TRPA
GOVERNING BOARD
PACKETS

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

NOTICE IS HEREBY GIVEN that on November 19, 1980 at
9:30 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: November 7, 1980

By: Philip A. Overeynder
Executive Director
Tahoe Regional Planning Agency
TAHOE REGIONAL PLANNING AGENCY
GOVERNING BODY

TRPA Office, 2155 South Avenue
South Lake Tahoe, California

November 19, 1980

9:30 a.m.

PRELIMINARY AGENDA

I CALL TO ORDER AND DETERMINATION OF QUORUM

II APPROVAL OF AGENDA

III DISPOSITION OF MINUTES
- REPORT ON A.G.'S INTERP. ON NOV. STATUTES

IV CONSENT CALENDAR

V AGENCY REVIEW

A. Calishun Motel, Administrative Permit for 66 Units, City of South Lake Tahoe

   - GwB Approved

B. Dr. Dennis Bowman, Variance Under Section 8.34 of the Land Use Ordinance and Modification of a Prior Approval for Kingsbury Estates Unit 3 to Relocate a Building Envelope, Douglas County - 60 Days

   - [Signature]

C. Larry Kates, Variance for Pier to Extend Beyond Pierhead Line, Washoe County

   - Denied

D. Steve Sederquist, Variance to Construct Multiple Units on Parcels Containing Stream Environment Zones, Washoe County

   - JPD Approved

VI GENERAL PLAN AMENDMENTS - APC Referrals

A. Parcels Abutting the North Side of Vista Avenue Between Coon Street and Chipmunk in Kings Beach, Placer County - from General Commercial to Tourist Commercial or Residential

   - [Signature] Work w/CTRPA to resolve differences

B. Herb Weinman, Lots 5-10, Block C, Tahoe Vista Subdivision No. 1, Placer County - from General Commercial to Tourist Commercial

   - GwB

C. Hyatt Tahoe, Inc., 2.1 Acres Between Incline Creek and the West Property Line of Hyatt Tahoe, Between Incline Way on the North and Lakeshore Boulevard on the South, Washoe County - from Recreation to Tourist Commercial

   - Requests cont'd 30 Days

VII PLANNING MATTERS

A. Status of the Water Quality Management (208) Plan for the Tahoe Basin

   - PAO

B. Activities Exempt from the Definition of a "Project" and Projects Exempt from Environmental Impact Report Requirements (Article VII f of the Proposed Tahoe Regional Planning Compact)

   - APC cont'd 30 Days
VIII ADMINISTRATIVE MATTERS

A. Approval of Fiscal Year 1980-81 Audit
B. Adoption of Fiscal Year 1981-82 Preliminary Budget

IX REPORTS

A. Appeals
B. Enforcement
   1. Status of Compliance by Sierra Boat Company With Governing Body Approval
   2. Other
      a. Report on Sign Removal
         b. Prepare rec. on off-road vehicle use restrictions

C. Executive Session
   a. Harvey's
   b. Copy Machine Contract
   c. Save Minutes

D. Executive Director Report
   a. OTRAM vs. Sahara - Enjoined from Court until EPA approves under complex

E. Legal Counsel Report
   a. Letter to hospital requesting additional parking

F. Governing Body Members

G. Public Interest Comments

X ORDINANCES

Second Reading of Ordinance Amending the Regional Plan to Reclassify the South Shore Marina (Tahoe Keys) to General Commercial, City of South Lake Tahoe

XI RESOLUTIONS

XII PENDING MATTERS

XIII CORRESPONDENCE

XIV ADJOURNMENT

CONSENT CALENDAR

<table>
<thead>
<tr>
<th>Item</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>George McConnell, Pier Repair by Nonlittoral Property Owner, Placer County</td>
<td>Approval</td>
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</tbody>
</table>
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Application Type: Pier Repair

Applicant: Mrs. Barbara McConnell
3651 Meadow Lane
Sacramento, CA 95825

Owner: Same

Assessor's Parcel: Placer County #97-122-07

Project Location: 5058 West Lake Boulevard, Homewood

Review Per Section: 4.11(2)

Shorezone: Tolerance District 5

Project Description: The applicant proposes to replace 16 wooden pilings with steel piling on a single use pier. The existing deck and joists will be retained.

The pier is located lakeward of the McConnell's property line in the area shown on the assessor parcel map as Lake Avenue. The area is shown on the assessor's roll as being in unknown ownership. TRPA staff has received a letter from the individual who pays the taxes on Lake Avenue parcels supporting the application.

Based on the October 25, 1978 Governing Body action for the Max Day pier repair application, it is the Agency policy to permit repairs to existing structures with a variance until the ownership of the lands in question can be established and legally recorded. It was the Governing Body's direction these applications be put on the consent calendar if there were no problems with the application.

Finding: If the proposed repairs are accomplished according to the approved plans and following conditions, Agency staff can find that this application is in conformance with Section 5.00 of the TRPA Shorezone Ordinance.

Recommendation: Agency staff recommends that a permit be conditionally approved under Section 5.00 of the Shorezone Ordinance for this application. The conditions of approval are:

1. The approval will not become effective and the project may not commence unless and until the applicant acknowledges and accepts the preceding findings and the following conditions by placing her signature on a form which is furnished by the Agency after approval is granted.

2. The proposed pier repair shall be accomplished according to the attached approved plans.

3. No construction methods shall be utilized that will degrade the waters of Lake Tahoe.

11/12/80
4. No rock or other natural material shall be relocated without staff approval.

5. Agency staff shall be notified at least 48 hours prior to the commencement of construction. This notification shall include: a) who will be doing the work; b) when the work will commence; and c) when the completion of work is expected.

6. If substantial work has not been performed pursuant to this permit within 18 months from the date of approval, and if the applicant has not obtained an extension permit, this permit shall expire.
WEST LAKE SHORE BLVD.

Mr. John W. Patterson

Barbara McConnell

R. Barber

LAKE AVE.

H.W. 6229

CL. 6219

200' to next pier

100' to next pier

A.P.N. 097-122-07-001
CALISHERN INC. - Administrative Permit
for 66 Motel Units, City of South Lake Tahoe

Project Location and Description

The applicant requests approval of a permit to construct a 66 unit motel, swimming pool and manager's office/unit. The 3-story building will be located on the front portion of the 4.96 acre site and will be incorporated into an existing motel complex to the east. Included in this application is the removal of an existing real estate office building and the retention of a Sambo's Restaurant and 40 trailer spaces of an existing 92 space trailer park (see attachment 1). The project is located on the corner of U.S. Highway 50 and Rufus Allen Boulevard next to the City's campground (see attachment 2).

Previous Approvals

The City of South Lake Tahoe approved the project on September 2, 1980. Lahontan waived discharge requirements; and the CTRPA approved the project on November 7, 1980.

Land Use

The subject 4.96 acre parcel is classified as General Commercial under TRPA land use district maps (see attachment 3). This use classification permits motel developments up to 40 units per acre providing no more than 10% of the units have kitchen units. The Sambo's Restaurant which is to be retained is a permitted and conforming use.

Agency staff is concerned about retention of a portion of the existing trailer park because it is nonconforming under the TRPA Land Use Ordinance. The General Commercial land use district does not permit residential trailer parks nor does any land use district permit trailer parks at the density proposed of 20 units per acre. It is the position of the CTRPA that the rear 2.15 acre portion of the property is not part of the project and there will be no modifications to this portion of the project other than to relocate some trailers. The reason for deleting this portion of the 4.96 acre parcel from review was to save "low income" housing and to mitigate the relocation of the inhabitants of the trailer park.

In summary, the deletion of the rear portion of the site is permissible under Section 8.22 of the Land Use Ordinance, but the existing trailer park is not up to TRPA standards. The question of the appropriateness of this use should be the subject of a General Plan amendment.

Land Capability

The TRPA land capability maps indicate the entire site is located in a land capability district 7 which would permit a maximum land coverage of 30%. There are no stream environment zones on the site; however, the site does contain approximately 250 feet of lakefront property. The General Commercial land use district permits up to 70% land coverage on the site. The applicant proposes to reduce the existing land coverage from 86% to 69.4%.

11/10/80
Architecture

The 66 units will be located in one structure set back 220 feet from Highway 50. The 3-story building will have a flat roof and will be sided with natural materials similar to the existing Inn by the Lake Motel to the east. An office for both motels will be sited adjacent to the Sambo's Restaurant in the general area of the real estate office which is to be removed.

Public Utilities

The project has received will-serve letters from all the appropriate service entities. Since the project involves the conversion of 52 trailer sites and a real estate office, the impacts to public services have been substantially reduced.

Traffic

The Environmental Impact Report approved for this project indicates that this project will result in a net reduction of trips generated from this site. TRPA staff estimates that on a peak weekend the site as it exists today (deleting Sambo's) generates 958 trips per day. The project as proposed with 66 motel units and 40 trailer sites would generate 616 trips per day. Therefore, this project will not contribute any significant new vehicle trips to the existing transportation system nor aggravate the air quality problems.

The on-site traffic will be modified to limit the site to one entrance point on Highway 50 with traffic exiting onto Rufus Allen. A barrier will be placed between the motel site and the trailer court to prevent traffic flow in that direction, but an access way will be open to the Inn by the Lake and Lyons Restaurant parking lot. The applicant will provide 73 parking spaces beyond what is required for Sambo's to serve the 66 unit motel.

Proposed Mitigation

The applicant has proposed a number of additional measures to offset the impacts of the project. These measures, as outlined in a letter sent to the CTRPA on October 30, 1980, include the installation of gutter, curb and sidewalks along the entire length of the applicant's property along Rufus Allen Boulevard and Highway 50, dedication of an easement for a bike lane through the rear of the property, resolution of the proposed driveway entrance along Highway 50, a cash contribution of $25,000 for erosion control within the City, contribution for the construction of a pedestrian viewing platform along Highway 50, a contribution of approximately $8,000 for installation of a bus turnout at a location to be determined by Caltrans and the City, and the complete widening of the westerly boundary of Rufus Allen Boulevard.
Recommendation

Agency staff recommends the administrative permit be approved under Section 8.33 of the Land Use Ordinance subject to the following conditions:

1. Each of the following conditions shall be completely performed prior to the issuance of any building or grading permits:
   a. The final revegetation, slope stabilization, and drainage plans shall be submitted to and approved by the Agency staff. These plans shall clearly depict: 1) slope stabilization methods to be performed to stabilize all existing and proposed cut and fill slopes and areas denuded of vegetation; 2) areas to be revegetated, including complete specifications for such revegetation; 3) fencing for vegetation protection; 4) temporary and permanent erosion control devices; 5) measures to be taken for dust control; and 6) all drainage facilities.
   b. An undertaking by corporate surety guaranteeing the performance of landscaping, revegetation, and proper installation of slope stabilization and drainage facilities shall be posted with the permit-issuing authority as provided in Section 7.140 of the Grading Ordinance.
   c. Calculations and other necessary analyses demonstrating that the design of the surface water runoff control system will meet the requirements for surface and/or subsurface discharge as established in the Uniform Regional Runoff Quality Guidelines as well as other requirements set forth in the Lake Tahoe Basin Water Quality Management Plan. Such calculations and analyses shall be prepared by a qualified civil engineer and submitted to the Agency for staff review and approval.
   d. All authorizations (except building and grading permits) from appropriate public authority applicable to the proposed development shall be obtained, i.e. state highway encroachment permits, state waste discharge permits.
   e. The final construction drawings for all site improvements shall be found by Agency staff to be in substantial conformance with the plans and information submitted as part of this application and this finding so indicated in writing to the permit-issuing authority.

2. Upon the issuance of building and grading permits, construction shall proceed in the following sequence:
   a. Such trees as TRPA has authorized shall be removed and the initial phase of the vegetation preservation and protection plan shall be completed.
   b. Installation of fencing for vegetation protection.
   c. Installation of temporary erosion protection devices.

11/10/80
d. Prior to the removal of spoil material from the construction site, a separate grading permit shall be obtained from the permit-issuing authority for offsite disposal of spoil materials.

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

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

g. Completion of structure foundations.

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

i. Completion of structures.

j. Paving.

k. Landscaping and revegetation.

3. Compliance with all requirements and conditions of the permit-issuing authority. None of said requirements and conditions shall be waived or modified without the concurrence of TRPA.

