TRPA
GOVERNING BOARD
PACKETS

JANUARY
1980
NOTICE OF MEETING OF THE
GOVERNING BODY OF THE
TAHOE REGIONAL PLANNING AGENCY

NOTICE IS HEREBY GIVEN that on January 23, 1980 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 11, 1980

By: Philip A. Overeynder, Manager
    Tahoe Regional Planning Agency

Displays
Jugg
Jennings
PRELIMINARY AGENDA

I. CALL TO ORDER AND DETERMINATION OF QUORUM

II. APPROVAL OF AGENDA

III. DISPOSITION OF MINUTES

IV. CONSENT CALENDAR

V. GENERAL PLAN AMENDMENTS

The following properties are located adjacent to Kingsbury Grade in Douglas County and are approximately 1.3 miles east of the intersection of Kingsbury Grade and U.S. Highway 50.

A. A 1.02 Acre Portion of a 1.34 Acre Parcel Owned by Carole Terry, Located North of Kingsbury Grade - from General Commercial to Medium Density Residential

B. 1.62 Acres Owned by Carole Terry, Located South of Kingsbury Grade, from General Forest to Medium Density Residential

C. 3.1 Acres Owned by Tony Parina, Located South of Kingsbury Grade, from General Forest, General Commercial and Medium Density Residential to Tourist Commercial

VI. CLEARINGHOUSE

A. Heritage Conservation and Recreation Service/Incline Village General Improvement District, Incline Village Park Athletic Field, Washoe County

B. U.S. Environmental Protection Agency/Incline Village General Improvement District, Incline Lakes Facility, Washoe County

C. U.S. Environmental Protection Agency, Draft Environmental Impact Statement, Proposed Wastewater Treatment Facilities, South Shore, Lake Tahoe Basin

D. U.S. Forest Service, Acquisition of the Jennings Casino Site, Douglas County

VII. PLANNING MATTERS

A. Land Use Ordinance Amendments

1. High Density Apartment Land Use District

2. Standards for Timesharing, Interval Ownership Condominiums
B. Subdivision Ordinance Amendments Relating to Condominium Conversions

VIII REPORTS

A. Western Federal Regional Council, Tahoe Basin Environmental Assessment
B. Appeals of Staff Decisions
C. Executive Session
D. Field Enforcement Report
   1. Harvey's Inn, Compliance With Open Space Requirements
E. Agency Manager Report - EXEC. DIR. RECRUITMENT
   - FINANCIAL REPORT
F. Legal Counsel Report
G. Governing Body Members
H. Public Interest Comments

IX ORDINANCES

A. Second Reading of Ordinance Amending Section 7.110 of the Land Use Ordinance to Clarify Level of Detail Necessary for a Conceptual Plan Submittal
B. Second Reading of Ordinance Amending the Regional Plan to Reclassify the Edgeking Venture Property to Rural Estates and General Forest, Douglas County
C. Second Reading of Ordinance Amending the Regional Plan to Reclassify the Scharruhm Property from General Commercial to Medium Density Residential, Douglas County
D. First Reading of Ordinance Amending the Regional Plan for Properties Owned by Carole Terry, Douglas County (Agenda Items V A. & B.)
E. First Reading of Ordinance Amending the Regional Plan for Property Owned by Tony Parina, Douglas County (Agenda Item V C.)

X RESOLUTIONS

XI PENDING MATTERS

XII CORRESPONDENCE

XIII OTHER BUSINESS

A. Selection of Nominating Committee for Chairman and Vice Chairman
B. Appointment of Four Lay Members to the Advisory Planning Commission

XIV ADJOURNMENT
<table>
<thead>
<tr>
<th>Item</th>
<th>Recommendation</th>
</tr>
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<tbody>
<tr>
<td>South Tahoe Public Utility District</td>
<td>Approval</td>
</tr>
<tr>
<td>Sewer Line Installation at Fallen Leaf Lake, El Dorado County</td>
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</tr>
<tr>
<td>Tahoe City Public Utility District, Phase IV</td>
<td>Approval</td>
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<tr>
<td>Bike Trails, Placer County</td>
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Public Works
South Tahoe Public Utility District
Sewer Line Installation at Fallen Leaf Lake
El Dorado County

Summary

The South Tahoe Public Utility District proposes to construct approximately 5,800 linear feet of sewer collection lines at the southwest end of Fallen Leaf Lake in order to service 39 existing recreational residences. The residences are currently under special use permit on lands administered by the U.S. Forest Service, Lake Tahoe Basin Management Unit. The project will result in exportation of sewage as required by the Porter Cologne Act and will eliminate a potential source of water quality degradation.

Individual service lines ranging in length from 30 to 60 feet will be the responsibility of the permittee and all residences will be required to connect to the system. All residents will be required to participate in the system as a condition of the Forest Service permit. The sewage treatment capacity to serve the residences will be provided from that which is reserved for the U.S. Forest Service. The collection system is designed to operate only on a seasonal basis since the Forest Service permits do not allow permanent residents.

Previous Approvals

The Agency conditionally approved the Fallen Leaf Lake Sewer System as proposed by the South Tahoe Public Utility District on February 28, 1973. The Environmental Information Report submitted by the applicant at that time included the projected wastewater flows from the currently proposed project but did not include a specific design or financial program to sewer the 39 recreational residences. A supplemental information report, design details and construction documents have been submitted for the Agency's review as part of the current application.

Construction Methods

The proposed construction will take place within an area classified as a high hazard geomorphic unit. Although glaciated granitic uplands in this area have a low erosion hazard, construction within the area poses some special problems. The general lack of a soil mantle in which to place the sewer line poses some special problems for restoration of the site after construction. Minimum excavations of 12 inches are proposed because of the rocky character of the service area. In extremely rocky areas, the collection lines will be concrete encased with native rock backfill placed over the concrete. On steep cross slopes, the sewer line will be located at existing grade and will need structural support provided by an anchoring system and the use of iron pipe. Native rock backfill will also be utilized in this area to cover construction scars. The project involves a stream crossing of the sewer line over Celesta Creek.

Recommendation

Agency staff recommends approval of the project as submitted.
Advisory Planning Commission Action

At the January 9, 1980 APC meeting, the project was recommended for approval on a 10 to 1 vote. The one negative vote was cast by Stan Hansen, a lay member of the APC, who felt that the installation of the sewer line at Fallen Leaf Lake has had a more significant impact than permitting the residences to remain on the existing septic tank systems.
Public Works
Tahoe City Public Utility District
Phase IV Bike Trails
Placer County

Project Description

The Tahoe City Public Utility District proposes to construct approximately 3 miles of bicycle trails in the Tahoma and Homewood areas of Placer County. The proposed Phase IV bicycle trail would link the existing trails in Placer County to existing trails in El Dorado County and would provide for a continuous bikeway from Tahoe City to Sugar Pine Point State Park. The project would minimize an existing safety hazard for nonmotorized vehicle transportation and would encourage the use of alternative modes of transportation to businesses and recreation centers. The project is in accordance with the Placer County Bike Trail Master Plan which when completed will provide for connection of Tahoe City, Sugar Pine Point State Park, D.L. Bliss State Park and Tahoe State Recreation Area. The project includes 20,000 lineal feet of either 8 feet or 18 feet wide bike trail, 2,300 lineal feet of striping and 3 bridge modifications at creek crossings ranging from 50 feet to 100 feet in span.

The proposed bike trail will be constructed within existing county and state rights of way and will be composed of both exclusive bikeways and delineations for bike travel along the highway shoulder of Highway 89. Disturbance of vegetation will be minimized by maintaining the travelled way within existing transportation corridors.

Existing Land Use

This phase of the bike trail system is primarily within a developed portion of the Basin. Existing land use in the immediate vicinity of the project is primarily Low Density Residential with isolated areas of commercial uses including the Homewood area.

Land Capability

The land capability within the project area is classified as land capability level 5. The soils have a slight erosion hazard and moderately high to high runoff potential. The project's proximity to Lake Tahoe and several tributary streams will require erosion control measures outlined in the applicant's information report to be strictly adhered to.

Grading and Vegetation Protection

The alignment selected will closely follow existing transportation corridors. Only minor grading will be required in these areas. Tree removal has been minimized through the route selection and by providing for a meandering trail which will be field located to avoid unnecessary tree removal.

1/14/80
Stream Crossings

The project involves stream crossings on Madden Creek, Homewood Creek, and McKinney Creek. The Homewood Creek crossing will utilize two 36 inch culverts and a grouted rock rip rap base. The McKinney Creek crossing would involve the extension of a headwall over the existing culvert crossing on Highway 89 to provide the additional space for the bikeway. The applicant has not provided calculations on the ability of the proposed stream crossings to carry the 100 year flood. The Agency's Handbook of Best Management Practices recommends that second order streams such as Homewood Creek be crossed by a bridge rather than culverts.

Recommendation

Agency staff recommends approval of the project as submitted with the condition that Agency staff review and approve the construction drawings and hydrologic calculations for the crossing of Homewood Creek.

Advisory Planning Commission Action

On January 9, 1980, the APC voted unanimously to approve this recommendation.
MEMORANDUM

DATE: January 10, 1980

TO: The TRPA Governing Board

FROM: The Staff

SUBJECT: Carole Terry and Tony Parina General Plan Amendments

In addition to the staff summaries and recommendations for the General Plan amendment requests noted on the January 23, 1980 agenda, staff has included a copy of the Advisory Planning Commission minutes for the December 12, 1979 public hearings at which time the APC heard and acted upon the requests.
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Carole Terry
General Plan Amendment
Douglas County

Amendment Request

The applicant is requesting an amendment to the TRPA Land Use District Map to reclassify 1.02 acres of a 1.34 acre parcel from General Commercial (GC) to Medium Density Residential (MDR). The remaining 0.32 acre portion of this parcel is currently classified MDR and the applicant proposes to maintain this use designation. The General Plan amendment is proposed by the applicant in order that she may construct a planned unit development of 8 units.

This application is being processed concurrently with an application for a General Plan amendment on a nearby parcel of property currently classified General Forest (GF). The intent is to reduce the development potential on this property in order that a residential project may be constructed on the other property without a net increase in coverage or adverse impacts.

Property Location and Description

The subject parcel is located adjacent to Kingsbury Grade approximately 1.3 miles above the Kingsbury Grade and Highway 50 intersection. The 1.34 acre parcel (No. 07-291-04) has 4 apartment units located on the rear portion of the property. The front portion now classified GC is undeveloped. The property abuts Kingsbury Grade on the south, a 12 unit condominium complex on the east, undeveloped residentially-zoned lands to the west and U.S. Forest Service lands to the north.

Local Zoning

Douglas County zoning for the property is R-2 and C-1 in the same configuration as the TRPA land use districts.

Land Capability

The TRPA land capability maps indicate the soils on this property are Cagwin (CAD) permitting 20% land coverage. It appears from both the TRPA capability maps and the contour map submitted by the applicant that most of the property has slopes less than 15%. Section 9.23 of the Land Use Ordinance would permit land coverage up to 35% if the requested amendment is accepted. The allowable land coverage for the existing land use classification allows up to 70% coverage.

Impacts

The proposed amendment would change the potential uses on the site from commercial to residential. This would be a change in type of permitted use and, depending on the project, a change in the intensity of use.
Public Utilities - The applicant has submitted the proposed use classification to the Kingsbury General Improvement District, Kingsbury Fire Protection District and Southwest Gas Corporation for consideration. These utilities indicate the proposed reclassification will not adversely affect their ability to serve the property. The most recent information for sewer and water from the Kingsbury GID indicates the following:

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(Staff does have a concern about the water supply and sewage capacity which will be discussed at the upcoming TRPA review of the Douglas County Sewer Improvement District expansion plan.)

Traffic - If a residential complex were constructed to the maximum permitted density of 8 dwelling units, the project would generate approximately 56 vehicle trips per day. Depending on the type of commercial development utilized for comparison, the proposed amendment would generally reduce the trip potential from the site. This could be a critical factor since the sight distance to the access point is limited.

Environmental Impact - The reduction in maximum permitted coverage from 70% to 35% will permit a majority of the existing trees and low-story vegetation to be maintained.

Visual Impact - The proposed amendment would reduce the permitted height and land coverage and hence would better preserve the natural amenities of the site.

Regional Plan - The loss of commercially-zoned lands in the middle Kingsbury area will reduce the supply of strategically zoned commercial lands. To date, three other parcels of land in this area have been reclassified from General Commercial to Medium Density Residential. The only existing commercial use located in this area was recently reclassified from MDR to GC which may be inconsistent with the trend toward residential uses. The most recent analysis under the General Plan Update indicates the parcel should be reclassified to MDR.

Analysis

Agency staff finds that this application for a General Plan amendment is consistent with emerging land use trends in the vicinity and the most recent General Plan Update (attached). The reclassification of the subject parcel to MDR will have a generally positive effect providing the remaining undeveloped GC properties are reclassified to residential uses, thus preventing future land use conflicts.

Recommendation - The Agency staff recommends that the requested General Plan amendment be approved.

12/3/79
Advisory Planning Commission Action

At a public hearing on December 12, 1979, the APC voted unanimously to approve the request to reclassify the 1.02 acres of the 1.34 acre parcel from General Commercial to Medium Density Residential.
Amendment Request

The applicant is requesting an amendment to the TRPA Land Use District Map to reclassify a 1.62 acre parcel from General Forest (GF) to Medium Density Residential (MDR) or Tourist Commercial (TC). The General Plan amendment is proposed by the applicant in order that she may construct a planned unit development of 6 units. This application is being processed concurrently with an application for a General Plan amendment on a nearby parcel of land now classified General Commercial. The intent of the applicant is to reduce the development potential on the commercial property to the west in order to increase the development potential on this property.

Property Location and Description

The subject parcel is located adjacent to Kingsbury Grade approximately 1.4 miles above the Kingsbury Grade and Highway 50 intersection. The 1.62 acre parcel (No. 07-292-06) is undeveloped but the northerly portion of the property abutting Kingsbury Grade has been graded level. The property is surrounded by General Forest land to the east and the south but the undeveloped property to the west is zoned for commercial uses.

Local Zoning

Douglas County zoning for the property is Residential (F-2) but the applicant is processing a General Plan amendment with the County to achieve a density of 8 units per acre.

Land Capability

The TRPA land capability maps indicate the soils on this property are Cagwin (CaF) permitting 1% land coverage. It appears from both the TRPA capability maps and the contour map submitted by the applicant that two-thirds of the property has slopes in excess of 15% which permit only 1% land coverage. Section 9.23 of the Land Use Ordinance would permit land coverage up to 35% if the requested amendment were approved as MDR. The allowable land coverage for the TC land use classification allows the coverage to be established by the Governing Board with 35% maximum permitted for a residential use and 50% for all other uses. There are also disturbed areas fronting Kingsbury Grade and an unimproved road which was recently graded located on the property.

Impacts

The proposed amendment would change the potential uses on the site from a single family dwelling to multi-residential. This would be an increase in the intensity of use if considered as one site, but the applicant contends the reclassification of her other property offsets this increase.

Public Utilities - The applicant has submitted the proposed use classification to the Kingsbury General Improvement District, Kingsbury Fire Protection

12/4/79
District and Southwest Gas Corporation for consideration. These utilities indicate the proposed reclassification will not adversely affect their ability to serve the property. The most recent information for sewer and water from the Kingsbury GID indicates the following:

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(Staff does have a concern about the water supply and sewage capacity in regards to "buildout" which will be discussed at the upcoming TRPA review of the Douglas County Sewer Improvement District expansion plan.)

Traffic - If the maximum density requested by the applicant (MDR) were achieved on the site (13 units), the site would generate approximately 90 trips. The applicant's 6 unit project would generate approximately 42 trips. Analysis of this impact on Kingsbury Grade (Highway 19) is not available at this time due to the lack of traffic information on this facility.

Environmental Impact - The project should have minimal environmental impact if the development is contained within the existing disturbed area. The level portion adjacent to Kingsbury is currently used as an unimproved parking lot which inhibits any natural revegetation.

Visual Impact - The project will reduce the vista now available from the highway more than the now permitted single family dwelling.

Regional Plan - The loss of commercially-zoned lands in the middle Kingsbury area will reduce the supply of strategically zoned commercial lands. To date, three other parcels of land in this area have been reclassified from General Commercial to MDR. The only existing commercial use located in this area was recently reclassified from MDR to GC which may be inconsistent with the trend toward residential uses. The most recent analysis under the General Plan Update indicates the parcel should be reclassified to TC, but this would assume the remaining spot of GC property to the west would be reclassified to TC.

Analysis

Although the applicant originally requested MDR, staff has suggested that TC land use district would be more appropriate. TC would be more consistent with the overall zoning (see attached General Plan Update) and would permit the Agency to limit the coverage on the site as part of the General Plan amendment. This is critical since the permitted coverage should be limited to the disturbed area and should not exceed the coverage lost on the property to the west.

12/4/79
The suggestion by staff would permit higher densities than MDR, but it is staff's estimation that the coverage limitation would not permit the applicant to achieve densities more than she requests. If the land coverage for all other uses were set at land capability then the 1% limitation would for practical purposes limit the permitted use to residential. The proposal would permit an additional 5 feet in building height.

**Recommendation**

Agency staff recommends that 44,571 square feet of the subject property be reclassified from General Forest to Tourist Commercial with the following land coverage limitations. The maximum permitted land coverage for residential uses shall be 35% (15,600 square feet) to be located on the northern third of the property. All other uses shall be subject to the land coverage limitations set forth in Section 6.20 of the Land Use Ordinance.

**Advisory Planning Commission Action**

At a public hearing on December 12, 1979, the APC voted 8 to 2 to approve the requested amendment to reclassify 44,571 square feet of the property to Tourist Commercial with the maximum coverage for residential uses to be 35% (15,600 square feet) to be located on the northern third of the property. There was some concern that the Tourist Commercial land use district would open up too many potential uses on the site until it was pointed out that the Douglas County zoning on the property is MDR and permits 8 units per acre.

12/4/79
Tony Parina  
General Plan Amendment  
Douglas County  

Amendment Request  

The applicant is requesting an amendment to the TRPA Land Use District Map to reclassify a 3.11 acre parcel from General Commercial (GC), Medium Density Residential (MDR), and General Forest (GF) to Tourist Commercial (TC). The General Plan amendment is proposed by the applicant in order that he may construct a 31 unit condominium development.

Property Location and Description  

The subject parcel is located adjacent to Kingsbury Grade approximately 1.4 miles above the Kingsbury Grade and Highway 50 intersection. The 3.11 acre parcel (No. 07-292-05) abuts Kingsbury Grade to the north, General Forest properties to the south and east, and undeveloped commercial property to the west. The property is relatively undeveloped except for a single family dwelling located in the center of the property.

Local Zoning  

The Douglas County zoning for the property is R-3 and C-1 in the same configuration as the TRPA land use districts. The applicant is currently processing a zoning change to all residential at the Douglas County level.

Land Capability  

The TRPA land capability maps indicate the soils on this property to be Cagwin (GaF) having slopes in excess of 30%. There is a significant knoll area in the center of the property of approximately 45,000 square feet that is relatively level but is not recognized on the land capability maps. The remaining portion of the property has steep slopes and is relatively undisturbed except for access ways for the existing house. Staff estimates the present zoning would permit up to the following land coverages

- General Commercial: 89,280 x .70% = 62,497 square feet
- Medium Density Residential: 25,739 x 1% = 257
- General Forest: 25,420 x 1% = 254

Total: 140,439 sq. ft. 63,008 square feet

The applicant has requested a reclassification to Tourist Commercial for a residential project which would permit land coverages up to 35%, or 49,154 square feet.

Impacts  

The proposed amendment would change the potential uses on the site from a single family dwelling to multi-residential.

