegetation is small undergrowth trees.

Land Use and Land Capability

The soil type on the property is identified as CaD, Cagwin rock outcrop complex, 5 to 15% slopes, capability level 4, with an allowable coverage of 20%. The applicant proposes to utilize all of the allowable coverage of 20,908 square feet. The TRPA land use designation is High Density Residential (HDR). The proposed project, a professional office building, is allowed in HDR. The HDR designation would also allow multiple residential units at a density of 15 units per acre. The maximum number of units allowable would be 36.

Building Height

The maximum allowable height in HDR is 35 feet. The proposed structure will be 31 feet in height.

Grading

The proposed building will result in a 10 foot cut on the northeast corner of the building. The material from this excavation will be used to fill in along the west side of the building. The maximum fill will be approximately 4 feet. The resulting cut slope will be backfilled up to the foundation wall of the lower level parking area.

Drainage

The applicant's plans show conceptual drainage facilities designed to collect all stormwater runoff generated by a 2 year frequency, 6 hour duration storm and to allow for infiltration of these flows on the site. Drainage from the building driplines will be collected in infiltration trenches located on the east and west sides of the building. Drainage from the east side will be directed to a rock-filled percolation bed located on the south side of the
SEATON

THE APPLI IS SEEKING APPROVAL OF A 19 UNIT CONDO OFFICE BLDG LOCATED ADJACENT TO 50 AT THE INTERSECTION OF 50 AND LAKE VILLAGE BLVD. PROJECT PROPOSES A 2 STORY OFFICE BLDG WITH LOWER LEVEL COVERED PKING. THE INTERIOR OFFICE SPACE WILL BE SOLD TO PROSPECTIVE OCCUPANTS UNDER THE CONDO CONCEPT.

SOIL TYPE IS CAGWIN ROCK OUTCROP CAPA 4 COVERAGE 20% APPLI WILL UTILIZE ALL ALLOWABLE LAND USE IS HDR WHICH ALLOWS PROFESSIONAL OFFICE BLDGS.

APPLICANT PLANS SHOW CONCEPTUAL DRAINAGE FACILITIES TO PERCOLATE STORMWATER FLOWS ON THE SITE.

CUT SLOPES RESULTING FROM THE CONSTRUCTION WILL BE STABILIZED AND REVEG ACCORDING TO A REVEGETATION PLAN SUBMITTED.

THE PROJECT WILL GENERATE APP 221 VEHICLE TRIPS PER DAY AADT= 31215 represents a .7% INCREASE.

ALL WILL SERVE LETTERS HAVE BEEN RECEIVED ON JUNE 1, 1978 DOUGLAS CO COMMISS APPROVED THE PROJECT RECOMMEND APPROVAL WITH STANDARD CONDITIONS.
Lake Village Professional Building
Tentative Map for 19 Commercial Units - page two

building. The percolation bed will also be used as a snow storage site. The lower level parking area is required to be at least 50% open to allow auto emissions dispersion. This will result in some snow accumulation in the parking area. This snow, as well as that from the paved access, will be stored to the south of the building. An infiltration trench will be located on the west side of the driveway to collect any storm flows emanating from the paved area.

Slope Stabilization and Revegetation

The parking level will result in a cut slope at the northeast corner of the building. After the building foundation walls have been constructed, the site will be backfilled with the reestablishment of the existing grade. The slope to the east of the proposed access, which slopes at about 20%, will be reestablished after the driveway is completed and revegetated. Any cut slopes resulting on the property from the widening of Highway 50 to provide a right-turn deceleration lane onto Lake Village Boulevard will be stabilized and revegetated.

Traffic

The proposed office building will house two engineering offices and the remainder of the units will be for general office usage. The applicant estimates that the project will generate approximately 221 vehicle trips per day. These trips will enter Lake Village Boulevard off Highway 50. The applicant has offered to deed to the State of Nevada the land necessary on the property to add a right-turn lane to provide safe access to Lake Village Boulevard from Highway 50. Traffic count tables accompanying a letter from Don Pray, of the Nevada Department of Highways, indicate the annual average daily traffic on Highway 50 in the Stateline area is 31,215 vehicles. The proposed 221 additional vehicle trips to be generated by this project represent a .7% increase. Mr. Pray's letter also indicates his opinion that the loop road has relieved some of the congestion experienced in the Stateline area that resulted in traffic backups to Round Hill. The smoother flow of traffic will reduce the incidence of conflicts that could occur at Highway 50 and Lake Village Boulevard.

A letter dated January 11, 1979 from Don Pray, of the Nevada Highway Department, indicates that a left-turn storage lane on Highway 50 into Lake Village is not necessary due to Mr. Seaton's proposed project. Mr. Pray's letter does indicate that as further development does occur in this area a left-turn lane may become necessary. However, at this time, the Nevada Highway Department has no improvement plans for U.S. Highway 50.

Will-Serve Letters

A will-serve letter for the provision of sewer service has been received from the Douglas County Sewer Improvement District; for water from the Kingsbury General Improvement District; for electrical energy from Sierra Pacific Power; for gas from Southwest Gas; and for fire protection from the Lake Tahoe Fire Protection District.

Local Agency Action

On June 1, 1978, the Douglas County Commissioners conditionally approved the project. On November 15, 1978, the Douglas County Commissioners conditionally approved the project parcel map.

1/17/79
Recommendation

Agency staff recommends approval of the project with the following 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; 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 7.130 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. Upon the issuance of building and grading permits, construction shall proceed in the following sequence:
   a. Such trees as TRPA has authorized shall be removed and the initial phase of the vegetation preservation and protection plan shall be completed.
   b. Installation of fencing for vegetation protection.
   c. Installation of temporary erosion protection devices.
   d. Prior to the removal of spoil materials from the construction site, a separate grading permit shall be obtained from the permit-issuing authority for offsite disposal of spoil materials.
e. Installation of utilities including water mains and fire hydrants required by the fire department.

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

g. Completion of structure foundations.

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

i. Completion of structures.

j. Paving.

k. Landscaping and revegetation.

3. 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. 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.

5. Replanting of all exposed surfaces, as per the revegetation and slope stabilization plan, shall be accomplished prior to September 30, 1979.

6. 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.

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

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

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

10. No structure shall exceed an average height of 31 feet measured from the natural grade.

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

12. The maximum land coverage on the site after completion of the project shall not exceed 20,908 square feet.

1/17/79
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Fairway Pines
Tentative Map for 48 Condominium Units
Washoe County

Project Location and Description

The applicant, Rutgers Mortgage, represented by William F. Pillsbury, Inc., is requesting approval of a 48 unit condominium subdivision located in Incline Village, Nevada. The 6.1 acre parcel (Washoe County Assessor Parcel No. 124-203-08) is located on the northeast corner of the intersection of Village Boulevard and Harold Drive. (See attachment #1.)

The project proposes the construction of 48 2- and 3-story wood frame condominium units and all the necessary improvements including a 24 foot wide private access road through the project.

Previous Agency Action

At the July 26, 1972 meeting, the Governing Board approved a tentative map for a 54 unit condominium subdivision on the subject parcel. However, Section 4.31 of the Subdivision Ordinance provides that Agency approval of tentative maps shall lapse unless the applicant records a final map of the subdivision within eighteen months of such Agency approval. It is the opinion of Agency's staff and legal counsel that the eighteen month provision operated on the approved tentative map and that approval of the tentative map has lapsed. Agency legal counsel has advised that the existing application be reviewed on its merits against the currently existing Agency ordinances.

Local Agency Action

The Washoe County Board of Commissioners approved a tentative map for a 54 unit condominium subdivision on June 20, 1972. The tentative map for the 54 unit condominium subdivision was reapproved on August 7, 1973 by Washoe County. On September 5, 1978, Washoe County accepted and filed a tentative plat for a 48 unit condominium subdivision with the finding that the current application was in substantial conformance with the master plan of Washoe County.

Land Use and Land Capability

The property is zoned R-3 by Washoe County. R-3 allows multiple residential developments. Under Washoe County zoning, the maximum number of allowable units is 54. The property is classified as Low and High Density Residential by the Agency. The northerly 3.9 acres is Low Density Residential and the southerly 2.2 acres is classified High Density Residential. Below is a breakdown of allowed and proposed densities on the property.

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>Acreage</th>
<th>No. Units Allowed</th>
<th>No. Units Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>LDR</td>
<td>3.9</td>
<td>16</td>
<td>27</td>
</tr>
<tr>
<td>HDR</td>
<td>2.2</td>
<td>33</td>
<td>21</td>
</tr>
</tbody>
</table>

1/17/79
Fairway Pines
Tentative Map for 48 Condominium Units
Washoe County - page two

The project proposes 11 more units in Low Density Residential than are allowed under
Section 7.52(1)(a) of the Land Use Ordinance. Section 8.32 "Calculation of Densities" states:

"The number of dwelling units per acre permitted in a Rural Estate,
Low, Medium or High Density Residential, Medium Tourist Residential,
and Tourist Commercial District, and transient dwelling units per acre
permitted in a Medium Tourist Residential, Tourist Commercial and
Commercial District, shall be determined in the first instance on the
dwelling units per acre permitted in the use district in which the
land is located..."

Under Section 8.32 the number of units to be constructed in any use district cannot
exceed the density allowed in that district. The applicant has correctly calculated
the maximum number of units allowed on the entire parcel but has incorrectly
allocated those units to the respective land use districts resulting in excess density
in the Low Density Residential use district.

Staff Comment

Agency staff has informed the applicant of this problem and requested that the
application be withdrawn and the plans be revised to conform to the allowable
densities in the respective land use districts. The applicant has requested that
the application be left on the agenda so that this situation may be discussed by the
Board. Agency staff considers two options available to the applicant:

1. Revise the densities in the respective land use districts to achieve conformance
   with the applicable Agency standards (Section 7.52(1)(a) and Section 8.33 of
   the Land Use Ordinance).

2. The applicant process a General Plan amendment request to revise the land
   use district on the 3.9-acre Low Density Residential portion to Medium
   Density Residential which would allow 8 units to the acre.

Recommendation

Agency staff recommends that the project as currently proposed be denied without
prejudice pending resubmittal of the project utilizing one of the two options suggested
by the staff.
Jerry Cruitt
Tentative Map for 4 Condominium Units
Washoe County

Project Location and Description

The applicant, Wolden Construction, represented by Jerry Cruitt, is requesting approval of a 4 unit condominium project located in Incline Village, Nevada. The .45 acre parcel (Washoe County Assessor's Parcel #125-286-01) is located on Wilson Way off of Golfers Pass Road, approximately 1 mile up the Mt. Rose Highway (see attachment #1). The project consists of four 2,500 square foot dwellings in one building. Each unit will be 3 stories high and will have a 2 car garage.