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

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

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

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

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

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

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

11/10/80
11. Rehabilitation and cleanup of the site following construction must include removal of all construction waste and debris.

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

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

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

15. No structure shall exceed an average height of 30 feet measured from the natural grade.

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

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

18. The maximum land coverage on the site after completion of the project shall not exceed 150,166 square feet.

19. Agency staff shall be notified at least 48 hours prior to the commencement of construction. This notification shall include: a) who will be doing the work; b) when the work will commence; and c) when the completion of work is expected.

11/10/80
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Dr. Dennis Bowman
Modification of Prior Approval and Variance to
the Land Use Ordinance
Douglas County

Project Location and Description

The applicant, Dr. Dennis Bowman, is requesting approval of a modification to the
tentative map approved by the Governing Body on February 24, 1977 for Kingsbury
Heights Unit 3. The applicant is requesting approval of a modification to relocate the
building envelope on Lot 2 and approval of a variance to permit coverage in excess
of that permitted by the land capability system and the subdivision approval.

Kingsbury Heights Unit 3 is a 7 lot subdivision located on Kingsbury Grade at Terrace
View Drive, approximately 1 mile east of U.S. Highway 50 (see attachment 1). Lot 2
is located on the west side of Terrace View Drive and contains two land capability
districts. The applicant has indicated that he wishes to relocate the building envelope
from a land capability district 4 (20% allowable coverage) to an area designated as land
capability class 2 (1% allowable coverage). The Agency required the delineation of building
envelopes and deed restrictions to limit land coverage within the requirements of the
land capability system as part of the subdivision approval.

The building envelope for Lot 2 as shown on the approved tentative map (attachment 2)
is located in the southerly portion of the lot on land which is primarily of a land capability
level 4 where the terrain slopes generally less than 15%. The remainder of the land area
of Lot 2 has slopes generally in excess of 15% and is therefore capability level 2, high
hazard lands. The applicant has initiated construction of a residence in the portion of
the lot designated as open space. A stop work order has been posted by Douglas County
pending resolution of the current application.

A slope analysis map prepared by Sharp, Krater and Associates, Inc. at a scale of
1" equals 80' indicates that Lot 2 contains two different land capability districts as shown
below:

<table>
<thead>
<tr>
<th>District</th>
<th>Capability</th>
<th>Allowable Coverage</th>
<th>Area</th>
<th>Allowable Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>CaD</td>
<td>4</td>
<td>20%</td>
<td>13,780 sq. ft.</td>
<td>2,756 sq. ft.</td>
</tr>
<tr>
<td>CaE</td>
<td>2</td>
<td>1%</td>
<td>17,660 sq. ft.</td>
<td>177 sq. ft.</td>
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</table>

The total permitted coverage for Lot 2 is 2,933 square feet as shown on the Agency's
approved final map as recorded.

11/10/80
sites were located primarily in the highest land capability portions of each lot. The subdivision as approved utilized all the allowable land coverage in the capability level 2 areas for access roads and small amounts of coverage for each lot.

The applicant's plans, showing a revised building envelope and proposed single family dwelling, proposes approximately 2,880 square feet of coverage on the capability 2 land of Lot 2. The maximum allowable coverage on the capability 2 land of Lot 2 is 177 square feet. The applicant's proposed plans would result in 2,577 square feet of coverage in excess of that permitted on the capability 2 land of Lot 2 and the entire subdivision.

Administrative History

The Agency received a similar application from James Darby requesting an amendment to the approved building envelope for Lot 6, immediately across Terrace View Drive from the applicant's property. Mr. Darby's request to move the building envelope outside of the capability district 4 area was denied but minor adjustments to the building envelope were approved by the Agency Governing Body. Mr. Darby has objected to the relocation of the building envelope because of the impact that the proposed relocation would have on his property, particularly possible obstruction of his view.

Variance Findings

The proposed relocation of the building envelope would exceed the Agency's land coverage standards by placing excess land coverage in a high hazard land capability district. No information has been presented by the applicant to indicate that the land capability delineation on which the Agency based its 1977 approval was incorrect. A site inspection by Agency staff verifies the land capability classification. The request would therefore require a variance to the terms of the Land Use Ordinance dealing with land coverage restrictions. Approval of a variance requires the following findings:

"Variances from the terms of the use regulations established in this ordinance shall be granted by the permit-issuing authority only if it is found that because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the use regulations deprives such property of privileges enjoyed by other property in the vicinity and within the same use district, and the applicant shows that he cannot make any reasonable use of the property if such regulations are applied. Where such conditions are found, the variance permitted shall be the minimum departure from existing regulations necessary to avoid such deprivation of privileges enjoyed by such other property and to facilitate a reasonable use, and which will not create significant probabilities of harm to property and improvements in the neighborhood or of substantial harmful environmental consequences. In no case may a variance be granted that will provide the applicant with any special privileges not enjoyed by other properties in the vicinity."

11/10/80
Analysis

The applicant's request to relocate the building envelope requires excess land coverage in a high hazard capability district. Because of the configuration of the lot and its relationship to the street elevation, construction could take place within this area without severe damage to the environment with the additional mitigation measures shown on the applicant's plans. However, the criteria used by the Agency staff in siting structures would discourage location within the high hazard land because of the presence of rock outcrops and the relative permability of the soils, increasing the risk of erosion hazard due to construction.

Approval of the variance would result in privileges not granted to an adjacent property owner who has objected to the proposed relocation of the building site. The relocation may also adversely affect the adjoining property's view and does not appear to be a minimum departure to facilitate a reasonable use.

Recommendation

Agency staff recommends the request to relocate the building envelope and variance request be denied based on the foregoing analysis.
POOR QUALITY ORIGINAL (S) TO FOLLOW

HIGH DESERT MICROIMAGING, INC.
1225 FINANCIAL BLVD
RENO, NV 89502
(775) 359-6980
TO: Tahoe Regional Planning Agency Governing Board

FROM: James Darby

SUBJECT: Reference - November 19, 1980, 9:30 a.m.
Consideration on Item V, agency review of Dr. Dennis Bowman variance under Sec. 8.34.

I control ownership of Lot 6, in Kingsbury Heights Unit #3. This property is located adjacent to and across Terrace View Drive from Dr. Bowman’s property.

Dr. Bowman wishes to relocate his building envelope to afford a better & more advantageous view of the Lake from his property. I must object to any major alteration of the building envelope that would allow Dr. Bowman’s proposed residence to interfere with the existing view afforded to my residence that is now under construction.

When I & Dr. Bowman acquired title to our property’s from the developer we were required by the Hall Trust to sign the enclosed copy of the restrictions that are in force and recorded in the Douglas County Recorder’s office. These restrictions provide a building envelope for each lot in this tract. I based my decision to purchase this property on these legal building envelopes so that the view I have is protected by such building envelopes & restrictions. Any major building envelope relocation allowed to Dr. Bowman by this Board will depreciate the value of my property. I also believe that such a move would diminish the value of all the existing residences in this sub-division-tract because it would allow the way for any future building envelope changes.

As the T.R.P.A., Douglas County Planning Commission’s ordinances & subdivision restrictions now exists, each parcel provides adequate spacing and open space between the residences which contributes to a better quality lifestyle and protects fragile & sensitive environmental lands. This is the purpose of all these ordinances, laws & restrictions.

If you provide this means of allowing the building envelope change it will open the door for any future changes other owners may desire in this tract & other tracts like it. In short, I and others have accepted these restrictions at the time of purchase & we have applied for and have been allowed very minor changes by this Board.

I see no extenuating circumstances that would allow any major changes or concessions to be allowed under this ordinance to Dr. Bowman.

I am most unhappy that Dr. Bowman has this
It is most unfortunate that Dr. Bowman mistook his administrative permit that allowed him to appear before this Board as a full permit to commence construction. I will not & do not want to be deprived of my property values or any other values deemed to me or be damaged by Dr. Bowman's inexperience and many misjudgements that were made on his part in this matter before this Governing Board.

Sincerely,

[Signature]

Enclosure - Declaration of Covenants, Conditions and Restrictions, Kingsbury Heights, Subdivision No. 3.
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Larry Kates
Variance for Additional Pier Length
Washoe County

Variance Request

The applicant requests a variance under Section 20.00 of the Shorezone Ordinance for approval of a pier that was constructed 15 feet beyond: 1) the approved length of 175 feet; 2) the TRPA pierhead line; and 3) Elevation 6219.0 Lake Tahoe Datum. Also included in the application is a request for a modification of the approved pier design.

Summary

The subject pier, located lakeward of 849 Lakeshore in Incline Village, was approved by the Agency staff on November 28, 1978, as indicated on the approved plans (see attachment 1). The contractor, without Agency approval, modified and constructed a substantially different pier as shown on attachment 2. This was in violation of condition #2 of the approval which indicated that all construction must be as per the approved plans.

The applicant, Mr. Kates, was aware of condition #2 and had agreed to it in writing. The contractor is well aware of TRPA procedures and regulations and chose to construct a pier completely different from the approved pier without contacting TRPA staff. In recent years the contractor has chosen to modify projects without TRPA staff approval, i.e. the Hiller pier, the Cloud pier, the Highfield pier, etc., putting the staff in the position of reviewing projects after the fact.

The staff cannot find that the pier as built is in substantial compliance with the approved plans. The subject pier as built is therefore unauthorized. Since the Shorezone Ordinance dictates that unauthorized work must be reviewed as a "new" project, it is the Agency's position that a single use pier could not be approved beyond the pierhead line or Elevation 6219.0 Lake Tahoe Datum; therefore, the project would require a variance. As a variance request, Agency staff can find no special circumstances that would warrant approval of this variance.

Recommendation

The Agency staff recommends that the variance request for additional pier length be denied and that the applicant be directed to redesign and construct a pier that complies with the TRPA Shorezone Ordinance. Such modification shall be subject to Agency staff approval.

11/10/80
PLAN VIEW
SCALE: 1" = 10'

TAHOE REGIONAL PLANNING AGENCY

PROFILE VIEW
SCALE: 1" = 10' VERT.
1" = 50' HORIZ.

ADJACENT PROPERTY
1. APN. 122-181-21
   C.D. RAMSDEN
   PO BOX AK
   INCLINE VILLAGE, NEV.

2. APN. 122-181-19
   LESLIE BUSICK
   2551 JOSEPH DR.
   ALAMO, CA. 94507

PROPOSED PIER & BOAT IN LAKE TAHOE
APPLICATION BY:
LARRY KATES
480 CLUB VIEW DR.
LOS ANGELES, CA 90024

APN. 122-183-120
WASHOE COUNTY
10/25/78 BB

ADJACENT PROPERTY
1. APN. 122-181-21
   C.D. RAMSDEN
   PO BOX AK
   INCLINE VILLAGE, NEV.

2. APN. 122-181-19
   LESLIE BUSICK
   2551 JOSEPH DR.
   ALAMO, CA. 94507

PROPOSED PIER & BOAT IN LAKE TAHOE
APPLICATION BY:
LARRY KATES
480 CLUB VIEW DR.
LOS ANGELES, CA 90024

APN. 122-183-120
WASHOE COUNTY
10/25/78 BB

Attachment 1
Steve Sederquist  
Variance to Construct Multiple Units on  
Parcels Containing a Stream Environment Zone  
Washoe County  

Summary  
The applicant, Steve Sederquist, is requesting approval to construct an 8 unit condominium on two lots within Incline Village Unit #3 which contain a stream environment zone (SEZ) as defined on the Agency's SEZ maps. Both lots are designated fourplex lots in Unit #3 which have vested rights to construct multiple units recognized by the Agency. The applicant is combining these recognized vested rights to construct an 8 unit integrated development. The properties are located on Dana Court adjacent to Mount Rose Highway in Incline Village (see attachment 1).  

Subject Proposal  
The subject application proposes the construction of 8 wood frame condominiums. Five of the units will be 3 stories including a loft; 3 of the units will be 2 stories in height. There will be 2 offstreet parking spaces provided for each unit. With the use of grated infiltration trenches in the driveways and parking spaces, the project is within the allowable land coverage on the site of 10,200 square feet. The property is classified as IsD, allowable land coverage 20%.  

