TRPA
APC
PACKETS

NOVEMBER
1983
NOTICE OF MEETING OF THE
ADVISORY PLANNING COMMISSION OF THE
TAHOE REGIONAL PLANNING AGENCY

NOTICE IS HEREBY GIVEN that on November 9, 1983 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 Advisory Planning Commission 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 1, 1983

By: Gary D. Midkiff
Acting Executive Director
Tahoe Regional Planning Agency
PRELIMINARY AGENDA

I  CALL TO ORDER AND DETERMINATION OF QUORUM

II  APPROVAL OF AGENDA

III  DISPOSITION OF MINUTES

IV  PLANNING MATTERS
   A. Regional Plan Update and Matters Relating Thereto
      1. Schedules, Milestones
      2. Adopting Ordinance
      3. Single-family Residence Evaluation System
      4. Planning Area Statements Issues
      5. Transfer of Development Rights Policies
      6. Implementing Ordinances
      7. Other

V  ADMINISTRATIVE MATTERS

VI  REPORTS
   A. Staff Reports
   B. Public Interest Comments
   C. APC Members

VII  RESOLUTIONS

VIII  CORRESPONDENCE

IX  PENDING MATTERS

X  ADJOURNMENT
MEMORANDUM

November 1, 1983

TO: TRPA Advisory Planning Commission

FROM: Mary Dailey

SUBJECT: APC Minutes

Enclosed are the minutes for August 17, and September 8, 1983 APC meetings for your review.

At the October 12, 1983 APC meeting the minutes for July 13-14, August 4-5, and August 10-11, 1983 were included in your packets, but were deferred due to time constraints. If you still have your copies of these minutes please include them with your packet for the November 9, 1983 meeting. If you did not keep them please let me know prior to the meeting so that copies will be available for you.

/md
TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

, TRPA Office, 2155 South Avenue
South Lake Tahoe, California

August 17, 1983  9:00 a.m.

Chairman Mike Harper called the meeting of the Advisory Planning Commission to order at 9:35 a.m.

I CALL TO ORDER AND DETERMINATION OF QUORUM

APC Members Present:  Mr. Renz, Mr. Combs, Mr. Randolph (arrived at 9:40 a.m.), Mr. Hoefer, Mr. Sawyer, Mr. Dodgion, Mr. Pyle, Ms. McMorris, Mr. Curtis (arrived 10:30 a.m.), Mr. Poppoff, Ms. Bogush, Mr. Harper

APC Members Absent:  Mr. Milam, Mr. Sullivan, Mr. McMullen, Ms. Sparbel, Mr. Hansen, Ms. Michael

Mr. Harper noted that the Land Use Subcommittee had met earlier, consequently the APC meeting commenced late.

The APC members received copies of the minutes from Urban Land Institute (ULI) meeting held on August 5, 1983. Ms. Bogush attended the meeting and presented a summary report of that meeting with staff and the Governing Board. Ms. Bogush explained that the ULI panel was invited to do a critique on the feasibility of the concepts of the Regional Plan. The panel was composed of two developers, one planner, one engineer, one economist, and one attorney. They spent one day touring the Tahoe area and gave a presentation to the Governing Board of their findings and recommendations:

Evaluation of Transfer of Development Rights (TDR) - TDR's were useful in encouraging single family development in more desirable areas under the system that is being used on the California side of the Basin. To an extent the TDR system does address the equity issue, but it does not totally compensate the owner of a high hazard lot for the value of their lot. However, TDR's will not be overly effective for encouraging multi-family residential development through the density bonus system, and it probably will not be overly effective achieving redirection or redevelopment goals due to a marginal economic situation in the Basin. TDR could be a powerful tool if it was used for new development, but not necessarily for the in-fill sort of situation presently used; in-fill for residential and commercial development. If the TDR system is used for new development there would be a much higher incentive to the developer. TDR's will not create a market. If there is not a market now for good development TDR's will not create that market; it will allow the transfers to happen but it will not create a good market.

Evaluation of Performance Zoning - Performance zoning could be used to create good commercial development and to encourage low level development. However, if performance zoning was tied to development levels then it would become an allocation device that would become very rigid zoning system, which would discourage development and competition. Because of the Tahoe market performance zoning is not likely to encourage redirection.
Evaluation of the Point Priority System - The panel noted that in their experience there was no system developed that was a long term solution to growth management. This type of system did not work or survive even though the implementing agency had implementing authority. The TRPA does not have the implementing authority and would have to rely on local agencies to implement the point priority system. The panel recommended that the TRPA consider a role establishing general performance guidelines such as: Best Management Practices (BMP's); land capability studies and further definition of capability boundaries based on more accurate surveys; limitations on development based on public service levels; determine whether development could occur according to those criteria; and to continue monitoring the actions of the local agencies who are implementing the system. The point priority system could become very burdensome from an administrative standpoint pulling staff time away from regional environmental goals. The panel did not support the idea of buying a permit; the more it costs for off-site mitigation then, eventually, just the people who have a lot of money would be able to build, which would not be equitable. The panel suggested that if the Agency is committed to a point priority system then it should be used on an interim basis until the land acquisition program retires a large portion of the lots. The system should not be incorporated into the mandate of the Agency when it is unnecessary.

The ULI panel also defined the monitoring role of the TRPA and suggested that if there were any deficiencies on the part of local government, the development allocation should be altered, but TRPA should not assume the local governmental function. TRPA should fulfill it's own broad environmental protection through regional planning types of issues.

Recommended Strategies - TRPA should consider transferring publicly owned property that is available for high hazard sites instead of buying them out in trade. The Bailey land capability maps should be refined; create a useable scale and useable contour levels; clarify the role of TRPA; declare an intent to deal with only substantial projects; day to day projects should be dealt with at the local level; in the Regional Plan it should be clearly stated of how the equity issue will be dealt with; to create a system that will encourage a market that will solve the problems instead of creating pressure because of regulatory restrictions.

Regarding the allocation system, the panel said there seemed to be a perception of a great deal of demand and people rushing to build, but they did not think the demand was there with the low inflation rates, which are low on real estate investments because there will not be appreciation on a second home, the high interest rates for borrowing, high construction costs, plus the environmental mitigation fees, and all of these factors combined to make the market demand not as extensive as is perceived. The ULI panel did not feel that a building allocation system was necessary because the culmination of these factors would keep the building rates low enough to meet the Agency's goals; building limitations would not address the equity issue, but would complicate it; the allocation system would add to the burden of the Agency, create artificial limits, and precipitate premature building plans.