Previous Agency Action

At the March 22, 1978 meeting, the Governing Board approved a land capability challenge on the property. On May 31, 1978, the applicant filed an application with Washoe County for a parcel map approval of 4 parcels. Under the terms of TRPA Ordinance No. 78-5, the parcel map could not be processed by the County. On June 29, 1978, Mr. Cruitt requested that the TRPA Governing Board find the project exempt from Ordinance Nos. 78-5 and 78-6 in that it would generate no additional vehicle trips under Section 3.30 of said ordinances. Staff contended that this section of the ordinance applied only to projects existing before March 22, 1978 that were seeking conversion approval. This project had no existing approvals and the Board found that the project was not properly before it and was subject to TRPA Ordinance Nos. 78-5 and 78-6. Mr. Cruitt then filed an application with Washoe County on July 13, 1978 for approval of the construction of a 4-plex apartment building. Washoe County granted approval on August 8, 1978. The project was started under the Washoe County 4-plex apartment approval and is currently under construction. The applicant is now seeking Board approval of a conversion from apartments to condominiums.

Land Use and Land Capability

The subject parcel is identified as ISc, Inville, stony coarse sandy loam, 2 - 9% slopes, land capability level 6 with an allowable 30% coverage. The maximum allowable coverage is 5,892 square feet; the applicant proposes 5,856 square feet of coverage.

The TRPA land use designation is Low Density Residential which allows up to 4 units to the acre. The subject property is located in Incline Village Unit #3. Due to the incorporation of the golf course acreage into Unit 3, Washoe County allowed increased density on some lots. This resulted in densities on some lots in excess of those allowed under the TRPA LDR designation. On December 15, 1975, the TRPA Governing Board approved a staff recommendation that the densities approved in 1969 by Washoe County constitute a non-conforming right under Section 9.11 of the TRPA Land Use Ordinance and that the subject multiple residential lots be allowed the densities as specified on the final subdivision map, even though they exceed the current allowable densities. The question has arisen whether this grandfathered right to exceed the allowable density applies when the existing Unit 3 lots are parceled off to permit condominium ownership. Agency legal counsel has determined that the subdivision of nonconforming parcels is not a grandfathered right of Unit 3 and to allow the subdivision of parcels containing non-conforming uses, a variance must be granted from the terms of the Subdivision Ordinance.

1/17/79
Meets all other Agency requirements.


May file application with Wash. Co. for parcel

County council process due to 1B 816

By June 21 farm project subject to

78 516

July file app for 4 unit townhome project to Washos

Ago. Washos co approved a 4 unit

townhome.not project.

Now seeking approval of conversion
Height

The buildings are 3 stories and have an average height of 32 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 southeast side of the building to handle the roofline drainage. Drainage from the parking area will be collected in a drop inlet and transported to the infiltration trench located to the southeast of the building.

Utilities

Will-served letters have been received from all the required service providers.

Local Agency Action

Washoe County staff granted a conditional approval of the condominium conversion and parcel map on December 28, 1978.

Analysis

Section 15.0 of the Subdivision Ordinance states:

"Variance findings

The permit-issuing authority may grant variances from the terms of this ordinance only if it is found that because of special circumstances applicable to the property involved a strict application deprives such property of privileges enjoyed by other similarly situated property and the applicant shows that he cannot make any reasonable use of the property if such regulations are applied. Where such conditions are found, the variance permitted shall be the minimum departure from existing regulations necessary to avoid such deprivation of privileges enjoyed by such other property and to facilitate a reasonable use, and which will not create significant probabilities of harmful environmental consequences. In no case may a variance be granted that will provide the applicant with any special privileges not enjoyed by other similarly regulated properties."

Staff can make the first required finding. The density increases allocated to certain lots in Incline Village Unit 3 were made prior to the TRPA Land Use Ordinance and were made without consideration of lot size. The overlaying of TRPA's Low Density Residential land use district has resulted in a special circumstance on all lots where the Washoe County approved density is in conflict with TRPA allowed density. Other similarly situated properties in Incline Village Unit 3 are allowed to subdivide where the size of the property is over-large.

Agency staff is unable to make the second required finding that the applicant cannot make reasonable use of the property if not allowed to subdivide. Washoe County granted
CRUITT

THE APPLICANT IS REQUESTING APPROVAL OF A 4 UNIT CONDO LOCATED ON WILSON WAY, 1 MILE UP MOUNT ROSE HIGHWAY, IN INCLINE VILLAGE THE PROJECT CONSISTS OF 4 2500 SQ FT DWELLINGS IN 1 BUILDING EACH UNIT WILL BE 3 STORIES AND HAVE A 2 CAR GARAGE

At the March 22, 1978 meeting, the Governing Board approved a bond capability challenge on the property. On May 31, 1978, the applicant filed an application with Washoe County for a parcel map approval of 4 parcels. Under the terms of TRPA Ordinance No. 78-5, the parcel map could not be processed by the County. On June 29, 1978, Mr. Cruitt requested that the TRPA Governing Board find the project exempt from Ordinance No. 78-5 and 78-6 in that it would generate no additional vehicle trips under Section 3.30 of said ordinances. Staff contended that this section of the ordinance applied only to projects existing before March 22, 1978 that were seeking conversion approval. This project had no existing approvals and the Board found that the project was not properly before it and was subject to TRPA Ordinance Nos. 78-5 and 78-6. Mr. Cruitt then filed an application with Washoe County on July 13, 1978 for approval of the conversion of a 4-plex apartment building. Washoe County granted approval on August 3, 1978. The project was started under the Washoe County 4-plex apartment approval and is currently under construction. The applicant is now seeking Board approval of a conversion from apartments to condominiums.

PARCEL IS IDENTIFIES AS INVILLE STONEY COARSE SANDY LOAM CAPA 6 COVERAGE 30% APP PROP 29% ON DEC 15,1975 GOV BD APP STAFF REC THAT DENSITIES APP BY WASHOE FOR IV3 CONSTITUTE A NONCONFORMING RIGHT AND THAT THE MULTIPLE RESIDENTIAL LOTS BE ALLOWED THE DENSITIES SPECIFIED ON THE FINAL SUBDIVISION MAP EVEN THO THEY EXCEED CURRENT ALLOWABLE DENSITIES THE-P-HAS-ARISEN agency legal counsel has determined that the subdivision of nonconforming PARCELS IS NOT A GRANDFATHERED RIGHT OF UNIT 3 AND TO ALLOW THE SUBDIVISION OF PARCELS CONTAINING NONCONFORMING USES A VARIANCE MUST BE GRANTED THE BUILDINGS ARE 3 STORIES AVER HEIGHT 32 FT ALLOWED 35FT THE APP HAS AGREED TO PLACEMENT OF INFILTRATION TRENCHES TO HANDLE STORM DRAINAGE WILL SERVE LETTERS HAVE BEEN RECEIVED WASHOE CO GRANTED CONDITIONAL APPROVAL OF THE PARCEL MAP ON DEC. 28, 1978 variance REQUIRES 2 findings 11 THAT
approval of a 4 unit apartment complex on a 1/2 acre parcel which Agency staff finds to be a reasonable use of the property. In light of staff's analysis of housing cost and availability impacts resulting from the subdividing of apartment into condominium units, Agency staff considers the 4 unit apartment use not only to be a reasonable use but also the most appropriate.

Recommendation

Agency staff is unable to make the required finding under Section 15.0 of the Subdivision Ordinance to allow a variance to be granted. Agency staff cannot find that if the applicant is not allowed to subdivide the existing 4 unit apartment building into 4 condominium units that he will be deprived a reasonable use of the property. Therefore, Agency staff recommends that the subject tentative map and variance be denied.

1/17/79
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Public Works Project
Incline Village General Improvement District
Incline Village-Crystal Bay Community Pool Complex
Washoe County

Project Summary

The applicant, the Incline Village General Improvement District, represented by Jeff Lundahl, is requesting approval of a public swimming pool and community center complex to be located in Incline Village, Nevada. 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 (Washoe County Assessor Parcel No. 124-120-29) and a portion (10.9 acres) of a 78.17 acre parcel (Parcel No. 124-180-15). Both parcels are owned by the Incline Village GID. The project is to be funded by Washoe County and the Reno/Sparks Convention Authority and operated by the Incline Village GID.

The proposed project consists of a 25,000 square foot enclosed 50 meter long, 8 lane covered indoor/outdoor swimming pool joined to a 3-story building at the north. The lower floor of the 3-story building will house support facilities, i.e. lockers, showers, administration and recreation rooms, for the pool complex. The two upper floors will be for building entry, meeting rooms, and multi-use rooms. Access to the project and parking will be provided on the 10.9 acre portion of the Country Club acreage. There are currently 134 parking spaces available on the golf course parcel and the applicant projects the need for 203 spaces at buildout of the project. The expanded parking will also be provided on the Country Club acreage.

Existing Environmental Setting

The building site is presently heavily forested at the corner of Northwood Boulevard and Fairway Boulevard. The vegetative cover consists of pine and fir overstory and a manzanita and squaw carpet understory. The property slopes to the east to a depression in the center of the site which slopes at a 6 to 12% slope to the south. There appears to be no significant surface movement of water, no low spots or points of water concentration other than the natural swale. To the east of the project area is Third Creek which runs from north to south. There will be no construction activity near Third Creek. There are 187 trees identified on the site, of which 104 will remain and 83 will be removed.

Land Use Classification

The 2.1 acre parcel is classified as Tourist Commercial by the Agency and C-2 by Washoe County. Tourist Commercial permits a maximum of 50% land coverage. The 10.9 acre portion is classified Recreation by the Agency. The maximum allowable coverage in Recreation is 30%. The project area's soil type has been identified as 1sc, Inville, stoney, coarse, sandy loam with 2 to 9% slopes, land capability district 6.

Land Coverage

The maximum allowable land coverage in the Tourist Commercial area is 46,560 square feet. The proposed coverage is 46,527 square feet. Within the Recreation land use district, the maximum allowable coverage is 1,021,603 square feet. The proposed coverage is 100,000 square feet.

1/17/79
Incline Village GID
Community Pool Complex
page two

Surrounding Uses

The proposed project is located at the northeast fringe of the community core area which contains primarily commercial and high density residential zoning. The pool site is bordered to the north by condominiums, fourplexes and duplexes. Virtually all commercial property, high density housing, transient housing, public services, schools and recreational facilities are located within a 1 mile radius. To the east is the existing Incline Village Country Club golf course.

Building Height

The maximum permitted building height in the Tourist Commercial use district is 40 feet. The average height of the 3-story building and pool enclosure is 45.25 feet. A 15% credit for appurtenances applies to this project due to the location of the winches needed to retract the fabric pool cover. The overall building height is in conformance with the Agency's height requirements.