Long-Term Site Protection  
The applicant has submitted plans identifying the location of infiltration trenches designed to provide infiltration of stormwater flows on the site. Drip line trenches will be provided at the eaves of the proposed buildings. Infiltration trenches will be provided within the paved parking areas. The edges of pavement will be rocklined to protect open space areas from encroachment. The areas disturbed by construction activity will be restabilized and revegetated. All of the proposed improvements and associated land disturbance are outside the 100 year flood plain and 100 foot setback from Third Creek.  

Stream Environmental Zone Delineation  
These properties are designated fourplex lots. Vested rights to allow construction of condominiums on fourplex lots in Incline Village Unit #3 have been recognized by the Governing Body. Under Section 7.80 of the Grading Ordinance, only the construction of a single family residence on a lot containing an SEZ is allowed. The construction of multiple units requires a variance to this section.  

At the request of the staff, the applicant prepared an SEZ analysis which included all the required information. An identification of the 100 year flood plain was included. The proposed site plan locates the units no closer than 160 feet from the centerline of Third Creek. The minimum required setback is 100 feet. Therefore based upon the analysis prepared by the applicant, the proposed development is outside of the boundaries of the SEZ of Third Creek.  

11/10/80
Required Variance Findings

The findings required to approve a variance to Section 7.80 of the Grading Ordinance to allow construction of multiple units on a lot containing an SEZ are as follows:

1. Owing to special conditions, a literal enforcement (of the ordinance) will result in unnecessary hardship;

2. The variance will not be contrary to the public interest nor the purpose of this ordinance; and

3. The variance will not nullify the objectives of this ordinance.

Staff Analysis

The application for multiple unit construction is in accordance with the vested rights recognized by the Governing Body. Exercising of these rights is affected by the classification of part of this property as a stream zone. In this case, the location of the stream is such that the proposed development is possible without encroaching or disturbing the SEZ. Protection has been afforded the SEZ through the identification of its characteristics and the placement of the units more than 100 feet away from the centerline of Third Creek. The objectives of this section of the ordinance are to prohibit development that will substantially alter the natural processes underway within the SEZ. Where prohibition will substantially affect recognized development rights from being exercised, the ordinance directs that the development of the property must be undertaken in such a manner that minimization of potential negative environmental impacts is achieved. In this case, due to the proposed siting of the units, the recognized development rights can be exercised with adequate protection to the SEZ being provided.

Recommendation

Agency staff recommends that the findings necessary to approve the variance request be made. Staff further recommends that the proposed 8 unit condominium project be approved subject to the following conditions:

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

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

11/10/80

11/10/80
b. An undertaking by corporate surety guaranteeing the performance of landscaping, revegetation, and proper installation of slope stabilization and drainage facilities shall be posted with the permit-issuing authority as provided in Section 7.140 of the Grading Ordinance.

c. Calculations and other necessary analyses demonstrating that the design of the surface water runoff control system will meet the requirements for surface and/or subsurface discharge as established in the Uniform Regional Runoff Quality Guidelines as well as other requirements set forth in the Lake Tahoe Basin Water Quality Management Plan. Such calculations and analyses shall be prepared by a qualified civil engineer and submitted to the Agency for staff review and approval.

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

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

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

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

b. Installation of fencing for vegetation protection.

c. Installation of temporary erosion protection devices.

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

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

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

g. Completion of structure foundations.

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

11/10/80
i. Completion of structures.

j. Paving.

k. Landscaping and revegetation.

3. Compliance with all requirements and conditions of the permit-issuing authority. None of said requirements and conditions shall be waived or modified without the concurrence of TRPA.

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

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

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

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

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

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

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

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

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

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

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

15. No structure shall exceed an average height of 35 feet measured from the natural grade.

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

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

18. The maximum land coverage on the site after completion of the project shall not exceed 10,200 square feet.

19. Agency staff shall be notified at least 48 hours prior to the commencement of construction. This notification shall include: a) who will be doing the work; b) when the work will commence; and c) when the completion of work is expected.

11/10/80
Joyce Grunauer  
General Plan Amendment  
Placer County

Amendment Request

The applicant is requesting an amendment to the TRPA land use district maps to reclassify her property from General Commercial to Tourist Commercial. This application is being processed in order that the applicant may construct a single family dwelling and utilize a sewer permit she recently received.

In order to prevent a case of spot zoning and to obtain TRPA staff support, the applicant has included adjacent properties not owned by her in the request. All affected property owners have been sent written notice of the public hearing.

Property Location and Description

The properties under consideration are located on the north side of Brockway Vista Avenue between Coon Street and Chipmunk Street in Kings Beach, as shown on the attached map. The applicant's property is located approximately in the middle of the block.

Land Use

The area under consideration for reclassification is part of Brockway Vista Subdivision which is an older subdivision which was subdivided into narrow lots 25 feet wide. Although each lot could be a legitimate building site under any non-commercial land use district, the trend has been to aggregate these narrow lots into more suitable building sites. The 6.2 acre area to be considered has approximately 73 lots which are aggregated into approximately 26 parcels of contiguous ownership. There are 16 single family dwellings on 32 lots, 3 motels on 11 lots, one state park parking lot on 4 lots, and 10 undeveloped parcels consisting of 26 lots.

The existing land use pattern is primarily residential and tourist residential on Brockway Vista Avenue. The properties to the north which abut Highway 28 are commercial; the properties to the east are residential; and the state beach is to the west.

Land Capability

The TRPA land capability maps indicate the entire area is classified as capability 5, or low hazard lands, which permit 25% land coverage. There are no stream environment zones in the area. The TRPA Land Use Ordinance permits coverage overrides up to 70% land coverage because the properties in question are classified as General Commercial.

Local Zoning

Placer County has the entire area zoned commercial but has recently processed a variance and a rezoning to residential to permit the construction of a single family dwelling on the applicant's 50 x 150 property. The CTRPA is considering a reclassification on the subject lot to permit the construction of the subject single family dwelling.

9/30/80
Analysis

Land Use Impacts - The proposed zoning will permit the construction of residential units up to 15 units per acre which was not permitted under the General Commercial land use district. All uses now existing would be conforming under the proposed change. There should be no significant loss in commercially zoned lands since Tourist Commercial permits limited commercial uses.

Environmental Impacts - The permitted land coverage will be reduced from 70% permitted under General Commercial to 50% for commercial or 35% for residential under Tourist Commercial. The development of 35% of the remaining area could occur with either land use classification. A survey of the area would indicate a need for some site improvements, i.e. repairs, drainage, etc.

Public Service Impacts - The development potential in regards to public service demand may be increased since residential uses will now be permitted. It is difficult to assess the difference in potential impacts since both General Commercial and Tourist Commercial permit a broad range of development; however, there are some serious problems related to water and sewer no matter what the development for this area.

By letter dated September 5, 1980, the Lahontan Regional Water Quality Control Board has indicated that there is no excess sewage treatment capacity available to the North Tahoe Public Utility District (NTPUD) which services the area. Also, the NTPUD has indicated that their existing annual water rights are 2,230 acre feet which is far short of the estimated 3,719 to 6,476 acre feet needed for buildout under the TRPA General Plan.

Alternatives

Retain the General Commercial Land Use Designation - This alternative would provide the maximum permitted land coverage (70%) and require the eventual phaseout of residential uses. The TRPA Dornbusch Study did indicate there would be a shortage of commercial floor area at buildout under the current TRPA General Plan.

Reclassify to High Density Residential - This alternative would provide 50% land coverage and residential uses at 15 units per acre. It would not permit any commercial or tourist residential uses. This would be compatible with the existing lot density (11 lots per acre) and the land use district on the south side of Brockway Vista.

Recommendation

The Agency staff recommends the request for reclassification to Tourist Commercial be approved and the land coverage limitations be established at 35% for residential uses and 50% for commercial uses.

9/30/80
Advisory Planning Commission Action

At the October 8, 1980 public hearing, the APC voted 11 to 3 (with 1 abstention) to approve the staff recommendation to reclassify the subject parcels from General Commercial to Tourist Commercial.
GENERAL PLAN AMENDMENT
General Commercial (GC) to
Tourist Commercial (TC)
Herbert Weinman  
General Plan Amendment  
Placer County

Amendment Request

The applicant is requesting an amendment to the TRPA land use district maps to reclassify his property from General Commercial to Tourist Commercial. This application is being processed in order that the applicant may construct an addition to his existing single family dwelling.

In order to prevent a case of spot zoning and to obtain TRPA staff support, the applicant has included adjacent properties not owned by him in the request. All affected property owners have been sent written notice of the public hearing.

Property Location and Description

The properties under consideration are located south of the intersection of Agapine (Agatam) Avenue and State Route 28 in Tahoe Vista as shown on the attached map. The applicant's property is approximately in the middle of the block adjacent to the Moon Dunes Estate.

Land Use

The area under consideration for reclassification is part of Tahoe Vista Subdivision No. 1 and is approximately 45,000 square feet with 6 lots divided into 4 parcels. The existing uses include 3 single family residential units and 1 motel of 6 units. The property south is a Placer County beach, zoned Recreation and to the east is open space also zoned Recreation.

Land Capability

The TRPA land capability maps indicate that approximately 85 percent of the area is classified as capability 5, or low hazard lands which permit 25 percent land coverage. The shorezone maps classify this area as a tolerance district 6 where shoreline erosion problems are minimal. The remaining 15 percent of the area, on the southern boundary, is classified as capability 1B allowing 1 percent coverage. There are no stream environment zones on the parcels, although a creek abuts the properties to the east. The TRPA Land Use Ordinance permits coverage overrides up to 70 percent land coverage because the properties in question are classified as General Commercial.

Local Zoning

Placer County has the area zoned Tourist Residential. CTRPA currently has the 4 properties zoned General Commercial.

11/5/80
Herbert Weinman  
General Plan Amendment  
Placer County

Analysis

Land Use Impact - The proposed zoning will permit the construction of residential units up to 15 per acre which was not permitted under the General Commercial land use designation. All uses now existing would be conforming under the proposed change. There should be no significant loss in commercially zoned lands since Tourist Commercial permits limited commercial uses.

Environmental Impacts

The permitted land coverage will be reduced from 70 percent permitted under General Commercial to 50 percent for commercial or 35 percent for residential under Tourist Commercial. Uses that would be excluded from General Commercial yet permitted under Tourist Commercial would include single family dwellings, multiperson dwellings and mobile home parks. No significant environmental impact is expected to occur from zoning reclassification since the area is presently built out.

Public Service Impacts

Rezoning should not affect public service demand since user accommodation is expected to remain the same because all four parcels are developed. By letter dated September 5, 1980, the Lahontan Regional Water Quality Control Board has indicated that there is no excess sewage treatment capacity available to the North Tahoe Public Utility District (NTPUD) which services the area. Also, the NTPUD has indicated that their existing annual water rights are 2,230 acre feet which is far short of the estimated 3,719 to 6,476 acre feet needed for build-out under the TRPA General Plan.

Alternatives

Retain General Commercial land use designation - This alternative would provide the maximum permitted land coverage (70 percent) and require the eventual phase out of residential uses. The TRPA Dornbush Study did indicate there would be a shortage of commercial floor area buildout under the current TRPA General Plan.

Recreation - This alternative would provide opportunity for additional recreation area on the backshore of the lake and make any single family houses on pre-existing lots and parcels conforming uses. It would not permit any commercial uses and would require such uses to eventually be phased out.

Recommendation

Agency staff recommends the request for reclassification to Tourist Commercial be approved and the land coverage limitations be established at 35 percent for residential uses and 50 percent for commercial uses.

11/5/80
Subject Properties Scheduled for General Plan Amendment Public Hearing - 11/12
General Commercial (GC) to Tourist Commercial (TC)
Hyatt Tahoe
General Plan Amendment
Recreation to Tourist Commercial
Washoe County

Summary

The applicant, Hyatt Lake Tahoe, is requesting a General Plan amendment to reclassify a 2.1 acre portion of property from Recreation to Tourist Commercial. The subject property is adjacent to the hotel-casino but is physically separated by Incline Creek. The reclassification is requested to allow the continued use of an existing unauthorized employee parking lot. The Hyatt Hotel-Casino site is 20 acres in size, of which 17.9 acres is classified Tourist Commercial and 2.1 acres is classified as Recreation.

