TRPA
GOVERNING BOARD
PACKETS

APRIL
1980
NOTICE OF MEETINGS OF THE
TAHOE REGIONAL PLANNING AGENCY

NOTICE IS HEREBY GIVEN that on April 23, 1980, at 9:00 a.m. at the hearing room of the Tahoe Regional Planning Agency, located at 2155 South Avenue, South Lake Tahoe, California, the Finance Committee of said agency will conduct a meeting to discuss TRPA's financial status and budget.

NOTICE IS FURTHER GIVEN that on April 23, 1980, at 10:00 a.m. at the same hearing room, 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: April 11, 1980

By: 

Philip A. Overeynder
Executive Director
Tahoe Regional Planning Agency
ECKMeyer
SITE PLAN
TAHOE REGIONAL PLANNING AGENCY
GOVERNING BODY

TRPA Office, 2155 South Avenue
South Lake Tahoe, California

April 23, 1980
10:00 a.m.

It is advisable that the applicant for each agenda item be present at the meeting.

NOTE: There will be a meeting of the Finance Committee at 9:00 a.m. in the TRPA office prior to the regular meeting. The purpose of said meeting is to discuss the Agency's budget and financial status.

PRELIMINARY AGENDA

I CALL TO ORDER AND DETERMINATION OF QUORUM

II APPROVAL OF AGENDA

III DISPOSITION OF MINUTES

IV CONSENT CALENDAR

V GENERAL PLAN AMENDMENT OFF

Reclassification of 1.877 Acres (Sun Tree Villas) from General Commercial to High Density Residential, Said Property is Owned by E. Stevenson and R. Barnes and is Located at the Northeast Corner of Northwood and Fairway Boulevards in Incline Village, Washoe County

VI AGENCY REVIEW

Kingsbury Terrace, Tentative Map for 8 Condominium Units, Douglas County

VII PLANNING MATTERS

A. Land Use and Subdivision Ordinance Amendments Relating to a High Density Apartment Land Use District, Timesharing, and Condominium Conversions

B. Work Program and Application for Federal Assistance - App S. Planner - 6 pm. Under Section 208 of the Federal Clean Water Act

VIII REPORTS

A. Appeals of Staff Decisions

B. Field Enforcement Report 1) Bootworks 2) Summit Village - Release parcel maps

C. Executive Session

D. Executive Director Report

E. Legal Counsel Report
F. Governing Body Members

1. Request by Board Member Ken Kjer for Douglas County Presentation on a Conceptual Plan for the Oliver Kahle Casino Site and Stateline Area

G. Public Interest Comments

IX ORDINANCES - First Readings

A. Ordinance Amending the Land Use Element of the Regional Plan to Reclassify 9.91 Acres Owned by the Bliss Family to Rural Estates, Douglas County

B. Ordinance Amending the Land Use Element of the Regional Plan to Reclassify 2.9 Acres Owned by C. Clements to Tourist Commercial, Douglas County

C. Ordinance Amending the Land Use Element of the Regional Plan to Reclassify 20.6 Acres Owned by the Incline Village GID to Recreation and 6.0 Acres to Public Service, Washoe County

D. Ordinance Amending the Land Use Element of the Regional Plan to Reclassify 10 Acres Leased by the Tahoe City PUD to Recreation and Public Service, Placer County

X RESOLUTIONS

Former Legal Counsel Kenneth C. Rollston

XI PENDING MATTERS

XII CORRESPONDENCE

XIII ADJOURNMENT

CONSENT CALENDAR

<table>
<thead>
<tr>
<th>Item</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clearinghouse Review, U.S. Forest Service - Plans for Public Use of</td>
<td>Support</td>
</tr>
<tr>
<td>McGonagle, Pope and Heller Estates, El Dorado County</td>
<td></td>
</tr>
</tbody>
</table>
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Clearinghouse
U.S. Forest Service
Plans for Public Use of the
  McGonagle, Pope and Heller Estates
El Dorado County

Background

In the mid-1960's, the U.S. Forest Service acquired approximately 70 acres which included the McGonagle, Pope and Heller Estates and approximately 1,800 feet of Lake Tahoe shoreline as part of its program to acquire high value potential recreational lands on the western fringes of South Lake Tahoe. Since acquiring the land and shoreline, the site has generally been closed to the public and has been used by the Forest Service for a variety of purposes including the headquarters for the Youth Conservation Corps.

When the sites were acquired, the primary interest of the Forest Service was the provision of outdoor recreation opportunities and the protection of these high resource value lands from further subdivision. Since the date of acquisition, the National Historic Preservation Act was enacted and provided that federal agencies must take into consideration the preservation of historically significant sites and buildings in their land management plans. In order to meet the provisions of the National Historic Preservation Act while providing for increased public use of the property, the Forest Service has prepared a plan for public use.

Property Description

The site is located north of Highway 89, west of Camp Richardson and east of Baldwin Beach and the Taylor Creek Marsh. The site was initially part of the Baldwin lands that were spared the logging activities in the majority of the south shore area in the late 19th century. The site is therefore one of the few examples of first growth Tahoe forests.

The estates are composed of three main buildings and 25 accessory buildings including guest cottages, caretaker's residences, boat houses, and storage and work areas. The three main buildings are in various stages of disrepair including substantial structural problems, particularly at the Pope Estate. The substantial number of accessory buildings and the arboretum create a substantial "village" when taken as an aggregate. Some of the accessory buildings are historically important in terms of the public's interpretation of the era which the estates represent.

The estates are substantially pedestrian oriented although three separate unimproved roads currently access each compound of buildings. There is currently no common vehicle access between the three estates and no roadways penetrate past the southerly edge of each compound. The "primeval" forest create an open understory ideal for pedestrian ways without substantial removal of existing vegetation.

4/11/80
Alternative Uses

The Forest Service has conducted a substantial public involvement campaign to gain suggestions on the potential use of the estates over the past year. Four alternative use patterns were evaluated. All four alternatives involved various degrees of retention of the existing buildings, recognizing that the historical significance of the site was the most prominent resource, outweighing other resource values on the site. All alternatives propose to open the area to the public with various degrees of intensity of uses. The primary uses considered for the estates were relatively low intensity educational uses, maintenance of the historic atmosphere, dispersed recreation and space for public programs such as the Youth Conservation Corps (YCC).

Proposed Uses

The alternative recommended by the Forest Service is Alternative 4 as shown in the attachment. This alternative proposes the retention of 22 of the existing 28 buildings. The McConagle Estate would be restored for use as a visitor center including exhibits and a proposed resource library and would accommodate many nonprofit cultural and educational events, ceremonies and performances.

The main building of the Pope Estate would be "stabilized" from further deterioration but not restored or used for purposes other than historic interpretation. The arboretum portion of the Pope Estate will be maintained in its present condition and various other buildings on the estate will also be stabilized but not restored.