Grading

The construction of the project will result in substantial grading on the Tourist Commercial property. The pool support facilities located on the basement floor will have a finished floor elevation approximately 11 feet below natural grade at the north side. As proposed, the second floor of the building will be the ground floor. The pool enclosure will be located to the south of the 3-story building. There will be a substantial excavation for the 50 meter swimming pool. There will be a minimal amount of excavating to provide the additional needed parking on the golf course parcel. The applicant estimates that approximately 10,500 cubic yards of material will be excavated. Nine-thousand cubic yards of this material is to be removed from the site. The disposal site should be approved by Agency staff prior to the commencement of construction. The applicant's plans show temporary erosion control berms to be placed along the low side of the construction area. Erosion control berms will also be placed on the parking areas to control sediment release during earthen material removal.

Drainage

The applicant's plans show conceptual drainage facilities designed to collect all stormwater runoff generated by a 2 year frequency, 6 hour duration storm and allow for infiltration of these flows on the site. The pool enclosure will be covered with a retractible fabric cover which will slope from north to south. Drainage will sheet flow off the pool cover across a concrete walkway and deck and into drain pipes set into a 4 foot rock safety wall and into infiltration trenches. The roof line of the 3-story structure slopes from south to north. Drainage from the roof will be collected in an infiltration trench located to the north. The north wall will have a basement level finished floor elevation approximately 11 feet below natural grade. Agency staff is concerned that directing all of the building roof drainage into an infiltration trench located adjacent to this extended wall may cause water seepage problems along the north side basement level walls. Agency staff and the applicant are working on methods to resolve this concern.

1/17/79
Incline Village GID  
Community Pool Complex  
page three

Drainage from the paved parking areas will be directed to infiltration trenches located along the southerly side of the project site. The existing parking area west of the country club clubhouse has two drop inlets which catch the runoff from the parking areas and direct the flows to a settling pond located to the east of the proposed pool complex. The proposed infiltration trenches will percolate any excess flows that cannot be handled by the existing drop inlets.

Slope Stabilization and Revegetation

The basement floor of the 3-story building will be cut into the existing slope on the north side of the property. This will result in a substantial cut slope on this side. After the building foundation walls have been constructed, the site will be backfilled with the reestablishment of the existing natural grade around the building footprint. The existing site slopes south into a swale or gully. This results in the need to place fill at the southern edge to support the enclosed pool deck and outside concrete deck. A retaining wall will be constructed to contain the fill area. At the highest point, the wall will be approximately 7 feet high.

The entry way located at the northeast corner will result in a 4 foot cut bank which will be laid back to a 2:1 slope and revegetated.

The creation of the new parking areas will result in 3 three cut slopes, none of which will exceed 4 feet in height. These areas will also be shaped to a 2:1 slope and will be revegetated.

Traffic

The project is proposed to service an identified need in the Incline Village area. A mail survey of Incline residents rated provision of a recreation facility as an important priority. By providing increased recreational opportunities, the facility will increase vehicle trips in Incline. Most of these trips will be generated among Incline Village residents and will be distributed along the local street system. A majority of the subdivided residential land is located north of Lake Tahoe Boulevard, the main arterial through Incline. Vehicle trips to and from the site will be distributed on the local feeder streets that intersect the central core area of Incline as defined by Southwood and Northwood Boulevards. (See attachment #1)

The project is located on the northeast side of Northwood Boulevard. Northwood Boulevard was designed as a collector street around the core area and is not yet utilized to its anticipated capacity. Fairway Boulevard has moderate traffic with few residential streets that access to it. Fairway is mainly a collector street which connects Northwood Boulevard and the core area with Country Club Boulevard.

The project is anticipated to generate approximately 732 vehicle trips per day at maximum occupancy. This would assume full usage of all facilities. Agency staff anticipates that the local street systems of Incline can accommodate the additional traffic loads. Provisions are being made to provide bus service to the project, which should reduce the total vehicle trips.

1/17/79
COMMON CENTER & POOL COMPLEX

Consists of 50 meter pool and 3 story building that will house pool support staff, meeting and multi-use rooms.

NEEDED: 263 WASHED CO ENGINEER [X]

EXIST: 134

POOL: IN-TC: 6m x 5m, 50% prep, 49%

FRINGE: Core within 4m, WI-
NED & HIGH RISK USES

SUPPLY ESTIMA. 10,000, 60 YDS METER EXCAVATED

NEED:

LOCALS OVER LOCAL HOPES

ANTIC GEN: 737 VEHICLE TRIPS

ASSUM FULL USAGE

C.O. WINTER

Phases II: EXPAN - PRING DEMAND

PARKING: ABOVE 157 MUST BE APPROVED BY THE AGENCY.
Incline Village GID
Community Pool Complex
page four

Will-Serve Letters

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

Local Agency Action

On December 5, 1978, the Washoe County Regional Planning Commission approved the project during major project review. The Washoe County Commissioners approved the project on January 9, 1979.

Agency Actions

At the November 29, 1978 meeting, the TRPA Governing Board made an affirmative finding regarding traffic generation as required under Section 4.40 of TRPA Ordinance No. 78-5.

Advisory Planning Commission Action

At its regular January 10, 1979 meeting, the APC, on a motion by Mr. Gardner, voted unanimously to recommend approval of the project with the conditions as recommended by staff with deletion of staff's condition 1b and the addition of condition 20 to read that: "before the project is finalized the landscape and revegetation shall be inspected and approved by the Soil Conservation Service". A statement shall be added to conditions 12 and 13 that the Governing Body may consider extensions of the project approval should there be delays beyond the control of the applicant. The recommendations of the APC have been incorporated into this summary.

Recommendation

Agency staff recommends approval of the proposed project with the following conditions:

1. Each of the following conditions shall be completely performed prior to the issuance of any building or grading permits:
   a. The final revegetation, slope stabilization, and drainage plans shall be submitted to and approved by the Agency staff. These plans shall clearly depict revegetation and/or other methods of slope stabilization to be performed by the applicant for all existing and proposed cut and fill slopes and areas denuded of vegetation. These plans shall also depict: fencing for vegetation protection; temporary and permanent erosion control devices; dust control; and all drainage facilities. The drainage plan shall contain methods to resolve the Agency staff concerns about the infiltration trench located on the north side of the building.
   b. Calculations showing the adequacy of the infiltration trench design prepared by a qualified civil engineer shall be submitted to Agency staff.

1/17/79
POOL
THE APP TVGID IS REQUESTING APP OF A COMMUNITY POOL AND COMMUNITY CNTR
LOCATED AT THE INTERSECTION OF NORTHWOOD AND FAIRWAY BLVDs IN INCLINE
VILLAGE
PROJECT CONSISTS OF A 25000 SQ FT INDOOR/OUTDOOR POOL JOINED TO A 3 STORY
BUILDING AT THE NORTH THE APPLI PROJECT THE NEED FOR 203 PARKING SPACES
FOR THE PROJECT CURRENTLY 134 SPACES WAHEOE CL CNEI MAKED A MODIF
THE POOL COMPLEX PARCEL IS CLASSIFIED TC ALLOWED 50% COVER APPLICANT
PROPOS$ 49%
PROJECT LOCATED AT FRINGE OF CORE AREA AND IS SURROUNDED WITH RESIDENTIAL
USES INCLUDING HIGH Y MED. DENSITY OFFICE AND GARES
THE BUILDING HEIGHT IS IN CONFORMANCE WITH THE AGENCIES HEIGHT LIMITATIONS
THE PROJECT WILL RESULT IN SUBSTANTIAL GRADING ON THE TC PARCEL THE
APPLICANT ESTIMATES THAT APPROX 10000 CU. YDS OF MATERIAL WILL BE ECCAVATED
THE APPLICANTS PLANS SHOW CONCEPTUAL DRAINAGE FACILITIES DESIGNED TO
PERCOLATE STORMWATER FLOWS EMANATING FROM THE SITE
THE PROJECT IS PROPOSED TO SERVICE AN IDENTIFIED NEED IN THE IMCLINE AREA/
BY PROVIDING FOR INCREASED REC OPPOR THE FACILITY WILL INCREASE VEHICLE
TRIPS IN INCLINE MOST OF THESE TRIP WILL BE GENERATED AMONG INCLINE RESIDEN
AND WILL BE DIST ALONG INCLINE FEEDER STREETS
THE PROJECT IS ANTICIPATED TO GENERATE APPROX 732 VEHICLE TRIPS PER DAY
ASSUMING FULL USAGE OF ALL FACILITIES AGENCY STAFF ANTICIPATES THAT THE
LOCAL STREET SYSTEM CAN ACCOMMODATE THE ADDITIONAL TRAFFIC LOADS/PROVISIONS
ARE BEING MADE TO PROVIDE BUS SERVICE TO THE PROJECT WHICH Should
REDUCE THE TOTAL VEHICLE TRIPS SERVICED CAN BE PROVIDED W/ SHUTTLE VEH-OWNED
OWNED AND OPERATED BY TVGID
ALL WILL SERVE LETTER HAVE BEEN RECEIVED
ON DEC. 5, 1978 THE WAHEOE CO PLANNING COMMISSION APPROVED THE PROJECT
ON JAN 9, 1979 THE WAHEOE CO COMMISSIONERS APPROVED THE PROJECT
THE APC VOTED UNANIMOUSLY TO APPROVE THE PROJECT WITH 2 CHANGES TO
THE RECOMMENDED CONDITIONS OF APPROVAL THE APC RECOMMENDATIONS HAVE
BEEN INCORPORATED INTO THE$ RECOMMENDATION
AGENCY STAFF RECOMMENDS APPROVAL
c. 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.

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

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

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

b. Installation of fencing for vegetation protection.

c. Installation of temporary erosion protection devices.

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

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

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

g. Completion of structure foundations.

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

i. Completion of structures.

j. Paving.

k. Landscaping and revegetation.

3. 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 between October 15 and May 1, unless the proper approvals for same are obtained.

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 the October 15 grading and land disturbance deadline.

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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.

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. The Governing Body may consider extensions of the project should there be delays beyond the control of the applicant.

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 interest expense, costs to constitute a lien against all the real property which is the subject of this approval. The Governing Body may consider extensions of the project should there be delays beyond the control of the applicant.

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

15. No structure shall exceed an average height of 45.25 feet measured from the natural grade.

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 any vehicles to designated parking and driveway areas.

18. The maximum land coverage on the site after completion of the project shall not exceed 46,584 sq. ft. on the Tourist Commercial parcel and 100,000 sq. ft. on the Recreation parcel.