The panel addressed new development and new subdivisions. They recommended that the Governing Board consider new development in subdivisions with regard to re-development.
The attorney addressed the importance of their recommendation to integrate the land acquisition program in a cooperative effort with the Forest Service into the Regional Plan and felt that ignoring the existence of land acquisition system as a solution to the environmental problem made the Regional Plan legally defensible, but did not necessarily solve problems. The panel recommended that the Agency meet the issue of being sued squarely.

The panel felt that the planning area statements should be done at the local level, and the TRPA should concentrate on policies, threshold studies, establishing BMP's, and monitoring programs.

Ms. Bogush added that the overall theme of the ULI's recommendations was to simplify the process, don't add a lot of questions in the process - either yes a person can build according to the standards or no they cannot build.

Jim Bruner, Executive Director of the League to Save Lake Tahoe, stated that with regard to the scope of the acquisition programs, the California Bond Act was written by the legislature and thereafter passed by the voters with the idea that all lots with 1, 2, and 3 capabilities which were being affected by the State of California and TRPA Water Quality Management Plan would be purchased. The voters were faced with the issue of the fact that there was a prohibition of construction on those lots. The Santini-Burton Act was also written and passed by Congress with that idea in mind, but with the added geographical area of Nevada to deal with 1, 2 and 3 lots. There are some that are not eligible in the current program for purchase because of the low risk nature that they will ever be developed for any purpose. Whether ULI discussed what happens, the voters in California, Congress and the Appropriations Committee believe that they are making progress and that every lot will be purchased, and hopefully the TRPA's Regional Plan will take that into account. As ULI indicated, if there is an acquisition program ongoing, then TRPA should let the acquisition program work and the Agency should concentrate their efforts on the 4 through 7 land capabilities. The League is hopeful that the Agency can do this and avoid further controversy. Some people may have to wait as long as five to seven years, but there are funds and will be funds in the amount of $85 million dollars for purchase of those lots.

Executive Director, Phil Overeynder, clarified the staff's viewpoint on the point priority system as opposed to a more simplified system. Staff received advice from the Agency's legal counsel on the relationship between the acquisition program and the Agency's program. Mr. Overeynder stated that Mr. Schnidman, who participated on the ULI panel, suggested that the risks are not that great; that the risks are worth taking; rather than having our legal counsel dictate what the Regional Plan should look like; the Agency should be taking the opposite viewpoints; and, as planners, indicate this is what we would like to accomplish, then tell legal counsel to fashion a defense against those actions. Mr. Overeynder stated that the one approach is risk taking and the other approach is avoiding risk. Mr. Overeynder reminded the APC to keep both approaches in mind during their deliberations. Mr. Overeynder emphasized that staff responded to Gary Owen's advice by trying to structure both a workable and legally defensible Regional Plan.
Gordon Barrett, Principal Planner, explained that the TDR's are only a small part in the Regional Plan. TDR's were included in the plan to offer as an option for owners with low priority lots and to assist the Agency in dealing with some of the existing problems. The goals of the TDR program are: (1) to retire high hazard and stream environment zone lots; (2) to provide alternative development options; (3) to provide opportunity for multi-family residential, and (4) encourage more efficient use of the land. Mr. Barrett used a display chart to further explain the TDR concept, permitted land coverages, mitigation points, and allocations to build. He also explained the options within the system, and clarified the options are not mutually exclusive.

The APC members suggested: that the TDR system and administrative process should be unencumbered and before retiring any lots they should be clear from bonded indebtedness. The APC were also concerned that there may be fiscal impacts; that having to restore a parcel before retiring it may offer a disincentive; that there was a need for clear definitions between low priority and low capability in order to eliminate confusion; and that TDR's should have an economic incentive in order to make the system function.

Mr. Combs pointed out that the Land Use Subcommittee was not comfortable with recommending transfers between political jurisdictions because, if there is an allocation system in Placer County and permits have been allocated, the County would either have to say no or hold some in reserve for these transfers, and this would cause administrative problems. Mr. Barrett explained that staff is recommending this measure because the TDR system has a better chance of success with a wider range of jurisdictions.

Ms. Bogush explained that TDR is an implementation mechanism to help achieve the goals of the Regional Plan. All of the information and financial analysis has not been completed, but she felt that the recommendation of the Land Use Subcommittee would be to endorse the concept and then utilize the information to refine it further.

Mr. Sawyer stated that in his opinion there could be advantages to the TDR system by allowing TDR’s between local jurisdictions, such as the ability to retire lots in the South Tahoe Public Utility District service area during the period it takes to expand the plant. However, it would be difficult to make a transfer system work in Douglas County, based on the California model, unless interjurisdictional transfers are allowed. Mr. Sawyer suggested that the APC should be looking at ways to solve several issues raised by an interjurisdictional process, such as the possibility of local entities using up their allocations. He suggested that a transfer unit should be considered part of the allocation process counted against the donating zone and not the receiving zone. Mr. Sawyer pointed out if a local jurisdiction gets more transfers than it can handle then there is a need to make some reasonable assumptions/projections as to the amount of transfers and to make sure that the total allocation will not create too much demand on the area and the sewer capacities.

Lawrence Hoffman, Tahoe Sierra Preservation Council, stated that he did not feel that this discussion should be bogged down and he asked if the entire TDR concept was needed or would there be substantial modification to the Regional Plan if all of these issues could not be resolved at this time? David Ziegler, Acting Chief of Long Range Planning stated that the TDR system was proposed as
an option in response to the demands from the public hearings for people with low priority lots. Mr. Overeynder clarified that the TDR system was considered to be a desirable element which complimented the Regional Plan and established values, but that the entire Plan would not be weakened significantly if these issues were not resolved at this time. Mr. Overeynder stated that the discussion of the TDR system could be continued since more specific issues needed to be resolved which were key elements to the Regional Plan, including land use issues, the allocation system, and the point priority system, and he suggested that the APC members could try to resolve the questions raised with the TDR system through the implementing ordinances. Mr. Overeynder further clarified that if the TDR system was found to be completely infeasible that a substitute measure to the TDR system would be needed which directly references an acquisition program.

Mr. Sawyer commented that the California Water Resources Control Board adopted a plan which has the affect of forcing people to comply with no development on land capabilities 1, 2, and 3. Mr. Sawyer pointed out that in a preliminary ruling in Placer County Superior Court, the court issued a ruling which said in effect there can be a ban of development on land capabilities 1, 2, and 3, even if the effect is to render the property valueless, and he explained which is another way of saying you can ban development on 1's, 2's and 3's whether or not there is a transfer system or other mechanism to insure property values. Mr. Sawyer stated that since lot owner equity was one of the major issues, he thought that it was essential to do whatever we can to provide equity through a strong transfer development system and that there should be a system that is at least as effective as the one on the California side. Mr. Sawyer suggested that a sixth transfer alternative should be proposed that would be effective in the absence of an allocation system.