Public Utilities - The applicant has submitted the proposed use classification to the Kingsbury General Improvement District, Kingsbury Fire Protection District and Southwest Gas Corporation for consideration. These utilities indicate the proposed reclassification will not adversely affect their ability to serve the
property. The most recent information for sewer and water from the Kingsbury GID indicates the following:

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(Staff does have a concern about the water supply and sewage capacity in regards to "buildout" which will be discussed at the upcoming TRPA review of the Douglas County Sewer Improvement District expansion plan.)

Traffic - The project as proposed will contain 31 units. According to TRPA vehicle trip generation schedule an apartment or condominium will generate 7 vehicle trips per day. This results in vehicle trip generation of 217 trips per day. This commercial site of 3.11 acres would have generated at least 2,230 vehicle trips per day. The site had been planned for a 10,000 square foot restaurant with health club facilities.

Environmental Impact - The reduction in maximum permitted coverage from 70% to 35% will permit a majority of the existing trees and low story vegetation to be maintained. The applicant contends the impacts can be further reduced with such site planning techniques as pole foundations, drainage facilities, slope stabilization measures, and building location in flat areas.

Visual Impact - The permitted height of 40 feet will remain the same but the area of disturbance should be reduced. The proposed site plan indicates there will be structures that will be highly visible from off-site locations.

Regional Plan - The loss of commercially-zoned lands in the middle Kingsbury area will reduce the supply of strategically zoned commercial lands. To date, three other parcels of land in this area have been reclassified from General Commercial to MDR. The only existing commercial use located in this area was recently reclassified from MDR to GC which may be inconsistent with the trend toward residential uses. The most recent analysis under the General Plan Update indicates the parcel should be reclassified to TC, but this would assume the remaining spot of GC property to the west would be reclassified to TC.

Analysis

The applicant's request for TC is based on the fact that this is the only land use district that will permit a grandfathered 35% land coverage for residential use. The MDR district which might be more suitable in terms of an 8 units per acre limitation as opposed to the 15 units per acre permitted under TC does not grandfather coverage on parcels over 2 acres. It is staff's contention that the land coverage limitations will limit the achievable density to something under 10 units per acre.

1/11/80
Staff would propose that the land coverage limitations be set forth such that the residential development is limited to the areas of less than 15% slope and that all other uses be limited to the coverage provisions of the land capability system.

Recommendation

Agency staff recommends the subject parcel be reclassified to Tourist Commercial subject to the following land coverage limitations. The maximum permitted land coverage for residential uses shall be 35%. All land coverage other than that required for access shall be located in the areas with slopes less than 15%. All other uses shall be subject to the land coverage limitations set forth in Section 6.20 of the Land Use Ordinance (land capability).

Advisory Planning Commission Action

At a public hearing on December 12, 1979, the APC voted 9 to 1 to approve the staff recommendation to reclassify the property to Tourist Commercial but asked the staff's recommendation to restrict the development to areas where slopes were less than 15% to be deleted in order to give the project architect more design latitude. Staff did point out that the tentative map review stage would give the Agency the ability to review and modify the project's siting if necessary.
REGULAR MEETING MINUTES

I CALL TO ORDER AND DETERMINATION OF QUORUM

Chairman Jim Jordan called the meeting to order noting that, pursuant to the Nevada Open Meeting Law, the proper notices had been posted and mailed. A letter dated December 11 has been received from Douglas County appointing Larry Wahrenbrock to sit in as the Douglas County Health Officer for the meeting.

APC Members Present: Mr. Prigmore, Mr. Milam, Mr. Walton, Mr. Bradhurst, Mr. Hoefer, Mr. Wright, Mr. Rosse, Mr. Bidart, Mr. Wahrenbrock, Mr. Parson

APC Members Absent: Mr. Burnham, Mr. Scribner, Mr. Duncan, Mr. Sullivan, Ms. Unsicker, Mr. Eskind, Mr. Koch, Mr. Hansen

II APPROVAL OF AGENDA

MOTION by Mr. Prigmore with a second by Mr. Bidart to approve the APC agenda as presented. The motion carried unanimously.

III DISPOSITION OF MINUTES

MOTION by Mr. Prigmore with a second by Mr. Hoefer to approve the November 14, 1979 regular APC minutes as presented. The motion carried unanimously.

IV PUBLIC HEARING - General Plan Amendments

A. A 1.02 Acre Portion of a 1.34 Acre Parcel Owned by Carole Terry, Located North of Kingsbury Grade Approximately 1.3 Miles East of Its Intersection With U.S. Highway 50, Douglas County - from General Commercial to Medium Density Residential

Senior Planner Gordon Barrett presented the staff summary and recommendation for approval of the reclassification. The applicant proposes to construct an 8 unit development on the property. The amendment is being processed concurrently with another General Plan amendment on a nearby parcel currently classified General Forest with the intent being to reduce the development potential on this property in order that a residential project may be constructed on the other property without a net increase in coverage or impacts. The allowable coverage on the subject site would be 35%, 70% coverage is currently permitted. Although staff recommends approval of the requested amendment, it wishes to raise a concern about the sewage treatment capacity and water supply within the Kingsbury Grade area. The sewer district is currently undertaking a survey on the number of lots that are built out and the potential treatment capacity. These figures should be available in January, 1980.
No comments were forthcoming from the public on the requested amendment.

MOTION by Mr. Prigmore with a second by Mr. Milam to accept the staff recommendation for approval of Carole Terry's request to reclassify a 1.02 acre portion of a 1.34 acre parcel owned by Carole Terry from General Commercial to Medium Density Residential. The motion carried unanimously.

B. 1.62 Acres Owned by Carole Terry, Located South of Kingsbury Grade Approximately 1.3 Miles East of Its Intersection With U.S. Highway 50, Douglas County - from General Forest to Medium Density Residential

Mr. Barrett presented the staff summary and recommendation for approval of the amendment. Although the original request was for a reclassification to MDR, the staff asked that the applicant also consider the Tourist Commercial designation since this would allow the effectuating ordinance to set a land coverage limit. If this request is considered along with the previous amendment (agenda item IV A), the trade-off is about equal, i.e. reduction in potential coverage for the parcel going to MDR from GC and restriction of development on the subject parcel to the disturbed area fronting Kingsbury Grade. Staff recommends that 44,571 square feet of the subject property (the disturbed area) be reclassified to Tourist Commercial with coverage for residential uses to be set at 35% (15,600 square feet) to be located on the northern third of the property. All other uses shall be subject to the land coverage limitations set forth in Section 6.20 (land capability) of the Land Use Ordinance. The MDR use classification would allow 35% coverage to be located anywhere on the site but would restrict the uses to residential.

MOTION by Mr. Walton with a second by Mr. Milam to approve the amendment to Medium Density Residential.

Dan Jenkins, on behalf of the property owner, explained that the intent of the application is to propose a residential development and the applicant is seeking 8 units per acre which would be allowed in MDR.

Staff pointed out that approval of the motion would permit an additional 5,000 square feet of coverage on the site since a limitation could not be set with the MDR use district. The applicant has indicated also that she does not wish to use the back portion of the property. There is an existing easement across this property which in the future will be coming in for a local road finding. Under the MDR use district, only one-half of the coverage could be discounted. If this portion of the property retains the General Forest designation, the entire road could be discounted.

APC member Jon Ilofson spoke against taking the property out of its General Forest designation because of the additional impacts in the already over-developed Kingsbury Grade area.

Staff asked that the motion speak to the reclassification of only 44,571 square feet of the subject property with the coverage to be 15,600 square feet (35%).
Mr. Walton and Mr. Milam agreed to add this to the motion.

There was further discussion about the resultant land use patterns on the south side of Kingsbury Grade.

The motion failed on the following vote:

Ayes: Mr. Milam, Mr. Walton, Mr. Bidart, Mr. Wahrenbrock
Nays: Mr. Prigmore, Mr. Bradhurst, Mr. Hoefer, Mr. Wright, Mr. Rosse
Abstain: Mr. Parson
Absent: Mr. Burnham, Mr. Scribner, Mr. Duncan, Mr. Sullivan, Ms. Unsicker, Mr. Eskind, Mr. Koch, Mr. Hansen

MOTION by Mr. Rosse with a second by Mr. Bradhurst to support the staff recommendation to reclassify 44,571 square feet of the Carole Terry property to Tourist Commercial with the maximum coverage for residential uses to be 35% (15,600 square feet) to be located on the northern third of the property.

Mr. Milam commented that Tourist Commercial would open up other uses besides residential for the site. It was pointed out that Douglas County zoning on the property is MDR and would permit 8 units per acre.

The motion carried on the following vote:

Ayes: Mr. Prigmore, Mr. Milam, Mr. Bradhurst, Mr. Wright, Mr. Rosse, Mr. Bidart, Mr. Wahrenbrock, Mr. Parson
Nays: Mr. Walton, Mr. Hoefer
Abstain: None
Absent: Mr. Burnham, Mr. Scribner, Mr. Duncan, Mr. Sullivan, Ms. Unsicker, Mr. Eskind, Mr. Koch, Mr. Hansen

G. 3.1 Acres Owned by Tony Parina, Located South of Kingsbury Grade
Approximately 1.3 Miles East of Its Intersection With U.S. Highway 50,
Douglas County - from General Forest, General Commercial and Medium Density Residential to Tourist Commercial

Gordon Barrett presented the staff summary and recommendation for approval. Coverage on the site would be limited to 35%. The applicant proposes to construct a 31 unit condominium development. Staff recommends approval with coverage to be limited to 35% for residential uses to be located on the areas with slopes less than 15%. All other uses shall be subject to the land coverage limitations set forth in Section 6.20.

Mr. Wahrenbrock pointed out some of the items of concern at the County's Planning Commission meeting on the amendment, i.e. the access road, necessary easements, and limiting the density to 10 units per acre. Germaine McMorris, representing Mr. Parina, pointed out that the Kingsbury GID was no longer giving out new will-serve letters but was honoring previously written commitments. The County Planning Commission limited the units to 10 per acre and has restricted the use to residential. An easement has been obtained through the property below the subject parcel and negotiations are underway with Mrs. Terry, the owner of the parcel to the east, to provide a left-turn lane to both sites. The applicant is working on having two accesses onto the property.
The applicant requests that the staff's recommendation to locate development in the areas with slopes less than 15% be deleted since an architect is currently drawing up plans to maximize the views by cantilevering the units out over the property. The architect would like the flexibility to work with the site contours and not to be restricted to a specific location on the property. Mr. Ernie Jones, the project engineer, asked also that the condition be deleted that would restrict the development to a specific site since the staff would have a great deal of control over the ultimate site plan and road location when the project itself comes back for review.

APC member Dean Prigmore sympathized with the applicant but cautioned that in allowing the 35% coverage on the whole parcel the APC may not be maximizing its responsibility to see that the site is properly utilized. Staff pointed out that there was enough control at the tentative map processing stage to restrict the development to the disturbed areas.

MOTION by Mr. Prigmore with a second by Mr. Rosse to follow the staff recommendation to approve the requested General Plan amendment on the Parina property to Tourist Commercial, and, in deference, to what is necessary latitude for the architect's creativity, the condition is removed from the approval that the coverage be located on the slopes of less than 15%.

Mr. Prigmore pointed out that the tradeoff in this situation should be a condition when the project comes in for review that the disturbed area of the site be restored. Mr. Hoefer explained that although he was going to vote in favor of the amendment any development in the Kingsbury Grade area would continue to degrade the area from a water quality standpoint and would cause future problems.

The motion carried on the following vote:

Ayes: Mr. Prigmore, Mr. Milam, Mr. Bradhurst, Mr. Hoefer, Mr. Wright, Mr. Rosse, Mr. Bidart, Mr. Wahrenbrock, Mr. Parson

Nays: Mr. Walton

Abstain: None

Absent: Mr. Burnham, Mr. Scribner, Mr. Duncan, Mr. Sullivan, Ms. Unsicker, Mr. Eskind, Mr. Koch, Mr. Hansen

V PUBLIC WORKS

Incline Village General Improvement District and Washoe County School District - Incline Village Park Athletic Fields, Incline Middle School and Variance to Grade in a Stream Environment Zone (SEZ)

Chief Engineer Phil Overeynder presented the staff summary and recommendation for the two projects which have been reviewed as one project because of land coverage constraints. The District proposes three athletic fields as a part of its master plan for parks and recreation facilities. The majority of the parking facilities for the fields would be located on the proposed Incline Village Middle School site and would serve the school uses and the athletic fields. A portion of the site lies within the SEZ and 100 year flood plain of Third Creek and staff recommends approval of a variance for the proposed baseball field and baseball and soccer field. However, staff recommends denial of a variance for the proposed softball field which is to be located between the adjacent fields since it is located almost entirely within the area characterized by riparian...
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Clearinghouse
U.S. Heritage Conservation and Recreation Service
Incline Village Park Athletic Fields
Washoe County

Background

The Agency has received a request for comment on the proposed federal funding of the Incline Village Park athletic fields. The athletic fields and variance to grade within a stream environment zone were reviewed and approved by the Agency at the December, 1979 meeting of the Governing Board. At that time, it was noted that the project was proposed to utilize federal funding from the Heritage Conservation and Recreation Service and would require the Agency's review as a clearinghouse item. The staff summary included in the December packet provides information on the athletic fields as approved by TRPA.

Federal Flood Plain Policy

The federal policy with regard to protection of flood plains and related wetlands is embodied in Executive Order 11988 and Executive Order 11990. These companion documents establish the procedures which must be followed in providing for federally financed activities or construction taking place within a flood plain or on wetlands. The prescribed procedure includes an evaluation of the environmental impacts of the activity as well as consideration of alternatives to the proposed activity. Since the athletic fields are partially located within a 100 year flood plain and within an area meeting the definition of "wetlands" and proposes to utilize federal funding, the project would be subject to the requirements.

Recommended Comments

Agency staff recommends that the Heritage Conservation and Recreation Service be notified that the Agency has approved the athletic fields as a public works project with specific findings that the project was found not to be detrimental to the environment of the stream zone and that the proposed federal funding should be subject to the requirements of the above-referenced executive orders.

Advisory Planning Commission Action

At the January 9, 1980 APC meeting, a motion to change the staff's recommendation and to find instead that the project would be detrimental to the environment and to require the study to adhere to the executive orders failed on a 6 no to 3 yes vote (2 abstentions). A later motion to approve the staff recommendation carried on a 6 yes to 3 no vote (2 abstentions).

Copy to: JERRY ROSS
D.V. STATE PARKS
123 N. CARSON

1/14/80

Figure 1

Area 1 - Construction Area
Area 2 - Topsoil Removed
Area 3 - Logged Area
Background

The Incline Village General Improvement District (IVGID) has submitted an application to the Environmental Protection Agency (EPA) for partial funding to undertake the study of alternative methods of providing sewage collection and disposal for the Incline Lake area. The area encompasses forty 1.5 to 5 acre leaseholds in the proximity of Incline Lake. Incline Lake is located west of State Route 28 approximately 1/2 mile north of the present IVGID boundary. The present limit of the existing sewer system is approximately 8,000 linear feet from the study area. The elevation of Incline Lake is 8,322 feet, or 1,000 feet above the elevation of the highest point of the present system.

Nature of the Project

The project area consists of 40 building sites held as leaseholds controlled by the Incline Lakes Corporation. There are 4 existing houses, one of which is occupied year-round. The property is classified as Rural Estates by the Agency. Further development on the remaining 36 vacant leaseholds could be facilitated by provision of sewer service.

None of the typically required subdivision improvements have been made. The existing houses have individual sewage disposal systems with septic tanks. To comply with the Nevada executive order dealing with exportation of sewage, use of septic tanks and leech fields is prohibited and systems to collect, treat and export sewage are required.

Participation by the Federal Government requires a three step process. First, a facilities planning study must be undertaken. After selection of a preferred alternative, a final design is prepared. Funds for construction of approved projects are made available in Step 3. For each step, a separate application must be processed. This application is the first step in the three step process.

Proposed Plan of Study

This plan of study will be undertaken by the consulting firm of CH2M Hill and is proposed to expand upon a preliminary investigation made in 1975 by Osgood Engineers. Osgood Engineers identified three methods of exporting sewage from the area:

1. Use of holding tanks and periodically hauling the sewage by trucks;
2. An export pipeline to a treatment facility outside the Lake Tahoe Basin;
3. Installation of a trunk sewer to the IVGID system.

1/14/80
The study plan indicates that other as yet unspecified options may also be studied. This should include analysis of the no action alternative. This option should evaluate the effect of retaining the existing system and attempting to retrofit to meet applicable state standards. At this time, the study proposal identifies the connection to IVGID as the most desirable solution.

Staff Analysis

The plan of study does not include any details for proposed environmental analysis. In order to insure a full specification and complete analysis of all alternatives, staff proposes that the study scope be expanded.

Staff proposes that six additional considerations be included for analysis by the consultants and that staff be kept informed and allowed to comment further as the study is developed.

The following are the six areas of concern that should be specifically addressed in the proposed environmental assessment. The study is not limited by this inclusion to only analyze these six points but should still include all areas that are part of a complete environmental impact assessment.

1. The effect of a service area expansion on the District's ability to meet current Federal waste discharge requirements.

2. The effect on the natural environment in the areas where trenches would be placed including effect on high hazard and wet lands.

3. The effect on the natural environment at Incline Lake proper by facilitating further development.

4. The effect on future development potential in the Incline Village area by providing expanded service area.

5. Compatibility with the current TRPA General Plan for the Incline Village area.

6. Compatibility with other Federal, State and local plans.

Advisory Planning Commission Action

The Advisory Planning Commission on January 9, 1980 recommended support of the staff recommendation on a 9 to 2 vote. Mr. Hoefer, the Forest Service representative, explained that he had voted against the motion to approve staff's recommendation because at this time it did not appear that the Forest Service would look favorably on the impacts of running a sewer line across National Forest property which would be required with installation of a trunk sewer to the IVGID system. Such an alternative is in opposition to the Forest Service's proposed policy in its Land Use Management Plan. The Forest Service will likely recommend to EPA that funding not be approved for the study and that it is against Federal policy to further exploit this sensitive land.

Mr. Antonucci, the Lahontan representative, explained that he had voted against the motion because the study outline should be more explicit about other alternatives, i.e. acquisition of the Incline Lake area.

1/14/80
Recommendation

Staff recommends that the subject A-95 Clearinghouse item be approved subject to the following conditions:

1. Inclusion of the six items of concern specified above in the study proposal for specific analysis.

2. Provision for Agency staff input during the facility plan formulation stage and Agency review of the completed facility plan.

3. Add Alternative's

a) - No Action
   
   - Water quality from septic systems vs. non-point source w/g.
   - Problems at development. May need to request modification of Exec. Order (Similar to provisions of Porter-Cologne in Cal.)

b) - Limited Action
   - Septic System Upgrading / Maint.
   - On-site disposal systems for existing residences
   - Storage tanks - trucking
Clearinghouse
U.S. Environmental Protection Agency
Draft Environmental Impact Statement,
Proposed Wastewater Treatment Facilities,
South Shore, Lake Tahoe Basin

Background

The U.S. Environmental Protection Agency has prepared a Draft Environmental Impact Statement (DEIS) for proposed wastewater treatment improvements at the South Tahoe Public Utility District and Douglas County Sewer Improvement District facilities. The DEIS deals only with the secondary impacts of improving and expanding the treatment works and does not provide an analysis of the direct effects of the plant improvements.

The environmental impact analysis is based on five growth scenarios which may be realized by varying degrees of relaxation of current restraints on wastewater treatment capacity of the two facilities. The population increases which could be accommodated by the expansions is distributed according to assumptions which are related to current land use plans of local governments, the California Tahoe Regional Planning Agency and the TRPA. The impact statement therefore is in part an analysis of the impacts of the Agency's General Plan. The report also addresses the impacts of "spillover" population increases in the Carson Valley which may result from insufficient sewage treatment capacity within the Basin to accommodate the expected growth.