The Heller Estate (Valhalla) will be restored and utilized as a public meeting center for uses compatible with the scale of the building. The boathouse and pier at the Heller Estate will also be retained. It is proposed that the existing pier be utilized as a bike ferry terminal point for bicycle trips to the northern side of Emerald Bay.

Public access to the estates will attempt to emphasize alternative transportation modes. The Forest Service proposes to construct a loop bike trail through the estates which will connect to the existing bike trail system serving the major beaches and recreation areas in the South Shore area. It is also proposed that provision be made for bus turnarounds such that the area can be serviced by public transit to be provided to the beach areas from South Lake Tahoe. Parking will be provided at the existing Kiva picnic area parking lot and at two proposed parking areas adjacent to the Heller and Pope Estates. Parking and vehicle access will be set back from the estate area to provide for maintenance of the pedestrian orientation of the estates.

No improvements to the beach area, such as picnic grounds, are proposed. The development of more intensive recreation uses was not felt to be compatible with the quiet atmosphere and historic preservation of the site.

Land Capability and Coverage

The project site is classified as land capability class 5 which permits up to 25% impervious

4/11/80
surface coverage under the recommendations of the land capability system. The proposed project, including parking, bikeways, and existing structures, would result in a total land coverage of 4.1%, well within the limitations of land capability. The project proposes to utilize infiltration trenches for runoff from new impervious surfaces. The high water holding capacity of the Tallac soils and the relatively small percentage of impervious surface is not expected to result in any erosion problems.

Public Utilities and Services

The Forest Service has its own water system including water rights which will adequately service the proposed project. Existing reserved capacity at the South Tahoe Public Utility District will be utilized for wastewater treatment for sewage generated by the project.

Visual Impacts

The project will not result in substantial removal of vegetation and should not result in substantial visual impacts from either the shoreline of Lake Tahoe or Highway 89. Important buildings will be maintained including a significant number of the accessory buildings which will maintain the "village" character of the estates.

Historic Preservation

The plan for public use was prepared pursuant to the National Historical Preservation Act. The Forest Service has assessed each building according to its significance under that act in order to provide its recommendations for which buildings should be retained and either stabilized or restored. Economic considerations played a role in distinguishing between restoration and stabilization efforts.

Traffic And Air Quality

The Forest Service has prepared a traffic and air quality analysis of the proposed project along with measures proposed to mitigate any adverse effects resulting from the project. The public use is anticipated to generate 448 vehicle trips per day during peak summer usage.

The mitigation measures proposed by the Forest Service include increased use of bicycle trails, increased use of public transit to existing beach and recreation areas and purchase of developments in both California and Nevada which would significantly reduce vehicular traffic in the Basin. The proposed mitigation measures indicate that the Forest Service has "banked" both traffic and air quality mitigation measures in excess of those impacts expected to result from this project. The project is currently being reviewed by the CTRPA under its Indirect Source Review Ordinance to assure a net reduction in vehicular emissions.

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Conformance With TRPA Plans

The Agency's Conservation, Recreation and Open Space Element identifies the site as both a cultural and historic site including the site of the historic Tallac House. That element also identifies the site as a day-use recreation area. The proposed uses appear to be fully consistent with existing Agency plans.

Recommendation

Agency staff finds the proposed use to be consistent with Agency plans and recommends support of the project.
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Sun Tree Villas
General Plan Amendment
General Commercial to
High Density Residential
Washoe County

Location and Description

The applicant, Russ Zito, is requesting approval of a change of land use from General Commercial to High Density Residential in conjunction with a condominium project located on the northwest corner of Northwood and Fairway Boulevards in Incline Village. This project proposes a 19 unit condominium project on a 1.9 acre parcel (Washoe County Assessor Parcel No. 124-163-05). The proposed project would consist of condominium units at a density of 10 units per acre.

Land Use

The property is currently classified as General Commercial and would not allow any residential uses. Allowed uses would be commercial in orientation such as restaurants, offices, or a small commercial facility. General commercial allows up to 70% land coverage. The proposed amendment to High Density Residential (HDR) would allow both residential and professional office uses but not commercial uses. The maximum allowable land coverage in HDR is 50%.

Land Capability

The property is classified as IsC, Inville stony coarse sandy loam, 2 to 9% slopes, land capability level 6. The site slopes to the south at approximately 6%. There are no identified stream channels on the property.

Surrounding Uses

This project is proposed in an area that has existing single and multiple family residences, interval ownership condominiums, and the Incline Village championship golf course. The proposed Third Creek Inn and Condominiums are located across Northwood Boulevard from the project. The golf course and approved pool site are across Fairway from the site. There is a small commercial operation located adjacent to this site to the west. If this General Plan amendment is approved, it will leave a small pocket of remaining General Commercial that contains an existing commercial establishment. There is also the possibility that Club Tahoe may seek a land use classification change if the Agency takes formal action regarding restriction of interval ownership to commercial use districts.

This property could provide a location for either a small commercial project or a restaurant. It is the last vacant piece of commercial land in the immediate area. The following impact analysis indicates that a commercial restaurant operation would have the greatest impact upon this area.

4/1/80
Impacts

This requested amendment would change the classification of this property from General Commercial to HDR. This would have the effect of changing the allowable uses from commercial to primarily residential.

Water - In evaluating this proposal's effect on water supply and availability, staff has developed the following table. Water use from multi-family residences is estimated using IVGID's January, 1980 water use analysis. Potential commercial water use is generated from IVGID's January report and compares with existing commercial uses. Two existing Incline Village water users, a small commercial complex and a restaurant were used for partial comparison. This was necessary because IVGID estimates commercial water use based on past use levels for different diameters of service line. The District estimates that a 1.9 acre commercial site would be serviced with a 1-1/2" water line.

<table>
<thead>
<tr>
<th>Use</th>
<th>Maximum Use</th>
<th>Water Use AF Annually</th>
<th>Sewage Generation GPD AF Annually</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Zoning GC</td>
<td>150 seat restaurant</td>
<td>5.8&lt;sup&gt;1&lt;/sup&gt;</td>
<td>4,363</td>
</tr>
<tr>
<td>GC</td>
<td>Small commercial complex&lt;sup&gt;2&lt;/sup&gt;</td>
<td>1.5</td>
<td>1,130</td>
</tr>
<tr>
<td>GC</td>
<td>IVGID estimate&lt;sup&gt;3&lt;/sup&gt;</td>
<td>1.4</td>
<td>1,060</td>
</tr>
<tr>
<td>Proposed HDR Zoning</td>
<td>19 unit condominium</td>
<td>2.85&lt;sup&gt;4&lt;/sup&gt;</td>
<td>2,153</td>
</tr>
</tbody>
</table>

GPD - gallons per day
AF - acre feet

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1. Stanley's Restaurant - 60 seat capacity (2.23 AF year x 2.5) = 5.57 AF
   Chart House - 200 seat capacity (8.25 AF year x .75) = 6.18 AF
   Clement's Analysis - 140 seat capacity (5.5 AF year x 1.07) = 5.88 AF

2. Small commercial complex in Incline Village contains 7-11, theater, clothing store, butcher shop and two professional offices on 1 acre parcel, 1.1 AF per year

3. Use 1-1/2" line for 1.9 acre parcel @ 455,000 gal/yr.

4. IVGID report: multiple family @ .15 AF/yr in area 5

This table indicates that a 19 unit condominium will use more water than a low water consumptive commercial complex but would use substantially less water than a restaurant on the site.