The APC returned their discussion the Subcommittee Reports on the Regional Plan which was continued from the August 10 and 11, 1983 agenda. The APC received revised copies of the Land Use Element. The APC 's proposed changes are combined with the subcommittee's, and the revised language is underlined.

1. Land Use Element

Ann Bogush, Chair for the Land Use Subcommittee, reported on the subcommittee's recommended revisions to the Goals and Policies of the Land Use Element.

Goal #1 no change.

Policy 1 no change.

Policy 2 no change.

Goal #2, amend: Regulate the amount, location and timing of new land uses in conformance with the environmental threshold carrying capacities and the other goals of the Tahoe Regional Planning Compact.

Policy 1, amend first sentence of the discussion: Population growth in the Region will be guided by the limitations on land use set forth in the Plan.
Mr. Sawyer suggested that sometime after the Environmental Impact Statement is completed the Agency should do a computer run to determine the actual population projections for the Plan which were adopted. This would provide help for the Forest Service and the California Water Resources Control Board.

Policy 2, amend: Specific land use policies shall be implemented through the use of Planning Area Statements for each of the planning areas identified in the map included in this Plan (See Attachment A). Specific land use plans may be established at the local level. Areas of similar use and character have been mapped and categorized within one or more of the following five land use classifications: Conservation, Recreation, Residential, Commercial and Public Service, and Tourist. These land use classifications shall dictate allowable land uses.

Ms. Bogush explained that the subcommittee supported the use of the Planning Area Statements but felt that most of the detailed planning in those area statements should be done at the local level and that local government should have the option to expand on what the TRPA has done. Also, within the planning areas there may be more than one land use classification and it may be necessary to be more specific about land use especially in the case of high density residential (HDR) receiving zones for TDR's. Ms. Bogush clarified that the support of the Planning Area Statements policy did not necessarily mean that the subcommittee approved of all of the individual Planning Area Statements. The subcommittee did not propose any changes to the definitions of the Land Use Element.

Policy 3, amend definition of redirection of development: designation is designed to improve environmental quality and community character by changing the direction or density of development through relocation of facilities and redevelopment of existing structures and uses.

Policy 4, amend second sentence of the discussion: Each planning area statement describes the area, its existing uses and environments, its special problems, its minimum and maximum intensity of use, its high and low residential density zones, and special policy direction.

Add to Policy 4 discussion: Each planning area may vary in detail or specificity depending on the nature of the area or the detail or specificity of local jurisdictions plans. It is the intent of the planning area concept to permit local specific plans consistent with the direction of this plan to be substituted for plan area statements. However, the TRPA plan area statements will be in effect until such specific plans are presented and approved by the TRPA Governing Board. If no specific plans are submitted within two years from the adoption of this plan, the Agency will prepare more detailed plan area statements where they are needed. This does not preclude a local government or the Agency from approving a specific plan at any time. All plans prepared by the Agency would be coordinated with affected jurisdictions.

Policy 5, no change.

Delete first sentence of the discussion under Policy 5. Amend second sentence: This policy does not consider divisions of land as "new" divisions in such instances as:
a. Division of land for purposes of conveyance of a portion thereof to a governmental agency, public entity or public utility.

b. Division of land for purposes of creation of cemetery lots.

c. Division of land ordered by a federal or state court of competent jurisdiction as a result of bona fide, adversary legal proceedings.

d. A modification to an existing subdivision or a lot-line adjustment or lot consolidation, which does not result in any increase in development potential or in present or potential land coverage or density, and will not have an adverse impact upon the health, safety, general welfare or environment of the region.

e. Conversion of an existing structure or structures to a stock cooperative, community apartment, condominium, parcel or any other form of divided interest, which conversion does not result in any increase in development potential or in present or potential land coverage or density, and will not have an adverse impact upon the health, safety, general welfare or environment of the region.

MOTION by Mr. Sawyer to amend f: Division of land within an existing urban boundaries in association with approved redevelopment plans that does not increase development potential. Delete g. There was no second to Mr. Sawyer's motion.

In order to resolve the APC's concerns relating to items f and g, Mr. Combs proposed the following language:

f. Division of land within an existing urban area in association with approved redevelopment plan that does not increase development potential basinwide. Delete the last part of the sentence that read: unless there is an approved transfer of development rights.

g. Division of land within an existing urban area associated with an approved transfer of development in accordance with the provision of this plan.

Policy 6, amend the first sentence: All existing legal uses shall be considered conforming as to land use, unless otherwise specified in the planning area statements.

Ms. Bogush stated that the subcommittee also recommended that the planning area statements specify which uses are nonconforming.

Policy 7, amend: Uses of the bodies of water within the region shall be limited to water dependent uses required to satisfy the goals and policies of this plan.

Ms. Bogush stated that the subcommittee had also recommended that planning area statements for Lake Tahoe should be developed which specify the different uses and the area below high water of Lake Tahoe that are not covered in the ordinances.
Add a sentence to the discussion under Policy 7: Plan area statements detail the specific policies.

Goal #3, amend: Direct all development first to those areas most suitable for development in accordance with the Environmental Threshold Carrying Capacities and other considerations. Use a development management system (See Implementation Element) to accomplish this goal and to control the rate, location, and phasing of development.

Goal #3, add to the second sentence under the discussion: Consequently, the Plan directs new development to the best available sites through the use of the policies below and limits the maximum density to one dwelling unit per lot or parcel of record except as otherwise noted in this plan.

Mr. Overeynder clarified that the question of limiting the maximum density to one dwelling unit per lot or parcel of record was a fundamental part of the Plan which got obscured in the Planning Area Statements as opposed to being a clear policy statement. Staff looked at the ability to meet the environmental thresholds within the existing zoning plan and determined that if buildout occurred at the maximum permitted densities under the CTRPA plan or the TRPA plan that there would be a large quantity of subdividable property both inside and outside of the existing urban boundaries which in either case would prohibit the threshold from being met. Mr. Overeynder explained that there were no practical solutions to deal with the additional problems, such as, the costs for the transportation system, trying to meet the 10% reduction for VMT, and the 25% rollback on the nitrogen loading to the Lake.

Mr. Harper suggested that a clear statement should be added to the policy plan that clearly discloses to the property owner that whatever the zoning category is on their property as of this time is essentially not the guideline to be used for development potential on their property, that the present zoning is being abolished, and that the zoning category is substituted with the plan area statements.

Mr. Combs agreed with Mr. Harper's statement pertaining to public disclosure, and he stated that if there is any question at all on the part of anyone serving on the APC or the members of the Governing Board that a planning agency doesn’t have the jurisdiction to affect zoning changes which may reduce density, then they should be made aware that this is our function as mandated by the Compact, which does allow implementation of zoning that may affect someone's density that was formerly held, and having had a specific zoning on a parcel in 1973 is no God given right or guarantee that zoning and density would remain in effect forever. The TRPA has every power to reduce density as long as the process is fair, reasonable and there is open disclosure.