Background

In 1974 the Hyatt Corporation took control of the then closed Kings Castle Casino. In 1972 the site was in conformance with TRPA ordinances regarding use and land coverage. Over the next eight years, certain modifications and additions to the existing facility were made. Placement of these improvements brought the land coverage on the 17.9 acre site to an amount greater than the 50% allowable coverage permitted in the Tourist Commercial area. Subsequently, in 1979, a new employee parking lot was constructed within the Recreation area without Agency approval. The amount of land coverage created exceeded the amount allowed by the land capability system classification of the property which is capability level 6, allowable land coverage up to 30%.

Since the subject 2.1 acre area is classified as Recreation, a commercial parking lot is not specifically allowed. Section 7.12 of the Land Use Ordinance provides that Agency review of commercial parking lots is required. None of the parking lot additions to Hyatt since 1972 were reviewed by the Agency. Based upon the land coverage calculations, both the Tourist Commercial and Recreation land use districts have existing land coverage in excess of that allowed under Agency ordinances.

The new employee parking lot was constructed without TRPA approval of a commercial parking lot, approval of construction within a stream environment zone, or approval to construct a commercial improvement within a Recreation land use district. The staff upon noticing completion of this parking lot contacted Hyatt Lake Tahoe regarding the unauthorized construction. The first meeting was held May 29, 1980; this application is the result of that and subsequent discussions.

Existing Land Use Classification

In attempting to verify the land use classification of the Hyatt property, a discrepancy on the classification maps was found. Since an accurate determination was essential, Agency staff, using the procedure provided by Section 8.13 of the Land Use Ordinance, requested Washoe County to make a final determination. On August 25, 1980, Washoe County responded to the Agency's request with a boundary determination. That determination established the centerline of Incline Creek as the boundary between the Tourist Commercial and Recreation districts. This established the Tourist Commercial area as being 17.9 acres and the Recreation district as being 2.1 acres. These are the baseline figures used to establish allowable land coverage and verify conformance. Washoe County has the entire 20 acres classified as C-2, which allows the subject use.
Existing Situation

Following is a table outlining the existing land coverage situation on the Hyatt Lake Tahoe property based upon the determination of land use districts provided by Washoe County.

<table>
<thead>
<tr>
<th>Use District</th>
<th>Acreage</th>
<th>Maximum Allowable Coverage</th>
<th>Existing Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tourist Commercial</td>
<td>17.9</td>
<td>50% 389,600 sq. ft.</td>
<td>413,953 sq. ft.</td>
</tr>
<tr>
<td>Recreation</td>
<td>2.1</td>
<td>30% 27,442 sq. ft.</td>
<td>38,208 sq. ft.</td>
</tr>
</tbody>
</table>

Under the existing land use classifications, both use districts exceed allowable land coverage limitations and are not in conformance with the Agency ordinances. The amount of land coverage that needs to be removed is 24,353 square feet in the Tourist Commercial area and 10,766 square feet in the Recreation area. The Land Use Ordinance establishes that no more than 50% land coverage may be created in a Tourist Commercial district. Section 6.20 of the Land Use Ordinance establishes that the maximum amount of land coverage within a land capability district is 30%. Therefore, the excess land coverage in each use district must be reduced to achieve compliance.

Items of Noncompliance

Based upon the previous concerns, the following are the areas of noncompliance as identified by staff:

1. Creation of additional commercial parking within the Tourist Commercial area without TRPA approval.
2. Creation of additional land coverage within the Tourist Commercial area exceeding the amount allowed.
3. Creation of a parking lot within a Recreation land use district where it is not specifically permitted.
4. Creation of the new employee parking lot without TRPA approval.
5. Creation of land coverage within a land capability level 6 in excess of that allowed by this district.
6. Grading within a stream environment zone without TRPA review or approval.
7. Creation of a private stream crossing across Incline Creek without TRPA approval.

11/12/80
The applicant has decided to proceed with an application to reclassify the property in order to retain the employee parking lot which is not specifically allowed in the Recreation district and which exceeds allowable land coverage. The applicant is requesting that the amount of land coverage allowed within the reclassified Tourist Commercial area be 50%. Even with 50% land coverage allowed on the entire 20 acre parcel, the project would exceed allowable land coverage. Approximately 16,560 square feet of existing coverage would need to be removed in order to bring the site to conformance under the applicant's request.

**Requested Classification**

**Land Capability** - The subject application requests Tourist Commercial (TC) zoning with an allowance of 50% land coverage. The TRPA land capability maps reflect a soil classification of IsC which permits up to 30% allowable land coverage. Unaccounted for within the soil classification of the subject 2.1 acre area is the stream environment zone as defined by Incline Creek. Portions of the 2.1 acres within the boundaries of Incline Creek should more properly be classified as a capability level 1b and should be more properly limited to 1% land coverage. This deficiency in the land capability classification of properties has been addressed with regard to other projects but has not been resolved. Agency actions have recognized this deficiency by directing development activity away from these sensitive areas but allowing the Agency's soil maps to establish the amount of allowable land coverage. An allowance of 50% land coverage within this 2.1 acre area would not be consistent with either the current land capability classification (IsC, level 6) or the stream environment zone designation (land capability level 1b).

**Land Use** - The 2.1 acre portion is currently classified as Recreation. This designation also includes the property owned by the Incline Village GID adjacent to the west. The area is of a meadow type within the 100 year flood plain and stream environment zone of Incline Creek. Major flooding and drainage problems that would be encountered in this area would be those associated with a large sustained rainfall or with substantial snow melt. In either case, the parking lot as currently constructed would be within the 100 year flood plain of such an occurrence.

The Recreation use classification of this area recognizes the sensitivity of such areas and encourages nonintensive uses. Within a Recreation use district, a parking lot is allowed to support the permitted use. Proper site planning should be guided by the criteria of the land capability system and the existence of an SEZ. The land capability system stresses management of these areas for floodwater and sediment storage, wildlife habitat and fish spawning grounds.

The parking lot as now placed does not meet these siting criteria. First, as a commercial parking lot, it is not allowed under the current classification. Second, the lot exceeds allowable land coverage. Third, the lot is located within the boundaries of an SEZ. Based upon the physical configuration of the property, it is not feasible to construct the parking lot so that it will not encroach into the boundaries of the SEZ.
The classification of this property to Tourist Commercial would not alter the existing use but would allow more land coverage up to 50%. Because this parking lot improvement was created without permits, the site must be reviewed as if the parking lot did not exist. Up until the paving of this area by Hyatt, the area had been used as an uncontrolled parking area by residents of and visitors to Incline Village. Primarily, this area was used as overflow parking and boat trailer storage for the IVGID beach located across the street. The area was unpaved and experienced substantial vegetation loss as well as severe disruption and rutting of the soil. Tourist Commercial zoning would allow more intensive uses than are allowed in Recreation. Such zoning to allow a parking lot is not totally inconsistent with the uses foreseeable within a Recreation zone. The applicant has indicated the only reason for the zone request is to allow the continued use of the parking lot.

The parking lot has altered the traffic flows in the area by directing employees to this area to park. It has also allowed more space for Hyatt patrons in the upper parking lots. These changes have not substantially affected the capacity of Lakeshore Boulevard or the Lakeshore Boulevard and Country Club Boulevard intersection. The proposed General Plan amendment would not alter this pattern, only perpetuate it.

The subject request will not have a substantial effect on water, sewer, or other public service capacities.

Other Necessary Actions

Approval of the amendment request and retention of the lower parking lot would necessitate the following subsequent actions by the Agency. Approval of the parking lot would be necessary. Approval of construction of a parking lot within a stream environment zone would be necessary. Approval of a private stream crossing would be necessary. Enforcement of land coverage reductions to insure conformance would be necessary.

On-Site Parking

Of the approximately 452,000 square feet of land coverage on the 20 acre site, approximately 85,000 square feet is building coverage. The rest is driveways, parking, and recreation facilities. In 1972, there were approximately 375 parking spaces available on the site. The additions made by Hyatt brought the total number of spaces to 650.

The Washoe County parking standard for hotel/casinos at Lake Tahoe is 1 space per hotel unit plus 1 space per 100 square feet of gross floor area. This standard if applied to the Hyatt using only building coverage as floor area would estimate the parking requirement to be 1,887 spaces. The number of parking spaces available at other hotel casinos in the North Shore area was also looked at. The Cal-Neva has 188 hotel rooms and 485 parking spaces available onsite; the Tahoe Mariner will have 147 rooms and 316 spaces.

Density

The Hyatt Lake Tahoe has 415 rooms in the hotel. The proposed amendment would increase the allowable number of units from 716 to 800, a potential increase of 84 units.

11/12/80
Staff Analysis

Under the existing land use classifications and Agency ordinances, the applicant would be required to remove the parking lot in the Recreation area, to restore the site, and to remove existing land coverage in the Tourist Commercial area unless the General Plan amendment is granted. The amount of land coverage that would have to be removed from the Tourist Commercial area is 24,353 square feet.

Complete removal of the parking lot in the Recreation area would necessitate transferring the employee parking back onto the Tourist Commercial area while at the same time requiring the removal of 24,353 square feet of land coverage. Reductions in land coverage will occur not with reductions in the buildings but with reductions to paved areas and other facilities. This would aggravate a potential deficiency in the existing onsite parking.

The applicant has requested that the 2.1 acres be classified Tourist Commercial with an allowable 50% land coverage. This would allow the parking lot in the Recreation area and allow the land coverage calculations to be aggregated over the entire site. This would minimize the land coverage reductions necessary to achieve conformance with the Agency's requirements. The required coverage reduction would be 16,561 square feet. This would allow land coverage in excess of that allowed by the land capability system and allow the parking lot to remain within close proximity to Incline Creek. At the closest point, the parking lot is approximately 15 feet from the creek. Another possibility with this request would be to allow 50% land coverage and require removal of the parking lot. This would allow coverage increases in the existing Tourist Commercial area not to exceed 50% of the entire 20 acre parcel.

Allowing the parking lot in the SEZ to remain but reducing the allowed land coverage to less than 50% would require removal of pavement. The required reduction could be used to eliminate the encroachment into the SEZ while still allowing some parking. In this case, coverage could be established according to the land capability system and placement of the coverage controlled so as to minimize the encroachment into the SEZ. The allowed land coverage at 30% is 27,442 square feet, and the required land coverage reduction is 10,766 square feet.

Available Options

1. Approve the requested reclassification with 50% coverage allowed. This would require removal of 16,561 square feet of land coverage from the site, and allow retention of portions of the SEZ lot if subsequently approved.

2. Approve the reclassification with 50% land coverage allowed but not allow any land coverage within the stream environment zone of Incline Creek. This would require removal of the parking lot in the current Recreation district but would allow this coverage to be used elsewhere on the site. The amount of land coverage that could be transferred is 21,647 square feet.
3. a. Approve the reclassification with 30% allowed coverage but allow no land coverage within the SEZ. This would require removal of the parking lot within the SEZ and allow 3,351 square feet of land coverage to be transferred.

b. Same as 3a, with 1% allowed coverage for the stream environment zone. This would require removal of the parking lot in the SEZ plus 14,953 of existing land coverage in the Tourist Commercial area.

4. Deny the request. This would require removal of the parking lot in the Recreation area and a reduction in coverage on the existing Tourist Commercial portion to a maximum of 50% land coverage. The amount of land coverage that must be removed in the Tourist Commercial area is 24,353 square feet.

APC Recommendation

The APC voted 12 Aye, 2 Nays, and 2 Abstentions for option number 4 to deny the subject request. The APC further recommended that the staff and the applicant work toward a revised proposal that would solve the parking problem and bring the site into conformance.

Recommendation

Agency staff recommends approval of the requested amendment with the land coverage to be established by ordinance not to exceed 30% of the 2.1 acre area with a further limitation that no coverage be permitted within the boundaries of the stream environment zone (option 3).

11/12/80
AREA WITHIN LAND USE CLASSIFICATION REQUEST IS BOUNDED BY INCLINE CREEK ON THE EAST AND BY THE HYATT PROPERTY LINE ON THE WEST.
AREA OF APPLICATION: 2.1 ACRES
MEMORANDUM

DATE: November 7, 1980

TO: The TRPA Governing Body

FROM: The Staff

SUBJECT: Status of the Water Quality Management (208) Plan for the Tahoe Basin

Attached is a copy of the letter sent at the Governing Body's direction to the California Water Resources Control Board (CWRCB) urging postponement of final action on adoption of elements of its 208 Plan where there are remaining and unresolved discrepancies between the TRPA plan and the CWRCB plan. A summary comparison of the differences between the two plans is contained in the attachment to the letter transmitted to the CWRCB.