Conclusions of the Report

The DEIS analyzes five different growth scenarios with regard to their impact on water quality, air quality, noise, visual resources, land use, housing, transportation, public facilities, and cultural resources. The projected impacts are outlined in the attached summary document.

Proposed Mitigation Measures

The DEIS recommends upgrading and expansion of the two facilities as proposed by the Districts with the condition that commitments for implementation of proposed mitigation measures be obtained from the appropriate entities. Table 4 of the attachment includes a summary of recommended mitigation measures along with entities which would be responsible for their implementation. Local governments within the two service areas are currently evaluating the DEIS and the extent that the mitigation measures recommended in the document may be implemented. It should be noted that the document identifies the Tahoe Regional Planning Agency as an implementing agency for the majority of the proposed mitigation measures.

Issues Posed by the DEIS

The basic issues before the Agency are:

1. Does the document present an accurate statement of the impacts of development according to the Agency's General Plan and ordinances currently in effect?
2. Are the proposed mitigation measures necessary to avoid the projected adverse impacts?

3. Should the Agency be responsible for the mitigation measures listed in the document in order to assure that federal funding is available to upgrade and expand the facilities as proposed by the two districts?

Agency staff will be prepared to provide an analysis of each of the above issues and to facilitate a discussion of the document.

Advisory Planning Commission Action

Due to time constraints at its January 9, 1980 meeting, the Advisory Planning Commission adjourned the regular meeting to January 16, 1980 in order to review in more detail the Environmental Protection Agency EIS. The results of that meeting will be reported to the Board on January 23. The APC did consider asking EPA to extend the deadline for receipt of comments beyond the February 22 date.

EXTENDED TO FEB. 29
SUMMARY

WHAT IS THE PROBLEM?

The South Tahoe Public Utilities District (STPUD) and the Douglas County Sewer Improvement District No. 1 (DCSID) provide wastewater treatment to the south shore area of the Lake Tahoe Basin. Recently, they have had difficulties in plant operations and treatment reliability. These problems have resulted in violations of state and federal requirements for sewage and for the quality of the water into which the sewage is discharged.

For STPUD, occasional fish kills in Indian Creek Reservoir where the sewage is disposed have occurred. Also, leakages from the export pipelines have caused direct discharge of sewage into waters of the Lake Tahoe Basin. As a result of the problems and violations, the Lahontan Regional Water Quality Board issued a cease and desist order to the district in 1977. The order required plant modifications and imposed a limit on sewer connections until STPUD could demonstrate compliance with the waste discharge requirements.

For DCSID, effluent quality is unable to meet the existing effluent limitations. The need for plant improvements is critical now, because the state of Nevada has recently taken over the permit authority from the U.S. Environmental Protection Agency (EPA) and has proposed even more stringent effluent limitations. Presently, during the growing season, treated wastewater is used for irrigation. However, during the rest of the year, DCSID must discharge the effluent to the Carson River. Continued use of the river for disposal would require installation of advanced wastewater treatment process units to meet the more stringent effluent limitations.

WHAT IS THE SOLUTION?

To meet requirements for sewage quality and to meet the needs of anticipated growth, STPUD is planning to improve and expand its sewage treatment facilities and to change its sewage disposal site; DCSID is planning to upgrade its facilities and modify its sewage disposal method. To this end, they have undertaken planning programs and have applied to EPA for federal funds to help design and construct the new facilities.

WHAT HAS BEEN DONE?

Both of the districts have prepared "facilities plans" to define various means or alternatives for improving the treatment facilities. In addition, environmental assessments of these programs have examined the potential impacts on the air, water, land, and biological resources of the region. For STPUD this assessment was
prepared as an environmental impact report, under the California Environmental Quality Act of 1970. For DCSID, the assessment is contained in the facilities plan document. These reports are available at the offices of STPUD, DCSID, the Lahontan Regional Water Quality Control Board, and EPA, Region IX.

From among the alternatives examined, a recommended or preferred alternative was selected by each district on the basis of its ability to meet requirements efficiently at a reasonable cost and with the least adverse effect on the environment. STPUD's preferred alternative is to abandon its advanced sewage treatment process for a secondary one (that level required by the Federal Water Pollution Control Act Amendments of 1972); to expand its treatment capacity from 7.0 million gallons per day (mgd) to 10.0 mgd; and to dispose of the treated sewage by land application in Alpine County rather than into Indian Creek Reservoir. DCSID's preferred alternative is to improve its existing secondary treatment process; to discontinue discharge to the Carson River; to dispose of the treated sewage by land application in Carson Valley, Nevada during the growing season; and to store the sewage in reservoirs at other times. (However, the district is proposing to study the feasibility of land application during the non-growing season.) The DCSID draft facility plan does not request an expansion beyond the original design capacity of 3.0 mgd.

WHAT IS TREES?

Due to the controversy attached to various local, state, and federal actions in the Lake Tahoe Basin and concern over potential environmental degradation, a decision was made by EPA to prepare an environmental impact statement (EIS) for both districts pursuant to the National Environmental Policy Act.

An environmental impact statement analyzes the effects of preferred alternatives. There are two broad categories of effects. Direct effects (also known as primary impacts) result from the construction and operation of the project. They may include excavation and clearing of open space land, grazing land or other valuable land resources; loss of views from scenic highways; and increased levels of noise, dust, and traffic during the construction period. Indirect effects (secondary impacts) are the long term consequences of implementing the project. These effects may include consequences of the direct effects, population growth, changes in land use, and the effects of these changes in resources such as air and water quality and wildlife. The indirect effects of these proposed projects are far-reaching; they may permanently alter the character of the region.

The direct effects of the treatment plant improvements and expansion were treated in the environmental assessments on the facilities plans. However, these reports did not examine the indirect effects of the project. This, then, is the purpose of this EIS, also known as the Tahoe Region Environmental Evaluation Study (TREES): to document the indirect effects of expanding and improving the STPUD and DCSID wastewater treatment facilities. This analysis of the indirect effects, along with the other studies, will be used by EPA to decide to what extent the projects can be implemented without diminishing the environmental values of the Lake Tahoe Basin and the Upper Carson River Basin.
HOW WILL INCREASED TREATMENT CAPACITY AFFECT GROWTH?

The indirect effects of most concern to EPA are the consequences of increased development of the region. If the treatment facilities are expanded, higher levels of population and economic activity could be accommodated; without expansion, development of the area would be limited. Thus a decision on how much to expand the treatment capacity is necessarily a decision on how much growth will take place.

Where this growth could be accommodated is another issue. For example, a decision to expand the STPUD facilities would facilitate increased residential development on the California side of the south shore; a decision to expand the DCSID facilities would primarily allow increased casino development and, hence, more employment and visitors on the Nevada side. Therefore, if expansion of the STPUD facilities is limited and the DCSID facilities are permitted to expand, workers attracted by casino development, who might otherwise have been housed in the California south shore areas, would "spill over" into the nearby Upper Carson River Basin to find housing.

HOW DOES TREES ASSESS THE ENVIRONMENTAL CONSEQUENCES OF EXPANDED TREATMENT CAPACITY?

To assess the indirect effects of increased sewage treatment plant capacity on the environments of the Lake Tahoe and Upper Carson River basins, five sets of assumptions concerning future population growth were developed. Known as growth scenarios, they describe the way growth will occur. The levels of development described by the scenarios vary from very little to full buildout of available land (under current land use plans) in the south shore.

The population and urbanization levels of each of these growth scenarios are summarized, and the treatment capacity needed to serve each of the scenarios are shown on Table 1. A 10 million gallons per day (mgd) facility in STPUD would correspond to the growth level anticipated under either Scenario 2 or 5. The consequences of expanding capacity to 10 mgd can be seen by reviewing the impacts associated with Scenarios 2 and 5.

The description and analysis of impacts in TREES cover both the natural and man-made (social) environments of the Lake Tahoe and Upper Carson River basins. The natural environment includes land, water, air, biological, and visual resources. The social environment includes land use, housing, transportation, recreational facilities, public services, utilities, and cultural resources.
<table>
<thead>
<tr>
<th>Scenario</th>
<th>Study Area</th>
<th>Population Growth and Economic Development</th>
<th>Required Treatment Capacity (million gallons/day)</th>
<th>Activity Level Ranking</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>South Shore: STPUD</td>
<td>Low</td>
<td>7.3</td>
<td>Lowest</td>
</tr>
<tr>
<td></td>
<td>DCSID</td>
<td>Low</td>
<td>3.1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Upper Carson River Basin</td>
<td>Low</td>
<td>--</td>
<td>Low</td>
</tr>
<tr>
<td>2</td>
<td>South Shore: STPUD</td>
<td>High</td>
<td>9.9</td>
<td>Low</td>
</tr>
<tr>
<td></td>
<td>DCSID</td>
<td>Low</td>
<td>3.1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Upper Carson River Basin</td>
<td>Low</td>
<td>--</td>
<td>Lowest</td>
</tr>
<tr>
<td>3</td>
<td>South Shore: STPUD</td>
<td>Medium</td>
<td>8.7</td>
<td>Medium</td>
</tr>
<tr>
<td></td>
<td>DCSID</td>
<td>Medium</td>
<td>4.6</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Upper Carson River Basin</td>
<td>Medium</td>
<td>--</td>
<td>Medium</td>
</tr>
<tr>
<td>4</td>
<td>South Shore: STPUD</td>
<td>Low</td>
<td>7.2</td>
<td>High</td>
</tr>
<tr>
<td></td>
<td>DCSID</td>
<td>High</td>
<td>6.6</td>
<td></td>
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<tr>
<td></td>
<td>Upper Carson River Basin</td>
<td>High</td>
<td>--</td>
<td>Highest</td>
</tr>
<tr>
<td>5</td>
<td>South Shore: STPUD</td>
<td>High</td>
<td>10.0</td>
<td>Highest</td>
</tr>
<tr>
<td></td>
<td>DCSID</td>
<td>High</td>
<td>6.3</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Upper Carson River Basin</td>
<td>High</td>
<td>--</td>
<td>High</td>
</tr>
</tbody>
</table>

1 The required treatment capacity is the size needed to accommodate the expected maximum daily flows.

2 The activity level is a composite index reflecting levels of resident population, overnight visitors, housing units, commercial floor space, and employment. The ranking places each scenarios on a scale of lowest to highest.

3 The Upper Carson River Basin is east of the Lake Tahoe Basin. Both STPUD and DCSID dispose of their sewage in this area which includes the Carson Valley of Douglas County, Nevada and Alpine County, California.
WHAT ARE SOME OF THE INDIRECT EFFECTS IN THE LAKE TAHOE BASIN? ¹

Natural Environment

Water Quality. Water quality in Lake Tahoe and its tributaries is affected by land disturbance and vegetation removal, both of which would increase if urbanization in the basin continues. Although the waters of the lake are still of excellent quality, nutrients from surface runoff have stimulated algal growth, particularly in near-shore waters, and large amounts of soil (sediment plumes) have been detected at mouths of tributaries draining urban watersheds. The intensity and frequency of these problems have coincided with the rapid residential and commercial development of the basin over the past decade.

Deterioration of water quality can be directly related to the level of development that occurs in high erosion hazard lands and stream environment zones (SEZs). Land disturbance in high erosion hazards lands causes excessive amounts of soil loss which, if permitted in surface waters, would diminish their clarity, disturb fish and wildlife habitats, stimulate unsightly algal growths, and reduce the visual appearance of the natural environment. Construction activities, land disturbance, and vegetation removal in SEZ (those regions which surround a stream, which may be flooded by a stream, and in which actions of man may directly affect the stream) would reduce the effectiveness of these zones to convey spring snowmelt, stormwater, and other runoff from basin hillsides to the lake. More significantly, the capacity of these zones to provide natural treatment for runoff by filtering out and settling pollutants would be eliminated. The amount of vacant land presently in these environmentally sensitive areas is indicated in Table 2.

Development of these lands accelerates nutrient and sediment loadings which could increase algal growths by as much as 30 percent and reduce clarity by as much as 20 percent during spring conditions. These effects would be especially noticeable in the near-shore waters where they would interfere with beneficial uses of aesthetic enjoyment and water contact recreation.

Biology. Lands in SEZs are also valuable fish and wildlife habitats. Thus, construction activities that encroach upon these lands would also eliminate sensitive biological resources. Based on recent development trends, development of vacant SEZ lots in the STPUD service area would range from a low of 19 percent of total vacant SEZ lots under Scenarios 1 and 4 to a high of 100 percent under Scenarios 2 and 5. In the DCSID service area, construction of housing units in SEZs would range from a low of 12 percent of total housing units in SEZs under Scenarios 1 and 2 to a high of 100 percent under Scenarios 4 and 5. However, as noted in the later discussion on mitigation of adverse impacts, STPUD, DCSID, and local governments must assure EPA that future development does not result in degradation of tributary streams and near-shore waters. Therefore, the amount of growth which will be allowed to occur in SEZs may not follow past trends.

¹The discussion here covers only the significant adverse effects. A complete discussion of impacts on both the natural and social environments is contained in the EIS.
### TABLE 2

**VACANT LAND IN LOW CAPABILITY LANDS**

<table>
<thead>
<tr>
<th></th>
<th>High Erosion Hazard Lands</th>
<th>Stream Environment Zones</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>STPUD Acres</td>
<td>DCSID Acres</td>
</tr>
<tr>
<td>Residential</td>
<td>611</td>
<td>552</td>
</tr>
<tr>
<td>Rural Estates</td>
<td>2,815</td>
<td>81</td>
</tr>
<tr>
<td>Low Density</td>
<td>620</td>
<td>3</td>
</tr>
<tr>
<td>Medium Density</td>
<td>188</td>
<td>27</td>
</tr>
<tr>
<td>Commercial</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tourist</td>
<td>23</td>
<td>17</td>
</tr>
<tr>
<td>General</td>
<td>41</td>
<td>11</td>
</tr>
<tr>
<td>Public Service</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conservation Reserve</td>
<td>12</td>
<td>4</td>
</tr>
<tr>
<td>Recreation</td>
<td>8</td>
<td>5</td>
</tr>
<tr>
<td>General Forest</td>
<td>239</td>
<td>155</td>
</tr>
<tr>
<td>Total</td>
<td>4,129</td>
<td>298</td>
</tr>
</tbody>
</table>

1 Acres of land in high erosion hazard lands or in SEZs were determined for residentially and commercially zoned lands only. The acreage figures represent the total amount of land in low capability lands. The amount of land in these areas actually available for development is less because of the lot coverage restrictions imposed by TRPA and CTRPA. Lots in SEZs were tabulated from data compiled by TRPA for its "208" Water Quality Management Plan.

**Noise and Air Quality.** Ambient noise levels would rise and air quality would deteriorate as the numbers of residents and visitors increase. Greater traffic volumes, particularly along Kingsbury Grade, would expose basin users to unacceptable noise levels. Existing traffic volumes already cause violations of the carbon monoxide (CO) air quality standard. Under all scenarios, traffic volumes in the south shore would result in more frequent violations of the CO standards; violations of as much as 65 percent above the standard are expected.

**Visual Resources.** Increased development would result in a worsening of visual problems. About 57 percent of the major traffic zones in DCSID and all of the major zones in STPUD in which development is anticipated are close to major roadways. Because development would occur first in areas near roadways, a relatively large number of view corridors would be removed even under low growth scenarios (Scenarios 1 and 4). Development of lots further from roads and infilling of already developed areas would occur in Scenarios 2, 3 and 5. Further development would gradually transform the character of the Lake Tahoe Basin from a natural to an urban environment in areas most accessible to visitors and residents.
Social Environment

Land Use. Changes in land use under the various scenarios are significant, as shown in Table 3. In general the smaller the percentage of land developed, the greater the flexibility in planning and coordinating the location and timing of growth to avoid conflicts between land use, environmental quality, and economic development. In the STPUD service area, Scenarios 1 and 4 provide the least change in land use and the highest degree of land use flexibility; Scenarios 2 and 5 provide the greatest change in land use and the lowest degree of flexibility. Because of the CTRPA 85 percent buildout rule in California (no further land may be subdivided until 85 percent of the lots existing on August 29, 1975 are built upon), Scenarios 2 and 5 would commit large areas of residential land to low density development. Most commercial land area is concentrated along Highway 50 and south of the intersection of Highways 50 and 89. Commercial development would increase in these areas. In the DCSID service area, Scenarios 1 and 2 would provide the least change in land use and the highest degree of flexibility. Scenarios 4 and 5 would provide the greatest change in land use and the lowest degree of flexibility.

### Table 3

#### PERCENT OF VACANT LAND DEVELOPED

<table>
<thead>
<tr>
<th></th>
<th>1978</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>STPUD</td>
<td></td>
<td></td>
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<tr>
<td>Residential</td>
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<td>68</td>
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<td>83</td>
<td>68</td>
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</tr>
<tr>
<td>General commercial</td>
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<td>80</td>
<td>103</td>
<td>91</td>
<td>75</td>
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</tr>
<tr>
<td>Tourist commercial</td>
<td>64</td>
<td>72</td>
<td>82</td>
<td>88</td>
<td>72</td>
<td>96</td>
</tr>
<tr>
<td>DCSID</td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td>65</td>
<td>88</td>
<td>88</td>
<td>93</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>General commercial</td>
<td>21</td>
<td>36</td>
<td>30</td>
<td>56</td>
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<tr>
<td>Tourist commercial</td>
<td>37</td>
<td>54</td>
<td>54</td>
<td>86</td>
<td>100</td>
<td>100</td>
</tr>
</tbody>
</table>

Percentages exceed 100 percent for general commercial because land is assumed to be rezoned from other uses in order to accommodate projected demand for general commercial land.

Housing. Because of the growth in south shore employment and the increasing numbers of retired households and second-home buyers, demand for housing in the south shore basin would be strong under all scenarios. Housing prices are likely to increase by at least the rate of inflation under all scenarios. The higher the price of housing, the more the ability to pay for housing becomes a determinant of who can live in the Lake Tahoe Basin. The imbalance between the cost of housing and the amount households can afford may have the following results:

- demand for housing may "spill over" into nearby areas, particularly in the Carson Valley areas of Douglas County.
- some households may pay more than they can presently afford for housing (e.g., up to 25 to 30 percent of income)
- some households may have to accept available housing even if their needs and preferences are not fully met
- the incidence of overcrowding may increase
- to the extent that housing opportunities are limited to second-home buyers and retired households with the willingness and ability to compete for available units, other households in these consumer groups will be unable to obtain housing in the south shore area.

Transportation. Residential and commercial growth would bring more people to the basin, which would further increase the volume of traffic. Traffic generated by residential development can be expected to increase in almost direct proportion to the population increase. Congestion interferes with the operation of emergency vehicles and buses, reduces access to business and residential areas, diverts through traffic to local streets, contributes to air and noise pollution, and generally interferes with the appreciation of the environment by visitors and residents. Traffic conditions in the STPUD and DCSID areas are already now congested, and these conditions are expected to get worse under all scenarios. Any action causing even a small increase in existing traffic would have undesirable traffic impacts.

Recreation. Publicly owned recreational facilities would be inadequate to meet the needs of users anticipated under all scenarios. Visitor demand would require substantial increases in the capacity of privately owned recreational facilities. Although landowners, developers, and facility operators would benefit financially in the short-term, new privately owned facilities may have adverse effects on the aesthetic quality of the basin. Ultimately, recreational use may become so intense that the quality of the recreational experience would be dramatically degraded. Greater occupancy of recreational sites may mean greater noise, less solitude, and damage to sites themselves.