4/1/80
Sun Tree Villas
General Plan Amendment
Page Three

Sewer - The existing plant has the capacity to handle sewage inputs from any of these projects. A restaurant would make the greatest incremental additions to sewage flows. Approximately 85% of water intake is used to derive sewage flows. The above table displays anticipated sewage flows.

Traffic - These impacts were evaluated based upon projected generation from a 20,000 square foot commercial project, a 7,000 square foot restaurant, and a 19 unit condominium project. This information is shown on the following table. A commercial project will generate 115 vehicle trips per 1,000 square feet of gross, leasable area. A restaurant is anticipated to generate 223 vehicle trips per 1,000 square feet. A condominium project will generate 7 vehicle trips per unit.

<table>
<thead>
<tr>
<th>Use</th>
<th>Vehicle Trips</th>
</tr>
</thead>
<tbody>
<tr>
<td>150 seat restaurant</td>
<td>1,561</td>
</tr>
<tr>
<td>Small commercial</td>
<td>2,316</td>
</tr>
<tr>
<td>19 unit condominium</td>
<td>133</td>
</tr>
</tbody>
</table>

Of the three uses analyzed, the residential use will have the least impact upon traffic generation. The other uses will have a substantial negative impact on Village Boulevard traffic flows which already experience periods of F service levels during afternoons of the peak month.

Environmental - This General Plan amendment will reduce the amount of allowable land coverage from 70 to 50%. This will reduce the area of disturbance and provide for retention of more of the existing characteristics. Approval of this amendment would necessitate the approval of a specific development plan of more than 4 units. Review of this project will provide TRPA an opportunity to insure the design and placement of adequate erosion and drainage control devices. The preceding impact analyses indicate that a residential use will create less traffic and air quality problems.

Visual - The General Plan amendment will reduce the allowable height from 40 to 35 feet. Land coverage will also be reduced. The preliminary plans for the project show the proposed buildings being located off of the street with the retention of trees for visual screening.

Subregional - This amendment will reduce the total amount of General Commercial property available in Incline Village. The applicant's representative has indicated that this property would be used as a restaurant site if the amendment is not approved. Due to the approval of Third Creek Inn and condominiums adjacent to the south, this piece of General Commercial is no longer a functioning part of the commercial core area of Incline. It has become isolated by residential properties. In fact, this property and the one to the west represent a spot zone of commercial surrounded by residential uses.

Recommendation

The Staff recommends approval of the requested amendment to reclassify the subject 1.9 acre parcel from General Commercial to High Density Residential. Staff recommends that an implementing ordinance be prepared.

4/1/80
Advisory Planning Commission Action

At a public hearing on April 9, 1980, the APC voted unanimously to approve the requested amendment. The applicant's representative was advised that when the development proposal comes before the Agency in the future, sewage treatment capacity and water availability would be major concerns.
LEGEND
SF - SINGLE FAMILY
MF - MULTIPLE FAMILY
C - COMMERCIAL
V - VACANT

SUNTREE VILLAS
EXISTING LAND USES
SURROUNDING AREA
Kingsbury Terrace  
Tentative Map for 8 Condominium Units  
Douglas County

Owner: Edgar Scharruhn

Agency Action Required By: May 6, 1980

Project Location and Description

The applicant requests approval of a tentative map for 8 condominium units on a 1.08 acre parcel located on Kingsbury Grade just below the Chart House Restaurant. The project plan consists of 4 duplex units located on the downhill side of a 300 foot devidend access road. The units will be three story with a two car garage located on the first level. The access road which directly connects with Kingsbury Grade will have three additional guest parking spaces.

Land Use

The project is located in a Medium Density Residential (MDR) land use district which would permit the construction of 9 units on this property.

Land Coverage

The project is designed to utilize only 13,228 square feet of the permitted 16,953 (35%) square feet of land coverage. The land capability district for this property is primarily 1A which would permit 1% land coverage.

Local Approvals

The Douglas County Commissioners approved the tentative map on January 17, 1980, and the Douglas County Board of Development Review approved the project on March 7, 1980. Important to note is that this project's construction and occupancy is tied into an extensive Kingsbury Grade improvement project which will extend from Palisades Road to the Chart House.

Impacts

Public Utilities – The applicant has submitted the proposed condominium project to the Kingsbury General Improvement District, the Kingsbury Fire Protection District and Southwest Gas Corporation for consideration. These utilities indicate that the proposed project will not adversely affect their ability to serve the property.
Staff does have a concern about the water supply and sewage capacity. The most recent information for sewer and water from the Kingsbury GID indicates the following:

<table>
<thead>
<tr>
<th></th>
<th>Capacity</th>
<th>1979 Usage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sewer (DCSID)</td>
<td>2.5 MGD</td>
<td>2.3 MGD</td>
</tr>
<tr>
<td>(KGID)</td>
<td>.275 MGD</td>
<td>.258 MGD</td>
</tr>
<tr>
<td>Water</td>
<td>1880 Acre Feet</td>
<td>998 Acre Feet</td>
</tr>
</tbody>
</table>

Although the water supply issue is yet to be resolved pending submittal of a report by the KGID consultants (CH2M Hill), it is apparent that the sewage treatment capacity of both KGID and the main treatment facility at DCSID will approach capacity this summer. (See attached memo for current status report on DCSID.) Based on information submitted to the Agency by KGID, the improvement district has enough remaining capacity to serve 40 single family dwellings unless more treatment capacity is purchased from the DCSID. DCSID was operating at 92% of peak capacity in 1979 and is projected to reach peak capacity this summer with new projects coming on line, i.e. Caesar's Tahoe at .146 MGD.

Section 10.1 of the TRPA Subdivision Ordinance requires the following for approval of a tentative map:

"Each lot or condominium unit in a subdivision shall have a connection to a sanitary sewage facility that has the capacity for collection, treatment and export of such sewage from the Lake Tahoe Region as required by the Agency and other governmental entities."

It is the applicant's contention that the purchase of 8 sewer permits from KGID satisfies Section 10.1. KGID's position is that the district has the legal right to purchase more capacity and, if necessary, force expansion of the DCSID plant; therefore, there is capacity. The DCSID engineer, Jere Williams, indicates the District is proceeding with plans to expand the treatment capacity of the plant while acknowledging the circumstances documented in the attached memo.