On October 29, 1980, the CWRCB adopted its own version (Lake Tahoe Basin Water Quality Plan) of a 208 Plan for the Basin along with the attached resolution setting forth the conditions for certification of the TRPA Water Quality Plan. The resolution allows 90 days for TRPA to respond to the conditions for certification at which time it is expected that a California plan will be certified to the Environmental Protection Agency for approval.

Agency staff has recommended that the Governing Body consider the resolution presented by the State Board and adopt those measures where there is substantial agreement and pose alternative solutions where there are remaining differences. This matter has been scheduled for discussion by the Advisory Planning Commission which meets on November 12, and staff will be prepared to present the APC's recommendations on November 19.

Attachments

45 Day notice
Hearing - early January

Jan. 28 - time
October 27, 1980

Carla M. Bard, Chairwoman
California State Water Resources Control Board
P. O. Box 100
Sacramento, CA 95801

Subject: Adoption of Lake Tahoe Basin Water Quality (208) Plan

Dear Ms. Bard:

Please be advised that the Governing Body of the Tahoe Regional Planning Agency discussed the proposed adoption of the subject plan by the California Water Resources Control Board at its meeting of October 22, 1980. The Governing Body emphasized the need to move forward immediately with implementation of those elements which are common to the State Board's proposed plan and TRPA's adopted Lake Tahoe Basin Water Quality Management Plan. The Governing Body also directed the Agency staff to cooperate with the State Board and other entities to ensure prompt implementation of those elements of the two plans which have been identified as being consistent (see attached summary comparison).

It must be realized that there are narrowing areas of disagreement between a water quality control program acceptable to TRPA and that proposed in the State Board's plan. Although those areas of disagreement may be viewed by your board as substantial at the present time, it is the intention of TRPA to work in a cooperative manner to resolve these differences in the coming months. However, in order to maintain a cooperative atmosphere, the Governing Body has urged that you delay adoption and implementation of those plan elements where there is still disagreement between the two plans.

In the view of the TRPA Governing Body, the adoption of the amendments to the Tahoe Regional Planning Compact by the respective state legislatures sets forth the need for a new cooperative approach towards protection of the Basin's environmental resources. The compact amendments would also set forward development controls including prohibitions on new subdivisions and apartments, limitations on commercial and residential development, and environmental review procedures with mandatory findings for environmental protection prior to allowing development to proceed. However, premature adoption and
implementation of the State Board's plan would not serve towards creating an atmosphere of cooperation necessary to carry out acceptable water quality controls on both sides of the Basin boundary. Further, adoption of the proposed development restrictions on stream environment zones and high erosion hazard lands prior to resolution of current proposals for land acquisition may spark unnecessary litigation and delay implementation of the needed plan elements. The TRPA Governing Body therefore urges you to delay adoption of those plan elements where there is disagreement between the two plans until it has had an adequate opportunity to respond to the proposed conditions of approval for a water quality management plan. (See attached summary comparison.)

As a final matter, there are additional elements of the proposed final plan which do not appear to relate directly to the most critical water quality problems in the Lake Tahoe Basin - protection of the Lake from accelerated cultural eutrophication. This includes a proposed prohibition against new piers in prime fish spawning habitats which cannot be directly linked to enhancement and protection of water quality in that sense. TRPA staff would urge deletion of this required element from the adopted plan.

Again, the Tahoe Regional Planning Agency wishes to thank the California Water Resources Control Board for the opportunity to comment on this important proposal and wishes the opportunity to continue a dialogue to resolve the remaining inconsistencies in the two plans.

Sincerely,

[Signature]
Philip A. Overdyke
Executive Director

PAO: jf

Enclosure

cc: w/encl.
Governor Edmund G. Brown
Governor Robert List
Chairman Zane Smith, Lake Tahoe Federal Coordinating Council
Shelby Prindiville, Environmental Protection Agency
Law Dugger, Nevada Division of Environmental Protection
Roy C. Hampson, California Regional Water Quality Control Board -
Lahontan Region
TRPA Governing Body Members
<table>
<thead>
<tr>
<th>Problem Area</th>
<th>Proposed Solutions</th>
<th>Notes</th>
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<tbody>
<tr>
<td>Erosion and Surface Runoff</td>
<td></td>
<td></td>
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<tr>
<td>- Erosion and drainage from existing development</td>
<td>Erosion and urban runoff control projects</td>
<td>Implementation schedules differ; Nevada certification would require TRPA to implement controls consistent with SWRCB Plan.</td>
</tr>
<tr>
<td>- On-site runoff</td>
<td>Best Management Practices (BMP's)</td>
<td>Same as above</td>
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<td>- Erosion and runoff from future development</td>
<td>Development Restrictions</td>
<td>Proposed Bistate Compact prohibits new subdivisions for 2½ years.</td>
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<tr>
<td></td>
<td>- Prohibition on new subdivisions</td>
<td>Proposed Bistate Compact requires findings of no significant environmental impact prior to project approval.</td>
</tr>
<tr>
<td></td>
<td>- Restriction on SEZ encroachment (no new subdivisions, BMP's, siting review)</td>
<td>Same as above</td>
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<td></td>
<td>- Existing TRPA ordinances restrict land coverage and development practices on high hazard lands</td>
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<td>- Restrict land coverage consistent with land capability</td>
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<tr>
<td>- Erosion on forest land</td>
<td>Forest practices</td>
<td>Existing commitments for remedial measures are substantial in terms of reduction for offset</td>
</tr>
<tr>
<td>Nutrients in Groundwater</td>
<td></td>
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<tr>
<td></td>
<td>Vegetation protection</td>
<td>No specific element in TRPA plan; proposed solutions consistent</td>
</tr>
<tr>
<td>Problem Area</td>
<td>Proposed Solutions</td>
<td>SWRCB Plan</td>
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<tr>
<td>Municipal Sewage</td>
<td>Prohibitions under state law</td>
<td>Additional restrictions and further studies</td>
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<tr>
<td>Toxic and Hazardous Spills</td>
<td>No element</td>
<td>Contingency plan</td>
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<tr>
<td>Dredging and Pier Construction</td>
<td>Regulatory review, BMP's</td>
<td>BMP's, prohibition in spawning areas</td>
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<tr>
<td>Industrial Discharges, etc.</td>
<td>Prohibition under state law</td>
<td>Prohibition</td>
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</table>
Mr. Roland D. Westergard, Chairman
Tahoe Regional Planning Agency
P. O. Box 8896
South Lake Tahoe, CA 95731

Dear Mr. Westergard:

CONDITIONS FOR CERTIFICATION OF A TRPA WATER QUALITY PLAN

Enclosed is a copy of the resolution adopted by the California State Water Resources Control Board at its October 29, 1980, Board Meeting setting the conditions for certification of a water quality plan submitted by the Tahoe Regional Planning Agency. A draft of the resolution was made available to your Executive Director, Philip Overeynder, on October 9. As you know, the procedures for plan certification, as outlined in the resolution, were discussed at our October 14 meeting in San Francisco.

The State Board looks forward to working in cooperation with the Tahoe Regional Planning Agency. It is our sincere hope that it will be possible to obtain a plan for both states which fully implements the measures needed to prevent further deterioration of Lake Tahoe water quality.

Sincerely,

[Signature]
Clinton L. Whitney
Executive Director

Enclosure
STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 80-81

CONDITIONS FOR CERTIFICATION OF A WATER QUALITY PLAN
SUBMITTED BY THE TAHOE REGIONAL PLANNING AGENCY

WHEREAS:

1. It is the responsibility of the State Board under Section 208 of the Clean Water Act to certify to the Environmental Protection Agency an areawide water quality plan (208 plan) for the Lake Tahoe Basin.

2. Any 208 plan certified by the State Board must provide that further deterioration of the outstanding water quality of Lake Tahoe shall not be permitted.

3. In 1974, California and Nevada designated the Tahoe Regional Planning Agency to prepare a 208 plan for the Lake Tahoe Basin.

4. On January 25, 1978, the Tahoe Regional Planning Agency approved a 208 plan for the Lake Tahoe Basin which was conditionally approved by Nevada on May 23, 1978.

5. The 208 plan submitted by the Tahoe Regional Planning Agency in 1978 would not have protected Lake Tahoe from further degradation.

6. On July 20, 1978, the State Board rejected the plan submitted by the Tahoe Regional Planning Agency and reaffirmed its decision on November 6, 1978.

7. When the State Board rejected the 208 plan submitted by the Tahoe Regional Planning Agency, the State Board assumed responsibility for preparing an adequate plan.

8. The State Board has prepared a Lake Tahoe Basin Water Quality Plan which provides the needed control measures to protect Lake Tahoe water quality.

9. The plan meets all requirements of Section 208 of the Federal Clean Water Act and Environmental Protection Agency regulations interpreting the Act.

10. Full implementation of the control measures in the State Board’s plan on both sides of the Lake is needed to protect Lake Tahoe water quality.

11. The plan provides that before the State Board considers certification of the plan to the Environmental Protection Agency, the Tahoe Regional Planning Agency shall be given another opportunity to submit an adequate plan.

12. California and Nevada have ratified amendments to the Tahoe Regional Planning Compact which require the Tahoe Regional Planning Agency to adopt an amended regional plan.

13. The regional plan must ensure attainment of water quality standards, within the thirty months after the Compact is ratified by Congress.
THEREFORE BE IT RESOLVED:

1. That the State Board, acting pursuant to a delegation of authority from the Governor of the State of California, adopts the following list of the elements which should be included in a 208 plan for the Lake Tahoe Basin. The State Board will certify a 208 plan submitted by the Tahoe Regional Planning Agency if and only if the plan meets these conditions, or provides fully equivalent protection of Lake Tahoe water quality.

   A. The 208 plan must provide for implementation of each of the control measures set forth in Section B of Chapter III of the Lake Tahoe Basin Water Quality Plan prepared by the State Water Resources Control Board.

   B. The 208 plan shall identify the means of implementation. The 208 plan may rely on implementation by the Tahoe Regional Planning Agency or by other agencies making implementation commitments.

   C. The 208 plan shall include regulatory programs to enforce controls relating to:

      o Erosion and Urban Runoff Control Projects
      o Onsite Surface Runoff Control
      o Development Restrictions
      o Best Management Practices for Permitted Development
      o Forest Practices
      o Construction and Dredging in Lake Tahoe
      o Vessel Wastes

      Except where other agencies make implementation commitments, the 208 plan must include a commitment by the Tahoe Regional Planning Agency to enforce these programs.

   D. The regulatory program enforcing restrictions on development:

      o Shall apply to any new structure which has not received a valid sewer connection permit before October 29, 1980.

      o Shall not allow exceptions or variances except where such variances or exceptions are allowed under the Lake Tahoe Basin Water Quality Plan prepared by the State Water Resources Control Board.

      o Shall include a transfer of development rights system or similar measures which provide compensation to lot owners who can realize no beneficial use of their lands as a result of the restrictions on development set by the 208 plan.

   E. The 208 plan shall not prohibit or limit the ability of any other agency to enforce controls consistent with the State Water Resources Control Board's Lake Tahoe Basin Water Quality Plan.
2. The 208 plan submitted by the Tahoe Regional Planning Agency may provide for enforcement of controls on an interim basis, pending adoption of an amended regional plan as provided by Compact amendments recently ratified by California and Nevada provided:

A. State Board approval of the 208 plan shall be conditioned upon submission of the amended regional plan to the State Board, and State Board certification of the regional plan as consistent with Section 208 of the Clean Water Act.

B. Enforcement on an interim basis will not delay implementation of any of the control measures.

3. If the Tahoe Regional Planning Agency adopts an adequate 208 plan, the State Board is prepared to assist in its implementation. To ensure the effectiveness of the State Board's program, the 208 plan shall include, or the Tahoe Regional Planning Agency shall accept as a condition of certification:

A. A requirement that National Pollutant Discharge Elimination System permits be issued for storm sewers. These permits shall include conditions enforcing best management practices and other control measures including conditions requiring construction of erosion control projects, enforcing onsite controls, and applying development restrictions.

B. A requirement that the National Pollutant Discharge Elimination System permits for sewerage agencies prohibit issuance of new connections to development which is not in accord with the development restrictions in the 208 plan.