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. Before the project is finalized, the landscaping and revegetation shall be inspected and approved by the Soil Conservation Service.
Nevada Highway Department
Harrah’s to Harvey’s Pedestrian Undercrossing
Douglas County

Project Location and Description

The Nevada Highway Department is proposing to construct a pedestrian undercrossing under Highway 50 between Harrah’s Hotel Casino and Harvey’s Resort Hotel (Attachment A). The purpose of this project is to provide a pedestrian crossing on U.S. Highway 50 between Harvey’s and Harrah’s such that vehicular traffic is not interrupted. The proposed pedestrian crossing is to be accomplished by constructing an underpass on U.S. Highway 50 with public entrance and exit facilities at each end. The proposed facility at each end of the underpass will consist of two escalators, one for travel from street level to underpass level and one for travel from underpass level to street level. Each facility will also provide one elevator for the handicapped. All these facilities will be included in a public access easement and will be open to the public at all times.

The project as proposed by the Nevada Highway Department includes major modifications to Harvey’s Resort Hotel which are described later in this report. However, it should be noted that the modifications to Harvey’s Resort Hotel are not included in the three party agreement for the undercrossing but the Highway Department finds them necessary to the project.

Approvals

The Douglas County Planning Commission conditionally approved both the proposed construction within the public easement and the adjoining modifications to Harvey’s as one public works project. These conditions include a provision that the construction within Harrah’s and Harvey’s will not expand gaming floor space. Douglas County Commissioners reaffirmed this approval and also found the proposed work in Harvey’s in substantial conformance with the 1973 master plan approval for Harvey’s. According to Bob Gardner, the County Public Works Director, the County does have the ability to deny or approve state public works projects and the County would issue just one permit for the project.

Staff has concerns on the enforcement of the Douglas County conditions of approval since Rod McInnes, of the Nevada Highway Department, has indicated the County’s role is only advisory. Mr. McInnes has indicated the State will comply with the subject approval and feels the approval is binding on Harvey’s and Harrah’s.

Conformance With TRPA Plans and Policies

The pedestrian separation between Harrah’s and Harvey’s is an adopted element of the TRPA 1975 Tahoe Regional Transportation Plan.

Harvey’s Resort Hotel cooperation in construction of the pedestrian separation is an NTRPA condition of approval of the 1973 Harvey’s Master Plan which was later approved by default by the TRPA. Harrah’s Tahoe is required by the May, 1973 TRPA condition of approval to make a substantial financial contribution to the cost of constructing a pedestrian separation.

1/17/79
As discussed later in this report, staff cannot find the work proposed by Harvey’s to be in substantial conformance with the 1973 master plan approval because the 1973 approved plans do not indicate a second floor within the project area.

Traffic Analysis

At present, a stop light provides intermittent interruption of traffic to allow pedestrians to cross Highway 50 between Harvey’s and Harrah’s. The stop light is unnecessary for vehicle traffic control because it is located in the middle of the block and therefore can be eliminated along with the existing pedestrian at-grade crossing.

At street level, pedestrian barriers will be constructed at the curb line along Highway 50 in front of Harrah’s and Harvey’s casinos to prevent pedestrians from crossing the highway between traffic signals. The barricade will have openings to accommodate travel into and out of private driveways.

Analyses conducted by the Nevada Highway Department and the Nevada Division of Environmental Protection and various other studies associated with projects in the South Stateline area indicate the construction of the pedestrian separation in conjunction with other improvements will have beneficial impact on traffic flow and air quality.

Construction

As proposed, construction shall begin in March of 1979 and be completed within 12 months. The actual tunnel construction within the Highway 50 right-of-way is scheduled to be completed within a period of six months following commencement of construction.

Construction within Harvey’s and Harrah’s will require the relocation of the sidewalk and the possible closing of one lane of traffic until structural integrity of each building is obtained. Work on either side of the highway will not be concurrent so that only one lane due to building construction will be closed at a time.

The following is a summary of the intended traffic control during construction as proposed by the Highand Department:

1. From June 15 to Labor Day contractor shall maintain four lanes of traffic at all times through the construction area between the hours of 7:00 a.m. and 11:00 p.m. During the remaining hours the traffic control plan may be implemented.

2. Prior to June 15 and after Labor Day contractor may reduce lanes between the hours of 9:00 p.m. and 7:00 a.m. at his discretion. Traffic control may be implemented during remaining hours.

During the same time period, contractor may reduce lanes between 7:00 a.m. and 9:00 p.m. only upon prior written approval from the Nevada Highway Department and only when construction activities critical to the job can only be accomplished during these hours.

3. Four lanes through the construction area can be accomplished with one lane restriction by closing the left turn lane in the immediate vicinity of the construction.
Nevada Highway Department
Harrah's to Harvey's Pedestrian Undercrossing
page three

4. At all times the intersection of Stateline Avenue and Highway 50 shall be maintained in its present configuration with two lanes in each direction and a left turn lane.

5. Advance warning signs will be a part of the contract. They will be located in advance of the loop road for westbound traffic and in advance of Pioneer Trail and Park Avenue.

6. Pedestrian signal at construction area to be covered during periods of construction. A pedestrian barrier of sufficient height to prohibit crossing the highway shall be constructed from Stateline Avenue to the first driveway entrance on the east on both sides of Highway 50. This will force pedestrians to use the signal at Stateline to cross.

The pedestrian barrier shall have a gate with a lock mechanism so that during nonconstruction hours the pedestrian signal can be uncovered and the gate opened for pedestrian access.

Alternatives to the above as may be proposed by the contractor may be acceptable upon the approval of the Nevada Highway Department. At this time, the project traffic plan is currently being reviewed by Douglas County, the Nevada Highway Department, the City of South Lake Tahoe, and Caltrans.

Grading

The applicant proposes that earthen material, asphalt, and concrete may be disposed of in the Lake Tahoe Basin, at the contractor's option, subject to the approval of the Nevada State Highway Department and the local jurisdiction involved. Grading permits shall be the responsibility of the contractor including compliance with guidelines contained in the "Handbook of Best Management Practices". All other rubble shall be removed from the Tahoe Basin. Agency staff would suggest that all clean fill material be directed to currently disturbed areas for rehabilitation of these areas.

Since the construction site is a relatively small defined area, runoff will carry contaminants to the Stateline storm drainage system via the curb and gutter on each side of Highway 50 to drop inlets. Erosion control shall be the basic responsibility of the contractor; however, a force account item is to be included in the contract so that the Highway Department and County inspectors are to have absolute authority in the construction and maintenance of erosion control facilities.

Building Floor Space - Harrah's

There will be a reduction of usable floor space in the main floor of approximately 900 square feet. At the basement level, only enough square footage is added to accommodate the tunnel facilities and minor underground replacement of existing facilities.

Building Floor Space - Harvey's

Agency staff has completed the following analysis based on plans submitted by Creegan & D'Angelo, the project coordinator, and by Harvey's Resort Hotel, a participant. The staff also inspected the site in order to determine the accuracy of the plans submitted. The following calculations are based both upon the plans submitted and staff determination of usable floor space.
Harrah's Resort Hotel proposes to do the following work in conjunction with the construction of the pedestrian undercrossing. The total project area, including Harvey's proposed work, is shown on Attachment A.

1. Remodel three levels of the existing structure adjacent to the Highway 50 entrance.

   **Basement Level** - Harvey's proposes to excavate 5 to 7 feet below the existing floor level which will match the floor level of the proposed pedestrian undercrossing tunnel. The basement space at present is crude and irregular, useful only for support facilities to the casino/hotel complex. The remodeled basement would have 11 foot ceilings and could function for any use Harvey's desired. Based on staff's and Harvey's calculations the basement area is to be excavated laterally toward Highway 50 for an increase of 830 square feet of floor area and toward Stateline Avenue for an increase of 993 square feet of floor area. Staff estimates Harvey's will need to utilize 1,233 square feet for the elevator, escalators, walkway, etc. for a net increase of 90 square feet of floor area in the basement.

   **Main Casino Level** - Harvey's proposes to raise the ceiling to 11 feet above the floor level and also add a 6 to 8 foot security space above the 11 foot ceiling. The current gaming uses will be maintained.

   Harvey's also proposes to extend the wall facing Highway 50 approximately 6 feet outward in order to accommodate the escalators. Harvey's has indicated there will be a net reduction of 350 square feet of casino floor area due to the elevator and needed pedestrian space.

   **Second Floor Office Level** - Harvey's proposes to remodel and expand existing office space located on this level. The existing second level floor will be raised 10 feet and the existing roof will be raised to a height sufficient to provide a uniform ceiling height of 9 feet. Based on staff's calculations, the usable office floor space will expand 2,483 square feet due to the expansion of the footprint toward Highway 50 and over open roof area. This is substantially more than the 871 square feet indicated by Harvey's. The removal of the need of security viewing space via the space created in the main level ceiling will also permit more office space.

2. The building facade will be remodeled. The existing height at the main Highway 50 entrance will increase from 25 feet to 37 feet.

**Options for TRPA Review**

**Option A** - TRPA review of the pedestrian undercrossing as a public works project and TRPA Governing Board review of the Harvey's portion as a substantial modification to a commercial development of 3 or more acres.

   **Comment** - This would be the most proper administrative method and is recommended by Agency Legal Counsel providing the modifications are "substantial" which they seem to be.

**Option B** - TRPA review of the pedestrian undercrossing with the Harvey's work considered to be minor and part of the public works project.

1/17/79
Comment - This method is appropriate for Harrah's since all work will be in the easement, but Harvey's portion extends beyond the easement and seems to be substantial. However, the Highway Department and Douglas County found that they were able to review the project as one project.

Option C - The review of the pedestrian undercrossing as a public works project and a finding by staff or the Governing Board that the Harvey's portion is in substantial compliance with the 1973 master plan.

Comment - Staff could make such a finding for the basement and the main level, but the master plan indicates no expansion for the subject area of the second level. It is possible the Governing Board could find the existing office level is to be maintained under the master plan. Attachments B, C, and D compare the project area to the 1973 master plan.

Option D - TRPA review of the pedestrian undercrossing as a public works project and an "agreement" be signed between TRPA and Harvey's.

Comment - This was the method used to review the Harvey's expansion in 1975, but does not seem appropriate under today's circumstances.

Recommendation

Agency staff recommends support of the proposed pedestrian undercrossing contained within the proposed easement, with the express reservation that work outside the right-of-way undertaken by Harvey's must be considered as a separate application. This recommendation is based on the following findings:

1. The proposed construction of the tunnel and the accessory escalators/elevators contained within the "public easement" is a State public works project and TRPA's review is only advisory. This is based on the facts that the Nevada Highway Department three party agreement is for only this work; the Department is responsible only for inspection and bonding in this area; and Nevada State funds are directed only for work in this area.

2. The proposed modifications to Harvey's Resort Hotel are substantial and, although convenient, are not necessarily required by the public works project. This is based on the facts that the subject work is being financed solely by Harvey's; there is separate bonding; state highway inspectors have no responsibility in the subject work area; and testimony of Jere Williams, of Gregg & D'Angelo, at the Advisory Planning Commission on January 10, 1979 indicated the project could be constructed without these modifications to Harvey's.