The APC agreed that Goal #3 and Policies 1 through 3 would be addressed at a later time because more in-depth discussion was required.

2. Transportation Element

The APC received revised copies of the Transportation Element.
Mr. Randolph reported that the Advisory Committee of the Tahoe Transportation District (TTD) unanimously agreed to ask the District to seek funds and to go ahead with the concept of the revised Transportation Element, and recommending that the District so state that at the Governing Board meeting on August 19, 1983. Mr. Randolph noted there were still some blanks in the Transportation Element that needed to be filled in which pertained to terminology, and referred to the first 5 year phase for construction of a two lane bypass at Tahoe City (Highway 28) and SR 89 realignment. The APC agreed that the last sentence should read: In conformance with the concepts of the Tahoe City Urban Design Study with final adopted design specifications submitted by Placer County. Also referring to the fifth paragraph on page 45 Mr. Randolph suggested that the language be changed: In order to meet the threshold standard of 6 ppm, will need to reduce traffic volumes on the U.S. 50 corridor up to 35% during the winter from the 1981 base year.

3. Conservation Element

The APC members received copies of the revised Conservation Element. There was no discussion pertaining to the revisions.

The APC returned their discussion to the Land Use Element, Bailey coefficients, coverage limits and the point priority system but deferred action on Goals 3, and 4 because they felt that these goals was such an integral part of the Regional Plan that needed to be linked with the Implementation Element, and that a great deal more work and technical discussion were required.

The APC agreed that there were no changes to Goal #5, or Policies 1 and 2. They also agreed that Goal #6 would need further discussion.

Housing Subelement

The APC agreed that Goal #1 was acceptable, but that further discussion would be required on the subcommittee's recommendations and revisions.

Noise Subelement

Mr. Randolph stated that the subcommittee would have no further revisions, and the APC had no changes to Goal #1, Policies 1 through 6, Goal #2, Policies 1 and 2.

Natural Hazards Subelement

Goal #1, no change.

Policy 1, no change.

Policy 2, amend second sentence: Require all public utilities, transportation facilities, and other necessary public uses located in the 100 year flood plan and area of wave runup to be constructed or maintained to prevent damage from flooding and to not cause flooding.

Policy 3, no change.
Air Quality Subelement

Mr. Randolph stated that the subcommittee had made some recent changes to the Air Quality Subelement, which were briefly covered as follows:

Page 24, under B., discussion, second paragraph, amend second sentence: The California Air Resources Board (CARB) is expected to be currently reevaluating the state standard which currently serves as the threshold standard.

Page 27, Policy 4, first paragraph, amend last sentence: The local building code should be amended accordingly to enforce the emission standards.

Page 27, Policy 6, amend second sentence: Therefore, alternative fuels which would reduce in lower NOx emissions should be used in the Basin where practical.

The APC agreed that further discussion on the Land Use Subelements of Housing, Noise, Air Quality, Water Quality, Community Design and Implementation would be deferred. The APC agreed to meet again on September 8, and at their next regularly scheduled meeting on September 14 and the 15th if necessary. Ms. Bogush agreed that she would attend the Governing Board meeting at Valhalla on August 19 to represent the APC.

It was noted that Mr. Hoefer had distributed copies on the Determination of Fair Market Value of Land Acquired through Public Law 96-586 dated 12/23/80 for the APC to review. Mr. Sawyer also distributed copies of the Burton-Santini Appropriations report for approved funding for federal fiscal year 1984, as requested by Ms. Michael at the last meeting. The report included the names of Senator Paul Laxalt (R-Nevada) and Senate Appropriations Subcommittee Chairman James McClure (R-Idaho) to contact enlisting their support for a $10 million appropriation to purchase environmentally sensitive lands under the Burton-Santini Act.

The APC meeting recessed at 5:45 p.m and continued to September 8, 1983.

This meeting was taped in its entirety. Anyone wishing to listen to the tapes may call for an appointment at (916) 541-0246.

Respectfully submitted,

Mary Dalley
Secretary II
Chairman Mike Harper called the meeting of the Advisory Planning Commission to order at 9:50 a.m. He stated that this meeting had been continued from August 17, 1983.

I  ROLL CALL AND DETERMINATION OF QUORUM

APC Members Present:  Mr. Renz, Mr. Combs, Mr. Randolph, Mr. Hoefer,  
Ms. Sparbel, Mr. Sawyer, Mr. Dodgion (arrived at 9:55 a.m.), Mr. Pyle, Ms. McMorris, Mr. Hansen, Mr. Poppoff (arrived at 10:10 a.m.), Mr. Harper

APC Members Absent:  Mr. Milan, Mr. Sullivan, Mr. McMullen, Mr. Curtis,  
Ms. Michael, Ms. Bogush

Mr. Harper stated that the primary objective of this meeting was to review the Land Use Element so that the APC's recommendations on this element could be forwarded to the Governing Board in time for their September 14 meeting. Mr. Harper noted that the Governing Board would conduct their meeting at the TRPA office, and that the APC's regularly scheduled meeting would be held at the El Dorado County Library on September 14.

Mr. Harper explained that the Governing Board spent a great deal of time at their last meeting discussing the APC's recommendations on the Conservation and Transportation Elements of the Regional Plan, and that the Board had referred specific portions of the elements back to the APC for reconsideration and affirmation. It was suggested that the subcommittees convene at this time and attempt to reach resolution on those particular items that the Governing Board had requested.

Executive Director, Phil Overeynder, stated that the Peat, Marwick & Mitchell financial feasibility study was due on September 15, 1983, and that a meeting with Ways and Means Subcommittee would be scheduled the week of September 19. Mr. Overeynder clarified that the Peat, Marwick report would provide information on what the impacts would be on the social and economic indicators, and this preliminary information was included in the response document to the EIS. The recommended financial program will be reviewed by the Ways and Means Committee for specific recommendations.

At 10:15 a.m. the APC assembled into various subcommittees to discuss sections of the plan. The APC members returned to the meeting at 11:40 a.m.

Mr. Sawyer proposed revisions to the Conservation Element - Soils Subelement, and the new/amended language is underlined.
MOTION by Mr. Sawyer, with a second by Mr. Dodgion, that the final environmental impact statement is not complete. That the final environmental impact statement reflect a recommended plan that includes this element. Under Goal #1, a new policy be added to the Conservation Element - Soils Subelement: Policy 2. The land capability maps shall be reviewed and updated. TRPA shall review and, as necessary, revise its land capability map to accurately reflect the land capability levels of all areas in the Region within three years of the adoption of these plan amendments. TRPA shall also provide for procedures to allow land capability challenges to permit reclassification of incorrectly mapped areas. Renumber Policies 2 through 8. Policy 7 amend the first sentence: Grading, filling, clearing of vegetation (which disturbs soil), or other disturbances of the soil are prohibited during inclement weather and for the resulting period of time when the site is covered with snow or is in a saturated, muddy, or unstable conditions.