It is staff's position that until concrete commitments can be made including financing, approved NDEP and TRPA permits, and construction is in progress for the DCSID, the requirements of Section 10.1 cannot be satisfied.

Traffic  – If the 8 unit complex were constructed, the project should generate approximately 56 vehicle trips per day. This could be a critical factor since the sight distance to the access point is limited. The applicant has joined with other property owners and Douglas County staff to formulate and implement Kingsbury Grade improvements.
Environmental - The proposed project will require extensive grading due to the steep slopes encountered on the property. Also fill is required across a drainage-way in order that access to the site may be achieved. The applicant has proposed and staff concurs that there should be extensive use of rock-covered retaining walls to minimize grading. This project will also be included in the Douglas County condition of approval which requires a master drainage plan for the properties in the area.

Recommendation

Agency staff recommends this project be denied without prejudice and the applicant be invited to resubmit his application when the issue of sewage treatment capacity has been resolved.
MEMORANDUM

DATE: April 15, 1980

TO: TRPA Governing Board

FROM: The Staff

SUBJECT: Status Report on Proposed DCSID Improvement Plans

As represented at the April, 1980 Governing Board meeting the Douglas County Sewer Improvement District (DCSID) has submitted an application to TRPA to construct improvements to the wastewater treatment plant to permit treatment and disposal of peak month flows of 3.75 MGD. It has been determined upon review at the Development Review Committee and Advisory Planning Commission meetings that this application is premature, since this proposal is still in the conceptual stages and lacks approval of a revised waste discharge permit from the Nevada Division of Environmental Protection (NDEP) to allow for the increased flow. This finding is based on the facts that financing arrangements had not been completed, construction drawings were not available, the Nevada Division of Environmental Protection and Douglas County had not reviewed the proposal, and there were unanswered questions with regard to future funding from the Environmental Protection Agency (EPA).

Since the issue of capacity must still be addressed with proposed developments in Douglas County, staff has prepared the following status report on DCSID.

Background

The DCSID wastewater treatment plant was constructed in 1968 to treat and export all sewage generated in the various improvement districts in Douglas County. It is an activated sludge-type secondary treatment facility which was initially constructed with a design capacity of 3.0 MGD. The plant was designed to provide for future expansion to 6.0 MGD in increments of 1.5 MGD each. Effluent from the treatment plant is pumped to an adjacent on-site holding reservoir for storage prior to pumping over Daggett Pass to the Carson Valley where it is applied as irrigation water on a ranch in accordance with procedures approved by the Nevada Division of Environmental Protection. Present authorization is only for summer land application with winter outfall to the Carson River. However, winter land application is being performed under a test program supervised by State and EPA officials to determine the feasibility of year-round land application. Sludge from the treatment process is thickened, dewatered, incinerated, and disposed of on-site in ash lagoons.
DCSID Improvement Plans
Status Report
Page Two

The DCSID No. 1 wastewater treatment plant was originally designed and constructed as a 3.9 MGD plant on the basis of BOD loadings anticipated at the time as appropriate for the service area. As a result of BOD loadings which actually were encountered in operation of the plant and as a result of increased effluent quality standards subsequently required by State and Federal regulatory agencies, the present rating of the plant is considered by EPA to be about 2.5 to 2.6 MGD. While recent evaluation by the DCSID's engineers indicates that the EPA rating is probably low, it is acknowledged that the 1979 peak month flow of 2.3 MGD is expected to reach 2.5 MGD this summer.

Compatibility With TRPA Plans

208 Plan - The Lake Tahoe Basin Water Quality Management Plan (208 Plan) identifies a wastewater treatment facility at the subject site. The 208 Plan further indicates a facility with a treatment capacity of 3.0 MGD. The existing plant with improvements approved by the Agency will have a treatment capacity of 2.5 MGD.

Water and Sewer Master Plan - The 1973 TRPA Water and Sewer Plan and Program indicates the existing DCSID plant to have a capacity of 3.0 MGD and an ultimate capacity of 6.0 MGD. These capacities were based on the projection of the buildout occurring under the 1972 TRPA General Plan.

General Plan Buildout

To determine future plant requirements accurately, based on the TRPA General Plan, the engineers for the District have reviewed each area or general improvement district served by the District to identify the number of vacant properties on which residential or commercial development would be authorized under the General Plan. This research has provided the information set forth below:

<table>
<thead>
<tr>
<th>DCSID Flow Projections</th>
<th>Near-Term Buildout</th>
<th>Existing Commitments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average Daily Flow, August 1979</td>
<td>2.30 MGD</td>
<td>2.30 MGD</td>
</tr>
<tr>
<td>Projected Hotel/Casino Development</td>
<td>0.96*</td>
<td>.96*</td>
</tr>
<tr>
<td>Projected Residential Development</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- subdivided</td>
<td>0.75</td>
<td>.75</td>
</tr>
<tr>
<td>- undeveloped</td>
<td>0.45</td>
<td></td>
</tr>
<tr>
<td>Projected Commercial Development</td>
<td>0.12</td>
<td></td>
</tr>
<tr>
<td>Projected Recreational Development</td>
<td>0.05</td>
<td></td>
</tr>
<tr>
<td>Projected Public Service</td>
<td>0.02</td>
<td>.02</td>
</tr>
<tr>
<td>Total:</td>
<td>4.65 MGD</td>
<td>4.03 MGD</td>
</tr>
</tbody>
</table>

*0.5 is estimated for the Jennings and Kahle hotel/casino projects
Compatibility With Other Plans and Programs

NDEP Waste Discharge Permit - NDEP has issued revised waste discharge requirements which will become effective in 1982. The permit conditions would require removal of un-ionized ammonia, phosphorous and chlorine prior to discharge to the Carson River. The permit limits peak day flows to 3.0 MGD.

DCSID Facility Plan - DCSID has prepared a facility plan for wastewater treatment plant improvements in order to meet the 1982 waste discharge permit requirements as determined by NDEP. The plan was presented to EPA as part of an application for federal funding for the improvements. EPA has determined that the project would have a significant impact on the environment and has required that an EIS would be required. A draft EIS has been prepared by EPA, but no decision has been made to date regarding the federal grant.

The facility plan as prepared by DCSID calls for improvements to the treatment plant, construction of a major storage reservoir, and acquisition of land and improvements in order to provide land treatment of secondary sewage effluent. Effluent disposal to the Carson River would be ceased under this plan.

Draft EIS for Wastewater Facilities, South Shore - EPA has prepared a draft EIS which identifies the secondary impacts of wastewater treatment plant expansion on the South Shore (including DCSID and STPUD). The draft EIS is based on a 3.0 MGD capacity for the DCSID facility.

The DEIS identifies impacts and proposed mitigation measures which the EPA felt should be incorporated into planning efforts of local and regional agencies prior to initiating any treatment plant expansion. TRPA has provided comments on the draft EIS indicating which mitigation measures it would commit to for implementation.