3. In order to properly review a substantial modification to a commercial use as required by Section 7.12(4) of the Land Use Ordinance, the issuance of an administrative permit with necessary conditions is required if the conditions are to be legally binding to Harvey's Resort Hotel.

1/17/79
Advisory Planning Commission Action

On January 10, 1979, the Advisory Planning Commission considered this item and staff recommendation for approval of the pedestrian undercrossing as a public works project with the TRPA Governing Board to review separately the Harvey's portion as a substantial modification of a commercial development of 3 or more acres.

MOTION by Mr. Prigmore that the Advisory Planning Commission follow the staff recommendation for Option A and to approve as a public works project only that construction necessary to accommodate the undercrossing as basically shown in green on the display and as discussed, and that the APC find that the modifications to the Harvey's casino building outside of the scope of the undercrossing be considered as a modification of a Type B permit. Second by Mr. McIntyre. The motion failed on the following vote:

Ayes: Mr. Prigmore, Mr. McIntyre, Mr. Scribner, Mr. Hoefler
Nays: Mr. Walton, Mr. Ott, Mr. Sullivan, Mr. Wright, Mr. Rosse, Mr. Gardner
Abstain: None
Absent: Mr. Milam, Mr. Duncan, Mr. Kuykendall, Mr. Eskind, Mr. Bidart, Mr. Koch, Mr. Hansen, Mr. Pyle

MOTION by Mr. Gardner to approve the public works project subject to the six conditions imposed by Douglas County. The motion was seconded by Mr. Walton and carried on the following vote:

Ayes: Mr. Walton, Mr. Ott, Mr. Sullivan, Mr. Wright, Mr. Rosse, Mr. Gardner
Nays: Mr. Prigmore, Mr. McIntyre, Mr. Scribner, Mr. Hoefler
Abstain: None
Absent: Mr. Milam, Mr. Duncan, Mr. Kuykendall, Mr. Eskind, Mr. Bidart, Mr. Koch, Mr. Hansen, Mr. Pyle

1/16/79
TAHOE REGIONAL PLANNING AGENCY

MEMORANDUM

DATE: January 16, 1979

TO: TRPA Governing Board

FROM: TRPA Staff

SUBJECT Policy on Grandfathering Shorezone Structures Constructed Prior to 1968

At a recent Governing Board meeting, controversy arose over the question of what determines an "authorized" structure under the TRPA Shorezone Ordinance. The importance of this determination is that Section 18.00 requires existing unauthorized structures to be reviewed by TRPA in the same manner as a proposed structure. The result is that numerous existing shorezone structures that do not conform to the terms of the current ordinance could be required to be removed or severely modified if they are determined to be unauthorized.

Jim Williamson, representing the Tahoe Shorezone Representation, has submitted the attached letter requesting that the Governing Board adopt a policy similar to the U. S. Army Corps of Engineers for review of shorezone structures. At present, the TRPA does incorporate the Corps' "grandfathering" provision in the Agency determination of authorized but also includes other agencies' requirements.

Determination of authorized or unauthorized shorezone structures by the Agency is based on the criteria set forth in Section 3.00 of the Shorezone Ordinance:

"Existing Structures or Alterations - Structures or alterations which have been constructed before the effective date of this ordinance or for which a permit has been issued pursuant to this ordinance. They are authorized existing structures or alteration if all permits required under existing law at the time of their construction were obtained and they were constructed in conformity with such permits; they are unauthorized if constructed without a required permit or not in conformity with existing law at the time of their construction."
The following is a list of agencies that require permits for construction activity in the shorezone of Lake Tahoe:

<table>
<thead>
<tr>
<th>Agency</th>
<th>Period of Required Permits</th>
<th>Activities Requiring Permits</th>
</tr>
</thead>
<tbody>
<tr>
<td>TRPA</td>
<td>March 1972 to Present</td>
<td>Generally, any new construction, repairs over $500, filling or dredging below highwater of Lake Tahoe. Also backshore review of construction of 200 square feet from May of 1976 to present.</td>
</tr>
<tr>
<td>U. S. Army Corps of Engineers</td>
<td>December 18, 1968 to Present</td>
<td>Generally, a permit for any new construction, filling or dredging below the highwater has been required since 1899. The Corps has a nationwide policy which generally &quot;grandfathers&quot; non-hazardous structures existing before 1968.</td>
</tr>
</tbody>
</table>

**State Agencies**

<table>
<thead>
<tr>
<th>Agency</th>
<th>Period of Required Permits</th>
<th>Activities Requiring Permits</th>
</tr>
</thead>
<tbody>
<tr>
<td>California State Lands</td>
<td>June 11, 1938 to Present</td>
<td>Generally, any new structures and filling or dredging below highwater (State claims) or lowwater (owner claims) requires a permit.</td>
</tr>
<tr>
<td>Lahontan Regional Water Quality Control Board</td>
<td>January 1, 1970 to Present</td>
<td>Discharge permit for filling and dredging and any construction that will affect the water quality.</td>
</tr>
<tr>
<td>Nevada State Lands</td>
<td>March 29, 1967 to Present</td>
<td>Same as California State Lands</td>
</tr>
</tbody>
</table>
Local Agencies

Placer County 1968 to Present (7/11/72 Shorezone Ordinance) Generally, most structures built in the shorezone require a building permit, and dredging or filling require grading permits.

El Dorado County December 1, 1961 to Present

South Lake Tahoe 1965 to Present

Douglas County 1963 to Present

Washoe County 1969 to Present (Piers) 1971 to Present (Fill)

Recommendation

Agency staff does not recommend revising the TRPA Shorezone Ordinance at this time to grandfather in all structures as of December 18, 1968. This is an Army Corps of Engineers' date and has no relation to TRPA ordinances which were adopted in 1972. The existing Shorezone Ordinance recognizes all structures as authorized that were built with the permits required at the time of construction which would include consideration of the Army Corps of Engineers' date. Staff would suggest the proper time to evaluate the "authorized" provisions of the ordinance would be upon total review of the Shorezone Ordinance.
Governing Board  
Tahoe Regional Planning Agency  
Post Office Box 8896  
South Lake Tahoe, CA 95731

Re: Policy

Dear Members of the Board:

The Tahoe Shorezone Representation respectfully requests that the TRPA Governing Board adopt a policy to conincide with that of the U. S. Army Corps of Engineers which states that "all structures constructed in the waters of Lake Tahoe before December 18, 1968, be considered an authorized structure"...

We feel that this policy would simplify many matters in the future.

Very truly yours,

James W. Williamson  
Executive Director
MEMORANDUM

DATE: January 12, 1979

TO: TRPA Governing Board

FROM: Agency Staff

SUBJECT: Determination of Pierhead Line Maps

Summary:

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

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

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

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

On January 3, 1979, Agency staff met with Mr. Heikka and Mr. Williamson to discuss the pierhead line maps. Based on this meeting (see Exhibit D), Agency staff has determined that the "red line" maps
were working or resource maps and that the Agency maps are the official maps. It was also agreed that in the areas in which the maps conflict, an individual could ask for a Governing Body determination of the location of the pierhead line.

Recommendation:

Agency staff recommends that the Governing Board find that the Agency pierhead line maps are the maps referenced in Section 7.26(1) of the Shorezone Ordinance and that this action should be verified by the Chairman's signature.
An owner or lessee of a littoral parcel may be permitted to construct piers and launching facilities and to place mooring buoys, floating docks and platforms within the area described in Section 7.26 for the use of individuals on a multiple or commercial use basis if such use, structure and facility is otherwise permissible. If any such structure is, or is to be, accessory to a marina, the provisions of Section 9.00 shall also apply.

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

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

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

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

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

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

2. Piers, mooring buoys, boat ramps, boat launching facilities, and floating docks and platforms shall be placed only within an area that is enclosed by lines that are parallel to and five (5) foot minimum inward of parcel lines extended landward at right angles from the low water line or as specified by Corps of Engineers regulations.
Verbatim excerpts from the April 28-29, 1976 Governing Body meeting regarding the first reading of the Shorezone Ordinance; in particular, the pierhead line.

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

Dick Heikka: Yes.

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

Dick Heikka: We would propose to you in answer to this one, that we are waiting until we find out if we got it past first reading, we would go in and prepare a series of mylars with a signature-title block that would be signed by the chairman and dated as the referenced maps and would become the official maps of this Ordinance and that's how we would propose and that's what I commented to you yesterday that we would then be able to send to DNOD, State Lands and the Nevada agencies a complete set of these shorezone maps and we would put both the tolerance district and the pierhead line on these maps and if we got past first reading this would be the next step that we would do within 30 days.
Verbatim excerpts from the May 26-27, 1976 Governing Body meeting regarding the second reading of the Shorezone Ordinance; in particular, the pierhead line.

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

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

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

DATE: January 5, 1978

TO: File

FROM: Judy George

SUBJECT: The Official TRPA Pierhead Line Maps

On January 3, 1979, Jim Jordan, Gabby Barrett and Judy George met with Mr. Richard Heikka and Mr. Jim Williamson to try and resolve the matter of which pierhead line maps are the official ones, the Agency pierhead line maps or the "red line" maps.

Mr. Heikka said that he asked Mr. Williamson to sit down and draw the so-called "red line" maps and then they both went over them. Mr. Williamson said that the intent of the pierhead line was to go to elevation 6219 feet, but Mr. Heikka did not agree. Mr. Heikka said the best way to handle the areas where the Tahoe Shorezone Representation and he differed was to let the Governing Board modify certain areas by resolution. Mr. Heikka said he impressed to the Governing Board at the public meetings that the pierhead line was okay except for some locations (he explained that they did not agree on the pierhead line in the Dollar Point area).

Mr. Williamson said the "red line" maps were at the meeting on April 29, 1976 and on May 27, 1976 the maps were on a table in the back of the room. He said that the Agency pierhead line maps did not exist at that time. Mr. Heikka said that he expressed time and again in those meetings that there was going to be changes on those maps. He explained that the pierhead line at Lake Forest was brought in expressly by staff since they felt it would protect the area.

Mr. Heikka said he does not agree that the "red line" maps were the ones adopted by the Governing Board and that Jim does not have a leg to stand on saying that the "red line" maps are the adopted maps. Mr. Williamson said that the TSR was under the impression that the "red line" maps were the adopted ones. Mr. Heikka said that he expressed publicly at the meetings that there was adjustments being made and that the Governing Board has prerogative to change the maps.

EXHIBIT D
Mr. Williamson said he has a TSR newsletter saying that the pierhead line would be at 6219 feet. Mr. Heikka agreed, but that applies to only 90% of the lake (not the shoal areas). He explained that we are not handcuffed by the Agency pierhead line maps, that the Governing Board could modify them because he knew there would be some areas where we would want to change them. He explained to Mr. Williamson that if he had a problem with the Lake Forest area he could ask for a review on its individual merits. Or Mr. Williamson has a right to ask for a variance or ask the Governing Board to establish the accurate maps again.