Public Services/Fiscal Concerns. Under all scenarios, demand for health services would exceed supply, and the resulting overcrowded conditions could reduce quality of care. Areas of concern are the shortage of acute-care beds, and the shortage of space to expand Barton Memorial Hospital. More intermediate and skilled nursing facilities and an in-patient mental health clinic are also needed.

Under Scenarios 2 and 5 for the Lake Tahoe Unified School District and under all scenarios for the Douglas County School District, enrollments would exceed capacity, and additional classrooms and staff would be required. As estimates do not consider distribution, capacity of individual schools may be exceeded even though enrollment growth estimated under a scenario may be less than the districtwide capacity. In both STPUD and DCSID, growth is likely to require additional personnel and equipment to maintain present levels of law enforcement services. Since the provision of adequate law enforcement services is currently constrained during peak visitor periods, this situation is likely to continue under all scenarios unless service characteristics are improved above existing levels. In both STPUD and DCSID, the higher growth scenarios may require increased equipment and personnel to maintain present levels of fire protection service.
facilities required to maintain existing levels of service are not provided, the probability of structural and personal damage from fire would increase, possibly resulting in poorer insurance ratings and higher premiums.

Fiscal differences among the scenarios can be evaluated in terms of which scenarios appear to be "better" and why such conclusions can be reached. A better scenario would have a greater ability to generate revenues to fund anticipated service costs. The preferred scenario from a fiscal perspective is one that: a) allows at least some growth to minimize the inefficient use of existing facilities and prevent default on existing bonded indebtedness; b) directs growth to locations where excess capacities exist, at least to the greatest possible extent (available capacities for the many different services may not coincide); and c) directs proportionately more growth to Nevada than California because of more favorable taxation policies. For example, overall population growth is lowest under Scenario 1, so that existing unused capacity could be used without requiring costly new investment. Scenario 4 directs the greatest proportion of total south shore growth into Nevada which would result in a greater ability to generate per-unit sales tax and property tax revenues.

Utilities. Water supply in the basin is controlled by the California-Nevada Interstate Compact. Of the 23,000 acre-feet per year allocated to the California part of the basin, 12,000 acre-feet per year are available for users in the STPUD service area. Although water use in STPUD for 1978 was only 8,000 acre-feet per year, growth anticipated under the low growth scenarios would require over 80 percent of the allocation. If the occupancy rate in resident or seasonal homes increases or a trend toward greater water use begins, then even low growth levels may create a water shortage. Water use at the medium (Scenario 3) and high growth levels (Scenarios 2 and 5) would exceed compact allocations. In DCSID medium growth levels (Scenario 3) would require more than 50 percent of the 11,000 acre-feet allocated to the entire Nevada half of the basin. Under high growth levels (Scenarios 4 and 5) more than 80 percent of this allocation would be needed to meet water demand in DCSID. With rapid growth also occurring in the Incline Village area, it is unlikely that the 11,000 acre-feet allocation would be adequate.

Sewage treatment capacity in STPUD would have to be expanded under Scenarios 2, 3, and 5. With some modifications, existing facilities can accommodate growth levels of Scenarios 1 and 4. In DCSID, growth levels under Scenarios 3, 4, and 5 would require additional sewage treatment capacity. Existing capacity is barely adequate to serve growth levels under Scenarios 1 and 2. If sewage capacity is limited (under one of the lower growth scenarios), property owners who have vacant land but are unable to develop this property would lose their investment and potential to earn income. Under low or medium growth scenarios where development would be allowed on only some residential lots or land, land values may be higher than they might have been because fewer units are built and housing prices are consequently higher. Thus, landowners and investors who are allowed to build and owners of existing housing may benefit from increased values of existing property.

Continued residential and commercial development could also require expansion of the energy supply system. Although the electrical supply system has an installed capacity to accommodate the low growth projected under Scenario 1, the present
supply system, if measured by the utility company's standard margin of safety, is inadequate. Under all other scenarios, demand would exceed the installed capacity.

A single transmission line supplies natural gas to the city of South Lake Tahoe, and a branch of this line goes north through Stateline. Any failure in this system (such as breakdown at the pressure limiting station) would cause natural gas shortages or outages. Those customers whose service would be interrupted first include STPUD, schools, hospitals, hotel-casinos, and other large commercial businesses. Because the basin service area is at the end of the supply system, pressures in the pipelines are barely adequate to provide reliable service. High growth scenarios in the STPUD or DCSID service areas would create natural gas demands exceeding supply.

Cultural Resources. Adverse impacts from urbanization on archaeological or historical sites would be likely under scenarios which would lead to intensive development on undeveloped terrain in the following areas:

- Lake Tahoe shore, particularly where creeks and rivers enter the lake (Madden Creek to Meeks Creek on the west shore; Truckee River and Truckee Marsh on the south shore; Edgewood Creek and Incline Creek on the east shore)
- Truckee River Valley from the city of South Lake Tahoe to the southern extension of the study area
- Fallen Leaf Lake and adjacent drainage basins
- Cascade Lake and adjacent drainage basins
- Major and intermittent waterways and sloughs in Douglas County, particularly the branches and forks of the Carson River.

These areas would be subject to severe development pressure under Scenarios 2, 3, and 5.

WHAT ARE SOME OF THE INDIRECT EFFECTS IN THE UPPER CARSON BASIN? 1

Measurements and analysis of impacts in the Upper Carson River Basin reflect only those impact attributed to the spillover population from the Lake Tahoe Basin. The analysis does not include any impacts that may result from households coming from other areas such as Carson City or Reno.

Natural Environment

Geology. The Carson Valley is an active geological zone and subject to periodic earthquakes. Lands near major fault zones are publicly owned or are zones for low-density use, but high spillover population under Scenarios 4 and 5 may

1The discussion here covers only significant adverse effects. A complete discussion of impacts on both the natural and social environments is contained in the EIS.
stimulate intense development in the Jacks Valley area where a significant fault runs north through the valley along the base of the Carson Range near Genoa.

Biology. Other impacts of urbanization of the Carson Valley and Alpine County include possible disturbance to areas of primary biological significance. Areas of primary biological significance include deer wintering areas and migratory corridors, California natural areas, a Nevada State Wildlife area, and locations of rare or otherwise important species. These areas cannot support development without some damage. Also considered of primary significance are critical nesting areas for Swainson's Hawk, wintering areas for bald eagles and gold eagles, and wildlife areas in the Carson Range (including areas above 7000 feet in elevation) that are critical habitat for furbearers. These large areas could accommodate limited development, such as recreational use or low-density residential development, with suitable environmental controls.

Water Resources. Flood caused by high groundwater conditions, a large drainage area, and an extensive floodplain have caused significant damage in the Carson Valley. The hazards of flood damage increase proportionately with the degree of development projected within the 100-year floodplain under each growth scenario.

Visual Resources. Visual resources would be adversely affected under high growth scenarios, and the degree of impact would increase with level of development. The impact of development on visual conditions would be especially apparent in the valley floor, since development here would be highly visible from all roadways. Development in Alpine County would have an adverse effect if it is visible from roadways or if new roadways are required to serve the development. Lands zoned for residential use (special districts or residential) lie along all roadway units in Alpine County. These units could undergo significant deterioration in quality at high levels of growth (Scenarios 4 and 5), especially if zoned lands are developed. Development of the valley's agricultural and undeveloped land, with a corresponding increase in roadway capacity to serve the additional population, would significantly change the visual character of the basin.

Social Environment

Impacts on the social environment stem from the influx of households from the Lake Tahoe Basin. Population increases from the Lake Tahoe Basin range from 22 percent to 164 percent of existing Upper Carson River Basin population. Alpine County is especially sensitive to spillover because any growth in population would represent a substantial burden on fiscal resources and public services.

Housing. Demand for housing is one of the most significant impacts created by spillover population. As in the Lake Tahoe Basin, housing price may become a determinant of who can live in the Carson Valley. With a strong second-home market and land use policies oriented to large-lot, low-density development, the Carson Valley may not be affordable for the spillover population (mostly young, low-income employees).
Public Services/Fiscal Concerns. The impact of accommodating the spillover population will be particularly noticeable in the delivery of public services. Under Scenarios 3, 4, and 5 (moderate and high spillover), the already great discrepancy between supply and demand for health care systems would increase. Overcrowding would reduce the quality of care. Expansion of services would require increased state and federal funding, which is often unpredictable.

The same scenarios would require additional classrooms and staff in schools. As the estimates of enrollment growth do not take into account the distribution of students within the school district, the capacities of particular schools may be exceeded even though the enrollment growth estimated under a scenario is less than the districtwide capacity.

The increase in spillover population would probably require additional personnel and equipment for law enforcement and fire protection if present levels of service are to be maintained. Upgraded service standards would require more personnel and facilities. Where facilities required to maintain existing quality of service are not provided, lower levels of law enforcement and fire protection services may result.

In the Douglas County portions of the basin, fiscal resources are likely to be available to meet service demands. A substantial revenue base from gaming activities is available to the county, and with population growth and increased gaming activity, this revenue base would increase. In Alpine County, new development on any scale would require more fiscal resources than the present tax base can provide. Much of the responsibility for the public service facilities could be shifted to the developer of new housing (and thus to the housing consumer). Requirements for service provision could affect housing prices and the scale, type, and timing of development.

Utilities. Depletion of the water supply would occur with any additional demand unless it involves a water rights transfer or a redistribution of current use patterns. Surface water supply is irregular in Carson Valley because water supplies depend on the winter snow pack in the Sierra Nevada, and the stream flows are frequently low during midsummer and winter months. Agricultural irrigation, which accounts for almost all current water use, is supported by diversions from Carson River and is seriously affected during low streamflow months. Appropriations for surface water rights have been discontinued in Carson Valley because of limitations of available supply.

Groundwater supplies are also limited. Available supply is 32,000 acre-feet, and present appropriations equal 37,000 acre-feet. However, because not all appropriations are pumped, actual use more nearly equals supply. The Nevada State Engineer has named the Carson Valley groundwater basin a "designated basin." This designation allows him to exercise greater authority over the appropriation of groundwater supplies. Individual wells on parcels one acre or smaller have been prohibited; all other applications are reviewed for their potential impact on groundwater supplies and many are denied.

The preferred wastewater treatment alternative by DCSID calls for discontinuing effluent disposal in the Carson River and implementing a land application system. The critical implications of switching to land application are reduced streamflow in the East Fork and runoff from irrigated lands. By eliminating the present discharge
at Muller Lane, DCSID will have reduced the annual average flow of the East Fork by 3 mgd which accounts for a large portion of the dry season flow. Consequently, the problems associated with diminished flow such as higher pollutant concentrations may occur more frequently. Furthermore, surface runoff from irrigated lands may be of a poorer quality than the effluent currently discharged to the river.

Cultural Resources. The Upper Carson River Basin has abundant known archaeological and historical sites, and further sites, particularly archaeological sites, are likely to be found. Thus, the potential is high for direct and indirect adverse impacts on cultural resources from land alteration associated with population growth.

HOW CAN THESE EFFECTS BE MINIMIZED?

Mitigation measures are actions to minimize the effect of an adverse impact. These actions apply only to problems resulting from implementation of a facility alternative; they cannot be used to correct existing problems. Adverse primary or secondary impacts resulting from expanding treatment capacity beyond the baseline capacity of 5.8 mgd for STPUD and 2.3 for DCSID (peak 1978 wastewater flows) are subject to mitigation.

For each problem identified in the impact assessment of this EIS, a number of mitigation measures have been defined where feasible and appropriate. Each measure is then discussed in terms of how effective it would be, what agencies would be responsible for its implementation, and when it should be undertaken. Examples of such measures for possible impacts on the basin's natural environment are shown in Table 4.

Several other studies are currently underway that will have significant implications for the type and choice of mitigation measures to be applied in the Lake Tahoe Basin. The first study is the Nonattainment Plan that is being prepared to eliminate violations of the national ambient air quality standards of ozone and carbon monoxide. Corrective measures being proposed in that plan are aimed primarily at affecting transportation, land use and planning and stationary sources of air pollutants. The second study is the California State Water Resources Control Board's Water Quality Management Plan for the California side of the basin. Mitigation measures described in that document may address problems of erosion and eutrophication and prescribe restrictions on development in high erosion hazard lands and stream environment zones. To the extent possible, the mitigation measures to reduce adverse environmental consequences of the STPUD and DCSID facilities plans should be consistent and compatible with those identified in the other studies.

WHERE DO WE GO FROM HERE?

At this point, EPA has reviewed the studies that have been undertaken to resolve the problems confronting STPUD and DCSID. The agency recommends that the modifications to the sewage treatment processes described in the preferred alternatives for each of the two districts be undertaken. For STPUD, this means
improving certain processes of the existing plant and abandoning most of the advanced wastewater treatment facilities. The facility plan proposed disposal of secondary effluent by land application in Alpine County, California; however, the County has indicated some reluctance to irrigate with secondary effluent. Until this issue is resolved, EPA can only recommend that land application of the treated sewage be undertaken; recommendation of an effluent disposal must await the negotiations among STPUD, Alpine County, and Douglas County. Once these negotiations, which are presently in process, are complete and a site is selected, EPA will examine the environmental consequences and make a recommendation.

For DCSID, this means improving the existing secondary treatment plant, discontinuing discharge of effluent to the Carson River, land application of wastewater during the growing season, and storage of wastewater when it cannot be applied to the land. The DCSID facility plan recommended disposal of effluent on land owned by DCSID, but subsequent to the submittal of the document, DCSID negotiated a long-term contract with a Carson Valley rancher to accept summer flows. The district is also proposing to study the feasibility of land application during non-growing seasons. EPA's preferred alternative reflects this modification to the district's preferred alternative and encourages continued disposal on land owned by farmers and ranchers or on land controlled by the district.

STPUD is also seeking federal funds to expand its present treatment capacity to 10 mgd. EPA's position on this issue depends on the mitigation measures for which the district can obtain commitments. This EIS describes a number of different approaches to minimize significant adverse environmental effects. It is STPUD's responsibility to obtain commitments from various local, state, and federal agencies with authority to implement the mitigation measures and to demonstrate to EPA that there will be no deterioration of environmental quality. Accordingly, the next step between now and preparation of the final EIS is for STPUD to seek these commitments from implementing agencies. The result of this step will determine whether the project can be funded by 10 mgd as proposed by the district.

Similarly, DCSID must obtain commitments to minimize impacts of upgrading its plant to its original design capacity. Commitments to protect high erosion hazard lands, SEZs, and biological resources would be especially important for DCSID if it is to have its preferred alternative funded as proposed.
### TABLE 4

**MITIGATION MEASURES FOR ADVERSE IMPACTS ON NATURAL RESOURCES**

<table>
<thead>
<tr>
<th>IMPACT AREA</th>
<th>MITIGATION MEASURE</th>
<th>RESPONSIBLE AGENCIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Quality</td>
<td>Protect stream environment zones</td>
<td>TRPA, CTRPA, U.S. Forest Service</td>
</tr>
<tr>
<td></td>
<td>Employ best management practices to control erosion (slope stabilization, revegetation, roadside and storm drainage, on-site infiltration, etc.)</td>
<td>Local governments, TRPA, CTRPA, Lahontan RWQCB, Nevada DEP, U.S. Forest Service</td>
</tr>
<tr>
<td></td>
<td>Institute evaluative point system and limit on number of sewer connections to control location and level of growth.</td>
<td>Local governments, TRPA, CTRPA</td>
</tr>
<tr>
<td></td>
<td>Purchase lots in environmentally sensitive areas.</td>
<td>Local governments, TRPA, CTRPA</td>
</tr>
<tr>
<td></td>
<td>Compensate landowners who experience loss because of development restrictions.</td>
<td>(Would probably be determined by the courts)</td>
</tr>
<tr>
<td></td>
<td>Implement system to transfer development rights to compensate owners for loss of land and to preserve critical areas.</td>
<td>Local governments, TRPA, CTRPA, EPA</td>
</tr>
<tr>
<td>Seismic Safety</td>
<td>Implement land use controls to control location of development.</td>
<td>Local governments, TRPA, CTRPA</td>
</tr>
<tr>
<td>IMPACT AREA</td>
<td>MITIGATION MEASURE</td>
<td>RESPONSIBLE AGENCIES</td>
</tr>
<tr>
<td>---------------------</td>
<td>-----------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Biological Resources</td>
<td>Control recreational use of habitats frequented by valuable fish and wildlife species. Protect active osprey nests. Require biological inventories for rare and endangered species as part of development application. Require adequate construction and management practices to protect vegetation and habitat. Protect stream environment zones and implement erosion control standards.</td>
<td>TRPA, California and Nevada Departments of Fish and Game, U.S. Forest Service. Local governments, TRPA, California and Nevada Departments of Fish and Game, U.S. Forest Service. TRPA, U.S. Forest Service. (See &quot;Water Quality&quot;)</td>
</tr>
<tr>
<td>Noise</td>
<td>Implement noise control ordinance. Revise zoning ordinance to prevent incompatible land uses. Establish special permit procedures to implement noise reduction measures. Construct noise barriers along major highways.</td>
<td>Local governments, TRPA, CTRPA. Local governments, TRPA, CTRPA. Developers, local government, TRPA, CTRPA. Local governments.</td>
</tr>
<tr>
<td>Air Quality</td>
<td>Implement measures adopted in the approved Nonattainment Plan.</td>
<td>Local governments, TRPA, CTRPA, others identified in the Nonattainment Plan.</td>
</tr>
<tr>
<td>Visual Resources</td>
<td>Implement measures protection of water and air quality. Adopt design plan with implementing ordinances for design review. Establish National Scenic Area.</td>
<td>(See &quot;Water Quality&quot; and &quot;Air Quality&quot;) U.S. Forest Service, U.S. Congress.</td>
</tr>
</tbody>
</table>
Clearinghouse
U.S. Forest Service
Jennings Casino Site Acquisition
Douglas County

Summary

The U.S. Forest Service proposes to acquire a 20 acre parcel located at the northwest corner of the intersection of U.S. Highway 50 and Kahle Drive in Douglas County (see figure 1). The site was previously approved as a 560 room hotel/casino complex owned by Ted Jennings and known as the Tahoe Palace.

Land Use and Capability

The property is currently classified as Tourist Commercial (15 acres) and Recreation (5 acres). The property is classified as E5B, land capability level 7, which would allow up to 30% impervious surface coverage under the recommendations of the land capability system. Burke Creek originally crossed the property but the channel has been modified to divert flows to a roadside ditch. The Tourist Commercial designation allows up to 50% impervious surface coverage on that portion of the site. The currently approved casino site plan would utilize the majority of the available coverage.

Adjacent Land Use

The site is bounded by U.S. Highway 50 to the east, Kahle Drive to the south and U.S. Forest lands to the north and east. The adjacent U.S. Forest lands are undeveloped meadowlands including the Folsom Spring area. Adjacent private lands to the south include the Harvey's Inn Hotel/Casino and High Density Residential housing which has been identified as potentially suitable for resident housing by Agency staff. The Nugget Casino and the site of the Kahle Hotel/Casino is located to the east of the property across Highway 50.

Existing Site Conditions

The site was originally meadow but has been substantially graded to provide for construction of the foundations for the casino hotel. Approximately 50% of the site has been affected by the grading and construction activities. Topsoil from the construction has remained on the site, and substantial revegetation has occurred with meadow grasses.

Burke Creek previously crossed the property, entering the site from a culvert located under Highway 50. The grading site plan approved as part of the hotel/casino complex called for relocating Burke Creek to allow construction of the facility. Existing grading of the site has relocated Burke Creek to a concrete lined channel which lies within the right-of-way of Kahle Drive. The channelization of Burke Creek has contributed to localized flooding and loss of the natural filtering ability of the meadowland on and adjacent to the casino site. Significant sediment loads from Kingsbury Grade, the Nugget Casino area, and the Kahle Casino site were evident during a site inspection during a storm event (January 14, 1980). The site is in need of substantial restoration measures from the standpoint of establishing the hydrologic characteristics which were once part of the area.