Conclusions

1. Existing treatment capacity of 2.5 - 2.6 MGD will be utilized during the 1980 construction season.

2. Existing commitments for currently approved and subdivided lands exceed the existing capacity of the plant by 1.53 MGD (4.03 MGD - 2.5 MGD).

3. Proposals for wastewater treatment plant expansion have not been acted upon by the required authorities (NDEP, TRPA) to allow for upgrading or expansion of the present facility. The EPA grant for the proposed plant upgrading and land disposal system in the Carson Valley cannot be resolved until a final EIS is issued by EPA.
TO: TRPA Governing Board

FROM: The Staff

SUBJECT: Land Use and Subdivision Ordinance Amendments Relating to Regulation of Condominium Conversions, Timesharing, and Multiple Ownership Projects

DATE: April 15, 1980

After much discussion, both at the Advisory Planning Commission and Governing Board levels, staff has completed the ordinance package which the Board directed the staff to prepare in the fall of 1979. The APC completed review of the proposed amendments at its April meeting and now forwards the complete package with a recommendation for approval. Agency staff supports this recommendation with one modification. Upon considering immediate needs and future staffing levels, staff would request that the proposed HDA amendments be continued to a later date due to the large staff effort that would be necessary to implement this proposal.

Therefore Agency staff recommends the following:

- Land Use Ordinance amendment for time-sharing projects in Tourist Commercial land use districts; Approval
- Subdivision Ordinance amendments defining condominium conversions and setting forth findings for approval of tentative maps; and Approval
- Land Use Ordinance amendment for the High Density Apartment land use district. Continuance
LAND USE ORDINANCE AMENDMENTS

Add to Section 3.00 the following definitions:

Timesharing Unit - A single family dwelling unit located in a vacation timesharing project of five (5) or more units that is subject to a timesharing program.

Timesharing Program - Any arrangement in a timesharing project whereby the use, occupancy or possession of real property has been made subject to either a timesharing estate or timesharing use whereby such use, occupancy or possession circulates among purchasers according to a fixed or floating time schedule on a periodic basis for a specific period of time during any given year, but not necessarily for consecutive years, and which extends for a period of time in excess of three (3) years in duration.

Timesharing Estate - An ownership or leasehold estate in property devoted to a timesharing fee (tenants in common, timespan ownership, interval ownership) or a timesharing lease.

Timesharing Use - Any contractual right of exclusive occupancy which does not fall within the definition of a timesharing estate including, without limitation, a vacation license, prepaid hotel reservation, club membership, limited partnership or vacation bond.

Add to Section 7.12 of the Land Use Ordinance the following use which requires an administrative permit:

(36) Complexes of five (5) or more timesharing units.

Add to Section 7.80 reference to timesharing units:

7.80 Tourist Commercial District

7.81 Specific Purposes:

(1) To provide adequate space for motels, hotels and related facilities to house and provide services for tourist visitors to the Region in appropriate locations.
7.82 Permitted Uses:

None but the following uses, or those allowed pursuant to an administrative permit issued in accordance with Section 8.33, which are found to be appropriate and similar in nature, shall be permitted:

(1) Residential:

   (a) Single family dwelling units up to fifteen (15) dwelling units per acre;

   (b) Multiperson dwellings not to exceed facilities for forty (40) persons per acre;

   (c) Mobile home parks for permanent residences up to eight (8) mobile homes per acre;

(2) Tourist Residential:

   (a) Transient dwelling units up to forty (40) units per acre, provided that up to ten (10) percent of such dwelling units contained in any motel or other development devoted to the provision of transient dwelling units may include kitchen facilities;

   (b) Recreation vehicle parks up to fifteen (15) mobile homes per acre;

   (c) Timeshares units up to fifteen (15) units per acre.

(3) Outdoor Recreation:

   (a) All those permitted in the High Density Residential District;

   (b) Skiing facilities;

   (c) Outdoor amusement facilities.

(4) Resource Management and Agriculture:

   (a) Forest management program.

(5) Public and Quasi-Public:

   (a) All those permitted in the High Density Residential District;

   (b) Transportation facilities.

(6) Commercial and Industrial:

   (a) All those permitted in the High Density Residential District;

   (b) Indoor amusement facilities;

   (c) Limited commercial;

   (d) Service stations.
Limitations on Land Coverage:

No person shall create land coverages in excess of thirty-five (35) percent if a residential or a timesharing use and fifty (50) percent if any other use of the land included in the application for a permit, as calculated in accordance with Section 8.22 of this ordinance, except as otherwise permitted in accordance with Sections 8.25, 8.28 and 9.24 of this ordinance.

This provision shall apply only to those lands contained in Tourist Commercial 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.

General Commercial District

Specific Purposes:

(1) To assure adequate areas in appropriate locations for commercial services necessary within the Region.

Permitted Uses:

None but the following uses, or those allowed pursuant to an appropriate administrative permit issued in accordance with Section 8.33, which are found to be appropriate and similar in nature, shall be permitted.

(1) Residential: None except that accessory to the permitted use.

(2) Tourist Residential:

(a) All those permitted in the Tourist Commercial District, except timesharing units.

(3) Outdoor Recreation:

(a) All those permitted in the Tourist Commercial District.

(4) Resource Management and Agriculture:

(a) Forest management programs.

(5) Public and Quasi-Public:

(a) All those permitted in the Tourist Commercial District;

(b) Educational facilities, vocational;
(c) Post office facilities;
(d) Incarceration facilities;
(e) Solid waste transfer stations.

(6) Commercial and Industrial:
   (a) All those permitted in the Tourist Commercial District;
   (b) Commercial;
   (c) Light industrial;
   (d) Batch plants;
   (e) Bulk storage;
   (f) Electric power plants;
   (g) Wrecking yards.

7.93 Limitations on Land Coverage: (no amendments proposed)
SUBDIVISION ORDINANCE AMENDMENTS

Add to Section 3.00 - Definitions:

Community Apartment - A multi-residential project in which the buyer receives a right of exclusive occupancy to a particular unit without separate ownership of air space.

Condominium Conversion - Any change in the form of ownership of real property wherein persons obtain ownership interest of individual units thereof, including but not limited to condominiums, community apartment, stock cooperatives, and any other form of such interest regulated by this ordinance.

Stock Cooperative - A multi-residential project in which the buyers hold their right to occupancy through ownership of stock or membership in a cooperative corporation.

Subdivision - Any real property, improved or unimproved, or a portion thereof, shown on the latest adopted tax roll of a local government as a unit or as contiguous units, which is divided for the purpose of use, sale, lease or financing, whether immediate or future, into five (5) or more condominiums, or into five (5) or more condominium units through condominium conversion, or into five (5) or more lots, or in which five (5) or more undivided interests are created or are proposed to be created.