Mr. Combs asked if this new policy met that the existing maps would be used as a basis for decision making until this task is completed? Mr. Sawyer responded that the policy did not make a decision one way or the other as the implementing ordinances would decide that question. Mr. Combs stated there seemed to be some concern about whether or not individual site reviews would be used as the basis for determining land capability as opposed to the maps. Mr. Overynder explained this motion only addressed updating the maps and not administering on-site review.

The motion carried on the following vote:

Ayes: Mr. Renz, Mr. Combs, Mr. Randolph, Mr. Hoefer, Ms. Sparbel, Mr. Sawyer, Mr. Dodgion, Mr. Pyle, Ms. McMorris, Mr. Hansen, Mr. Poppoff, Mr. Harper

Nayes: None

Abstain: None

Absent: Mr. Milam, Mr. Sullivan, Mr. McMullen, Mr. Curtis, Ms. Michael, Ms. Boqush

Gordon Barrett, Principal Planner, stated that Goal #4 of the Public Services and Facilities Element was referred back to the APC. He explained the Governing Board questioned the need for the TRPA being in the area of police, fire, educational, and health services. In response to the Board's concern, Mr. Barrett read the subcommittee's amended language:

Goal #4: To insure the protection of the public health, safety and general welfare of the region, social and public safety services should be sized to be consistent with projected growth levels in this plan.

Goal #4, Discussion: The Regional Plan will encourage social and public safety services including police, fire, education and health services to provide for the protection of the public health safety and welfare. The TRPA will coordinate through appropriate local, state and federal agencies to insure that the plan growth will also be consistent with the ability of these services to be provided.
Policy 1, amend: The impact on social and public safety services shall be considered when reviewing projects and plan amendments proposed within the region. To the extent feasible, adverse impacts should be mitigated as part of the review process.

Policy 1, Discussion: The TRPA shall attempt to coordinate a regionwide review process that will include the above considerations. Except for environmentally related impacts, the TRPA intends to rely on local, state and federal agencies of expertise to insure implementation of this policy.

Policy 2, amend: Social and emergency service organizations should anticipate and plan for projected demands and needs consistent with the Regional Plan and are encouraged to advise the Agency when development potentials exceed current or anticipated service capabilities or capacities.

MOTION by Mr. Combs, with a second by Mr. Pyle, that the final environmental impact statement is not complete. That the final environmental impact statement reflect a recommended plan that includes this element. The APC recommended to accept the amended language to Goal #4, Policies 1 and 2 of the Public Services and Facilities Element of the Regional Plan.

Mr. Overeynder clarified the intent of the revised goal and policies, that the Agency is going to rely on other entities to satisfy the need for public services and facilities, and focus it's direction on environmentally related concerns. Mr. Harper added that the revised language stated what most plans should do, which is to make sure that there is adequate services to meet development demands, and is accepted as good planning practices. Mr. Overeynder pointed out that the Implementation Element deals with the institutional responsibilities and that the local governments of each jurisdiction are lead entities for the social services/facilities that would be provided under the Plan.

The motion carried on the following vote:

Ayes: Mr. Renz, Mr. Combs, Mr. Randolph, Mr. Hoefer, Ms. Sparbel, Mr. Sawyer, Mr. Dodgion, Mr. Pyle, Ms. McMorris, Mr. Hansen, Mr. Poppoff, Mr. Harper
Nayes: None
Abstain: None
Absent: Mr. Milam, Mr. Sullivan, Mr. McMullen, Mr. Curtis, Ms. Michael, Ms. Bogush

Mr. Poppoff commented that the Santini-Burton Bill called for the Department of Agriculture in conjunction with the States of Nevada and California and TRPA to provide maps on the land capabilities and of land to be purchased. He asked if this was being implemented? Mr. Sawyer responded that it had been done and he added that these maps were not to the accuracy we want, but they are to the detail and will be helpful in updating the land capability maps. Mr. Hoefer clarified that the U.S. Forest Service developed a set of maps, but when they were field checked, staff found that there was a 10 to 15 percent error in the map location and the field location of sensitive lands. The Forest Service recognizes the fact that the present data is not accurate with the assurance that the maps will be field verified on a site-by-site basis.
Mr. Randolph reported that the Transportation Subcommittee had met with the Transportation Advisory Committee (TAC) and the Tahoe Transportation District (TTD) and resolved some of the transportation issues. There were several issues that are potentially resolvable and Mr. Randolph recommended that he would like to defer those items until September 15. Mr. Randolph stated that both he and the subcommittee were concerned with the implementation process and flexibility.

Suggested plan policy revisions (as per Board direction) for the Conservation and Recreation Elements were distributed to the APC members. These revisions were put together by staff and Jon Hoefer, Chair of the Conservation and Recreation Subcommittee. Mr. Hoefer noted that for each policy the predominant issue of contention was identified and then a suggested rewrite of the policy was proposed. The intent of this list was to facilitate discussion of these policies and to gain consensus on new policy language as quickly and efficiently as possible.

Following review of each rewrite within the subcommittee, the following changes were proposed:

**Vegetation Subelement**

Goal #1, Policy 5, Replace Policy and Narrative: 5. **Unnecessary alteration of naturally occurring vegetation shall be prohibited where development activities are occurring.**

Protecting the existing vegetation around a construction site will aid in preventing soil compaction or disturbance due to equipment and human trampling. It will also reduce the need to employ revegetation and landscaping practices which may create adverse impacts to soil and water quality.

**Fisheries Subelement**

Goal #1, Policy 4, Replace Policy and Narrative: 4. Standards for boating activity shall be established for the shallow zone of Lake Tahoe.

There are numerous uses associated with the shorezone of Lake Tahoe. However, some of those activities do not depend on the exclusive use of the nearshore. Boating activity should be appropriately regulated in the nearshore to permit only those uses that are compatible with shorezone-dependent uses such as swimming and fishing. Excessive boat speeds and motor noise should be avoided in the nearshore as necessary to minimize impacts to these and other shorezone users and to reduce the risk of accidents.

The APC pointed out that prime fish habitat was not addressed in the policy and Mr. Hoefer stated that this language may have to be further revised.