1/14/80
Off-Site Impacts

Agency staff has identified the effects of hotel/casino expansions in the attached report entitled "Impacts of Potential Hotel/Casino Expansion at Lake Tahoe".

Recommended Comments

Agency staff recommends support of the proposed acquisition based on the prevailing land uses surrounding the property and elimination of off-site impacts resulting from the construction of the hotel/casino. It is further recommended that the site and stream environment zone on the property be restored.
Impacts of Potential Hotel/Casino Expansion at Lake Tahoe

Tahoe Regional Planning Agency Staff

Lake Tahoe and the surrounding basin lands are a unique scenic and recreational resource of regional and national significance. However, recent growth patterns, most notably in the gaming industry, have alarmed many concerned individuals and governmental agencies that this irreplaceable resource may be endangered. This article is intended to portray some of the more basic impacts of potential new hotel/casino development in the Lake Tahoe basin. The base year for the study is 1974, with most of the data having been generated in 1974 through the Tahoe Regional Transportation Study.

HISTORICAL BACKGROUND

The resort character of the Tahoe area began to emerge in the late 1800's and early 1900's. It was in the 1930's that roads to the Basin were paved and the area became accessible to large numbers of people residing in the developing metropolitan areas of Northern California. The 1930's also saw the advent of legalized gaming in Nevada and the first clustering of activity around the North and South Shore Stateline areas began. The scale of resort activity around Tahoe remained relatively small through the 1940's and early 1950's, but began a major transition in the late 1950's. At that time the larger gaming establishments began to appear at the South Shore Stateline and they began to cater to a year-round market. (1) This development was followed in the early 1960's by improved highway access to the Tahoe region and the blossoming of the Sierra ski industry following the 1960 Winter Olympics at Squaw Valley. The growing metropolitan Sacramento and San Francisco Bay areas represented a market for year-round recreation and the Tahoe Basin offered a unique combination of outstanding natural recreation opportunities and year-round gaming and entertainment. The resultant boom at Tahoe found the permanent population of the Basin increasing by 112% between 1960 and 1970 (7.75% per year compared with a California statewide average of approximately 2.5% per year). Second home development was rapid, with an inventory of nearly 12,000 having been developed by 1970, swelling the Tahoe Basin peak seasonal population to nearly 100,000 persons. (2)

CHARACTER OF TAHOE GAMING

With the “Tahoe Boom” came the establishment of gaming as a principal industry of the Tahoe Basin. In 1974 approximately 1/4 of the Tahoe Basin’s total employment drew income from the area’s gaming establishments. (3) As with any industry of such relative importance to a region, any significant expansion in that industry is bound to impact the region in a number of ways. To assess the probability of impact, it is necessary to analyze the nature of the industry and establish a base for comparison.

Relative Scale of Tahoe Gaming

Though there is a comparable number of gaming establishments at the North Shore of Lake Tahoe, the scale of the facilities and level of activity is considerably greater at the South Shore. The 1975 Nevada Gaming Abstract lists the total revenue from the South Tahoe gaming facilities at $184.3 million, 10% of the statewide figure. While this is far short of the $992.7 million generated by the Las Vegas strip, it is approaching the $234.3 million generated by the Reno/Sparks facilities. The North Shore area, by contrast, was not itemized in the 1975 Abstract as a significant gaming center. (4)

Growth

Growth in the gaming industry at Tahoe was concurrent with its population growth at both ends of the Lake through most of the 1950's and 1960's. Major gaming facilities developed at both the North and South Shore Stateline areas, and a major facility developed in Incline Village. With the development of the Sahara Tahoe in the mid-1960's and the emphasis on big name entertainment at the Sahara Tahoe and Harrah's, however, the South Shore began to take an increasing share of the Tahoe gaming/entertainment market. Virtually all of the Douglas County gaming revenues come from South Shore. Between 1960 and 1970 those gaming revenues increased from $25.7 million to $67 million. This represents a 161% increase over the ten year period, compared to an increase of only 91% for the whole of Washoe County during the same period. (4) Through the later portion of that ten year period the activity at North Tahoe tapered off.

At the South Shore this growth has continued into the 1970's. In Fiscal Year 1975 gaming revenue for South Tahoe totaled approximately $118.5 million, within 25% of the $158.5 million gaming revenue figure for Reno/Sparks in Fiscal Year 1975 (gaming revenue is a portion of the total revenue referred to earlier). (4) In 1975, three major
hotel/casino facilities and three minor casinos were in operation at the South Shore. Estimates developed from the Summer 1974 Tahoe Regional Transportation Study surveys indicate that a total annual patronage of 13.8 million was generated by the South Tahoe gaming facilities in 1974. The average patronage per 1000 square feet of gaming space is a useful index for comparison of gaming activity. The 13.8 million annual patronage represents an average of 396 patrons per peak season day for each 1000 square feet of gaming floor area in the South Tahoe casinos.

At the North Shore the gaming activity in the first half of the current decade was considerably different. Ownership changes, financial difficulties and litigation closed the two major North Shore hotel/casinos (Cal Neva Lodge & Kings Castle, now Hyatt Lake Tahoe) for varying periods of time, and the facilities remaining open experienced relatively poor years. The estimated total patronage at the North Shore facilities in 1974 was only 1.8 million. The marked difference in the intensity of gaming activity between the North and South Shores is most apparent in the estimate of only 234 patrons per day per 1000 square feet of active gaming area for the North Shore during the peak season, compared with the figure of 396 for the South Shore. Since 1974, however, Kings Castle has reopened as the Hyatt Lake Tahoe, and Cal Neva Lodge is expected to reopen in the near future. The rejuvenation of these two major facilities is expected to trigger a marked increase in the overall intensity of gaming activities at the northern end of Lake Tahoe.

Tourist Generation

In contrast to Las Vegas and Reno, tourism in the Tahoe region does not necessarily imply an attraction to the gaming or entertainment activities of the area. Tahoe presents a unique combination of natural recreation amenities such as spectacular scenery, camping and hiking opportunities, water and snow related recreation, and the simple lure of “a cabin in the mountains.” Considerable evidence gathered in the 1974 Tahoe Regional Transportation Study surveys suggest, however, that the gaming industry is definitely a major attraction for most of the Tahoe visitors, particularly those at South Shore. The major hotel/casino facilities of South Shore are all clustered within ¼ mile of the State line. On the California side of the South State line, there are approximately 3200 motel units within ¼ mile and approximately 4500 units within ½ mile. This represents nearly 60% of the South Lake Tahoe motel rooms. Of significance is the fact that even though these units are in the midst of the most urbanized portion of the Tahoe Basin, surrounded by the heaviest traffic congestion in the Basin, and generally more expensive, they also have the highest occupancy rates. Occupancy rates of motels within ¼ mile of the State line were measured at approximately 85% in the Summer 1974 TRTS Hotel/Motel Survey, while those between ¼ and ½ mile averaged approximately 72%. Those motel units in the western half of the City of South Lake Tahoe averaged only 62% occupancy. The 1,111 units within the three major hotel/casinos had a 96% occupancy figure. Another indication of the attraction of the gaming industry is the percentage of traffic volumes. The highest traffic volumes in the Lake Tahoe Basin occur between Pioneer Trail and Park Avenue on Highway 50, approximately ¼ mile west of the State line. The total number of vehicle trips into and out of the South Shore casinos identified in the Summer TRTS survey averaged approximately 31,000 per day for the summer season. TRTS data indicates that approximately 72% of the traffic into the gaming establishments originates on the California side of the State line. Correcting for the number of vehicle trips that travel less than ¼ mile to cross the State line, the data indicates that approximately 48% of the average daily traffic that at most congested point is either destined for or coming from the Stateline casinos. [3]

POTENTIAL FOR EXPANSION

South Shore

There are two elements to the potential for gaming expansion at South Shore. That resulting from prospective gaming development which has already received the necessary approvals, and that from future gaming proposals on undeveloped parcels exempted from full TRPA land use authority under Article VI Section (a) of the TRPA Compact. In the former instance, four major hotel/casino projects have been submitted for review at the Douglas County, Nevada TRPA and TRPA levels and have received the necessary approvals. In all four instances no formal action was taken by TRPA due to the failure of the TRPA Governing Board to reach dual majority agreement on either approval or denial. With the interaction of Article III Section (g) and Article VI Section (k) of the Bistate Compact, however, the failure of the TRPA to take action allows the projects to proceed according to the earlier approvals by Douglas County and the NTRPA.

Of the four projects with approvals, two are within the so-called “casino core” of South Shore. Harvey’s expansion is proposed on the existing Harveys Wagon Wheel site and the Park Tahoe is presently being constructed adjacent to Harrah’s and Barney’s, across Highway 50 from the Sahara Tahoe. The other two projects, the Hotel Oliver and Tahoe Palace are beyond the junction of Highway 50 and Kingsbury Grade, and are approximately ¾ mile from the State line.

· The construction and operation of those four approved projects would have a profound effect on the South Tahoe gaming picture. With those approvals alone the amount of gaming floor area at the South Shore gaming facilities would double as would the number of hotel rooms, parking spaces and employees, and the number of show rooms would triple. In addition, the two Kingsbury area hotel/casinos in combination with the existing minor facilities of Harvey’s Inn, Gary’s Casino and the South Tahoe Nugget would establish a second hub of gaming activity at the South Shore.
The second element of potential gaming expansion at South Shore is the possibility of gaming development on the land which does not presently have gaming facilities but which was zoned to permit them in 1968. Under Article VI Section (a) of the Bistate Compact, any proposed gaming development on such land must be recognized by TRPA as a permitted and conforming use. TRPA staff considered the parcel size and frontage of three recent hotel/casino approvals in evaluating potential sites. Through that evaluation, TRPA staff has concluded that there are a maximum of seven potential hotel/casino sites which have not yet been developed or approved for gaming development on the South Shore.

The future of the two approved Kingsbury area hotel/casinos may be an important factor in determining whether or not many of the potential sites are considered by developers for gaming facilities. As the establishment of that second hub of South Shore gaming activities could bring the gaming market close enough to some of the more marginal sites to make them economically attractive. A related factor is that with the establishment of the second hub, development of new gaming sites might well be classified as "infill" of the gaming land use rather than "expansion" of the gaming land use.

It should be noted that ownership patterns will play an important role in determining whether various potential gaming sites are ever proposed for development. A number of the potential sites are presently under a common ownership and are not therefore expected to be developed as separate, competing gaming projects. Should economic factors result in a change in ownership of some of the parcels, however, the likelihood of new gaming proposals would be increased.

North Shore

There is only one new gaming related facility pending at the North Shore. It is a 252 room hotel addition to the present Crystal Bay Club which will not expand the gaming floor area. The addition was originally approved by the Nevada TRPA prior to the formation of the Bistate Agency. Construction was begun at that time but the project was soon halted and only recently was work on the facility begun again. There has been an as yet unresolved legal question raised about whether or not the hotel facility should be required to undergo a new review.

The expansion of gaming facilities at the North Shore is therefore not as imminent as it is at South Shore. The expansion of gaming activity at North Shore is already occurring, however. As earlier indicated, the two major facilities at North Shore were not in full operation in the early 1970's and gaming activity at the facilities which were operational was significantly below that of the more prosperous South Tahoe gaming industry, as reflected in the figure of 234 North Shore patrons per 1000 square feet of operational gaming space compared with a figure of 396 patrons per 1000 square feet at South Shore. This represents a significant increase in the intensity of gaming activity possible within the present facilities. The return to full operation of Hyatt Lake Tahoe has already begun this expansion, with the number of employees increasing from 1974 to 785 in 1976. The expected return to full operation of Cal Neva Lodge will likely make the area even more attractive to those seeking gaming and entertainment. In evaluating the potential for growth of the North Shore facilities, though, one negative factor must be considered. That factor is that the North Shore gaming core does not abut on a major tourist residential area as do the hotel/casinos at South Shore and are therefore not likely to draw the amount of walk-in patronage drawn by the South Shore clubs. With that walk-in patronage amounting to nearly 50% of the total at South Shore it is therefore not likely that the patronage per 1000 square feet at North Shore will equal that generated at South Shore.

The remaining element of potential gaming expansion at North Shore is in those lands falling under Article VI Section (a) of the Bistate Compact on which gaming development must be recognized by TRPA as a permitted use. TRPA staff has evaluated the properties in the North Tahoe area which fall under that provision, considering parcel size, frontage and access, and existing land use, and has concluded that a maximum of eight potential hotel/casino sites exist on such land at the North Shore. Only one of these possible sites is at the North Shore Stateline area. It is located between the existing Crystal Bay Club and Cal Neva Lodge.

The remaining seven potential hotel/casino sites at North Shore are all in the Incline Village core area. The Hyatt Lake Tahoe is presently the only significant gaming facility in that area, but with two sites immediately to the north of the Hyatt and five additional sites possible in the commercial core area of Incline there is obviously the potential for creation of a major gaming concentration in the center of Incline on land exempted from TRPA zoning jurisdiction by the Compact provision. There is some additional land falling under the Compact provision which was not judged likely for gaming development due to substantial existing nongaming development and small parcel size.

**IMPACTS OF POSSIBLE GAMING DEVELOPMENT**

There are two levels of potential gaming expansion which have been analyzed by TRPA staff in evaluating possible impacts: The cumulative impacts of existing gaming approvals and the impacts of a single "typical" new hotel/casino proposal. The scale of the "typical" new hotel/casino was generated by averaging the three new hotel/casino proposals which have been reviewed since 1970. The three are the Park Tahoe, Hotel Oliver, and Tahoe Palace, all at South Shore. Based upon these three, the typical facility would have the following dimensions:

| Gaming Area | 35,000 square feet |
| Hotel Rooms | 650 |
| Parking Spaces | 1,900 |
| Summer Employees | 1,500 |
In both the cumulative impacts and the typical facility impacts TRPA staff has relied upon generation factors extrapolated from data on patterns at the existing gaming facilities in the Tahoe Basin, principally those of South Shore. The data from South Shore facilities is primarily from 1974, gathered by the Tahoe Regional Transportation Study, and for purposes of generalizing impacts, is assumed to represent optimum peak season operations for Tahoe gaming facilities, be they at South Shore or North Shore. In considering impacts, the primary concern is the peak season (summer) in which Tahoe’s resources are taxed to the greatest extent.

**TRANSPORTATION IMPACTS**

Traffic congestion is generally regarded as the most critical problem facing the Tahoe Basin today. Though more attention has been focused on the South Shore congestion, the problems at North Shore are equally serious. Peak month (August) average daily traffic at the most congested point in the Tahoe Basin in 1974 was 45,500 vehicles per day. This occurred on Highway 50 approximately ¼ mile west of the South Shore State line. [9] The typical traffic lane will function at an acceptable level with a volume of approximately 8000 vehicles per day. [10] Judging by that standard, Highway 50 at that point was operating at approximately 26% over capacity during that peak month. The volume to the east of the State line in the vicinity of Kingsbury Grade for that same month was approximately 33,500 vehicles, within 7% of capacity. [11] At the North Shore the situation was similar. The 1974 peak month volume on Highway 28 just west of the State line was 17,400 vehicles per day, [9] exceeding capacity by 8%. This is particularly significant when one considers the very low level of activity at the North Shore State line in 1974, with the major hotel/casino facility closed and with the major hotel/casino facility in Incline Village operating on a significantly reduced scale.

**Trip Generation Factors**

To estimate the impact of new gaming development upon these existing congestion problems, one must rely upon trip generation factors for the various gaming operations. For the gaming operations within the “casino core” at South Shore, TRPA has computed a trip generation factor by aggregating the total number of trips to the area’s gaming facilities, reported in the Summer, 1974 Tahoe Regional Transportation Study surveys, and dividing the total amount of gaming floor space in operation at that time. The result is a trip generation factor of 218 vehicle trips generated per day for every 1000 square feet of gaming area. This represents a summer season average. and, when adjusted to represent the peak month of August, the trip generation factor becomes 247 vehicle trips per day per thousand square feet of gaming area.

The trip generation factor of 247 vehicle trips per thousand square feet can be safely applied to new gaming development within the existing core area, but it is not appropriate for new development beyond the core area because of one important consideration: Walk-in patronage. As earlier indicated, the Stateline gaming core area is immediately adjacent to the heaviest concentration of tourist accommodations in the Tahoe Basin, the South Lake Tahoe motel core. All of the facilities within the gaming core area are within ½ mile walking distance from that motel core and the TRTS figures indicate that 48% of the total patronage measured in 1974 was in fact walk-in patronage. New gaming facilities beyond the casino core would be considerably less likely to draw a comparable percentage of walk-in patronage, particularly those as distant from the State line as the two facilities approved in the Kingsbury Grade area, in excess of ¾ mile from the State line. If one assumed a patronage equal to that measured for the core area facilities, but with no walk-in patrons, the vehicle generation factor for the peak month would jump to nearly 419 vehicle trips per day (assuming the average occupancy of 2.4 persons per vehicle into the gaming areas). A more reasonable estimate is that derived by the consultants to the two Kingsbury Grade area hotel/casino projects. The consultants, Sierra Environmental Monitoring and Raymond Smith (former Douglas County Planning consultant), utilized a series of factors in computing traffic generation for the two facilities. For the “typical” hotel/casino these factors would result in a combined trip generation factor of approximately 313 vehicle trips per day per thousand square feet of gaming area. The conclusions of the consultants were accepted by the Nevada Environmental Protection Service, which reviewed the projected air quality impacts of the two facilities in 1975.

**Impact of Approved Hotel/Casino Projects**

Utilizing the trip generation factor of 247 vehicle trips per day per thousand square feet of gaming area, the expansion of Harvey’s Resort Hotel would generate 12,350 additional vehicle trips per day and the Park Tahoe Hotel would generate 9,880 vehicle trips per day. The estimated vehicle trips which would be generated by the Tahoe Palace and Hotel Oliver are 10,610 and 11,505 per day respectively. [12, 13] Combining these estimates, one arrives at a total trip generation of 44,345 vehicle trips per peak month day for the additional development. This represents a 128% increase in the volume of traffic generated by the South Tahoe gaming area (the 1974 data indicates a peak month trip generation of 34,440 vehicle trips per day). Assuming a continuation of the pattern of 72% of the trips to the gaming area originating on the California side of the State line and 28% on the Nevada side, identified by TRTS, this traffic increase would mean an additional 31,928 vehicles per day added to the California peak volume and 12,417 added to the Nevada peak volume, increases of 70% and 37% respectively.

**Lane Requirements for Approved Hotel/Casino Projects**

The total traffic volume on the California side of the State line during the peak month would be approximately 77,000 vehicles per day with the combined volumes of the
existing and proposed gaming developments. Based upon 8,000 vehicles per day optimum lane capacity, this figure poses a requirement for 10 lanes between the Stateline gaming facilities and California. The total volume on the Nevada side would increase to approximately 46,000 vehicles per day, requiring six traffic lanes.

The adopted Transportation Plan of the Tahoe Regional Planning Agency provides for the creation of a two lane loop road to encircle the hotel/casino core area of the South Shore and a two lane bypass road connecting Pioneer Trail with Round Hill. [14] These two facilities, combined with existing Highway 50 would theoretically meet the minimum needs of the approved sites. In this instance, however, the theoretical capacity may not meet the projected volumes. The problem is that the loop road was not designed to meet that total volume. It was designed to service the three existing hotel/casinos in the Stateline "core" area plus the new Park Tahoe, also within the core area. Its primary function was to provide alternate means of circulation around the core area to relieve the already overburdened Highway 50 and pick up some volume increase generated by the Park Tahoe. Its critical defect in supporting the substantially larger volumes projected for the total build-out of existing approvals is that it is not designed to extend into the City of South Lake Tahoe beyond Park Avenue. The point of peak traffic congestion in the City is beyond Park Avenue, though, and consequently the larger traffic volumes would merely be funneled off of the total of eight lanes circulating around the casino core back to the four lanes of Highway 50 at the point where the highway is already experiencing its most serious congestion. The system, consequently, would still be four lanes deficient at that critical point.