Add new Section 4.34:

Approval by the permit-issuing authority and the Agency may be granted only if it is found that the tentative map is in compliance with all applicable TRPA plans and ordinances and that the establishment, maintenance or, operation of the proposed subdivision or associated uses will not be detrimental to health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the proposed subdivision or detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the Region, and will not cause any substantial harmful environmental consequences on the land of the applicant or on other lands or waters.

Change Section 4.34 to 4.35.
LAND USE ORDINANCE AMENDMENT

Add a new Section 7.130:

7.130 High Density Apartment

7.131 Specific Purposes:

To provide rental housing for residents consistent with the
housing needs and environmental protection of the Region.

7.132 Permitted Uses:

None but the following uses, or those allowed pursuant to an
administrative permit issued in accordance with Section 8.33,
which are found to be appropriate and similar in nature, shall
be permitted.

(1) Residential:

New language.

(a) Single family dwelling units up to fifteen (15) dwelling
units per acre;

(b) Multiperson dwellings not to exceed facilities for forty
(40) persons per acre;

(c) Mobile home parks for permanent residences up to eight
(8) mobile homes per acre.

Within this district, the Agency or the permit-issuing authority
shall not consider or approve any proposal for a subdivision,
condominium conversion, or any other division of land for
residential development. Lots and parcels of land that were
created in conformance with this ordinance or lawfully existed
prior to February 10, 1972, shall be considered permitted
and conforming uses within this district.

(2) Tourist Residential: None

(3) Outdoor Recreation:

(a) All those permitted in the Medium Density Residential
District.

(4) Resource Management and Agriculture:

(a) Forest management programs.

(5) Public and Quasi-Public:

(a) All those permitted in the Medium Density Residential
district;

(b) Cultural facilities.
(6) Commercial:

(a) All those permitted in the Medium Density Residential district;

(b) Professional offices.

7.133 Limitations On Land Coverage:

No person shall create land coverages in excess of the limits set forth in Section 6.20, as calculated in accordance with Section 8.22, except as otherwise permitted in accordance with Sections 8.25, 8.28, and 9.24, unless the ordinance effecting such reclassification specifically provides otherwise. Such provision shall not exceed land coverage limits in excess of fifty (50) percent of the land area as calculated in accordance with Section 8.22.

Add to Section 3.00 Definitions:

Condominium Conversion - Any change in the form of ownership of real property wherein persons obtain ownership interest of individual units thereof, including but not limited to condominiums, community apartments, stock cooperatives, and any other form of such interest regulated by this ordinance.

Subdivision - Any real property, improved or unimproved, or a portion thereof, shown on the latest adopted tax roll of a local government as a unit or as contiguous units, which is divided for the purpose of use, sale, lease or financing, whether immediate or future, into five (5) or more condominiums, or into five (5) or more condominium units through condominium conversion, or into five (5) or more lots, or in which five (5) or more undivided interests are created or are proposed to be created.

Community Apartment - A multi-residential project in which the buyer receives a right of exclusive occupancy to a particular unit without separate ownership of air space.

Stock Cooperative - A multi-residential project in which the buyers hold their right to occupancy through ownership of stock or membership in a cooperative corporation.
Amend Sections 7.10 and 7.13 as follows:

7.10 Regulations indicating the allowable land uses in each district are hereby established as set forth in Sections 7.20 through 7.120 7.130. In the cases of those uses listed in Section 7.12 the permit-issuing authority shall require an appropriate administrative permit, in accordance with Section 8.33, before such use shall be authorized. The permitted uses shall include accessory uses consistent with such permitted uses. The permitted uses are stated as illustrative of the types of uses consistent with the Tahoe Regional General Plan. The listings are not intended to be exclusive, except the density limitations set forth in Sections 7.30 through 7.90 and 7.120 7.130.

7.13 Limitations 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 peak of the highest gable of a pitch or hip roof. Grade is the average of the 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>
<tr>
<td>High Density Apartment</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.
TAHOE REGIONAL PLANNING AGENCY

MEMORANDUM

DATE: April 15, 1980

TO: TRPA Governing Board

FROM: The Staff

SUBJECT: Work Program and Application for Federal Assistance Under Section 208 of the Federal Clean Water Act

Staff is in receipt of the attached letter from Ernie Gregory, of the Nevada Division of Environmental Protection, regarding future funding for continued water quality management planning. Staff is in the process of developing a work program and application for presentation to the Board on April 23.

Attachment
Mr. Phillip A. Overeynder,
Executive Director
Tahoe Regional Planning Agency
P.O. Box 8896
South Lake Tahoe, California 95731

Dear Mr. Overeynder:

Thank you very much for your letter dated March 21, 1980, regarding Continuing Water Quality Management Planning for the Lake Tahoe Basin. From our standpoint, the need for 208 Continuing Planning Process (CPP) for the Lake Tahoe Basin was implicit when the Governor of Nevada certified the initial TRPA 208 Plan on May 28, 1978.

In the development of the State's five year needs program assessments submitted to EPA, the Tahoe Basin was indicated as a high priority area with respect to diffuse source control problems. Although the TRPA did not make application for Federal funding (FY 80), the Nevada Division of Environmental Protection strongly indicated the need for Federal funding for the Basin under Section 208 of the Clean Water Act (P.L. 95-217).

In order to move toward implementation and update of the initial TRPA 208 Plan, the Nevada Division of Environmental Protection would like to receive a copy of your work plan (FY 80 and/or 81) together with any specific project proposals you may have, in spite of the lack of EPA-State funding for the Statewide 208 Planning process (FY 80).

If your work plan or proposal(s) meets EPA criteria for the funding period, the Division of Environmental Protection will be ready to assist you to procure the funding. I would hope, however, that you do not use the California Water Resources Control Board version of "a 208 Plan" as the ultimate means of the initial TRPA 208 Plan update and reevaluation.
If we can be of any further assistance to you on this subject, please let us know.