C. A statement that a project for construction of municipal waste treatment facilities is consistent with the 208 plan only if it is assured that it will not be used to serve development which is in violation of the plan.

4. The 208 plan may address the issues of municipal waste treatment needs, solid waste, and recommendations concerning State water quality standards in any of the following ways:

A. Addressing these issues in the 208 plan.

B. Agreeing to address these issues as part of continuing planning, including amendments to the regional plan.

C. Accepting as a condition of certification those provisions of the Lake Tahoe Basin Water Quality Plan prepared by the State Water Resources Control Board which address these issues.

5. The State Board authorizes the Executive Director to provide any clarification or greater detail requested by the Tahoe Regional Planning Agency concerning the requirements for certification of the 208 plan.
6. The Tahoe Regional Planning Agency shall adopt and submit to the State Board a 208 plan not later than 90 days after this resolution is adopted. After the expiration of 90 days, the State Board shall consider the issues of plan certification and designation of the agency responsible for continuing planning.

7. If the Tahoe Regional Planning Agency does not submit an adequate plan before the State Board acts on plan certification and agency designation, the State Board may reconsider these issues if the Tahoe Regional Planning Agency submits a 208 plan at a later date.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on October 29, 1980.

Clint Whitney
Executive Director
TAHOE REGIONAL PLANNING AGENCY

MEMORANDUM

DATE: November 12, 1980

TO: The TRPA Governing Body

FROM: The Staff

SUBJECT: Activities Exempt from the Definition of a "Project" and Projects Exempt from Environmental Impact Report Requirements (Article VII(f) of the Proposed Tahoe Regional Planning Compact)

The Advisory Planning Commission is going to be discussing this planning matter on November 12, 1980 so staff was not able to include their comments in this mailing. Staff will be prepared to discuss this matter at the November 19, 1980 meeting.

- Findings

- Minor shorezone
Mandate by the Proposed Compact to list
Activities Exempt from EIS Requirements

(f) The agency shall adopt by ordinance a list of classes of projects which
the agency has determined will not have a significant effect on the environment
and therefore will be exempt from the requirement for the preparation of an
environmental impact statement under this article. Prior to adopting the
list, the agency shall make a written finding supported by substantial
evidence in the record that each class of projects will not have a significant
effect on the environment. (Article VII(f)).

Agency staff has reviewed the National Environmental Policy Act, California
Environmental Quality Act Guidelines, Placer County Environmental Guidelines,
and has received input from APC in regards to the following list. It should be
noted that this list is a first draft attempt to satisfy the requirements of Article
VII(f) of the proposed TRPA Compact and there is still much work to be completed
particularly in the required documentation of findings.

The following list of activities are exempt from the provisions of Article VII and
do not require any environmental review:

1. Activities which do not fall within the definition of a "project" as
   defined in Article II of the TRPA Compact.

2. Activities which are "emergency projects".

3. Activities which are "ministerial projects". Ministerial projects include, but
   are not limited to, the following:
   a. The issuance of building permits.
   b. The issuance of business licenses.
   c. Approval of final subdivision maps.
   d. Approval of individual utility service connections and
disconnections.
   e. The issuance of well drilling permits.

4. Projects which are categorically exempt:

The following list of projects have been determined not to have a significant
effect on the environment and are therefore exempt from environmental review,
provided, however, that exemptions for these classes are inapplicable when
the cumulative effect of successive projects of the same type in the similar place,
over time, is significant.

Classes 3, 4, 5, 6 and 12 are qualified by consideration of where the project is
to be located—a project that is ordinarily insignificant in its impact on the
environment may in a particularly sensitive environment be significant.
Therefore, these classes are considered to apply in all instances, EXCEPT
where the project may impact on an environmental resource of hazardous
or critical concern as may be hereafter designated, precisely mapped, and
officially adopted by the Agency.
a. CLASS 1. Existing Facilities

Class 1 consists of the operation, repair, maintenance or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to:

1. Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyance;

2. Existing facilities of both investor and publicly owned utilities. Repair, replacement, alteration, or maintenance of utilities systems where the increase in service level does not exceed levels in Agency approved plans.

3. Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities except where the activity will not involve removal of a scenic resource including but not limited to a stand of trees, a rock outcropping, or a historic building.

4. Restoration, or rehabilitation of deteriorated or damaged structures, facilities or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide or flood.

5. Additions to existing structures provided that the addition will not result in an increase of more than:
   a. The permitted land coverage limitation; or
   b. 50 percent of the floor area of the structures before the addition or 2,500 square feet, whichever is less; or
   c. 10,000 square feet if:
      1. The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and
      2. The area in which the project is located is not environmentally sensitive.

6. Addition of safety or health protection devices for use during construction of or in conjunction with existing structures, facilities or mechanical equipment, or topographical features including navigational devices;

7. New copy of existing on- and off-premise signs;

8. Maintenance of existing landscaping, native growth and water supply reservoirs (excluding the use of economic poisons);

9. Maintenance of fish screens, fish ladders, wildlife habitat areas, artificial wildlife waterway devices, streamflows, springs and waterholes, and stream channels (clearing of debris) to protect fish and wildlife resources;
10. Fish stocking by the California or Nevada Departments of Fish and Game;

11. Division of existing multiple family rental units into condominiums;

12. Demolition and removal of individual small structures listed in this subsection except where the structures are of historical, archaeological or architectural significance:
   a. Single-family residences not in conjunction with the demolition of two or more units;
   b. Motels, apartments, and duplexes designed for not more than four dwelling units if not in conjunction with the demolition of two or more such structures;
   c. Stores, offices, and restaurants if designed for an occupant load of 20 persons or less, if not in conjunction with the demolition of two or more such structures;
   d. Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.

13. Minor repairs and alterations to existing dams and appurtenant structures under the supervision of the Department of Water Resources;

14. Conversion of a single family residence to office use;

15. The conversion of existing commercial units in one structure from single to condominium type ownership.

b. CLASS 2. Replacement or Reconstruction

Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to:

1. Replacement or reconstruction of existing schools and hospitals to provide earthquake resistant structures which do not increase capacity more than 50 percent;

2. Replacement of a commercial structure with a new structure of substantially the same size, purpose and capacity;

3. Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity;

4. Conversion of overhead electric utility distribution system facilities to underground including connection to existing overhead electric utility distribution lines where the surface is restored to the condition existing prior to the undergrounding.
c. **CLASS 3. New Construction or Conversion of Small Structures**

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable within a two year period. Examples of this exemption include but are not limited to:

1. Single-family residences not in conjunction with the building of two or more such units;
2. Motels, apartments, duplexes and similar structures, with not more than four dwelling units if not in conjunction with the building of two or more such structures;
3. Stores, offices, restaurants and similar small commercial structures not involving the use of significant amounts of hazardous substances if designed for an occupant load of 30 persons or less, if not constructed in conjunction with the building of two or more such structures;
4. Water main, sewage, electrical, gas and other utility extensions of reasonable length to serve such construction;
5. Accessory (appurtenant structures including garages, carports, patios, swimming pools and fences);
6. The creation of bicycle lanes on existing rights-of-way.

d. **CLASS 4. Minor Shorezone Construction**

Class 4 consists of construction of small structures within the shorezone of Lake Tahoe. Examples include but are not limited to:

1. Small boat berths and floating docks.
2. Intake and outfall structures.
3. Minor bank protection projects.
4. Overhead and submerged utility line crossings.
5. Mooring Dolphins.
7. Navigational aids, lights, or warning signs.
8. Small piers and wharfs.
9. Minor additions to existing marinas.
10. Small dredging projects.
12. Service docks.
13. Small breakwaters with no fill involved.
15. Water ski slalom courses.
16. Small structures placed in the waterway in connection with fish and wildlife conservation programs.
e. **CLASS 5. Minor Alterations to Land**

Class 5 consists of minor public or private alterations in the condition of land, water and/or vegetation which do not involve removal of mature, scenic trees except for forestry and agriculture purposes. Examples include but are not limited to:

1. Grading on land capability districts 4, 5, 6, and 7, except where it is to be located in a waterway, in any wetland, in an officially designated (by federal, state, or local governmental action) scenic area, in critical wildlife habitat areas, in designated historical/archaeological sites, or in officially mapped areas of severe geologic hazard;

2. New gardening or landscaping;

3. Filling of earth into previously excavated land with material compatible with the natural features of the site.

4. Minor alterations in land, water and vegetation on existing officially designated wildlife management areas or fish production facilities which result in improvement of habitat for fish and wildlife resources or greater fish production;

5. Minor temporary uses of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees, etc.;

6. Minor trenching and backfilling where the surface is restored.

f. **CLASS 6. Minor Alterations in Land Use Limitations**

Class 6 consists of minor alterations in land use limitations in areas classified as land capability districts 4, 5, 6, and 7 which do not result in any changes in land use or density, including but not limited to:

1. Minor lot line adjustments, side yard and set back variances not resulting in the creation of any new parcel;

2. Issuance of minor encroachment permits;

3. Reversion to acreage in accordance with the Subdivision Ordinance.

g. **CLASS 7. Information Collection**

Class 7 consists of basic data collection, research, experimental management and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be for strictly information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted or funded.
h. CLASS 8. Actions by Regulatory Agencies for Protection of Natural Resources

Class 8 consists of actions taken by regulatory agencies as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment. Examples include but are not limited to wildlife preservation activities of the California and Nevada State Departments of Fish and Game. Construction activities are not included in this exemption.

i. CLASS 9. Actions by Regulatory Agencies for Protection of the Environment

Class 9 consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities are not included in this exemption.

j. CLASS 10. Inspections

Class 10 consists of activities limited entirely to inspection, to check for performance of an operation, or quality, health or safety of a project, including related activities such as inspection for possible mislabeling, misrepresentation or adulteration of products.

k. CLASS 11. Loans

Class 11 consists of loans made by the Department of Veterans Affairs under the Veterans Farm and Home Purchase Act of 1943, mortgages for the purchase of existing structures where the loan will not be used for new construction and the purchase of such mortgages by financial institutions. Class 11 includes but is not limited to the following examples:

a. Loans made by the Department of Veterans Affairs under the Veterans Farm and Home Purchase Act of 1943;

b. Purchases of mortgages from banks and mortgage companies by the Public Employees Retirement System and by the State Teachers Retirement System.

l. CLASS 12. Accessory Structures

Class 12 consists of construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to:

1. On-premise signs;

2. Small parking lots of four or less spaces;

3. Placement of seasonal or temporary use items such as lifeguard towers, mobile foot units, portable restrooms or similar items in generally the same locations from time to time in publicly owned parks, stadiums, or other facilities designed for public use.
m. **CLASS 13. Acquisition of Lands for Resource Conservation Purposes**

Class 13 consists of the acquisition of lands for resource conservation purposes including preservation of fish and wildlife habitat, establishing ecological reserves, and preserving access to public lands and waters where the purpose of the acquisition is to preserve the land in its natural condition.

n. **CLASS 14. Minor Additions to Schools**

Class 14 consists of minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than 25 percent or five classrooms, whichever is less. The addition of portable classrooms is included in this exemption.

o. **CLASS 15. Minor Land Divisions**

Class 15 consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all service and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel is located in a land capability district 4, 5, 6, or 7.

p. **CLASS 16. Transfer of Ownership of Land in Order to Create Parks**

Class 16 consists of the acquisition or sale of land in order to establish a park where the land is in a natural condition or contains historic sites or archaeological sites and either:

1. The management plan for the park has not been prepared;

2. The management plan proposes to keep the area in a natural condition or preserve the historic or archaeological site. Environmental review will apply when a management plan is proposed that will change the area from its natural condition or significantly change the historic or archaeological site.

q. **CLASS 17. Open Space Contracts or Easements**

Class 17 consists of the establishment of agricultural preserves, the making and renewing of open space contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area. The cancellation of such preserves, contracts, interests or easements is not included.

r. **CLASS 18. Designation of Wilderness Areas**

Class 18 consists of the designation of wilderness areas under the National or State Wilderness Systems.