The financing of both the loop road and bypass road are also question marks in projecting the accommodation of the increased traffic. The adopted TRPA Transportation Plan estimated the costs of the two facilities at $1.4 million and $10.9 million respectively. [14] Those figures were developed in early 1975, and the cost of the facilities today is probably considerably greater. Facilities on the Nevada side of the State line account for approximately 64% of the estimated costs.

Another question mark is whether the bypass road will ever be built. The State of California, through both the administration and the California Tahoe Regional Planning Agency (CTRPA), has maintained strong opposition over the past two years to any plans for significant road expansion on the California side of the State line. The bypass road cannot be built on the California side of the State line without the concurrence of both the State and CTRPA.

Alternatives to the Automobile

When analyzing the large traffic volumes projected, a logical question is whether any of these vehicle trips can be diverted to other modes. The answer is that some may be diverted, but probably not a significant number. One reason for this is that the automobile is likely to remain the principal means of access to the Basin. On a typical August day approximately 6,900 vehicles arrive in the Tahoe Basin on Highway 50 at Echo Summit. [9] With an occupancy factor of 2.4 persons per vehicle, this represents approximately 16,600 persons. The most likely alternative for access to the Basin for most of these people is by air. According to the present management of the South Tahoe Airport, however, the maximum capacity that can be realistically anticipated for that facility is approximately 2,000 persons per day. [15] This facility is expected to continue to increase in the future, the percentage of visitors who could conceivably arrive by air will diminish.

Given a continued reliance upon the automobile for access to the Basin, the probability of enticing people to ride a transit system once they arrive in the Basin is relatively low. The CTRPA has made a strong commitment to the development of a major transit system within the City of South Lake Tahoe. [16] Even if the transit system is developed and becomes successful in terms of ridership, CTRPA administration still expects a net increase in vehicle traffic along Highway 50, even if there is not significant expansion of gaming facilities.

Complicating Factors

Two factors complicate the entire discussion of transportation impacts of the four approved hotel/casino developments. The first is the assumption that the proportion of vehicles originating on the California side of the State line to those originating on the Nevada side will stay the same. The 1974 data showed approximately 73% of the trips to the South Shore gaming area originated on the California side. It is doubtful that this percentage will remain constant if there is a significant increase in the total volume generated by the gaming area. The principal reason for this is that occupancy figures for the California side of the South Shore are already relatively high, [3] and the land remaining which is zoned to permit transient dwelling units is a very small percentage of that which has already been developed. [4] Hence it is not likely that sufficient transient dwelling units will be developed on the California side of the State line to accommodate the increase in visitors that would be anticipated. A related consideration is an expected increase in the number of gaming employees expected to reside on the Nevada side of the State line. [12] These two considerations suggest an increase in the proportion of gaming area traffic originating on the Nevada side of the State line.

The second complication is perhaps even more basic; namely, will there be sufficient increase in the number of Tahoe Basin visitors to provide the same level of patronage for a doubling of the gaming industry? The only clue to the answer comes from a random survey of Bay Area residents conducted in 1975. The survey results showed that 80% of the Bay Area residents consider themselves to be Tahoe Basin visitors. [18] If this survey is even re-
monetary accurate, it represents an extremely strong market penetration by anyone’s standard, and raises the question of whether the Bay Area can supply sufficient new patronage to keep expanded gaming facilities operating at a high level. For markets more distant than the Bay Area, air transportation is the only alternative for movement of large numbers of visitors to South Tahoe, but with limitations on the capacity of the South Shore Airport, it is likely that another airport would have to supply the bulk of the increased visitor arrivals. The logical airports would be either Reno, or the Carson Valley Airport, should commercial service be introduced there.

Oil prices could affect the patronage figures also. The combination of continued reliance upon the automobile for access to the Basin plus increasing oil prices could render Tahoe a less attractive vacation area.

**Impact of a “Typical” New Hotel/Casino**

If the traffic generation factors developed by Sierra Environmental Monitoring and Raymond Smith (12, 13) are applied to a “typical” hotel/casino project (average of the three new hotel/casinos approved for South Shore) the following additional traffic volumes would be generated:

<table>
<thead>
<tr>
<th>Traffic Type</th>
<th>Volume</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gaming Trips</td>
<td>6,650</td>
</tr>
<tr>
<td>Show Room Trips</td>
<td>650</td>
</tr>
<tr>
<td>Employee Trips</td>
<td>2,700</td>
</tr>
<tr>
<td>Hotel Room Trips</td>
<td>975</td>
</tr>
<tr>
<td><strong>Total Vehicle Trips</strong></td>
<td><strong>10,975</strong></td>
</tr>
</tbody>
</table>

The traffic impacts of approximately 11,000 vehicle trips per day would vary depending upon the location of the new hotel/casino. If that traffic were all arriving and departing along a single route this volume would require two additional lanes (11,000 vehicle trips represents approximately 1.4 lanes, but in practical terms would mean one additional lane in each direction). If this facility were on the South Shore and the factor of 72% California trips/28% Nevada trips remained constant this would represent approximately 8,000 California trips and approximately 3,000 Nevada trips. The Nevada trips could conceivably be accommodated without additional lane requirements. The California trips would require additional lanes to accommodate the volume without substantially increasing congestion. Similar conditions would exist at the North Shore State line, though the situation would differ somewhat in that it is impossible to add additional lanes to Highway 28 around Crystal Bay, even if traffic volumes warrant them. For new facilities in the Incline area the latter point would apply as well, since that would represent a constraint on access from California. Dispersion of vehicles within the Incline area is difficult to project. For a point of comparison, the heaviest volume in the Incline area according to 1974 traffic data was on Highway 28 in the vicinity of Village Boulevard, which averaged 6,000 vehicle trips per day. (11)

**AIR QUALITY IMPACTS**

The assessment of air quality impacts for a hotel/casino is a complicated task. The basic consideration, however, is the number of vehicle trips into and out of the facility. Detailed air quality analyses have been conducted on two of the proposed new hotel/casino projects which have been approved for South Shore, however. Both the Tahoe Palace and the Hotel Oliver developed the detailed analyses and submitted them to the Nevada Environmental Protection Service for review. In the critical area of carbon monoxide (generated by vehicular traffic), the EPS agreed with the conclusions of the consultants for the two hotels. (19, 20) Those conclusions were that in both projects the maximum eight hour concentration of carbon monoxide would total nine parts per million. At the time the EPS reviewed the two projects (early 1975), the Nevada Statewide standard for carbon monoxide level was nine parts per million for the maximum eight hour concentration. The conclusion drawn by EPS was therefore that the maximum standard would be equalled, but not exceeded. In 1976, however, both Nevada and California changed the ambient air quality standards for the Tahoe Basin (the change in Nevada applies to all areas above 5,000 feet). The revised standard is six parts per million for a maximum eight hour concentration. By the revised standard, the two hotel/casino projects would be in violation of the carbon monoxide standard by a factor of 50% during poor air quality conditions. It should be noted that one reason for the downward revision of the carbon monoxide standard is evidence that carbon monoxide interaction with the oxygen carrying hemoglobin in the human blood stream is greatly accelerated with altitude. (21)

Vehicular traffic is the principal source of carbon monoxide. Traffic movement effects the total amount of carbon monoxide emitted by each vehicle. The slower the vehicle, the greater the carbon monoxide emission. The analysis performed on the two Kingsbury area hotel/casino projects addressed only the air quality implications in the immediate vicinity of the facilities. They did not address the air quality impacts of increased congestion in the City of South Lake Tahoe and on Highway 50 through the existing gaming core that would be expected from the increased vehicular traffic generated by the two new hotel/casino facilities, nor did they address the cumulative impact of the casino core facilities. Given the increasing congestion in the core area and on into the City of South Lake Tahoe which already exists, plus an additional increment of vehicle trips for the Park Tahoe and the expansion of Harvey’s that is even larger than that projected for the two Kingsbury facilities, it is reasonable to conclude that similar impacts may be expected in the core area (Nevada EPS monitoring in the core area has already detected violations of the carbon monoxide standard). (22)

The “typical” hotel/casino facility which could be proposed for the potential South Shore or North Shore casino sites would generate approximately the same number of vehicle trips as either of the two Kingsbury area
hotel/casinos. It is therefore probable that, given similar meteorological conditions, similar air quality impacts would be expected.

**HOUSING IMPACTS**

**Impacts of Approved South Shore Additions**

In considering population impacts stimulated by the potential gaming expansion, one must look beyond the gaming employees themselves. In any developed area increased employment in a basic industry stimulates increases in secondary industries serving the region. These employees, in turn, bring in other family members to add even further to the region’s population. Estimates derived from the TRTS home interview survey indicate that the 7,100 new gaming employees generated by the four hotel/casino additions at South Shore would stimulate an increase in service employment of approximately 4,970 employees. These 12,070 new employees would represent a total of 8,620 new households in the Tahoe Basin, representing a total of 24,140 new residents. For comparison, the estimated total permanent population at South Shore in 1974 was 29,314. [3]

One obvious requirement of 8,640 new households is housing. Based on existing market surpluses at various price levels, TRPA staff estimates that approximately 1,070 of these households would find housing on the current market. This would leave approximately 7,570 households which would require new housing units. Data indicates an existing shortage of approximately 770 units primarily in the low income range. This means a total housing requirement of 8,340 new units would be forced upon the South Shore if the new facilities are built. Of this total, 4,300 would be in the upper income levels (in excess of $15,000/year household income) and could be expected to stimulate demand for single family homes. The remaining 4,300 would require new rental units in the lower price ranges.

Information gathered from the El Dorado and Douglas County Assessor’s roles indicates that there are approximately 13,030 vacant single family residential lots on the California South Shore, and approximately 1,770 such lots on the Nevada South Shore. In addition, there are approximately 2,690 vacant medium and high density residential lots on the California South Shore and 380 such lots on the Nevada South Shore. [23] Theoretically, these vacant single family residential lots would be more than sufficient to meet the projected demand by new households for both owned and rental housing. There are two critical assumptions in that conclusion, however, which may be questionable.

The first assumption is that the vacant parcels can be developed. Two factors raise doubt as to whether sufficient number of vacant parcels can be developed. The first is sewage capacity. According to the consulting firm of the Douglas County Sewer Improvement District a plant capacity of 3.0 million gallons per day (MGD) for the district has been identified. Peak month sewage flows in 1976 were 1.51 MGD. The present gaming facilities accounted for approximately 70% of that flow, approximately 1.06 MGD. [24] Considering the additional hotel rooms and gaming area of the four approved facilities in light of the flows generated by the existing facilities, one arrives at an added flow of 1.37 million gallons per day for the new facilities. This would boost the total peak month flow for the district to 2.88 MGD, leaving only .12 MGD for additional expansion. At the currently accepted sewerage generation factor of 360 gallons per day per residential unit, that would allow for only 500 additional units on the Nevada side of South Shore. The South Tahoe Public Utility District is in the process of evaluating their system capacity in detail. Their current estimate however, is that only 2,900 sewer connections remain beyond the present commitments of the district, [25] giving a total available capacity for the two South Tahoe sewage collection and treatment systems of only approximately 3,230 units; beyond the requirements of the approved hotel/casino facilities. This figure is obviously far short of the 8,600 units that would be required to service the projected increase in households.

A second factor in the question of whether the necessary units can be developed is the policy of the California Tahoe Regional Planning Agency that no new multi-unit residential dwellings will be allowed on the California side of the Tahoe Basin until there is an 85% build-out of existing vacant parcels. Though the policy does allow for development of some multi-unit housing if it is specifically for low income housing or if it is “substantially surrounded” by similar uses, there have been relatively few such applications. If this trend continues, this policy would effectively preclude development of sufficient multi-unit dwellings to meet the need generated by the gaming expansion for a number of years (estimates of the length of time before the 85% level is reached vary from 15 to 30 years and beyond). The question of sewage capacity limitation complicates this even further, since the estimated 2,900 connections available on the California side of the South Shore would obviously be used up by single family dwelling development without ever coming close to an 85% build-out of vacant parcels.

The second questionable assumption implicit in the conclusion that the housing demand could be met is simply that developers would choose to meet it. The trend over the past ten to fifteen years has been to cater to the second home market in Tahoe development, particularly in multi-family development. There have been relatively few apartment proposals generated in the Tahoe Basin since TRPA’s inception. The vast majority of medium and high density projects have been condominiums aimed at the more affluent market from the Bay Area. A recent study by Dillingham Development Company has concluded that the trend toward the single family and second home markets rather than the low-moderate income markets at Tahoe is likely to continue. [26] If the number of potential units is further constrained by sewage capacity, the demand for those units is likely to increase, providing even greater incentive for prospective developers to target for.
the more affluent income levels, where their margin of return can be higher.

The implications of these factors are relatively simple. If the four approved hotel/casino projects are developed, either sewage capacity will have to be substantially increased and government incentives and/or regulations applied to stimulate the development of low and moderate income housing, or the majority of the 8,600 new households will have to find housing in the Carson Valley and Carson City areas. In a related concern the Douglas County School District has recently objected to new subdivision approvals on grounds that its schools are already overcrowded. [27]

**WATER CONSUMPTION IMPACTS**

In 1975 the South Tahoe gaming facilities consumed a total of 282 million gallons of water (approximately 867 acre feet). [24] This reduces to a figure of approximately 2 million gallons per year per 1,000 square feet of gaming area. At that rate, the four new hotel/casino projects at South Shore which have approvals would consume an additional 311 million gallons. A typical new hotel/casino facility would consume 70 million gallons.

In analyzing the water availability question on the Nevada side of Lake Tahoe, it appears that these demand increases could be met with relatively little difficulty. The California-Nevada Water Compact has allocated 11,000 acre feet per year of Tahoe water to the Nevada side of the Tahoe Basin. A 1973 estimate of water consumption on the Nevada side indicated less than 1/2 of that allocation being utilized, approximately 4,660 acre feet. [29] The cumulative impact of the four South Shore approvals would add an additional 960 acre feet, and each "typical" new hotel/casino would add 215 acre feet. Neither would push the total near the Compact allocation.

The one complication in water availability is the question of whether the Compact allocation will hold up under complicate litigation which has involved water users all along the Truckee River Watershed from Lake Tahoe to Pyramid Lake. If the litigation results in a substantial decrease in the amount of water allocated for use in the Tahoe Basin, the impact of the new gaming development would be increased accordingly.

**SUMMARY**

The potential for expansion of the Tahoe gaming industry is at two levels. One is the expansion of South Shore gaming by the addition of four major hotel/casino projects which have already received the approvals necessary to go to construction. The other is the possibility of new hotel/casino projects proposed on land which must allow gaming development under the TRPA Compact.

The four additions to the South Shore gaming industry which have already received approvals would double the gaming floor area, hotel rooms, and employees presently in the South Tahoe gaming area. A total of 12,000 new employees would be generated through the gaming expansion and related service industry expansion, bringing a total addition to the South Shore population of 24,000 persons. The traffic into and out of the gaming area at South Shore would be expected to double, posing a requirement for the traffic lanes on the California side of the gaming area and six lanes on the Nevada side. While sufficient vacant land exists on the South Shore to accommodate the housing demand in the theory, sewage restrictions on both sides of the State line are likely to severely curtail the number of new units which can be developed, forcing a majority of the new employees to find housing outside the Tahoe Basin and increasing the competition for the limited housing stock.

The addition of other new hotel/casinos would have differing impacts depending upon the location. There is a potential for seven new facilities at the South Shore (in addition to the four with approvals), one at the North Shore State line and seven in the Incline Village area. Each additional facility would be expected to add approximately 1/4 of the gaming area currently in operation at the South Shore, with each new facility at South Shore increasing the South Tahoe resident population by approximately 1/4. Each new facility at the North Shore would increase the North Shore resident population by a factor of 1/3 over current levels. Each new facility is expected to generate sufficient vehicle traffic to require two additional traffic lanes.

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    1971.


    March, 1976.


[7] Telephone conversations with the staff of the Regional Planning
    Commission of Reno, Sparks and Washoe County, December, 1976
    and January, 1977.

    and January, 1977.

[9] 1974 Traffic Volumes on California State Highways, California
    Department of Transportation, 1975.


    1975.

[12] Final Report on Air Pollution Evaluation of the Tahoe Palace,
    Sierra Environmental Monitoring and Raymond M. Smith, AIP &

    Environmental Monitoring and Raymond M. Smith, AIP &

[14] Tahoe Regional Transportation Plan, Short Range Element, Tahoe

[15] Telephone conversations with South Tahoe Airport management,
    December, 1976.


[18] Socio-Economic Impact of the California Tahoe Regional Planning
    Agency Regional Plan and Land Use Ordinance, Economic

    Department of Human Resources, 1975.
MEMORANDUM

DATE: January 14, 1980

TO: The TRPA Governing Board

FROM: The Staff

SUBJECT: Proposed High Density Apartment Land Use District (HDA)

Based on comments from the APC and direction from the Governing Board, Agency staff has prepared the attached amendment to the Land Use Ordinance. This amendment creates a new land use district which is designed to reserve certain areas of the Basin for low and moderate income housing. The major premise of this district is that high density apartment complexes will provide this needed housing. Based on this assumption, this new district should preserve the existing housing stock now devoted to such use and also reserve undeveloped lands in appropriate areas for such future uses.

If the land use district is established, staff will initiate public hearings on areas within the Basin that would most appropriately be rezoned HDA. Some of these areas have already been mapped during the 1978 General Plan update process. The criteria for such classification was as follows:

Undeveloped
- Lands of moderate to high capability
- Close proximity to transportation corridors or high use areas

Developed
- Development pattern of 8 - 15 apartment units per acre
- Areas of redevelopment potential
- Close proximity to transportation corridors and high use areas

Although this amendment was not reviewed at the January 9, 1980 APC meeting due to the lack of a quorum, staff is requesting Governing Board comments on the proposed land use district and such revisions that would be necessary to achieve the Board's direction.
LAND USE ORDINANCE AMENDMENTS

Add to Section 3.00 Definitions:

Apartment Dwelling Unit - A group of two or more single family dwelling units which collectively are located within a building or on a parcel of property which is in undivided ownership. These units are primarily designed to be rental units to provide housing for the permanent residents of the Region.

Add a new Section 7.130:

7.130 High Density Apartment

7.131 Specific Purposes:

To provide low and moderate income 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:

(a) Apartment dwelling units up to fifteen (15) dwelling units per acre on lots or parcels of record as of the date of such reclassification;

(b) Multi-person 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;

(d) All residential uses existing as of the date of such reclassification were classified as "low density residential" by the HDA.

(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.
The TRPA Governing Board

The Staff

Status Report on Areas Suitable for High Density Apartment Designation

As part of the analysis on proposed High Density Apartment (HDA) land use districts, Agency staff has performed a site review of areas proposed to be designated in this classification. This analysis was done to determine the extent of development in each area and any effects on these areas resulting from the proposed HDA designation.

Douglas County

In Douglas County, the primary area under consideration for inclusion in the proposed HDA land use district is the High Density Residential area adjacent to Kahle Drive north of Harvey's Inn. This area currently contains a mix of housing types. This mix includes single family dwellings, duplexes, triplices, 4-plexes and intermediate to high density apartment projects. As a result of extensive development in this area, there are only five or six lots existing that do not have some type of development on them.