Mr. Williamson said again that the intent was 6219 feet or 300 feet out and Mr. Heikka said he could not agree on that. He said that the Agency's pierhead line maps took out 90% of the controversy. The Governing Board could adjust the line.

Mr. Heikka said that he had to defend staff's interpretation that the Agency's pierhead line maps are the official maps.

He explained that the Agency's pierhead line maps solves most of the problems but because of the shoal areas there would be a few problems. He said they were not made an ordinance because they could be changed, they could be challenged.

Jim Jordan said that the solution then, from Mr. Heikka's standpoint, the official maps are the ones we have on file now, and the applicant can appeal or go to the Board and ask for a policy decision on the Lake Forest area.

Mr. Heikka said we should bring the whole set up for interpretation.

Mr. Heikka said the key thing at the time was that he drew the Agency's pierhead line maps with Mr. Williamson's "red line" maps; everyone was fully aware that the Agency's maps would not coincide with the "red line" maps.

Mr. Jordan asked Mr. Heikka specifically "which are the official maps"? Mr. Heikka pointed to the Agency's pierhead line maps and said "these maps because we prepared them. We always reserved judgement that we had to adopt something. Not what TSR had done though. I would have to defend the staff all the way around that these (pointing to the Agency's pierhead line maps) are the official maps. These maps (pointing to the "red line" maps) were working maps. That pierhead line (on the "red line" maps) was used to evolve the pierhead line on the official maps".
TAHOE REGIONAL PLANNING AGENCY

MEMORANDUM

DATE: January 17, 1979

TO: TRPA Governing Board

FROM: Agency Staff

SUBJECT Air Quality

The anticipated distribution of the preliminary chapters of the air quality plan did not take place. We hope to have these chapters out in the near future. We will have preliminary analyses of the air quality problems, and the levels of control necessary to secure attainment, for distribution at the January 25, 1979 meeting. The analyses so far are indicating projected violations of the oxidant (ozone) standard, and violations of the carbon monoxide standard at several points along Highway 50. The attainment of these standards will require measures over and above the improved emission characteristics of new automobiles; therefore, we hope to have some preliminary discussion of control strategies as well.

It is the intent of the Air Resources Board to proceed toward development of a complete plan document in early February and to take this document to the various local governments in February. It will be staff's intent to schedule this document for review and possible action by TRPA at the February meeting assuming that there is sufficient time to distribute the plan in advance of that meeting date.
TAHOE REGIONAL PLANNING AGENCY

MEMORANDUM

DATE: January 17, 1979

TO: TRPA Governing Board

FROM: Agency Staff

SUBJECT: Processing Tentative Condominium Maps on Nonconforming Properties

Presently, the Agency has several applications pending for TRPA review of condominium tentative maps on nonconforming properties. As required by the TRPA Subdivision Ordinance, it has been TRPA policy in reviewing St. Francis and Tahoya Shores condominium conversions that a variance is required to process condominium maps on properties that are nonconforming in density or coverage. A question of basinwide policy has arisen for Agency approval of all variances on tentative maps for nonconforming residential structures.

Background

The TRPA Land Use Ordinance, upon its adoption, "grandfathered" certain planned unit development subdivisions which were approved prior to 1972. Section 9.10 permits nonconforming uses to be constructed or continued provided they are to be constructed as per the approved subdivision map. It appears the intent was to recognize prior legal commitments to development. It also appears to be the intent of the Land Use Ordinance that further development, i.e. new subdivision maps, must conform to TRPA densities, land capability and coverage limitations since there are no "grandfathering" provisions for such development. Section 9.30 of the Land Use Ordinance specifically states "No person shall create a lot or parcel upon which there will exist more than the maximum number of dwelling units or maximum percentage of land coverage permitted by this Ordinance."

Analysis

The question arises, what are the impacts of a basinwide policy of approving variances to the Land Use Ordinance in order that these tentative maps may be approved. Agency staff has analyzed both environmental and economic impacts and has discovered one major negative impact.
Memo to Governing Board
January 17, 1979
Page Two

The cost of housing should increase significantly due to the high cost per unit created by the conversion of apartment units to condominiums or single ownership units. Staff estimates a potential 15 - 30% increase in cost of dwelling units. This total increase could be significant if one considers all the nonconforming apartments and the 1,200± nonconforming units approved in planned unit developments. The availability of housing to permanent residents may also decrease as a result of the increased costs of ownership and the resulting incentive to convert these units to seasonal rentals.

At the present, staff has not had the manpower to analyze the conversion problem in order to obtain exact statistics. The recent City of South Lake Tahoe action prohibiting conversions and the attached pricing samples obtained from the real estate section of the Tahoe Tribune indicate that such conversions may result in a significant increase in housing costs.

Recommendation

Agency staff would recommend that applications for variances be denied on tentative maps that do not conform to the provisions of the TRPA Ordinances. Staff finds that two or more apartment units constitutes reasonable use; therefore, variances can not be granted under the provisions of Section 15.00 of the Subdivision Ordinance. Staff also finds significant evidence to indicate this deviation from the TRPA Ordinances will have substantial impacts to the cost and availability of housing in the Tahoe Basin.
# HOUSING COSTS

## APARTMENTS VS. CONDOMINIUMS

Source: Classified Ads, Tahoe Tribune  
January 12, 1979

### Condominiums

<table>
<thead>
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<th>Listed Rent</th>
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<td>1 Bdrm</td>
<td>2 Bdrm</td>
</tr>
<tr>
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<td>78,500</td>
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<td>32,000</td>
<td>79,000</td>
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</table>

Average: $55,000  $72,550  $97,758  
Average Per Unit: $82,834  

### Apartments

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<thead>
<tr>
<th>Listed Unit Cost</th>
<th>Listed Price</th>
<th>Listed Rent</th>
</tr>
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Avg. Rent: $231  $350  $441  
Average Per Unit: $48,252  $339  

Unit Cost Difference: Condominiums - $82,834  
Apartments - 48,252  
$34,582 or 26%

Listed Rent Difference: Condominiums - $477  
Apartments - 339  
$138 or 17%
General Plan Amendment  
Douglas County  
County Administrative Center Proposal

Summary
Douglas County is proposing the amendment of the TRPA Land Use District Map to change two parcels of land from Low Density Residential to Public Service. The parcels in question are within the Granite Springs Subdivision recently approved by the County and TRPA. In conjunction with that project, the developer offered to donate the two sites to the County. The General Plan Amendment is proposed by the County to allow use of the sites for a new County Administrative Center to service the Lake Tahoe Basin portion of the County.

Location and Description
The subject parcels are located adjacent to Kingsbury Grade (State Route 19), approximately 1/2 mile above the Highway 50 - Kingsbury Grade intersection (see attachment 1). The two parcels, Lots A and B, are 2.38 and 1.02 acres in size, respectively; and are separated by Pyrite Drive, the main access road into the Granite Springs Subdivision.

There are no major streams or drainage swales located within the area of Lots A and B. Although the average cross slope through the entire Granite Springs site is approximately 10%, there are two significant knolls located in the easterly portion of the property that rise approximately 75 feet above the elevation of Kingsbury Grade at its intersection with Serpentine Drive. Some of this oversteepened area extends into Lot A at the eastern boundary of the lot.

The vegetation consists primarily of medium-sized fir and pine trees with a few select red cedars. There are numerous significant rock outcroppings in the vicinity of the two knolls mentioned earlier. The lower story vegetation consists primarily of squaw carpet and manzanita.

Proposed Uses
As earlier indicated, the County is proposing to utilize the subject parcels for development of a new County Administrative Center to serve the Lake Tahoe portion of the County. Current facilities at Zephyr Cove are seriously inadequate, deficient in both office space and parking. The uses contemplated for
the new center include the Justice Court, Sheriff's Office and temporary holding facility, work card office, District Attorney's Office, Juvenile Probation Office and the Building Department. These uses are all crowded into the Zephyr Cove Administrative Center, overflowing the approximately 10,000 square feet of office space and 12,000 square feet of parking available at that location. Preliminary plans drawn from the County's overall master plan for public facilities and services call for approximately 40,000 square feet of office space and 20,000 square feet of parking for the new County Center. It is anticipated that this will meet the ultimate needs of the County at Lake Tahoe.

The proposed use of the site for the temporary holding of prisoners in the facility has been questioned in public comment since the facility is to be located in what is predominately a residential area. The County has indicated that the facility will be used only to hold prisoners between arrest and arraignment, after which any individuals for whom incarceration is necessary will be transferred to the County facility in the Carson Valley.

The existing facilities at Zephyr Cove are not scheduled for use by the County once the proposed Center is operational.

Existing Land Use Classification

The subject parcels are currently classified Low Density Residential (LDR) in the TRPA General Plan. They are completely surrounded by similarly classified property. A parcel of High Density Residential land does extend to within approximately 250 feet of the westerly boundary of Lot B, with General Commercial parcels immediately across Kingsbury Grade from the High Density Residential. These represent the closest points of more intense land use under the current General Plan (see attachment 3).

The LDR classification would not permit the full range of uses contemplated by the County in their Administrative Center. The only uses permitted in the LDR district which even approach the intensity of use contemplated for the Administrative Center are religious and educational facilities, both of which are traditionally recognized as compatible with LDR uses. The Sheriff's Office and holding facility would not be permitted. Other uses would be subject to additional ordinance interpretation.
Proposed Land Use Classification

The Public Service Land Use classification requested by the County permits only public service related uses. However, it does allow virtually the full range of such uses, including those contemplated by the County in conjunction with the Administrative Center.

Land Capability - Land Coverage

The easterly portion of Lot A is steep slope CaE soil type falling in a Land Capability District 2, permitting only 1% land coverage. The remainder of Lots A and B are a mixture of Capability Districts 3-5 permitting coverages from 5 to 25% under the land capability regulations (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 applicant's 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.

Even the previously allowed land coverage would have been insufficient for the County's needs, however, and to secure additional coverage sufficient to allow development of the proposed center, the County appealed to TRPA for consideration of a number of options which could allow additional coverage on the subject parcels. Among these were an exemption from strict coverage limitations based upon a finding of Regional Public Facility, additional coverage based upon a finding of local public road, or an ordinance amendment to allow up to 50% land coverage on lands within the Public Service Land Use District. The Governing Board, with staff support, concurred with the latter of the alternatives and directed that such an amendment be drafted. This amendment to allow up to 50% coverage on Public Service lands is scheduled for first reading this month.

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General Plan Amendment
Douglas County Administrative Center
Page Four

In anticipation of passage of this amendment, the County is satisfied that the Public Service classification would provide sufficient coverage to allow development of their center. Preliminary analysis of the subject properties by the County has indicated that the proposed facilities can be designed within that 50% coverage limitation and minimize encroachment into the more sensitive portions of the land.