-7-
s. CLASS 19. Annexations of Existing Facilities and Lots for Exempt Facilities

Class 19 consists of only the following annexations:

1. Annexations to a city or special district of areas containing existing public or private structures developed to the density allowed by the current zoning or prezoning of either the gaining or losing governmental agency whichever is more restrictive, provided, however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities;

2. Annexations of individual small parcels of the minimum size for facilities exempted by Section (c), New Construction of Small Structures.

t. CLASS 20. Changes in Organization of Local Agencies

Class 20 consists of changes in the organization or reorganization of local governmental agencies where the changes do not change the geographical area in which previously existing powers are exercised. Examples include but are not limited to:

1. Establishment of a subsidiary district;

2. Consolidation of two or more districts having identical powers;

3. Merger with a city of a district lying entirely within the boundaries of the city.

u. CLASS 21. Enforcement Actions by Regulatory Agencies

1. Class 21 consists of actions by regulatory agencies to enforce or revoke a lease, permit, license, certificate, or other entitlement for use issued, adopted or prescribed by the regulatory agency or law, general rule, standard, or objective, administered or adopted by the regulatory agency. Such actions include, but are not limited to, the following:

   a. The direct referral of a violation of lease, permit, license, certificate, or entitlement for use or of a general rule, standard, or objective to the Attorney General District Attorney, or City Attorney as appropriate, for judicial enforcement.

   b. The adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate or entitlement for use or enforcing the general rule, standard, or objective.

2. Construction activities undertaken by the public agency taking the enforcement or revocation action are not included in this exemption.
v. **CLASS 22. Educational or Training Programs Involving No Physical Changes**

Class 22 consists of the adoption, alteration, or termination of educational or training programs which involve no physical alteration in the area affected or which involve physical changes only in the interior of existing school or training structures. Examples include, but are not limited to:

1. Development of or changes in curriculum or training methods;
2. Changes in the grade structure in a school which do not result in changes in student transportation.

w. **CLASS 23. Normal Operations of Facilities for Public Gatherings**

Class 23 consists of the normal operations of existing facilities for public gatherings for which the facilities were designed, where there is a past history of the facility being used for the same kind of purpose. Facilities included within this exemption include, but are not limited to racetracks, stadiums, convention centers, auditoriums, amphitheaters, planetariums, swimming pools and amusement parks.

x. **CLASS 24. Regulation of Working Conditions**

Class 24 consists of actions taken by regulatory agencies, including the Industrial Welfare Commission as authorized by statute, to regulate any of the following:

1. Employee wages;
2. Hours of work; or
3. Working conditions where there will be no demonstrable physical changes outside the place of work.

y. **CLASS 25. Transfers of Ownership of Interests in Land to Preserve Open Space**

Class 25 consists of the transfers of ownership of interests in land in order to preserve open space. Examples include but are not limited to:

1. Acquisition of areas to preserve the existing natural conditions;
2. Acquisition of areas to allow continued agricultural use of the areas;
3. Acquisition to allow restoration of natural conditions;
4. Acquisition to prevent encroachment of development into designated critical environmental areas.
z. **CLASS 26. Acquisition of Housing for Housing Assistance Programs**

Class 26 consists of actions by a redevelopment agency, housing authority, or other public agency to implement an adopted Housing Assistance Plan by acquiring an interest in housing units. The housing units may be either in existence or possessing all required permits for construction when the agency makes its final decision to acquire the units.

aa. **CLASS 27. Leasing New Facilities**

Class 27 consists of the leasing of a newly constructed or previously unoccupied privately-owned facility by a local or state agency where the local governing authority determined that the building was exempt from Article VII. To be exempt under this section, the proposed use of the facility:

1. Shall be in conformance with existing Agency plans and policies and with general, community, and specific plans for which an EIR or Negative Declaration has been prepared;

2. Shall be substantially the same as that originally proposed at the time the building permit was issued;

3. Shall not result in a traffic increase of greater than 10 percent of front access road capacity; and

4. Shall include the provision of adequate employee and visitor parking facilities.

Examples of Class 27 include but are not limited to:

1. Leasing of administrative offices in newly constructed office space;

2. Leasing of client service offices in newly constructed retail space;

3. Leasing of administrative and/or client service offices in newly constructed industrial parks.
ACTIVITIES EXEMPT FROM AGENCY REVIEW AND APPROVAL

The proposed compact mandates the adoption of a list of projects exempt from Agency review and approval as follows:

The Agency shall prescribe by ordinance those activities which it has determined will not have substantial effect on the land, water, air, space or any other natural resources in the region and therefore will be exempt from its review and approval. (Article VI(a))

Under the current compact and existing Agency ordinances, there is no definition of "project"; however, the proposed compact defines project as:

(h) "Project" means an activity undertaken by any person, including any public agency, if the activity may substantially affect the land, water, air, space or any other natural resources of the region.

As a starting point, Agency staff has compiled a list of activities that under current TRPA ordinances require permits. It could be assumed that such activities not listed would meet the criteria set forth in Article VII(a). Therefore, the ordinance requirements would be satisfied by indicating "all activities except those listed below". It should be noted that no documentation exists within the Agency that the following list of activities is all inclusive of projects that will have "a substantial effect" as prescribed by the proposed compact.
LAND USE ORDINANCE

Requires Review by the Agency and Local Permit-Issuing Authority

Permits for additional height over 45 feet.
Airports, heliports and landing strips.
Batch plants.
Bulk storage.
Commercial developments of three or more acres.
Commercial parking lots.
Construction in stream channels.
Fish and wildlife management projects.
Developed campgrounds.
Educational facilities, general.
Electric power plants.
Electrical substations.
Golf courses.
Hotels, motels and apartment houses of five or more units.
Medical facilities.
Mobile home parks.
Organized recreation camps.
Multiperson dwellings.
Outdoor amusement facilities.
Outdoor recreation concessions.
Overhead or underground utilities, but excluding service connections.
Public works projects and public services.
Highways, roads and structures.

Requires Issuance of a Permit by the Local Permit-Issuing Authority Only

Any construction or use involving the creation of land coverage on an area greater than 200 square feet.
Permits for additional height up to 45 feet.
Requires Review by the Agency and Local Permit-Issuing Authority

- Sewage treatment plants.
- Water storage tanks and reservoirs.
- Water treatment plants.
- Quarries.
- Recreation vehicle parks.
- Religious facilities.
- Radio, TV and telephone relay stations and transmission lines and structures.
- Skiing facilities.
- Private stream crossings.
- Solid waste transfer stations.
- Transportation facilities.
- Wrecking yards.

All uses not specifically listed as permitted use.

Variance permits for additional land coverage.
  - Man-modified
  - Land capability challenge
  - Local road
  - Regional facility

Permits for replacement of nonconforming land coverage.

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GRADING ORDINANCE

Grading in land capability districts 1-4 during October 15 to May 1.

Grading in stream environment zones.

Variances for additional land coverage.

Variances.

Permits for additional land coverage.

Grading preliminary to or a part of any construction, use or activity requiring TRPA review.

All grading, filling, or clearing of vegetation except when:

1. The excavation does not exceed four (4) feet in vertical depth at its deepest point measured from the original surface, does not exceed two hundred (200) square feet in area, and does not create a slope greater than two (2) horizontal to one (1) vertical in unconsolidated material;
2. The fill does not exceed three (3) feet in vertical depth at its deepest point measured from the natural ground surface, does not cover more than two hundred (200) square feet, does not create a slope steeper than three (3) horizontal to one (1) vertical, and is not placed within a stream environment zone;

3. The work is an exploratory excavation under the direction of a soils engineer or engineering geologist not to exceed an aggregate area of two hundred (200) square feet;

4. The work is an excavation below finished grade for basements, footings of a building, or driveways authorized by a valid building permit. This exception does not affect the requirement of a grading permit for any fill made with the material from such excavation;

5. The work is the clearing of vegetation for landscape purposes which does not exceed one thousand (1000) square feet in area and there is sufficient prevention of erosion; or

6. The work is by a public agency in accordance with plans approved by the Agency.

SUBDIVISION ORDINANCE

Tentative maps for any real property, improved or unimproved, or a portion thereof, shown on the latest adopted tax roll of a local government as a unit or as contiguous units, which is divided for the purpose of use, sale, lease, or financing, whether immediate or future, into five (5) or more condominiums, or into five (5) or more units through a condominium conversion, or into five (5) or more units of a community apartment, or into five (5) or more units of a stock cooperative, or into five (5) or more lots, or in which five (5) or more undivided

Not applicable
Requires Review by the Agency and
Local Permit-Issuing Authority

interests are created or are proposed
to be created.

Final maps if different from tentative
map.

SHOREZONE ORDINANCE

New construction or placement of a buoy,
pier, floating dock or platform for
individual use.

Repair of an existing conforming buoy, pier,
floating dock or platform for individual use
when said repairs exceed $500.00 in cost in
any one year period.

Structural repairs of a nonconforming
structure.

Non-structural repairs of a nonconforming
structure when said repairs exceed $500.00
in cost in any one year period.

Construction or placement of any multiple or
commercial use facility including a pier, buoy,
floating dock or platform, boat ramp, launching
facility, jetties or breakwaters, marinas, or
shoreline protective structure.

Filling and dredging.

Any construction or use for which a variance is
required.

Any cable, pipeline or submarine conduit to be
constructed or placed in a lake including replace-
ment of any existing facilities.

Any new construction or use within the backshore
which involves the creation of coverage on an area
greater than two hundred (200) square feet.

Construction or placement of any boat ramp, navigation
structure, launching facility, jetty, breakwater, or
shoreline protective structure.

Any repairs of an unauthorized structure.

Any construction or use within the nearshore or
foreshore not specifically enumerated above.

Requires Issuance of a Permit by the
Local Permit-Issuing Authority Only

Not applicable.
Requires Review by the Agency and Local Permit-Issuing Authority

Requires Issuance of a Permit by the Local Permit-Issuing Authority Only

TIMBER HARVESTING ORDINANCE

Timber harvesting.
Variances.

Not applicable.

TREE CONSERVATION ORDINANCE

Variances.

Removal of live trees more than six (6) inches dbh.

SIGN ORDINANCE

Variances.

Not applicable.
TAHOE REGIONAL PLANNING AGENCY

MEMORANDUM

DATE: November 12, 1980

TO: The TRPA Governing Body

FROM: The Staff

SUBJECT: Approval of Fiscal Year 1980-81 Audit and Adoption of Fiscal Year 1981-82 Preliminary Budget (Items VIII A & B)

Staff will be prepared to present its recommendation at the November 19, 1980 meeting. A copy of the Fiscal Year 1980-81 audit was distributed to you at the October 22, 1980 meeting.
MEMORANDUM

DATE: November 10, 1980

TO: The TRPA Governing Body

FROM: The Staff

SUBJECT: Status of Compliance by Sierra Boat Company With TRPA Governing Body Approval

Attached for your information is a copy of the letter sent to Mr. Clarke, the authorized agent/owner of Sierra Boat Company, outlining the conditions placed on Sierra Boat Company on October 22, 1980. Mr. Clarke agreed to abide by these conditions as indicated by his signature on the second page of the letter. For the Board's information, as of the date of this memorandum, the staff has not received any of the required plans as described in conditions 1, 2, and 3. (The applicant has until November 21 to submit these detailed plans.)

Attachment
October 24, 1980

Mr. Richard Clarke
Sierra Boat Company
P. O. Box 69
Carnelian Bay, CA 95711

Subject: Sierra Boat Company, Compliance With Conditions of Approval

Dear Mr. Clarke:

At the October 22, 1980 meeting of the Governing Body of the Tahoe Regional Planning Agency, the following agreement was approved as an acceptable alternative for compliance with the conditions of the 1975 and 1980 TRPA approvals.

The applicant shall agree in writing to the following conditions:

1. Within 30 days from October 22, 1980, the applicant shall submit a parking plan for TRPA staff approval. This plan shall indicate all parking areas and spaces, and parking restrictions with appropriate signs, i.e. customer parking only with no overnight parking or boat storage; and necessary improvements, i.e. paving, barriers, finish grades. This plan will be implemented by June 1, 1981.

2. Within 30 days from October 22, 1980, the applicant shall submit for TRPA staff approval a drainage plan indicating location and type of drainage facilities to be in place on the site by June 1, 1981. Such drainage facilities shall be designed so as to prevent contaminants from discharging into the waters of the harbor/Lake Tahoe.