Due to the mix of housing types, there is a substantial variety of ownership types. Included are owner-occupied, single family residences; renter-occupied single family dwellings; owner-occupied and renter-occupied duplexes; triplices and 4-plexes; and renter-occupied units in intermediate and large apartment complexes.

The major impact from the proposed modification would be to restrict the ability to further subdivide existing rental units through condominium conversion. Due to the small number of vacant lots, this change would do little to encourage further apartment construction. Increasing allowable density would probably do little in this area due to the small square footage area of each lot. Visual survey indicates that a number of the projects, especially the large apartment projects, may be over allowable land coverage and possibly over density. This will substantially affect their ability to request conversion and stay within Agency land coverage and density requirements. The Agency is unable to verify whether current Douglas County building codes to allow conversion would be met.

Washoe County

In Incline Village there are two areas under consideration for inclusion in the proposed HDA land use district. The first area is located within the core area of Incline and includes Robin Drive and Lark Court. Of the 33 existing lots, approximately 24 already
have units. Most of these lots contain either single family dwellings or duplexes. The Agency has approved three condominium conversions in this area. Due to the size of the lots, the highest density achievable is typically 2 units. Washoe County Assessor’s parcel books indicate recordation of condominium maps on 4 parcels. At this time, an applicant can propose a condominium project of 4 or fewer units and it would not be reviewed by the Agency.

The second area under consideration is north of and adjacent to the core area and includes Cottonwood Court, Alder Court and Willow Court. This area contains 35 lots of which 28 lots already have units. These lots vary in size and would be allowed from 2 to 6 units.

The two areas in Incline under investigation have mostly duplex, triplex and 4-plex units. Although most of the existing projects seem to conform to allowable density, there are indications that excess land coverage was created on some of the projects.

The major impact of the proposed modification will be to restrict the ability to further subdivide existing rental units through condominium conversion. Due to the small number of vacant lots remaining, this modification would not result in an incentive for apartment construction. Due to the relatively small size of each lot, a substantial increase to allowable density per acre would be needed to even get one more unit per lot. Assuming a lot over the size of approximately 6,000 square feet (the minimum lot size to qualify for 2 units at 15 units per acre) and a desire to provide an incentive for apartment construction of 1 additional unit per parcel, the effective potential density would be 22 units per acre.
El Dorado County

On the California side, a number of existing trailer courts are included in HDA areas. This classification would affect development proposals should the trailer courts be removed and residential construction proposed. Trailer courts generally can achieve a higher per acre density than residential housing. Removal of trailers and replacement with housing units would reduce the density over that currently existing. A large number of the trailers currently existing are available for rental. The rental rate is generally less than that for a residential unit. The HDA classification would not affect the existing units but would affect proposals should the units be removed.

The first area under consideration is the trailer court located south of Lake Tahoe Boulevard. Across the street is an existing apartment complex. Agency staff proposes this area in HDA to retain this complex. Two existing apartment complexes across the street from the U.S. Forest Service offices on Tata Lane are also proposed for inclusion in an HDA classification, again to retain these units as apartments.

The second area includes the area south of Highway 50 from South Avenue to Second Street. This area has approximately 70 lots. Existing development includes a mix of apartments, trailer courts, duplexes, 4-plexes, single family residences, professional offices, and a hospital. There are 17 unimproved lots in the area. The lots range in size from 8,500 square feet to 50,000 square feet and could contain from 3 to 17 units. Affected in this area would be conversions of existing units and construction of new units. Also possibly affected would be the construction of professional office buildings unless specifically allowed.

The third area would be the area north of Highway 50 behind the Pillsbury Office Building adjacent to Keys Boulevard. This area has 18 existing lots, 5 of which are developed. Development includes small apartment complexes and a florist shop. Lots range in size from 10,000 to 40,000 square feet.

The fourth area runs along both sides of Sierra Boulevard, one block east and west from Highway 50 to Barbara. This area contains a mix of housing from older cabins to new single family dwellings and apartments. Most of the lots are relatively small averaging about 5,000 square feet. The maximum allowable density on most lots would be 2 units under the current HDR classification. The primary effect would be whether potential duplex units could be apartments or condominiums. New construction in this area has been limited to single family dwellings. This area is near essential services and is served by the City of South Lake Tahoe bus system. Of the 170 existing lots, approximately 140 are currently developed.

The fifth area is north of Highway 50, 1/2 mile east of Sierra Boulevard. This area is currently a mix of single family dwellings and duplex and 4-plex apartments. There are approximately 86 subdivided lots of which 55 have already been developed. The major impacts would be on the retention of existing units and the construction of units on the remaining small parcels. Most of the remaining parcels are approximately 5,000 square feet in size and would be allowed 2 units.
Memo to the TRPA Governing Board
HDA Designation Areas
Page Three 1/16/80

The sixth area is located west of Ski Run Boulevard and runs from Osgood Avenue to Pioneer Trail. The area currently contains a mix of single family dwellings, duplexes and triplexes. Of the 145 existing lots, approximately 105 are already developed. Of the remaining lots, most average approximately 5,000 square feet and could be allowed up to 2 units at an allowable density of 15 units per acre. Some of the lots are up to 15,000 square feet in size and would be allowed up to 5 units. Again, the major impact would be on the construction of 2 unit apartment projects or condominiums.

The seventh area includes all the property bordered by Highway 50, Ski Run Boulevard, the proposed highway right-of-way and the Tourist Commercial land use district adjacent to Highway 50 and Pioneer Trail. This area contains a mix of older cabins, new single family residences, duplexes, 4-plexes and some intermediate size apartment complexes. Of the 631 existing lots, approximately 190 lots are vacant. Most of the existing lots are approximately 5,000 square feet in size and would be allowed up to 2 units. However, as a result of past resubdivision, some vacant lots are around 3,000 square feet and would only be allowed 1 unit.

The eighth area is located southeast of Pioneer Trail and involves an area bordered by Pioneer Trail, Glen Avenue, Montreal, and the Crescent V shopping center. This area contains a mix of single family dwellings, duplexes, 4-plexes, and small apartment complexes. There are approximately 155 subdivided lots, 54 of which are vacant. Most of the lots are 5,000 square feet in size and would be allowed up to 2 units.

To summarize this analysis, there are approximately 375 vacant lots proposed for inclusion in the HDA land use classification. These lots would immediately be affected by this proposal. Most of these lots are roughly 5,000 square feet in size and would be allowed up to 2 units. There is a remaining supply of larger vacant lots, some of which could qualify for up to 15 or more units. However, in some areas further subdividing has reduced lot sizes so that only 1 unit could be constructed. In some areas, HDA is proposed to retain existing apartment units and to preclude condominium conversion. Also some trailer parks are included where removal of the trailer park could result in residential construction.

Placer County

Only one area in Placer County has been identified for inclusion in the HDA classification. This area is in Brockway and is located north of Highway 28 and east of Highway 267. This is one of the oldest neighborhoods in the Basin. The area contains a mix of housing from older cabins to single family residences, duplexes, 4-plexes, and small and intermediate apartment complexes. Of the 383 subdivided lots in this area, 128 vacant lots exist. A large number of the lots average approximately 6,000 square feet. However some lots have been further subdivided and are smaller than 6,000 square feet in size. Some of these lots would only be eligible for a single unit. Within this area, approximately 60% of the improved lots have single family residences. The remaining 40% of the lots have varying densities of multiple residential development.
MEMORANDUM

DATE: January 14, 1980

TO: The TRPA Governing Board

FROM: The Staff

SUBJECT: Land Use Ordinance Amendments for Timesharing, Interval Ownership Developments

On December 12, Mr. Rusty Nash, Deputy District Attorney for Washoe County, requested an Agency determination on the status of the timesharing, interval ownership condominium in light of the recent adoption of a county ordinance which limits these projects to commercial zones. His questions as presented to the Board were:

1. What kind of density is allowable under the TRPA Land Use Ordinance?
2. What are the parking requirements for such projects?
3. What is the permitted land coverage in the Tourist Commercial land use district?

Although the TRPA Land Use Ordinance has no definition of timesharing units, the Washoe County ordinance defines them as "the actual accommodations and related facilities which are the subject of the vacation timesharing lease plan or a vacation timesharing ownership plan". Generally speaking, these units have the physical appearance of a single family dwelling condominium unit, but the length of stay of the inhabitants is a week to two weeks.

In a previous action by the Agency (approval of Club Tahoe), the timesharing condominiums were considered residential in use; thus, the project was required to reclassify its property to High Density Residential, and the project was limited to 15 units per acre. It would appear this action directly conflicts with the Washoe County actions which limit these projects to commercial zones.

To answer Mr. Nash's questions, one must determine if timesharing units are one of the following (as described in the Land Use Ordinance):

1. Single Family Dwelling Units - One room or group of two or more rooms, other than in a mobile home, containing one or more bedrooms, with not more than one kitchen, designed to be occupied permanently as an independent housekeeping unit by one family or one collective household with facilities for living, cooking, sleeping and eating; or
2. **Transient Dwelling Units** - One bedroom or a group of two or more rooms containing no more than one bedroom, and designed to be rented primarily by the day or week and to be occupied temporarily by one or more individuals whose permanent residence is elsewhere. Hotels and motels normally contain transient dwelling units. (The TRPA Land Use Ordinance limits the number of units with kitchens to a maximum of 10% of the total units.)

It appears that the physical structure of timesharing developments most closely resembles a single family dwelling condominium development, but the actual use pattern most closely fits that described for transient dwelling units. TRPA has no parking standards for single family or transient dwelling units.

Based on the above analysis, the Governing Board found, as permitted under Section 7.82, that timesharing condominium developments are "appropriate and similar in nature" to the uses permitted in the Tourist Commercial land use district. Within this district classification, the Governing Board found that the physical structures were most similar to those described as single family dwellings; thus, the density permitted would be 15 units per acre and the permitted land coverage would not exceed that permitted for residential uses.

The Governing Board also directed staff to prepare a Land Use Ordinance amendment to establish these findings in ordinance form and to analyze the impacts of this proposed ordinance on existing timesharing developments.

**Existing Timesharing Projects**

Agency staff is aware of only three timesharing projects in the Tahoe Basin and those are located in Incline Village. These projects are:

- **Club Tahoe** - This 93 unit project is classified High Density Residential and was approved by TRPA in 1978 as a timesharing project. It is legal counsel’s initial opinion that this project would be vested as a timesharing project but any additional phases would require Tourist Commercial zoning and TRPA review if the ordinance is adopted.

- **Tahoe Chaparral (Bitterbrush)** - This 250 unit project is a pre-1972 TRPA approved project with "grandfathered" rights to construct what was approved at that time. Soon after the approval, Phase One (26 units) was constructed as condominium units as originally approved. Since that time, the concept of the project has been changed to timesharing and Phase Two (21 units) has commenced construction. Legal counsel’s initial opinion is that the vested right exists only for a condominium project and that with the adoption of the new ordinance the timesharing portion of this project would be nonconforming and any future construction
of such units would require Tourist Commercial zoning and TRPA review.

All Seasons (Woodstock) – This 98 unit project was approved by the TRPA in 1972 as a condominium project. Since that time, the project has been converted to a timesharing project which is now completed and sold out. It is legal counsel's initial opinion that these timesharing units would be nonconforming under the proposed amendments.

Although this amendment was not reviewed at the January 9, 1980 APC meeting due to the lack of a quorum, staff is requesting Governing Board comments and such revisions as would be necessary to achieve the Governing Board's direction.
LAND USE ORDINANCE AMENDMENTS

Add to Section 3.00 the following definition:

**Timesharing Units** - Single family dwelling units which are the subject of a vacation timesharing lease plan or a vacation timesharing ownership plan.

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) Timesharing 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.

7.83 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.
MEMORANDUM

DATE: January 14, 1980

TO: The TRPA Governing Board

FROM: The Staff

SUBJECT: Amendments to the Subdivision Ordinance for Condominium Conversions

Based on the comments from the APC and the direction of the Governing Board, the staff has drafted these attached amendments to the Subdivision Ordinance. The intent is to include condominium conversions into the ordinance and to indicate that they will be reviewed with the same standards as all other subdivisions. Staff has also included an amendment that requires the Agency to make findings of compliance with Agency ordinances and plans along with the standard health, safety, etc. findings that are now required of administrative permits.

Although these amendments were not reviewed at the January 9, 1980 APC meeting due to the lack of a quorum and have been rescheduled for the February agenda, staff requests the Governing Board's comments on the attached amendments and such revisions that would be necessary to achieve the Board's direction.

Attachments
SUBDIVISION ORDINANCE AMENDMENTS

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 two (2) 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.
TO: The TRPA Governing Board

FROM: The Staff

SUBJECT: Status Report on Harvey's Inn

DATE: January 16, 1980

At the direction of the Governing Board, a meeting was held on January 16 in Board member Ken Kjer's office. The purpose of this meeting was to discuss alternative solutions to the proposed litigation which the Governing Board directed legal counsel to prepare at the November 2, 1979 Board meeting. The meeting was attended by TRPA staff and legal counsel, Harvey's representatives and Board members Ken Kjer and Norm Woods. At the meeting Harvey's representatives presented the following "compromise" as an alternative which their organization would find agreeable.

It is proposed that Harvey's retain all the impervious surface now existing with the improvements as indicated on the Douglas County approved plans with the consideration that Harvey's will deed four lots across Laura Drive to Douglas County for a park. See Attachment A.

Analysis

Staff has attached the November 21, 1979 memo which relates the history of this project and analyzes the litigation alternative and the alternative which would return the site to 67% land coverage.

The major benefits to this proposal are that litigation and its costs would be avoided and four vacant lots with a development potential of 8 units and 12,000 square feet of land coverage will become a County park. Important in considering these benefits are the following concerns:

Drainage - The Kingsbury area has numerous drainage problems which were recently illustrated during the heavy rains. A key factor in these drainage problems is the amount of impervious surface in the drainage area. The land capability system indicates that the maximum land coverage in the area should be 30%, but TRPA ordinance overrides set the land coverage at 50%. Harvey's proposal to establish the land coverage at 77.5% with little retention capability exceeds any land
use ordinance limitation and does not meet the recommendation of the 208 Plan. This new proposal will have the following impacts on land coverage:

**TRPA Approved Coverage**

<table>
<thead>
<tr>
<th>Description</th>
<th>Coverage (sq. ft.)</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Impervious Surface</td>
<td>186,736</td>
<td>67%</td>
</tr>
<tr>
<td>Total Site</td>
<td>279,759</td>
<td></td>
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</tbody>
</table>

**Current Status (With New Paving)**

<table>
<thead>
<tr>
<th>Description</th>
<th>Coverage (sq. ft.)</th>
<th>Percentage</th>
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</thead>
<tbody>
<tr>
<td>Impervious Surface</td>
<td>235,500</td>
<td>84%</td>
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<tr>
<td>Total Site</td>
<td>279,759</td>
<td></td>
</tr>
</tbody>
</table>

**Harvey's Jan. 16 Compromise**

<table>
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<tr>
<th>Description</th>
<th>Coverage (sq. ft.)</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Impervious Surface</td>
<td>235,500</td>
<td>77.5%</td>
</tr>
<tr>
<td>Total Site</td>
<td>279,759 (6.4 ac.)</td>
<td></td>
</tr>
</tbody>
</table>

Enforcement - Staff questions whether or not this solution would indicate to the public that the Agency still has the ability to pursue legal enforcement of its ordinances.
TAHOE REGIONAL PLANNING AGENCY

MEMORANDUM

DATE: November 21, 1979

TO: The TRPA Governing Board

FROM: The Staff

SUBJECT: Status Report on Harvey's Inn

As requested by the Governing Board on November 2, 1979, Ken Kjer arranged a meeting at his office with Agency staff and the Harvey's Inn representatives. The purpose of this November 13 meeting was to discuss the Agency's position and Harvey's position regarding the paving of an area on the north side of the property which took place in September, 1979, and to determine if there were any mutually agreeable solutions to the problem, other than litigation.

Harvey's Inn representatives indicated that it was their position that the project was approved in September of 1976 when the TRPA Governing Body failed to take an action on a variance request. It was also their contention that the project as constructed was in conformance with the plans submitted to the Agency in September of 1976. As a possible compromise, it was indicated that Harvey's might consider removing existing coverage and adding a sufficient number of additional vacant lots to the west of Laura Drive to bring the total land coverage back to 67%. Staff agreed to review this alternative and to submit it to the Governing Board for consideration.

Background

In order to gain a perspective on the Harvey's Inn project, staff has prepared the following chronology of events as documented from TRPA files. Included with this chronology are relevant land coverage figures associated with the project.

Pre 1972

Harvey's organization purchased a small commercial establishment known as Caesar's Inn Casino which was generally located on Parcel #2 (see attached site plan).

April 26, 1972

The TRPA Governing Board approved an expansion plan for Parcels #1 and #2. This included:

-100 car parking lot with the area paved in September, 1979 designated as open space

-150 seat restaurant

- a new covered entry

The approved land coverage was:

- Parcel #1 - 44%
- Parcel #2 - 89% (grandfathered coverage)
Alternative II - Initiate litigation so that the courts can determine whether or not the September, 1976 action by the Governing Board authorized a variance to increase the nonconforming land coverage from 67% to 83%.

Staff Comment - This alternative would resolve a major unanswered question in regards to the "60 day rule" of the Compact and would also indicate to the public that the Agency still has the ability to pursue legal enforcement of its ordinances. The other consideration is that this alternative could be costly and time-consuming without any guaranteed results. As a point of information, Agency legal counsel has prepared the necessary paper work to initiate legal action as per the 1977 direction of the Governing Board.
April, 1977 - Aug. 1979

Negotiations between staff and Harvey's representatives on parking structure.

Sept. 27, 1979

Douglas County issued permit #353 to grade and pave a parking area and to install a storm drain system. The plans submitted to the Agency on November 14 indicate a net increase in land coverage of 48,764 sq. ft. A site inspection revealed that the drainage system was not installed and areas identified as open space were paved. Harvey's representative indicated this would be corrected in the spring.

Nov. 2, 1979

The TRPA Governing Body directed legal counsel and staff to prepare legal action. Board member Ken Kjer and Harvey's representatives to meet and discuss any possible solutions.

Nov. 20, 1979

Staff review of approved plans and plans submitted from Douglas County indicate the following land coverages:

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Total Area</th>
<th>Impervious Surface</th>
<th>Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>104,852 sq. ft.</td>
<td>52,607 sq. ft.</td>
<td>50%</td>
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<tr>
<td>2</td>
<td>100,767</td>
<td>96,033</td>
<td>95</td>
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<td>3</td>
<td>60,020</td>
<td>25,872</td>
<td>43</td>
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<tr>
<td>4</td>
<td>14,120</td>
<td>12,224</td>
<td>87</td>
</tr>
<tr>
<td>Total:</td>
<td>279,759 sq. ft.</td>
<td>186,736 sq. ft.</td>
<td>67%</td>
</tr>
</tbody>
</table>

September 27 additional coverage on Parcels #1 and #3 48,764

Total: 235,500 sq. ft. 84%

Staff calculations for returning the total site back to 67% are as follows:

Present condition: \[
\frac{235,500 \text{ sq. ft. coverage}}{279,759 \text{ sq. ft. site}} = 84\%
\]
Staff estimate of lands owned by Harvey's available for addition to the site:

<table>
<thead>
<tr>
<th>Description</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 HDR lots</td>
<td>36,000 sq. ft.</td>
</tr>
<tr>
<td>1 TC parcel</td>
<td>10,000</td>
</tr>
</tbody>
</table>

Add open space: $\frac{235,500 \text{ sq. ft. coverage}}{46,000 + 279,759 \text{ sq. ft.}} = 72\%$

Reduce coverage: $\frac{235,500 - 17,242 \text{ sq. ft.}}{325,759 \text{ sq. ft. site}} = 67\%$

Possible Solutions

One solution is to continue to search for a "compromise" that will be acceptable to Harvey's while, hopefully, falling within the Agency's guidelines related to nonconforming coverage. A second alternative would be to pursue litigation concerning the September, 1976 Board action so as to ultimately reduce the nonconforming land coverage from 83% to 67%. Another alternative would be to attempt to reduce coverage on the site to the maximum 50% figure allowed based on zoning. Probably there are other alternatives which could be considered; however, based on practicality, the first two appear to be the most fruitful for the Governing Board to consider. It should be recognized that while the Board can authorize implementation of the second alternative the actualization of the first alternative will require a commitment to abide by the "compromise", something that Harvey's representatives at the November 13 meeting said would depend upon a future decision by Mr. Gross.