Sincerely,

Ernie G. Gregory
Administrator

EGG:GAE:mmw

cc: Roland Westergard

Jim Thompson
TAHOE REGIONAL PLANNING AGENCY

ORDINANCE NO. 80-

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 94 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 Districts

Exhibit "A" to Ordinance No. 22 of the Tahoe Regional Planning Agency,
as amended, is hereby amended by adding thereto new paragraph 94 to
accomplish changes in the applicable land use districts, which paragraph
shall read as follows:

"94.  All that certain parcel of land situate in the State of Nevada, County of Douglas,
being a portion of the Northeast 1/4 of Section 10, T14N, R18E, MDB&M, and being
more particularly described as follows: Commencing at the Northeasterly corner
of Lot "Z" of Glenbrook Subdivision Unit No. 2, as shown on the amended official
plat of Glenbrook Subdivision Unit No. 2, recorded in the official records of Douglas
County, Nevada, October 13, 1978, Document No. 26250; thence North 17 degrees 22
minutes 38 seconds East, 34.54 feet along the North boundary of said subdivision to
the True Point of Beginning; thence continuing along said North boundary North 17
degrees 22 minutes 38 seconds East, 376.31 feet to a point; thence North 64 degrees
29 minutes 15 seconds East, 232.48 feet along said boundary to a point; thence
leaving said boundary North 12 degrees 01 minutes 34 seconds East, 56.25 feet to a
point; thence North 04 degrees 26 minutes 43 seconds East, 187.89 feet to a point;
thence North 81 degrees 59 minutes 08 seconds West, 393.37 feet to a point; thence
South 33 degrees 48 minutes 30 seconds West, 209.16 feet to a point; thence South
78 degrees 49 minutes 14 seconds West, 75.86 feet to a point on the Easterly
right-of-way of Pray Meadow Road; thence North 86 degrees 39 minutes 34 seconds
West, 83.36 feet across Pray Meadow Road to a point on the Southwesterly right-of-way;
thence North 76 degrees 11 minutes 47 seconds West, 256.89 feet along said right-of-way
to a point; thence leaving said right-of-way South 23 degrees 45 minutes 00 seconds
West, 122.97 feet to a point; thence South 72 degrees 00 minutes 00 seconds West, 95.28
feet to a point on the meander line of Lake Tahoe; thence South 23 degrees 45 minutes
00 seconds East, 547.35 feet along said meander line to a point; thence continuing
along said meander line South 12 degrees 17 minutes 00 seconds East, 126.40 feet
to a point; thence leaving said meander line North 66 degrees 45 minutes 38 seconds East, 381.45 feet to a point on the Westerly right-of-way of Pray Meadow Road; thence South 23 degrees 16 minutes 40 seconds East, 19.70 feet returning to the True Point of Beginning. Said described property contains 9.90 acres more or less and is reclassified from Conservation Reserve to Rural Estates. The development of this property shall be in substantial conformance with the specific plan approved by the Governing Body on March 26, 1980. Said plan consists of one sheet entitled "Site Plan to Accompany an Application for an Amendment to the General Plan of the Tahoe Regional Planning Agency - Parcel Map for Glenbrook Company", prepared by Sharp, Krater & Associates, Inc. Said plan was received by the Tahoe Regional Planning Agency on February 1, 1980; is contained in a report entitled "Environmental Information Report Parcel Map for the Glenbrook Company", prepared by Sharp, Krater & Associates, Inc.; and is a part of TRPA administrative file no. 80024."

Section 3.00 Severability

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

Section 4.00 Effective Date

This ordinance shall be effective immediately upon its adoption.

FIRST READING:

SECOND READING:

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

Ayes:

Nays:

Abstain:

Absent:

______________________________
Chairman
TAHOE REGIONAL PLANNING AGENCY

ORDINANCE NO. 80-

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 95 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 95 to accomplish a change in the applicable land use district, which paragraph shall read as follows:

"95: All that real property situate in the Southwest 1/4 of the Southwest 1/4 of Section 24, T13N, R18E, MDM, Douglas County, Nevada, described as follows: Beginning at a point on the South line of said Section 24 which bears North 89 degrees 54 minutes East 657.68 feet from the Southwest corner of Section 24; thence North 00 degrees 07 minutes West 702.37 feet, more or less, to a point on the Southerly line of Kingsbury Grade; thence along a non-tangent curve concave to the Northwest with a radius of 290 feet, a central angle of 13 degrees 32 minutes 41 seconds, an arc length of 68.56 feet; thence North 60 degrees 01 minute East 118.11 feet; thence leaving said Southerly line South 00 degrees 07 minutes East 788.06 feet, more or less, to a point on the South line of said Section 24; thence along said South line South 89 degrees 54 minutes West 165.34 feet to the Point of Beginning. Said property contains 2.9 acres, more or less, and is reclassified to Tourist Commercial with the limit on land coverage to be 38,000 square feet for residential uses and as set forth in Section 6.20 of Ordinance No. 4, the Land Use Ordinance, for all other uses."

Section 3.00  Severability

If any part or provision of this ordinance, or the application thereof to any person, thing or circumstance, is held invalid by a court of competent jurisdiction, such invalidity shall not affect the parts, provisions or applications that can be given effect without the invalid part, provision or application, and to this end the parts and provisions hereof are severable.
Section 4.00 Effective Date

This ordinance shall be effective immediately upon its adoption.

FIRST READING:

SECOND READING:

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

Ayes:

Nays:

Abstain:

Absent:

______________________
Chairman
TAHOE REGIONAL PLANNING AGENCY

ORDINANCE NO. 80-

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 PARAGRAPHS 96 AND 97 THERETO, TO CHANGE THE LAND USE DISTRICTS APPLICABLE TO CERTAIN REAL PROPERTIES.

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 amendments to the land use element of the Regional Plan are 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 Changes In Land Use Districts

Exhibit "A" to Ordinance No. 22 of the Tahoe Regional Planning Agency, as amended, is hereby amended by adding thereto new paragraphs 96 and 97 to accomplish changes in the applicable land use districts, which paragraphs shall read as follows:

"96. All that certain real property being a portion of Section 15 and Section 22, T16N, R18E, MDB&M, Washoe County, Nevada; also being Parcel 1, Parcel Map #945, File No. 631770, more particularly described as follows: Beginning at the most Easterly corner of said Parcel 1, Parcel Map #945 filed in the office of the County Recorder of Washoe County, State of Nevada on September 26, 1979; thence South 40 degrees 00 minutes 01 seconds West 185.72 feet; thence South 29 degrees 32 minutes 12 seconds West 173.67 feet; thence South 14 degrees 17 minutes 47 seconds East 131.69 feet; thence South 25 degrees 13 minutes 04 seconds West 89.66 feet; thence South 7 degrees 25 minutes 25 seconds West 261.59 feet; thence South 16 degrees 29 minutes 37 seconds West 381.65 feet; thence South 8 degrees 42 minutes 38 seconds West 179.42 feet; thence South 21 degrees 05 minutes 00 seconds East 281.45 feet; thence South 49 degrees 49 minutes 20 seconds West 121.77 feet; thence South 5 degrees 25 minutes 02 seconds East 50.29 feet; thence Northwesterly along the arc of a curve concave Northeasterly to a point of tangency; thence North 33 degrees 05 minutes 50 seconds West 503.02 feet; thence North 32 degrees 30 minutes 00 seconds East 190.00 feet; thence North 10 degrees 30 minutes 00 seconds East 610.00 feet; thence North 79 degrees 24 minutes 52 seconds West 340.39 feet; thence North 28 degrees 42 minutes 20 seconds East 483.84 feet; thence along the arc of a tangent curve to the right, having a radius of 310.00 feet and a central angle of 6 degrees 14 minutes 19 seconds, an arc distance of 33.75 feet to a point of compound curve; thence along the arc of a tangent curve to the right, having a radius of 40.00 feet and a central angle of 71 degrees 03 minutes 43 seconds, an arc distance of 49.61 feet; thence South 73 degrees 59 minutes 38 seconds East 407.08 feet; thence along the arc of a tangent curve to the right, having a radius of 2,930.00 feet and a central angle of 6 degrees 57 minutes 39 seconds, an arc distance of 355.96 feet to the Point of Beginning."
Said property contains 20.60 acres, more or less, and is reclassified from Tourist Commercial to Recreation with the limitation on land coverage to be as provided in Section 6.20 of Ordinance No. 4, the Land Use Ordinance.