Public Utilities

The County has indicated that all necessary utilities are available, with the utility purveyors already committed to servicing the subdivision of which the subject parcels are a part.

Traffic

Kingsbury Grade is the principal artery accessing the Carson Valley from the South Shore and also serves as the arterial for the extensive residential development which has occurred historically along either side of the route. With the continuing build-out of those residential areas, the increasing commute traffic from the valley, and increasing patronage of the Heavenly Valley North ski area, the route is destined for very significant increases in traffic. Heavy traffic on the route causes problems aggravated by the steep grade and route alignment, which pose particular difficulty under snow and ice conditions.

The County has not supplied trip generation figures for the facility as a whole, but has concluded that the location of the center on Kingsgury Grade will result in an improved traffic situation overall due to two basic considerations: 1) the trips that will be made to the site are already being made to Zephyr Cove, hence are relocated trips rather than new trips; and 2) the Kingsbury site is much more centrally located to the population centers of the County's Tahoe area than is the Zephyr Cove site. Because the Zephyr Cove site is approximately 3.5 miles from the Kingsbury - Highway 50 intersection, the County states there will be a net reduction in trip mileage.

The negative impacts inherent in the relocation as proposed stem from two considerations: 1) the adequacy of Kingsbury Grade; and 2) the location of the proposed facilities in a residential area. On the first point the basic concern is that a significant number of trips will be added to Kingsbury Grade which would otherwise stay on Highway 50. Kingsbury Grade is a steep, two lane arterial

1/17/79
which does experience congestion problems under certain conditions, particularly snow and ice conditions. Highway 50, in contrast, is a four lane roadway with little or no gradient problems and, since completion of the Douglas County Loop Road, has experienced little in the way of serious congestion problems. While the County has correctly concluded that trips coming from the Carson Valley or Upper Kingsbury areas could avoid lower Kingsbury Grade with the County Center as proposed, they have not provided an analysis of the relative percentage of such trips when compared with trips from the Zephyr Cove, Round Hill, and Stateline areas which would be added to the lower Kingsbury traffic as a result of the center’s proposed location.

The additional concern regarding location in the residential area relates principally to the increase in turning movements on to and off of Kingsbury Grade along the particular section of roadway that would not be present were the land to remain in a Low Density Residential use. The County has required the Granite Springs Subdivision to widen Kingsbury Grade along the particular section and to provide left turn and right turn acceleration and deceleration lanes at the main entrances of the subdivision. This will mitigate the turning movement concern to a large degree.

Planning Concerns

There are several concerns which have surfaced during staff evaluation of the proposed amendment that raise question regarding the appropriateness of the proposed location for the County Center. These are:

1. **Traffic.** As discussed above, there is a potential for diversion of trips off of Highway 50 onto Kingsbury Grade. Because of the difficulties associated with this, staff feels more detailed analysis should be undertaken on traffic.

2. **Use Compatibility.** A number of residents who live in proximity to the subject parcels have raised question regarding the proposed County Center location, particularly the inclusion of the Sheriff and jail facilities. The TRPA Land Use Ordinance seems to lend credence to these concerns, since neither use is permitted in the Low Density Residential Use District immediately surrounding the subject parcels. Police protection facilities are permitted in Medium and High Density Residential, Tourist Commercial, General Commercial and Public Service Districts. Incarceration facilities are permitted only in General Commercial and Public Service Land Use Districts. The amendment as
proposed would circumvent the restrictions of the ordinance by placing a spot of Public Service in the LDR District, thereby making the uses legally permissible. Such an amendment would, however, not obviate the basic compatibility question raised by both the residents and the ordinance.

3. Implications. A related concern is the impetus which may be given by the proposed amendment to requests for similar, more intense uses in the vicinity. As is indicated on attachment 3, the lower portion of Kingsbury Grade is becoming a considerable concentration of commercial use, with that commercial use extending up the grade to a point within close proximity to the subject parcels. The intensification of uses in the subject area, particularly if those uses do diminish the attractiveness of the surrounding residential properties, could provide leverage for more intensive use district classifications on the surrounding properties. Of note in this respect is a presentation made before the Advisory Planning Commission by a property owner to the west of Lot B, who indicated his intent to pursue just such an appeal, and unconfirmed rumors which have reached staff of property across from the subject parcels which may be proposed for a General Plan Amendment to General Commercial.

4. Parcel Configuration. Because of the size limitations and location of the subject parcels, it will be necessary to separate some of the proposed uses, with the resulting potential of pedestrian movement across Pyrite Drive. A site which could allow for the consolidation of the entire center on a single parcel would seem to be most preferable.

The recommendation of the General Plan Update for the subject area was to leave the district boundaries in their present locations and not extend either General Commercial or High Density uses into the LDR District. The proposed amendment would conflict with that recommendation and would pose the potential for serious divergence from the policy reflected therein.

Practical Concerns

Arguing strongly in favor of the subject application are several considerations:

1. Inadequacy of Existing Facilities. There is absolutely no question about the need for new County facilities at the Lake. The existing offices at Zephyr Cove are so inadequate as to pose potential health and safety hazards, in addition to the gross inconvenience they pose to both the County staff and the general public. This situation exists today and can only become worse if the County is delayed in securing new facilities.
2. **Funding Limitations.** As earlier indicated, the subject parcels have been offered to the County. It appears that a bond issue will be necessary to secure the funds to build the Administrative Center. According to the County Manager, Bob Hadfield, there is some questions as to the capacity of the County to absorb this bond issue even without including cost of site acquisition. Acquisition of an alternate site, for example in the vicinity of the Highway 50 - Kingsbury Grade intersection, would be out of the question, according to Hadfield.

3. **There Are No Better Sites Presently Available to the County.** Staff concurs with the Douglas County analysis that there is no better location for the facility among the parcels of land presently under the control of the County.

**Basic Issue**

The fundamental issue posed by the above considerations is the possible deficiencies of the site versus the immediate need for a facility. A related consideration is the fact that the earliest target date for a bond issue for the subject facility is May. Similarly, the final transfer of the property will not occur until the spring, when the Final Map for Granite Springs is to be recorded.

Another significant point in the view of staff is that the County has not actively sought alternative sites. While site acquisition may be unrealistic within the County's current financial picture, there may be as yet unexplored opportunities for securing an alternative location in cooperation with another public agency such as the Forest Service or one of the improvement districts.

**Advisory Planning Commission Action**

At its meeting of January 10, the APC recommended approval of the subject General Plan Amendment request on a 6 - 4 vote, with the conditions that the design of the facilities be coordinated with TRPA staff to minimize encroachment into the lower capability lands and to provide buffers to the surrounding residential uses and that the subject parcels be used only for the Douglas County Administrative Center. The dissenting votes cited the concern regarding the land coverage on the parcels and the appropriateness of the location. A copy of the APC action is attached.

1/17/79
Recommendation

Based upon the indication at APC by the developer of Granite Springs that transfer of the subject property would not occur until May or June, staff believes that immediate action on the subject request is not necessary. Given the planning concerns regarding this project and the fact that the County has yet to explore the feasibility of alternative sites with other public entities, staff recommends that action on the subject amendment request be deferred and that the County be urged to explore alternatives to the proposed site. It is not staff's intent to place a roadblock on development of a new center, however, and staff would therefore recommend that the subject amendment request be reconsidered and acted upon at such time as the County demonstrates to the satisfaction of the Governing Board that such alternatives have been explored and are not feasible.
Advisory Planning Commission Action

At a public hearing on the subject General Plan amendment on January 10, 1979, the Advisory Planning Commission on the following vote approved a motion by Mr. Gardner and a second by Mr. Hansen to recommend approval to the Governing Body for Parcels 58 and 59 of Granite Springs Subdivision from Low Density Residential to Public Service with the comments that the design of the County Administration Center be coordinated in its preliminary stages with the TRPA staff to preserve the lower capability lands and to provide a buffer to the residential uses in the neighborhood and that the use of the property be for the express purpose of the Douglas County Administration Center. The APC further recommended that the General Plan amendment not become effective until recordation of the Granite Springs Subdivision map.

Ayes: Mr. Milam, Mr. Walton, Mr. Ott, Mr. Scribner, Mr. Duncan, Mr. Sullivan, Mr. Rosse, Mr. Hansen, Mr. Gardner, Mr. Pyle
Nays: Mr. Prigmore, Mr. McIntyre, Mr. Hoefer, Mr. Wright
Abstain: None
Absent: Mr. Kuykendall, Mr. Eskind, Mr. Bidart, Mr. Koch

Mr. Walton asked that the staff research the extent to which nonresidential uses will be permitted from Highway 50 extending upward on Kingsbury Grade. The site of this future center might make a good terminal point for development fronting on Kingsbury Grade.

Mr. McIntyre, representing the Regional Planning Commission of Washoe County, indicated he was opposed to the amendment because of the attempt to give coverage back to these parcels which had apparently lost the majority of their allowable coverage with the approval of the Granite Springs Subdivision. It does not appear that the choice of this site for the County Center was arrived at as a result of a locational study and that it was picked because it was donated by the Granite Springs Subdivision developer. In addition, Mr. McIntyre expressed concern over the noise that could be generated from the County facility with the intrusion of a more intense use into a residential area. There is also a concern over the extension of the strip-type of commercial development down to Highway 50 along Kingsbury Grade.

Mr. Hoefer, representing the Forest Service, voiced concern over the land coverage and the knowing manipulation of the coverage figures. This is becoming a more common practice and is the sort of thing that will lead to the continuation of the problems at Lake Tahoe.

Mr. Prigmore, representing the Placer County Planning Department, commented that there were better areas available for the County Center, perhaps not immediately from a feasibility point of view. His vote in opposition was based on good planning practices and not necessarily on the economic feasibility of the project. It would seem more practical to develop the County Center in the commercial areas closer to the intersection of Highway 50 and Kingsbury Grade rather than this far up Kingsbury Grade toward the residential areas.

Mr. Hansen, a citizen member from California, explained that he had voted in favor of the request because the County Center is needed even though he voiced concern about the traffic congestion problems on Kingsbury Grade. Kingsbury Grade must be improved since it is a major transportation corridor to and from the Basin and is a major route to recreational facilities in this area.

1/11/79
MEMORANDUM

DATE: 1/16/79

TO: TRPA Governing Board

FROM: Agency Staff

SUBJECT: Financial Statements, December 31, 1978

The accompanying financial statements reflect the Agency's fiscal status following the first half of FY 1978/79. As you will notice, actual figures are for the most part in line with budgeted amounts.