**Natural Hazards**

Goal #1, Policy 3, Replace Policy: Inform residents and visitors of the wildfire hazard associated with occupancy in a rural forested environment. Encourage use of fire resistant materials and fire preventative techniques when constructing structures, especially in the highest fire hazard areas. Manage forest fuels to be consistent with state laws and other goals and policies of this plan.
Shorezone Subelement

Goal #1, Policy 1, Mr. Hoefer stated that the Governing Board changed the policy and the narrative to read as follows: 1. All vegetation at the interface between the backshore and foreshore zones shall remain undisturbed unless allowed by permit for uses otherwise consistent with the shorezone policies.

Vegetation at the interface between the backshore and the foreshore is significant to buffering the impacts that occur in this zone. It is the last naturally occurring measure for stabilizing soils and absorbing nutrients in the runoff from the backshore. It prevents accelerated shoreline erosion from wave action and reduces the need for engineered structures. Vegetation is an important element of the wildlife and fish habitat that occurs in the zone. And, the vegetation screens backshore development, thus preserving the natural appearance of the shoreline. Well established, native vegetation is adapted to the zone and provides a strong binding root system and a protective cover of foliage and branches. The interface is defined as the zone that includes backshore cliffs and other unstable lands influenced, in part, or in total by littoral and/or wave processes.

Goal #1, Policy 4, Replace the Policy and Narrative: 4. Class 1 capability shorezones shall be managed consistent with the goals and policies of the stream environment zone subelement.

Class 1 shorezones (barrier beaches) are particularly vulnerable to both natural and unnatural perturbations. These areas typically support backshore wetlands and are usually linked hydrologically with the Lake. As such, class 1 shorezones typically exhibit the characteristics of stream environment zones. Appropriate uses and management of this shorezone type should be consistent with that permitted for stream environment zones. Replacement of existing coverage in barrier shorezones may be permitted in accordance with the policy for replacement of existing coverage in the stream environment zone subelement.

Dispersed Recreation Subelement

Goal #2, Policy 3, Replace the Policy and Narrative: 3. Placement of nearshore/foreshore structures should be appropriately located to minimize impacts to recreational boating and top line fishing.

Excellent recreational fishing is possible in the nearshore of Lake Tahoe. Fish concentrate in this zone due to favorable habitat conditions. To the extent feasible, buoys and other nearshore structures in areas of prime fish habitat should provide for safe navigation through this zone.

Developed Recreation Subelement

Goal #1, Replace Narrative: This goal addresses the need to reserve capacity for recreational oriented types of development. Capacity will be specifically reserved in terms of water supply, land coverage, ability of the watershed and air mass to accept the effects of man's activities, and room on public roads and within publicly funded transportation systems and other scarce resources.
Goal #1, Policy 3, Replace the Policy and Narrative: 3. Provisions shall be made for additional developed outdoor recreation facilities capable of accommodating _______ PAOTS in overnight facilities and _______ PAOTS in summer day use facilities and _______ PAOTS in winter day use.

To assure that the fair share of remaining capacity is allocated to outdoor recreation, agencies that have responsibility for such facilities and activities have collectively estimated the opportunities and needs as reflected in the policy. Ability to build is dependent upon availability of public funds or willingness of private investors. Therefore, scheduling is not possible for this plan. It is estimated that 25 percent of the capacity may be developed in the first 5 to 10 years.

Mr. Hoefer explained that the 40% allocation of the remaining capacities or that required to meet the recreational needs was considered to be too vague and the suggested language modification was more specific. He stated that the blanks would be filled in with information from all of the public entities and private sectors that provide outdoor types of recreation. The recreation growth would be presented as People At One Time (PAOTS). Mr. Overeynder stated that these figures would be available and brought back to the APC at their September 14 meeting. Mr. Sawyer added that capacity is being reserved in the Recreation Element for projected growth that is expected to occur.

Lawrence Hoffman, Tahoe Sierra Preservation Council, asked how the PAOT figures would be translated to the recreation resources and reserved? David Greer, Associate Planner, explained that the EIS contained a translation of the figures. For example, if there is a particular PAOT associated with a campground, that can be translated to camping units and a camping unit used a ratio of how much disturbance that would be created. Mr. Greer stated this has already be done for transportation in terms of vehicles and the same can be done for land coverage by using the PAOT as a common denominator to figure out coverage and trips. Mr. Greer further explained that the EIS addressed a capacity for 18,000 PAOTS for skiing. The ski areas will prepare a master plan that would accommodate their share of that PAOT, how that translates to the ski trails, and how much a ski trail can accommodate.

Mr. Hoffman stated that he would like to see the formula for these figures and Mr. Greer acknowledged that the formula for these figures would be brought back to the APC at their September 14 meeting. However, Mr. Sawyer stated that he did not want to see the formula because at this particular time only the policy for reserve capacity was being set because it didn't make much sense to use averages. He suggested this could be done by adopting an ordinance which addresses these figures that just so much sewage treatment capacity or water capacity is being reserved for each PAOT, and when a detailed facilities plan, for example the sewage treatment plant expansion, is done then make sure that the figures are consistent at that time. Mr. Sawyer commented that he assumed that this should not be pinned down to an exact amount of gallons per PAOT at this time, and he suggested to leave some flexibility. Mr. Overeynder explained that from the staff's point of view the formula analyzed the impacts which was presented and disclosed in the EIS.

Goal #2, Replace Policy and Narrative: Provide for the appropriate type, location and rate of development of outdoor recreational uses.
The appropriate type of outdoor recreational development should depend on demonstrated need. The rate of development should be responsive to demand. The location of facilities should be responsive to both environmental concerns and site amenities.

Goal #2, Policy 1, Replace Policy and narrative: Expansion of recreational facilities and opportunities should be in response to demand.

This strategy provides for the expansion of existing recreational facilities and provides opportunity for development of new facilities if properly integrated to meet environmental thresholds. Opportunity may be expanded to respond to public need if physical resources are available and traffic mitigation measures can be implemented.

Mr. Hoefer explained that under Goal #2 there were two policies, number 11 and 12 that dealt with ski area expansion. He stated that in order to respond to all of the concerns of this issue, the staff and subcommittee further defined base facilities and attempted to develop a more restrictive policy than the existing plan by combining Policies 11 and 12, amending policy language to include: no new ski areas; no new facilities that accommodate the automobile; existing base facility complexes must remain at present sites; and a master plan must be prepared and be consistent with PAOT allocation. Mr. Greer read the suggested modifications to the policy:

Goal #2, Policies 11 and 12, Replace Policy with: 11. Expansion of existing ski facilities may be permitted based upon a master plan for the entire ski area. The plan must demonstrate (1) consistency with the other goals and policies of this plan, (2) that the expansion is consistent with the availability of accommodations and infrastructures to support visitors when they are off the ski area, and (3) expansion of existing parking facilities for day use does not occur.