All that certain real property being a portion of Section 15, T16N, R18E, MDB&M, Washoe County, Nevada, also being Parcel 2, Parcel Map #945 File No. 631770, more particularly described as follows: Beginning at the most Southerly corner of said Parcel 2, Parcel Map #945 filed in the office of the County Recorder of Washoe County, State of Nevada on September 26, 1979; thence North 33 degrees 05 minutes 50 seconds West 605.00 feet; thence along the arc of a tangent curve to the right, having a radius of 40.00 feet and a central angle of 83 degrees 00 minutes 09 seconds, an arc distance of 57.95 feet to a point of reverse curve; thence along the arc of a tangent curve to the left, having a radius of 740.00 feet and a central angle of 21 degrees 11 minutes 59 seconds an arc distance of 273.80 feet; thence North 28 degrees 42 minutes 20 seconds East 60.00 feet; thence South 79 degrees 24 minutes 52 seconds East 340.39 feet; thence South 10 degrees 30 minutes 00 seconds West 610.00 feet thence South 32 degrees 00 minutes 00 seconds West 190.00 feet to the Point of Beginning. Said property contains 6.00 acres, more or less, and is reclassified from Tourist Commercial to Public Service with the limitation on land coverage to be as provided in Section 6.20 of Ordinance No. 4, the Land Use Ordinance."

Section 3.00 Severability

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

Section 4.00 Effective Date

This ordinance shall be effective immediately upon its adoption.

FIRST READING:

SECOND READING:

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

Ayes:

Nays:

Abstain:

Absent:

[Signature]
Chairman
TAHOE REGIONAL PLANNING AGENCY

ORDINANCE NO. 80-

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 98 THERETO, TO CHANGE THE
LAND USE DISTRICTS 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 amendments to the land use element of the Regional Plan
are 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 Districts

Exhibit "A" to Ordinance No. 22 of the Tahoe Regional Planning Agency,
as amended, is hereby amended by adding thereto new paragraph 98 to
accomplish changes in the applicable land use districts, which paragraph
shall read as follows:

"98. Parcel 1 - All that certain real property situate in a portion of fractional Section
5, T15N, R17E, MDB&M, being 10.34 acres, more or less, as shown on Record of
Survey filed in the Office of the County Recorder of Placer County, California on
December 7, 1971, in Book 4 of Surveys, at page 14, more particularly described
as follows: Beginning at a point on the North line of said Section 5, a distance of
1,050 feet West of the Northeast corner of said Section 5; thence South 02 degrees
29 minutes 00 seconds West, 430 feet to a point on the Easterly property line of said
parcel of land; thence North 83 degrees 16 minutes West, 706 feet, more or less, to a
point on the Westerly property line of said parcel of land, said point also being the
Easterly right of way of Starboard Drive as shown on the above-mentioned Record
of Survey; thence along the Easterly right of way of Starboard Drive on the arc of
a curve to the left with a radius of 173 feet for a chord bearing and distance of
North 06 degrees 27 minutes 00 seconds West, 176.66 feet; thence North 37 degrees
09 minutes 00 seconds West, 98.80 feet; thence North 52 degrees 51 minutes 00
seconds East, 13.54 feet; thence North 00 degrees 01 minutes 05 seconds East,
84.90 feet to a point on the North line of Section 5, said point also being the
Northwest corner of said parcel of land; thence along the North line of Section 5,
South 89 degrees 58 minutes 55 seconds East, 785.96 feet to the point of beginning.
Said Parcel 1 is reclassified from Tourist Commercial to Recreation with land
coverage not to exceed the limits set forth in Section 6.20 of the Land Use
Ordinance."
Parcel 2 - All that certain real property situate in a portion of fractional Section 5, T15N, R17E, MDB&M, being 10.341 acres, more or less, as shown on Record of survey filed in the Office of the County Recorder of Placer County, California on December 7, 1971, in Book 4 of Surveys, at page 14, more particularly described as follows: Commencing at a point on the North line of said Section 5, a distance of 1,050 feet West of the Northeast corner of said Section 5; thence South 02 degrees 29 minutes 00 seconds West, 430 feet to a point on the Easterly boundary line of said parcel of land, said point also being the Point of Beginning for Parcel 2 description; thence continuing South 02 degrees 29 minutes 00 seconds West, 469.89 feet to the low water mark of Lake Tahoe as shown on the above-mentioned Record of Survey, thence the following ten courses and distances:

1. North 57 degrees 47 minutes 52 seconds West 126.27 feet,
2. North 07 degrees 52 minutes 48 seconds West 152.70 feet,
3. North 75 degrees 00 minutes 00 seconds West 123.00 feet,
4. West 65.00 feet,
5. North 58 degrees 30 minutes 00 seconds West 40.00 feet,
6. North 42 degrees 00 minutes 00 seconds West 65.00 feet,
7. North 47 degrees 00 minutes 00 seconds West 125.00 feet,
8. North 83 degrees 30 minutes 00 seconds West 171.22 feet,
9. North 83 degrees 30 minutes 00 seconds West 20.00 feet,
10. North 75 degrees 10 minutes 00 seconds West 52.99 feet,

to a point on the Easterly boundary line of said parcel of land, said point also being the Easterly right of way of Starboard Drive as shown on the above-mentioned Record of Survey; thence along the Easterly right of way of Starboard Drive North 07 degrees 55 minutes 51 seconds East, 62.61 feet; thence along the arc of a curve to the left with a radius of 191.14 feet for a chord bearing and distance of North 16 degrees 05 minutes 25 seconds East, 54.26 feet; thence leaving the Easterly right of way of Starboard Drive South 83 degrees 16 minutes East, 706 feet, more or less, to the Point of Beginning. Said Parcel 2 is reclassified from Tourist Commercial to Public Service with land coverage not to exceed the limits set forth in Section 6.20 of the Land Use Ordinance."

Section 3.00    Severability

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

Section 4.00    Effective Date

This ordinance shall be effective immediately upon its adoption.
FIRST READING:

SECOND READING:
Passed and adopted by the Governing Body of the Tahoe Regional Planning Agency at its regular meeting held by the following vote:

Ayes:

Nays:

Abstain:

Absent:

Chairman