3. Within 30 days from October 22, 1980, the applicant shall submit a buoy and boat slip plan which indicates the location and number of boat slips and buoys. This plan should not exceed the number legally existing prior to July 26, 1976 and should be verified by the U.S. Army Corps of Engineers, California State Lands and Placer County. All mooring for the marina shall be in conformance with this plan.
4. Within 180 days from October 22, 1980, the applicant shall present proof of purchase of high hazard land in such an amount that the coverage permitted would equal the 4,025 square feet required to be converted to open space. The purchased land should be restricted so as to permit no impervious surface on the property and to insure for the maintenance of vegetation on the site. Such property would preferably be located as close to the project as possible and in the Carnelian Creek Watershed.

Please sign in the space below to indicate your acceptance of the conditions of the agreement and return this letter to the Tahoe Regional Planning Agency. Failure to sign this agreement and return it to the TRPA or failure to comply with these conditions will result in immediate legal action by the Tahoe Regional Planning Agency.

Sincerely,

Gordon W. Barrett
Senior Planner

GWB:jl

I am the authorized agent/owner of Sierra Boat Company. I have read the agreement contained within this letter and I concur with the conditions.

[Signature]

Applicant/Owner

10/30/80

Date

cc: Placer County Public Works, Planning, and Building Departments
Placer County District Attorney
U.S. Army Corps of Engineers
California Tahoe Regional Planning Agency
California Regional Water Quality Control Board, Lahontan Region
Jim Williamson
Gary A. Owen, TRPA Legal Counsel
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 100 THERETO, TO CHANGE THE LAND USE DISTRICT APPLICABLE TO CERTAIN REAL PROPERTY

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

Section 1.00 Findings

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

Section 2.00 Change In Land Use District

Exhibit "A" to Ordinance No. 22 of the Tahoe Regional Planning Agency, as amended, is hereby amended by adding thereto new paragraph 100 to accomplish a change in the applicable land use district, which paragraph shall read as follows:

"100. All that certain real property situate in the City of South Lake Tahoe, County of El Dorado, State of California, more particularly described as follows: All that real property situate in Sections 4 and 5, T12 N, R18E, MDB&M. Beginning at a point from which the southeasterly terminus of that certain course described as North 37 degrees 27 minutes 00 seconds West, 1075.00 feet in that certain instrument exercised by Dillingham Corporation of California to City of South Lake Tahoe recorded November 3, 1966 in Book 810 Page 715 Official Records bears the following two courses: (1) South 52 degrees 33 minutes 00 seconds West, 316.00 feet; and (2) South 37 degrees 27 minutes 00 seconds East, 190.00 feet distant; thence from said point of beginning North 37 degrees 27 minutes 00 seconds West, 150.00 feet; thence North 52 degrees 33 minutes 00 seconds East, 297.50 feet; thence South 37 degrees 27 minutes 00 seconds East, 830.00 feet; thence South 52 degrees 33 minutes 00 seconds West, 297.50 feet; thence North 37 degrees 27 minutes 00 seconds West, 830.00 feet, to the point of beginning, which property is made up of four parcels identified by the El Dorado County, California Assessor as Parcels 22-210-15; 22-210-14; 22-210-09 and 22-210-20.

Said described property is reclassified from High Density Residential to General Commercial with the limitation on land coverage to be 70% of the land area as calculated in Section 8.22 of the Land Use Ordinance."

Section 3.00 Severability

If any part or provision of this ordinance, or the application thereof to any person, thing or circumstance, is held invalid by a court of competent jurisdiction, such invalidity shall not affect the parts, provisions or application, and to this end the parts and provisions hereof are severable.
Section 4.00  Effective Date

This ordinance shall be effective immediately upon its adoption.

FIRST READING: October 22, 1980

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

## Statement of Revenue and Expenditures

### Comparison to Budget

**For 4th Month Ended October 31, 1980**

(See Accountant's Report)

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<th>Budget</th>
<th>Variance</th>
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**Excess of Revenue Over Expenditures**

$42,194.56

**Fund Balance Beg**

$75,337.87

**Fund Balance-Current**

$117,532.43
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184,810.75  17,886.00   166,924.75

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| EXCESS OF REVENUE OVER EXPENDITURES  | $42,194.56   | $42,194.56   |              |

| FUND BALANCE BEG                     | $75,337.87   | $75,337.87   |              |

| FUND BALANCE-CURRENT                 | $117,532.43  | $117,532.43  |              |
TAHOE REGIONAL PLANNING AGENCY
STATEMENT OF REVENUE AND EXPENDITURES
COMPARISON TO BUDGET
FOR 4TH MONTH ENDED
OCTOBER 31, 1980
(SEE ACCOUNTANT’S REPORT)

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(1)  
(2)  
(3)
ALTERNATIVE I  Continue Existing Level of Effort

Type of Program

Existing level of staffing is maintained (7 full-time positions). Project review of major projects, public works, and shorezone projects is continued. No new staff effort to implement long range planning requirements (i.e. threshold limitations) other than staff coordination with federal programs.

Staff

| Management  | 24 |
| Senior Planner | 12 |
| Associate Planner | 12 |
| Planning Assistant | 12 |
| Shorezone Ass't/Recpt. | 12 |
| Secretary II/Bus. Mgr. | 12 |
| Total Person Months | 84 |

Revenue

| Counties | $150,000 |
| California | $100,000 |
| Nevada | $50,000 |
| Filing Fees | $20,000 |
| Total | $320,000 |

Expenditures

| Staff Support | $176,849 |
| Legal Support | $85,000 |
| Other | $55,830 |
| Total | $317,679 |

Projected Beginning Fund Balance: $58,488
Total Resources Available: 378,488
Less Expenses: 317,679
Ending Fund Balance: $60,809

% of 1980-81 Budget: 105.7%

Implications for Agency Programs

Project Review Function - same level of effort as present. Increased project review requirements of revised TRPA compact would be difficult to implement (i.e. EIS requirements, findings of consistency with state/federal standards). Review of stream environment zone construction, review of management practices on single family and small commercial development would be reduced. Enforcement capabilities would be severely limited.
Alternative I

Long Range Planning Function - This alternative would rely on activities of Federal agencies in the development and assessment of environmental thresholds. A coordinating function with federal planning activities would be retained with the Agency management division.

Management Function - This alternative would maintain existing management function and would rely on coordination of efforts with other local, regional, state and federal agencies to achieve major long range planning objectives. A simplified accounting and budgeting procedure would be continued which would not enable the Agency to undertake major federal grant programs.
PRELIMINARY 1981-82 BUDGET ALTERNATIVES

ALTERNATIVE II   Expanded Long Range Planning Function

Type of Program

Existing level of effort is expanded to include a long range planning function in addition to existing project review program. Additional effort is placed on development of Agency standards for project review (intermediate range planning) and updating Agency ordinances, standards and procedures to incorporate revised compact requirements. Environmental thresholds developed as a cooperative effort with Federal agencies. Long range planning functions expanded to include water quality planning, air quality planning, and transportation planning on a cooperative basis with other Agency programs.

Staff

Management

- Chief Engineer (12)
- Shorezone Asst./Recpt. (12)
- Planning Assistant (12)
- Secretary II/Bus. Mgr. (12)
- Sr. Environ. Investi. (24)

Project Review

- Principal Planner (12)
- Senior Planner (12)
- Air Quality/Transp. Planner (12)
- Secretary II (12)
- Draftsperson/Cartog. (12)
- Stream Environ. Zone Tech. (12)

Total Person Months 180

Revenue

- Counties $ 150,000
- California 200,000
- Nevada 100,000
- Filing Fees 20,000
- Federal Grants 35,000
- Other 6,900

Total: $ 511,900

Expenditures

- Staff Support $ 319,432
- Legal Support 85,000
- Other 104,638

Total: $ 509,070

Projected Beginning Fund Balance $ 58,488
Total Resources Available 570,388
Less Expenditures 509,070
Projected Fund Balance 61,318
Contingencies (termination pay, law suits, contracts) 50,000
Net $ 11,318
% of 1980-81 Budget 168.9%
Alternative II

Implications for Agency Programs

Project Review Function - This alternative would allow for expansion of the scope of project reviews including addition of a chief engineer and two environmental investigators. The expanded project review functions (i.e. Environmental Impact Statements and findings) would be incorporated into the existing project review program. The Agency's ordinances, standards and review procedures would be updated to include these required provisions and would be upgraded to incorporate adequate controls for construction activities taking place during the period of time in which development controls remain in effect. The Agency's enforcement capabilities would be enhanced through additional personnel who would work directly (possibly direct assignments) with local planning and building departments to ensure compliance with applicable Agency standards.

Long Range Planning Function - The Agency's long range planning capabilities would be expanded to include water quality planning, air quality planning and transportation planning functions. These functions would be primarily as a central coordinating entity to bring together existing local, state and federal programs with responsibility presently dispersed through a variety of entities. In addition, the Agency would take responsibility for the preparation of specific elements of the environmental threshold analysis which would be performed on a cooperative basis or under contract to the Tahoe Federal Coordinating Council (TFCC).

Management Function - The Agency's management function would operate as under the previous alternative. An expanded activity would be management of long range planning activities to ensure consistency of work programs for environmental thresholds as part of the Agency's updated general plan.
PRELIMINARY 1981-82 BUDGET ALTERNATIVES

ALTERNATIVE III   Full Level Planning Function

Type of Program

Under this alternative, the Agency's long range planning function would be shifted from a coordination role to one of assumption of lead agency responsibility for development of work elements. The Agency's project review capability and intermediate range planning activities would remain the same as Alternative II.

Staffing

<table>
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<tr>
<th>Management Function</th>
<th>36</th>
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<td>Project Review Function</td>
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<td>- Chief Engineer (12)</td>
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<td>- Assoc. Planner (Data Mgmt) (12)</td>
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<td>- Legal Asst./Planner (12)</td>
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<td>- Draftsperson/Cartog. (12)</td>
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<td>- Stream Environ. Zone Tech (12)</td>
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Revenue

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Expenditures

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Projected Beginning Fund Balance | $ 58,488
Total Resources Available | 785,388
Less Expenses | 56,403
Contingencies (termination pay, law suits) | 50,000
Net | 6,403
% of 1980-81 Budget | 241%
Alternative III

Implications for Agency Programs

Project Review Function - Same as Alternative II with the addition of a zoning clerk to provide information on public inquiries regarding Agency ordinances and plans.

Long Range Planning Function - This alternative would provide for assembly of a "planning team" under the direction of TRPA and the TFCC to develop the environmental thresholds, carrying capacities and ultimately the updated TRPA General Plan. This would provide for focusing all current resource planning programs through the Agency's activities and consolidation of current overlapping activities of state and regional agencies with authority in the Basin. Although this is a substantial increase in level of effort, not all resources are necessarily new and could be reassigned from existing state and federal programs through a variety of mechanisms.

Management Function - The management division would be expanded to include a full-time financial manager to enable the Agency to administer grant programs. The management function would also be expanded for partial or full accountability for the threshold and carrying capacity development. The extent of TRPA management and control over the development of the threshold limitations would be negotiated with the TFCC.

Contracts - This alternative provides for outside consultant contracts to provide additional data/information to supplement the TFCC budget. This would include development of a data management and information system.
MOTION:

Approve the request to modify the approval of Kingsbury Heights #3 to relocate the building envelope to the area designated as open space and grant a variance under Section 8.34 of the Land Use Ordinance with the findings required under that section, including the following findings of fact:

1. Because of the special nature of the property and the topography of the roadway in the area relative to the property, the building site may be relocated to the proposed area without significant damage to the environment resulting from clearing, grading or other land disturbing activities.

2. The siting of the proposed building will not result in significant probability of erosion or other adverse environmental consequences due to the location of the proposed building relationship to the existing roadway and mitigation measures included in the applicant's plans. Nor will the siting result in a significant probability of harm to property in the vicinity.

3. The proposed relocation results in a minimum departure from the Agency's standards to facilitate a reasonable use of the property.

This approval is subject to the following conditions:

1. Prior to the re-issuance of any building or grading permits, the applicant shall satisfy the following:
   a. Standard a - Bond for reweq.
   b. Standard d - Inf. trench cards

2. Land coverage shall not exceed 2700 square feet.

3. All construction shall take place in conformance with the plans approved by Agency staff. No modifications to the site plan may be made without the express written approval of Agency staff.

4. Limited grading work may continue until December 1, 1980 upon a site inspection by Agency staff confirming the adequacy of temporary erosion controls.

[Signature]
11/20/80