Mr. Hoefer stated that the narrative for this policy would be rewritten in a more positive manner and that the rewrite would be brought back to the APC at the next meeting.

Mr. Hoefer explained the intent of Policy 11, for expansion of existing ski facilities may be permitted based upon a master plan, was to ensure that all of the effects can be dealt with, to look at all of the phased development at one time and the sequence of development, work towards the efficient operation of that ski area, and to be assured that all of the effects are mitigated ahead of time before considering the first piece of development. Mr. Hoefer stated that the Forest Service requires a master plan in all ski area development regardless of planned phasing of that development. He noted that Heavenly Valley has a master plan that will have to be modified to include some of the requirements that are identified in the policy.

Mr. Overeynder clarified that the net number of parking spaces would stay the same. The concept would be that if there will be an expanded amount of use of the facility the difference will be made up by transit facilities and/or other facilities that concentrate the use and emphasize base facilities that would enhance the pedestrian use. Mr. Hansen added that this policy is primarily an
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attempt to limit or stop the increase of vehicle miles travelled (VMT) and go to other alternative modes of transportation in the Basin, not to discourage the skiing/winter sport activities.

MOTION by Ms. Sparbel, with a second by Mr. Renz, that the APC recommend to the Governing Board to approve the Conservation and Recreation Elements and Subelements as amended. The motion carried on the following vote:

Ayes: Mr. Renz, Mr. Combs, Mr. Hoefer, Ms. Sparbel, Mr. Sawyer, Mr. Dodgion, Mr. Pyle, Ms. Morris, Mr. Hansen, Mr. Poppoff, Mr. Harper

Nayes: None

Abstain: None

Absent: Mr. Milam, Mr. Sullivan, Mr. Randolph (left at 3:00 p.m.), Mr. McMullen, Mr. Curtis, Ms. Michael, Ms. Bogush

Mr. Hansen expressed concern prior to voting since he was a principal in a ski area resort. It was determined that he did not have a conflict of interest.

MOTION by Mr. Sawyer, with a second by Mr. Hansen, that the Advisory Planning Commission adopt Resolution 83-22 that the Governing Body of the Tahoe Regional Planning Agency scheduled a meeting for September 14, 1983 to consider amendments to the Regional Plan; and that the Advisory Planning Commission of the Tahoe Regional Planning Agency urges the Governing Body to consider those subelements on which the Advisory Planning Commission has completed action before proceeding to other elements of the Plan at said meeting. The motion carried on the following vote:

Ayes: Mr. Renz, Mr. Combs, Mr. Hoefer, Mr. Sawyer, Mr. Dodgion, Mr. Pyle, Ms. McMorriss, Mr. Hansen, Mr. Poppoff, Mr. Harper

Nayes: Ms. Sparbel

Abstain: None

Absent: Mr. Milam, Mr. Sullivan, Mr. Randolph, Mr. McMullen, Mr. Curtis, Ms. Michael, Ms. Bogush

Ms. Sparbel stated that she thought that this matter could have been resolved through suggestions from the chairman and staff, and that this action may aggravate an already tense situation. Ms. Sparbel also stated that the language in the resolution should not have been so strong because it was not critical to the functioning of either the APC or Governing Board.

The APC meeting adjourned at 3:55 p.m.

This meeting was taped in its entirety. Anyone wishing to listen to the tapes may call for an appointment at (916) 541-0246.

Respectfully submitted,

Mary Bailey
Secretary II
MEMORANDUM

November 3, 1983

TO: TRPA Advisory Planning Commission
FROM: Agency Staff
SUBJECT: Topics Related to the Regional Plan Update, Agenda Item IV A.

At the November 9 APC meeting, the staff will be prepared to make brief presentations on the following items, listed on the agenda:

1. Schedules and Milestones

Since the Governing Body appears to be close to adopting the Regional Plan Goals and Policies, it is appropriate to consider the schedule for the next six months for the (1) Goals and Policies, (2) adopting ordinance, (3) planning area statements, (4) implementing programs, (5) implementing ordinances, and (6) 208 Plan revisions. A draft bar-chart (Attachment 1) showing the tentative time-lines for these items is under preparation and will be provided under separate cover.

At the December and January APC meetings, the staff anticipates that the major agenda item will be the implementing ordinances. Other topics for discussion may include implementing programs (e.g., monitoring and evaluation program), 208 Plan amendments, and Planning Area Statements.

2. Adopting Ordinance

The October Governing Board packet included a draft adopting ordinance (see Attachment 2) prepared by the staff and Agency legal counsel. The Board may conduct first reading of the adopting ordinance at its regular November meeting, following a public hearing.

The draft adopting ordinance includes language on required findings under the Compact; procedures for review of applications for projects filed prior to adoption of the ordinance; and enforcement of the Regional Plan. The staff will make a brief presentation on these issues and answer questions on November 9.

3. Single Family Residence Evaluation System

On October 27, the Governing Board voted to use a specific type of evaluation system to review proposals for development of single family homes. The Board
selected the option known as Alternative 5 ("Pass/Marginal-Pass/Fail"). The staff prepared a memorandum on this evaluation system for the Governing Board's October meeting (Attachment 3).

Because of the amount of attention focused on the evaluation system, the staff has already begun work on ordinance language to carry it out. Staff met with APC members and members of the public on November 1 to discuss the system. The evaluation system will be in the development and testing phase for at least three months.

4. **Planning Area Statements**

Based on discussions with legal counsel and others, the staff recommended to the Governing Body in October that adoption of the planning area statements should take place concurrent with the Goals and Policies, to ensure that a complete plan is in place as soon as possible. The Governing Board and the APC, however, have called for more time for public review. On October 26, the Board resolved this conflict by deciding as follows:

(a) The planning area statements will be adopted as interim guidelines effective until March 1, 1984 unless this date is extended.

(b) The only projects the Board will consider in the interim period are single family projects in the pipeline; single family projects under the new Goals and Policies; and emergency projects.

The APC should agree on a plan for conducting additional hearings and amending the planning area statements. The staff recommends that hearings be held in each jurisdiction. It will be important to publicize the hearings through the media, and possibly with a notice to the mailing list.

5. **TDR Policies**

The Governing Body may devote time at their November meeting to finalizing the draft policies for transfer of development rights. With the assistance of the fiscal/ financial consultant, the staff has been able to model various TDR scenarios to determine if the draft TDR policies result in feasible projects (i.e., do returns cover costs?).

The staff has modeled 2 scenarios for residential projects incorporating transfer of density: a 3-unit condo project and 49-unit condo project. With the 2:1 density bonus, both projects appear to be feasible from an investor's perspective. In the area of commercial projects incorporating transfer of coverage, the staff has not yet modeled a scenario that is feasible from an investment standpoint, and is continuing to analyze this subject area.