Below is an analysis of the two solutions before the Board for consideration. Staff will be prepared to discuss these alternatives and to implement whatever action the Board desires to take.

**Alternative I** - Reach a "compromise" with Harvey's to add more area to the project and remove impervious surfaces so that the overall coverage for the project area would be reduced to 67%.

**Staff Comment** - This alternative would provide a more immediate solution to the problems of parking, drainage, erosion, etc. on the site with less cost to the Agency. Agency staff is concerned with the precedent and the legal questions of compliance with the Land Use Ordinance. All of the other establishments in the Stateline area complied with the provisions of the Land Use Ordinance in obtaining their approvals, which would not be the case for Harvey's Inn. The ordinance does not permit additional land coverage without a net reduction in land coverage toward conformance. There is an additional question of nonconforming zoning and noncontiguous property involved in this proposal. It is also important to note that staff is still trying to achieve compliance with a 1974 "agreement" with Harvey's Resort Hotel for removal of coverage on that site.
Alternative II - Initiate litigation so that the courts can determine whether or not the September, 1976 action by the Governing Board authorized a variance to increase the nonconforming land coverage from 67% to 83%.

Staff Comment - This alternative would resolve a major unanswered question in regards to the "60 day rule" of the Compact and would also indicate to the public that the Agency still has the ability to pursue legal enforcement of its ordinances. The other consideration is that this alternative could be costly and time-consuming without any guaranteed results. As a point of information, Agency legal counsel has prepared the necessary paper work to initiate legal action as per the 1977 direction of the Governing Board.
October 5, 1976

Peter Laxalt, Esq.
Laxalt, Berry & Allison
402 North Division
Carson City, Nevada 89701

Re: Harvey's Inn—Status of Application for Land Coverage Variance

Dear Mr. Laxalt:

At the request of Richard Heikka, Executive Officer of the Tahoe Regional Planning Agency (TRPA), I am writing to advise you, as counsel for Harvey's Inn, of the status of the above-referenced matter. A review of the circumstances indicates that Harvey's Inn obtained Douglas County's approval of a land coverage variance purporting to permit paving for parking lot purposes of a certain area upon the Inn's premises. (The variance, as you know, failed to receive dual majority action by TRPA at the latter's regular meeting, held September 22, 1976.) We find, moreover, that the relevant area was expressly required by TRPA to be landscaped open space pursuant to a condition upon the Agency's original approval of Harvey's Inn.

Harvey's Inn is respectfully advised that in order for it to pave the pertinent area, or otherwise utilize it contrary to such condition of Inn approval, an express modification of the condition must be obtained from the Agency. Such modification, of course, must result from dual majority action by TRPA, not statutory affirmation of the act of a separate entity, such as Douglas County.

Accordingly, absent such modification, should Harvey's Inn choose to commence paving of the relevant area, or perform any other action preliminary thereto, it does so at its own risk, with knowledge of the foregoing, and subject to the distinct possibility that any paving actually installed will be required to be removed.

If you have any questions or comments regarding the foregoing please do not hesitate to contact me.

Very truly yours,

CARY A. OWEN

cc: Richard M. Heikka

GAO: unm
TAHOE REGIONAL PLANNING AGENCY
ORDINANCE NO. 80-

AN ORDINANCE AMENDING ORDINANCE NO. 4, THE LAND USE ORDINANCE, OF THE TAHOE REGIONAL PLANNING AGENCY, AS AMENDED, TO CLARIFY THE TERMINOLOGY UTILIZED IN ADOPTING CONCEPTUAL DEVELOPMENT PLANS UNDER SECTION 7.110; AND PROVIDING OTHER MATTERS PROPERLY RELATED 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 this ordinance is necessary to properly effectuate the Agency's Regional Plan and that it is in accordance with the provisions and purposes of the Tahoe Regional Planning Compact. The Governing Body further finds that clarification is necessary in order to properly define the level of detail required for a conceptual plan submitted to the Agency for approval under Section 7.110 of the Land Use Ordinance.

Section 2.00 Amended Section 7.110

Section 7.110 of Ordinance No. 4, as amended, is hereby amended to read as follows:

"7.110 Conservation Reserve District

7.111 Specific Purposes:

To identify those lands susceptible to future development specifically planned conceptually planned, considered and implemented in accordance with the procedure set forth in Section 7.113.

7.112 Permitted Uses:

(1) All those permitted in the General Forest District; and

(2) Uses permitted pursuant to compliance with the procedure set forth in Section 7.113.

7.113 Procedure:

(1) The applicant shall prepare and submit to the Agency a specific plan conceptual plan of the proposed development. Such plan shall include:

(a) A preliminary site plan of the proposed development;
(b) A proposed enabling amendment to the Regional Plan to obtain an existing land use district, or districts, to accommodate the proposed development, as well as a demonstration that such development will comply with such use district(s) and the applicable land capability regulations; and

(c) An assessment of the impact of the proposed development upon the Region, particularly with respect to population density, transportation, flood control, forest and wildlife conservation, water quality control, environmental protection, community design, education and recreational facilities, fire protection, and commercial services, as well as an assessment of special off-site implications of the development such as those bearing upon the availability of water, power and sewage treatment.

(2) The conceptual plan shall be processed by the Agency in the manner provided for an amendment to the Regional Plan.

(3) If the conceptual plan, including the necessary amendment to the Regional Plan, is approved by the Governing Body, the applicant shall obtain an administrative permit as required pursuant to Sections 4.10(2) and 4.32 to 4.34, inclusive, in order to proceed with construction of the development. Such administrative permit shall be granted if the development: (1) complies with applicable ordinances of the Agency and those, if any, of the permit-issuing authority imposing stricter standards; and (b) substantially conforms with the conceptual plan. In processing applications for the necessary administrative permit, the permit-issuing authority and the Agency, to the extent the information is substantially identical, shall use the information provided in the conceptual plan in lieu of that otherwise required for the permit, approval or other action sought.

(4) If the applicant fails to obtain the necessary administrative permit required for construction of the complete development, or any approved phase thereof, within two years after the date of the ordinance adopting the enabling Regional Plan amendment, the Agency, subsequent to a public hearing, shall reclassify the property involved to "Conservation Reserve District" unless good cause is shown why such action shall not be taken.

7.114 Limitations on Land Coverage:

No person shall create land coverages in excess of the limits set forth in Section 6.20."
Section 3.00 Effective Date

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

FIRST READING: November 28, 1979

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 89 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 89 to accomplish a change in the applicable land use district which paragraph shall read as follows:

"89. Property known as Edgeking Venture, comprising 78.9 acres, more or less, and further described as the west 1/2 of the northwest 1/4 of Section 30, T13N, R19E, MDB&M, Douglas County, Nevada, excepting therefrom the following described parcel:

Beginning at a point where the north line of said Section 30 intersects the westerly line of Lot 13, Block 8 of Kingsbury Estates Unit No. 2 as shown on the official map thereof contained within the records of Douglas County, Nevada; said point being located at a distance of 1177.69 feet on a bearing of South 89 degrees 59 minutes 10 seconds East from the northwest corner of said Section 30; thence continuing along the north line of Section 30 South 89 degrees 59 minutes 10 seconds East a distance of 142 + feet to the northeast corner of the northwest 1/4 of the northwest 1/4 of said Section 30; thence southerly along the east line of the northwest 1/4 of the northwest 1/4 of said Section 30 a distance of 405 + feet to a point on the south line of Lot 11, Block 8 of Kingsbury Estates Unit No. 2; thence South 72 degrees 02 minutes 00 seconds West along the south line of Lot 11 a distance of 72 + feet; thence North 10 degrees 33 minutes 00 seconds West along the west line of lots 11 and 12, Block 8 of Kingsbury Estates Unit No. 2 a distance of 328.00 feet; thence North 03 degrees 21 minutes 00 seconds West along the west line of Lot 13, Block 8 of Kingsbury Estates Unit No. 2 a distance of 107.85 feet to the Point of Beginning. The above-described parcel consists of portions of Lots 11, 12, and 13, Block 8 of Kingsbury Estates No. 2 and contains 1.1 + acres.

This 78.9 + acre property is reclassified from Conservation Reserve to General Forest with the exception of the following described property consisting of 6.5 + acres which is reclassified from Conservation Reserve to Rural Estates:
Beginning at a point on the west line of Section 30, T13N, R19E, said point being 565.00 feet south of the northwest corner of Section 30; thence easterly in a line perpendicular to the west line of Section 30, a distance of 290.00 feet; thence southerly on a line parallel to the west line of Section 30, a distance of 760.00 feet; thence southwesterly a distance of 325.00 feet more or less to a point which is 140.00 feet east of the west line of Section 30; thence westerly on a line perpendicular to the west line of Section 30, a distance of 140.00 feet to a point on the west line of Section 30; thence northerly along the west line of Section 30, a distance of 1,050.00 feet to the Point of Beginning.

The development of this property shall be in substantial conformance with the specific plan approved by the Governing Body on November 2, 1979. Said plan consists of five sheets prepared by Sharp, Krater & Associates, dated September 29, 1979, received by the Tahoe Regional Planning Agency on October 2, 1979, and entitled "Edgeking Subdivision, Douglas County, Preliminary Plan", and the report dated September 29, 1979, prepared by Sharp, Krater and Associates, received by the Tahoe Regional Planning Agency on October 2, 1979, entitled "Edgeking Subdivision, Environmental Information Report and Environmental Impact Statement". If the applicant fails to obtain the necessary administrative permit required for construction of the complete development, or any approved phase thereof, within two (2) years of the effective date of this ordinance, the Agency, subsequent to a public hearing, shall reclassify the property involved to Conservation Reserve District unless good cause is shown why such action shall not be taken.

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: November 28, 1979

SECOND READING:

PASSED and ADOPTED by the Governing Body of the Tahoe Regional Planning Agency at its regular meeting held , 1980 by the following vote:

Ayes:

Nays:

Abstain:

Absent:
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 90 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 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 90 to accomplish a change in the applicable land use district which paragraph shall read as follows:

"90. All that certain lot, piece or parcel of land situate in the County of Douglas, State of Nevada, described as follows: a parcel of land in the southwest 1/4 of the southwest 1/4 of Section 24, T13N, R18E, MDB&M; said parcel of land further described as follows: Beginning at a point on the Kingsbury Road southerly right of way line, said point bears North 34 degrees 57 minutes 11 seconds East a distance of 858.47 feet from the southwest corner of Section 24, T13N, R18E, MDB&M; thence along the highway right of way line from a tangent which bears South 73 degrees 30 minutes 07 seconds East curving to the left with a radius of 290 feet through an angle of 32 degrees 56 minutes 12 seconds for an arc distance of 166.71 feet to a point; thence South 0 degrees 07 minutes East a distance of 302.78 feet to a point; thence South 89 degrees 54 minutes West a distance of 104.42 feet to a point; thence North 0 degrees 07 minutes West a distance of 302.78 feet to the point of beginning. Said parcel is classified Medium Density Residential."

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:  November 28, 1979

SECOND READING:

PASSED and ADOPTED by the Governing Body of the Tahoe Regional Planning Agency at its regular meeting held , 1980 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 91 AND 92 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 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 paragraphs 91 and 92 to accomplish changes in the applicable land use districts, which paragraphs shall read as follows:

"91. All that certain lot, piece or parcel of land situate in the County of Douglas, State of Nevada and being all that portion of the East 1/2 of the West 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 24, T13N, R18E, MDB&M, that lies northerly of the centerline of the present Kingsbury Road, and more particularly described as follows: Commencing at the southwest corner of Section 24, T13N, R18E, MDB&M, thence North 0 degrees 07 minutes West along the centerline of the Kingsbury Road a distance of 225 feet; thence North 15 degrees 08 minutes 08 seconds East along said centerline a distance of 284.89 feet to a point; thence North 10 degrees 45 minutes East along said centerline a distance of 403 feet to a point; thence North 82 degrees 34 minutes East along said centerline a distance of 14.50 feet to the True Point of Beginning; thence North 0 degrees 06 minutes 13 seconds West a distance of 412.64 feet to a point on the north boundary of the Southwest 1/4 of the Southwest 1/4 of Section 24, T13N, R18E, MDB&M; thence South 89 degrees 55 minutes 13 seconds East along said north boundary a distance of 165.41 feet to a point; thence South 0 degrees 05 minutes 25 seconds East a distance of 426.00 feet to a point on the centerline of Kingsbury Road; thence North 67 degrees 33 minutes West along said centerline a distance of 70 feet to a point; thence South 82 degrees 34 minutes West along said centerline a distance of 101.50 feet to the point of beginning. Said described property is classified Medium Density Residential."
92. All that certain lot, piece or parcel of land situate in the County of Douglas, State of Nevada, described as follows:

A portion of the Southwest 1/4 of the Southwest 1/4 of Section 24, T13N, R18E, MDB&M, described as follows:

Parcel 2: Commencing at the section corner common to Sections 23, 24, 25 and 26, T13N, R18E, MDB&M; thence along the south line of said Section 24, North 89 degrees 54 minutes East 657.68 feet to the southeast corner of parcel conveyed by Clyde Barber and Lucille Barber by deed recorded February 18, 1959, in Book B-1 of Deeds, Page 77, Douglas County, Nevada records; thence continuing along the south line of said section North 89 degrees 54 minutes West a distance of 164.42 feet; thence North 0 degrees 07 minutes West a distance of 530.92 feet, more or less, to the southwest corner of the parcel conveyed by Mary Hansen to Richard Eugene Hemperly and Jean Hemperly; thence along the south line of said parcel North 89 degrees 57 minutes West a distance of 329.68 feet to the True Point of Beginning; thence North 0 degrees 07 minutes West a distance of 171.5 feet, thence North 89 degrees 57 minutes East a distance of 164.84 feet to a point on the east line of the Southwest 1/4 of the Southwest 1/4 of Section 24, thence along the east line of the Southwest 1/4 of said Section 24 South 0 degrees 00 minutes 19 seconds West a distance of 171.5 feet, thence South 89 degrees 57 minutes West a distance of 164.84 feet more or less to the True Point of Beginning.

Parcel 1: Commencing at the section corner common to Sections 23, 24, 25 and 26, T13N, R18E, MDB&M; thence along the south line of said Section 24, north 89 degrees 54 minutes East 657.68 feet to the southeast corner of parcel conveyed by Clyde Barber and Lucille Barber by deed recorded February 18, 1959, in Book B-1 of Deeds, Page 77, Douglas County, Nevada records; thence continuing along the south line of said section North 89 degrees 54 minutes West a distance of 164.42 feet; thence North 0 degrees 07 minutes West a distance of 530.92 feet, more or less, to the southwest corner of the parcel conveyed by Mary Hansen to Richard Eugene Hemperly and Jean Hemperly; thence along the south line of said parcel North 89 degrees 57 minutes West a distance of 329.68 feet to the True Point of Beginning; thence North 0 degrees 07 minutes West a distance of 238.5 feet, more or less, to a point on the South boundary of the Kingsbury Grade right-of-way; thence North 67 degrees 48 minutes 19 seconds East, along the south right-of-way, a distance of 179.11 feet, more or less, to a point on the east line of the Southwest 1/4 of said Section 24, South 0 degrees 00 minutes 19 seconds West a distance of 288.5 feet; thence South 89 degrees 57 minutes West a distance of 164.84 feet to the True Point of Beginning.

The above-described Parcel 2, consisting of approximately .62 acres, remains General Forest; the above-described Parcel 1, consisting of approximately 1.00 acre, is reclassified Tourism Commercial with the limitation on land coverage to be thirty-five (35) percent for a residential use and to be 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 PARAGRAPH 93 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 93 to accomplish a change in the applicable land use district, which paragraph shall read as follows:

"93. All that real property situate in the Southwest 1/4 of the Southwest 1/4 of Section 24, T13N, R18E, MDB&M, Douglas County, Nevada, described as follows: Commencing at the section corner common to Sections 23, 24, 25 and 26, T13N, R18E, MDB&M; thence along the south line of said Section 24, North 89 degrees 54 minutes East, a distance of 657.68 feet to the southeast corner of the parcel conveyed to Clyde Barber and Lucille Barber, by deed recorded in Book E-1 of Deeds, at Page 77, Douglas County, Nevada; thence continuing along the south line of said Section 24, North 89 degrees 54 minutes East, a distance of 164.42 feet; thence North 0 degrees 07 minutes West, a distance of 428.42 feet to the Point of Beginning; thence continuing North 0 degrees 07 minutes West 365.09 feet to a point on the southerly right-of-way of Kingsbury Grade; thence along said southerly right-of-way North 60 degrees 01 minutes 00 seconds East 153.77 feet to the beginning of a tangent curve concave to the southeast with a radius of 960.00 feet and a central angle of 12 degrees 46 minutes 00 seconds; thence along said curve on an arc length of 213.91 feet; thence North 72 degrees 47 minutes 00 seconds East 0.57 feet; thence leaving said southerly right-of-way South 00 degrees 07 minutes 00 seconds East 424.79 feet; thence South 89 degrees 57 minutes 00 seconds West 81.68 feet; thence South 00 degrees 07 minutes 00 seconds East 102.50 feet; thence South 89 degrees 57 minutes 00 seconds West 248.00 feet to the Point of Beginning. Said described property contains 3.25 acres, more or less, and is reclassified to Tourist Commercial. The coverage of said described property shall be limited to 35 percent for residential uses. The placement of all said coverage shall be limited to areas with slopes of less than 15%, except for land coverage necessary for access routes to a project site. Coverage for all other uses shall be as set forth 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:

__________________________
Chairman
DATE: January 11, 1980

TO: The TRPA Governing Board

FROM: The Staff

SUBJECT: Selection of Lay Members to the APC

Article III, subsection (h) of the bistate compact calls for the appointment of four lay members to the Advisory Planning Commission and requires that these lay members be residents of the Tahoe Region. In the past, it has been up to the four county representatives (with the City of South Lake Tahoe and El Dorado County alternating) to select a resident of each county to sit on the APC. The term of these members has traditionally coincided with the two year term of the Board chairman which will be ending with the February meeting.

In order that the new lay members can start sitting on the APC this March, staff requests that Bennie Ferrari, Ken Kjer, Jim Henry and Norm Woods each select a citizen from their jurisdiction who would be interested in participating in Agency activities. The APC meets the second Wednesday of each month and the meetings can go from two to six hours. Due to the limited staff, the function of the APC is becoming increasingly more important as a planning and recommending body, and it is requested that those who are selected be advised that attendance at these meetings is very important since formal action cannot be taken unless a quorum (10 members) is present. Board confirmation of these appointments will be scheduled for the February agenda.

The current lay members, who have each served two or more 2-year terms, are as follows:

- Neil Eskind, Placer County
- Stan Hansen, El Dorado County
- Jim Koch, Douglas County
- Maurice Bidart, Washoe County

Attendance charts to be sent to each G.B. member.