Financially speaking, the second half of the fiscal year will be more critical. Given the amount of funding received to date from the States of California and Nevada, the Agency will be precluded from carrying out the budgeted programs. Staff shall be prepared next week to discuss this matter and to answer any related questions the Governing Board may have.
ALL PROGRAMS BUDGETED FOR FISCAL YEAR 1978/79

STATEMENT OF REVENUE & EXPENSES FROM JULY 1, 1978 THRU December 31, 1978

Percentage of Fiscal Year Completed: 50 %

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<th>Revenue &amp; Expenses</th>
<th>Budgeted Revenue &amp; Expenses Thru 12/31/78</th>
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<th>Actual In Proportion To Budgeted</th>
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<td>34</td>
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<td>Communications</td>
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<td>37</td>
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<td>Postage</td>
<td>4,000</td>
<td>1,424</td>
<td>36</td>
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<tr>
<td>Travel Expenses</td>
<td>3,000</td>
<td>1,76</td>
<td>6</td>
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</tr>
<tr>
<td>Auto Maintenance</td>
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<td>1,190</td>
<td>60</td>
<td>810</td>
</tr>
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<td>Insurance</td>
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<td>2,427</td>
<td>56</td>
<td>163</td>
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<tr>
<td>Building Expenses</td>
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<td>48</td>
<td>25,834</td>
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<td>65</td>
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<td>Auditing Services</td>
<td>2,900</td>
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</tr>
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<td>Reproduction/Printing</td>
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<td>1,540</td>
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</tr>
<tr>
<td>Equipment Purchases</td>
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<td>1,376</td>
</tr>
<tr>
<td>Contractual Labor</td>
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<td>1,854</td>
<td>100</td>
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<td>Legal Services</td>
<td>70,000</td>
<td>37,955</td>
<td>54</td>
<td>32,045</td>
</tr>
<tr>
<td>Inspection Fees</td>
<td>725</td>
<td>725</td>
<td>100</td>
<td>0</td>
</tr>
<tr>
<td>Miscellaneous Expenses</td>
<td>54</td>
<td>54</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Consulting Services</td>
<td>1,000</td>
<td>701</td>
<td>70</td>
<td>299</td>
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<tr>
<td><strong>TOTAL EXPENSES</strong></td>
<td><strong>$416,644</strong></td>
<td><strong>$196,359</strong></td>
<td><strong>47</strong></td>
<td><strong>$220,285</strong></td>
</tr>
</tbody>
</table>

Fund Balance 6/30/79 $ 66,046

Fund Balance 12/31/78 $ 127,582

*Carson City contributed $1,005 over and above TRPA's requested allocation of $7.*
CONDITION OF FUND BALANCE ON **12/31/78**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash On Hand</td>
<td>$ 11,637</td>
</tr>
<tr>
<td>Savings, Investments</td>
<td>127,849</td>
</tr>
<tr>
<td>Accounts Receivable</td>
<td>12,443</td>
</tr>
<tr>
<td>Less: Accounts Payable</td>
<td>-24,347</td>
</tr>
<tr>
<td><strong>TOTAL FUND BALANCE</strong></td>
<td><strong>$ 127,582</strong></td>
</tr>
</tbody>
</table>
MEMORANDUM

DATE: 1/16/79

TO: TRPA Governing Board

FROM: Agency Staff

SUBJECT: Physical Examination Program for Staff Members

At the request of the Governing Board, staff has contacted several local physicians to derive a comparative cost of complete physical examinations for staff members. Generally, physical exams run about $40 per person in the South Tahoe area, with lab tests extra if necessary. This is indeed less than the $250 cost charged by the Woodland Clinic.

Staff shall be prepared next week to discuss a physical examination program for staff members and to answer any related questions the Governing Board may have.
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 [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, and as amended to date, 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 further 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 further 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, and as amended to date, 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", January, 1978, consisting of:

- Water Quality Problems and Management Program; and

(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

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: November 30, 1978

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. 79-

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 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.

**Agency** - The Tahoe Regional Planning Agency.

**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 drainage-
ways, 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____, the Agency 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

The Agency hereby finds that the interest, responsibility
and capability to protect the water quality of the
region is shared by local government, regional plan-
ing 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 (CSWRCB), California
Regional Water Quality Control Board, Lahontan Region
(LRWWQCB), Nevada Division of Environmental Protection
(NDEP) and all other governmental entities with respon-
sibility 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 the Agency 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 character-
istics.

(b) The actions of governments required to implement
and establish the administrative procedures set
forth on Figures 1-8 and 1-9 of the Plan shall
occur.
(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 Agency that the respective Governors of the States designate pursuant to the provisions of Section 208(c)(1) of Public Law 92-500, the entities listed on Figure 1-8 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 Agency that the respective Governors of the States designate pursuant to the provisions of Section 208(c)(1) of Public Law 92-500 the entities listed on Figure 1-9 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

The Agency 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 1-9 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>(beginning one year after Plan adoption)</td>
</tr>
<tr>
<td>Handbook of Best Management Practices</td>
<td>Annually</td>
</tr>
<tr>
<td></td>
<td>Every two (2) years</td>
</tr>
</tbody>
</table>
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

The Agency, 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 Agency.

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>
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.

Compliance with Best Management Practices

The Agency 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.

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.

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

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 the Agency. 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 the Agency 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.

3.20 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

The Agency 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

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

The Agency 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: November 30, 1978

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. 79-

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

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

Section 1.00 Findings

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

Section 2.00 Change In Land Use District

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

"79. Lots 1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15 and Utilities Parcel "C", Block D, Industrial Subdivision No. 2, Washoe County, Nevada and a portion of North Enterprise Street beginning at the northeasterly corner of Lot 1 Block E, Industrial Subdivision Unit 2, Washoe County Nevada according to the map thereof, filed in the Office of the County Recorder of Washoe County, State of Nevada, on February 28, 1964; thence North 38 degrees 51 minutes 7 seconds, East 110.10 feet; thence along the arc of a tangent curve to the to the right, having a radius of 275.00 feet and a central angle of 55 degrees 13 minutes 12 seconds, an arc distance of 265.04 feet; thence South 85 degrees 55 minutes 41 seconds East 366.85 feet; thence southwesterly along the arc of a curve concave to the southeast, having a radius of 50.00 feet and a central angle of 90 degrees 00 minutes 19 seconds, an arc distance of 78.54 feet; thence North 85 degrees 55 minutes 41 seconds West 316.86 feet; thence along the arc of a tangent curve to the left, having a radius of 225.00 feet and a central angle of 55 degrees 13 minutes 12 seconds, an arc distance of 216.85 feet; thence South 38 degrees 51 minutes 07 seconds West 175.08 feet; thence along the arc of a tangent curve to the left, having a radius of 25.00 feet and a central angle of 90 degrees 00 minutes 00 seconds, an arc distance of 39.27 feet; thence North 51 degrees 09 minutes 30 seconds West 96.00 feet; thence along the arc of a tangent curve to the left, having a radius of 430.00 feet and a central angle of 00 degrees 30 minutes 13 seconds, an arc distance of 3.78 feet; thence northeasterly along the arc of a curve concave to the north having a radius of 25.00 feet and a central angle of 89 degrees 29 minutes 47 seconds, an arc distance of 39.05 feet; thence North 38 degrees 51 minutes 07 seconds East 65.00 feet to the Point of Beginning. Said described properties total 4.20 acres and are reclassified from General Commercial to High Density Residential with the limitation on land coverage being 50 percent of said property."
Section 3.00  Severability

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

Section 4.00  Effective Date

This ordinance shall be effective immediately upon its adoption.

FIRST READING:  December 20, 1978

SECOND READING:

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

Ayes:

Nays:

Abstain:

Absent:

__________________________
Chairman
TAHOE REGIONAL PLANNING AGENCY.

ORDINANCE NO. -

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

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

Section 1.00 Findings

The Governing Body of the Tahoe Regional Planning Agency finds that in order to more adequately effectuate the adopted Regional Plan, it is necessary to amend the Land Use Ordinance, to allow Public Service District parcels land coverage amounts comparable to that of other similar land use districts and uses. The Governing Body further finds that said amendment is necessary to accord said parcels a more reasonable use under all the circumstances and is in accordance with the provisions and purposes of the Tahoe Regional Planning Compact.

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

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

"7.103 Limitations on Land Coverage

No person shall create land coverages in excess of (the limits set forth in Section 6.20) fifty percent (50%) of the land area included in the application for a permit, as calculated in accordance with Section 8.22, except as otherwise permitted in accordance with Section 9.24 of this ordinance.

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

Section 6.20 of Ordinance No. 4 of the Tahoe Regional Planning Agency, as amended, is hereby amended to read as follows:

"6.20 The limits on land coverage in each of said districts, except as otherwise provided in Sections 7.83, (and) 7.93 and 7.100, are as established in this section. Said limits are to be calculated in accordance with Sections 8.22 and 8.23 and are subject to modification in accordance with the provisions of Sections 8.25, 8.28 and 9.20.

<table>
<thead>
<tr>
<th>Lands Located in Land Capability District Number</th>
<th>Percentage of Land Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1%</td>
</tr>
<tr>
<td>2</td>
<td>1%</td>
</tr>
<tr>
<td>3</td>
<td>5%</td>
</tr>
<tr>
<td>4</td>
<td>20%</td>
</tr>
<tr>
<td>5</td>
<td>25%</td>
</tr>
<tr>
<td>6</td>
<td>30%</td>
</tr>
<tr>
<td>7</td>
<td>30%</td>
</tr>
</tbody>
</table>

Section 4.00 Effective Date

This ordinance shall be effective 60 days after its adoption.

FIRST READING:

SECOND READING:

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

Ayes:
Nays:
Abstain:
Absent:

__________________________
Chairman
TAHOE REGIONAL PLANNING AGENCY

MEMORANDUM

TO:       The TRPA Governing Body

FROM:    The Agency Staff

DATE:   1/11/79

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

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

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

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

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

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

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

On January 10, 1979, the APC recommended approval of the above-described amendment and also recommended that the last sentence of Section 7.13 be amended to read: "Grade is the average of the original ground level at the center of all walls of a building or structure." This would eliminate the practice of placing fill adjacent to a structure and then calculating the building height from the top of the fill to the top of the building. Staff concurs with this recommendation.
TAHOE REGIONAL PLANNING AGENCY

ORDINANCE 79-

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

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

Section 1.00 Findings

The Governing Body of the Tahoe Regional Planning Agency finds that in order to more adequately effectuate the adopted Regional Plan, it is necessary to adopt this ordinance amending the Land Use Ordinance to clarify the procedure for calculating the height limitation. The Governing Body further finds said amendment is in compliance with the provisions and purposes of the Tahoe Regional Planning Compact.

Section 2.00 Amended Section 7.13

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

"7.13 Limitation on Height

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

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

Section 3.00 Effective Date

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

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

Ayes:  

Nays:  

Abstain:  

Absent:  

__________________________________________
Chairman