Some persons have recommend that the Agency place a cap, or limit, on the amount of money a developer would have to pay to gain density or coverage benefits from TDR. One recommendation calls for a cap of 5% of the market value of the receiving property. Staff concludes, based on numerical analysis, that the cap would lessen the effectiveness of the TDR program. The program would not retire as many lots, but it would generate mitigation funds for water quality.
At the November 9 APC meeting, the staff will present additional examples and analysis for the APC to consider. Although it is not mandatory, the APC may wish to make further recommendations to the Board.

6. Implementing Ordinances

Upon adoption of the Goals and Policies and Plan Area Statements, the staff intends to prepare a code of ordinances for adoption by the Agency. To develop the code, the staff is using a team approach using personnel from the Long Range Planning and Project Review and Enforcement Divisions. Greg George and David Greer are the team leaders. Other staff are assigned to the ordinances as follows:

- Rules and Regulations
  - Greg George
  - Greg George, Nora Shepard
- Land Use
  - Mark Seltenrich
- Subdivision
  - Kris Elflyng
- Shorezone
  - Steve Chilton
- Grading
  - Dave Greer, Steve Chilton
- Resource Management
  - Dave Ziegler
- Water Quality
  - Dale Neiman, Jim Brennan
- Transportation/Air Quality
  - Gordon Barrett
- Growth Management

The development of the code will require substantial APC input during the period of November 10-23 on preparation of a preliminary working draft. Then, during December, January, and February, the APC and the staff should work together to review the drafts carefully and agree on final language. A subcommittee approach may be the most appropriate means of providing this input.

DZ:md
TAHOE REGIONAL PLANNING AGENCY

ORDINANCE NO. 83-

AN ORDINANCE RELATING TO THE REGIONAL PLAN OF THE TAHOE REGIONAL PLANNING AGENCY; PRESCRIBING AMENDMENTS TO SAID REGIONAL PLAN, AS AMENDED TO DATE, PURSUANT TO ARTICLE V(c) OF THE TAHOE REGIONAL PLANNING COMPACT, AS AMENDED, SO THAT, AT A MINIMUM, THE PLAN AND ALL OF ITS ELEMENTS, AS IMPLEMENTED THROUGH AGENCY ORDINANCES, RULES AND REGULATIONS, ACHIEVES AND MAINTAINS THE ADOPTED ENVIRONMENTAL THRESHOLD CARRYING CAPACITIES; MAKING FINDINGS REGARDING THE BACKGROUND FOR AND BASES OF THE AMENDMENTS TO SAID REGIONAL PLAN ADOPTED HEREBY; PRESCRIBING SPECIFIC WRITTEN FINDINGS PURSUANT TO ARTICLE V(g) OF SAID COMPACT ASSURING THAT APPROVAL OF A PROJECT WILL NOT ADVERSELY AFFECT IMPLEMENTATION OF THE REGIONAL PLAN, AS AMENDED HEREBY, AND NOT CAUSE THE ADOPTED ENVIRONMENTAL THRESHOLD CARRYING CAPACITIES OF THE REGION TO BE EXCEEDED; PRESCRIBING PROCEDURES FOR REVIEW OF APPLICATIONS FOR PROJECTS ON FILE PRIOR TO THE ADOPTION OF THIS ORDINANCE; REQUIRING PLAN ENFORCEMENT AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

The Governing Body of the Tahoe Regional Planning Agency ("TRPA") does ordain as follows:

Section 1.00 Findings

1.10 On December 19, 1980, the Tahoe Regional Planning Compact ("Compact") was amended, requiring, among other things, that the TRPA adopt environmental threshold carrying capacities for the Lake Tahoe region. The Compact further provided that, within one (1) year after the adoption of the environmental threshold carrying capacities, the TRPA shall amend its regional plan so that, at a minimum, the plan and all of its elements, as implemented through agency ordinances, rules and regulations, achieves and maintains the adopted environmental threshold carrying capacities.

1.11 The Compact finds, among other things, that: (a) the waters of Lake Tahoe and other resources of the Lake Tahoe region are threatened with deterioration or degeneration, which endangers the natural beauty and economic productivity of the region; (b) the public and private interests and investments in the region are substantial; (c) the region exhibits unique environmental and ecological values which are irreplaceable; (d) said region is experiencing problems of resource use and deficiencies of environmental control; (e) increasing urbanization is threatening the ecological values of the region and threatening the public opportunities for use of the public lands; (f) maintenance of the social and economic health of the region depends on maintaining the significant scenic, recreational, educational, scientific, natural and public health values provided by said region; (g) there is a public interest in protecting, preserving and enhancing such values for the residents of the region and for visitors to the
region; (h) in order to preserve the scenic beauty and outdoor recreational opportunities of said region, there is a need to insure an equilibrium between said region's natural endowment and its manmade environment; and (l) it is imperative that there be established a TRPA with powers, among others, to establish environmental threshold carrying capacities and adopt and enforce a regional plan and implementing ordinances which will achieve and maintain such capacities while providing opportunities for orderly growth and development consistent with such capacities.

1.12 On August 26, 1982 the TRPA Governing Body unanimously approved TRPA Resolution No. 82-11, adopting environmental threshold carrying capacities for the Lake Tahoe region pursuant to Article V(b) of the Compact. Said carrying capacities were adopted subsequent to consideration by the TRPA Governing Body of an environmental impact statement, including response to comments, thereon, a lengthy, detailed study report, and oral testimony and documentary evidence received at public hearings concerning said carrying capacities.

1.13 Prior to the adoption of this ordinance, both the TRPA Governing Body and Advisory Planning Commission ("APC") conducted duly-noticed public hearings in accordance with Article V(a) of the Compact, at which hearings considerable oral testimony and documentary evidence concerning the proposed amendments to TRPA's regional plan were received and considered by the Governing Body and APC, respectively. In addition to said formal public hearings, the TRPA Governing Body and staff conducted numerous public meetings and forums in various locations within the States of California and Nevada, at which meetings and forums the proposed amendments were discussed. The provisions of this ordinance, themselves, were also the subject of a duly-noticed public hearing before the Governing Body as required by TRPA's Rules and Regulations of Practice and Procedure.

1.14 As required by Article V(c) of the Compact, the amendments to TRPA's regional plan adopted by this ordinance, including all the elements thereof, as to be implemented through agency ordinances, rules and regulations, at a minimum will achieve and maintain the adopted environmental threshold carrying capacities, while providing opportunities for orderly growth and development consistent with such capacities. Each element of the regional plan, as amended hereby, contains implementation provisions and time schedules for such implementation by ordinance.

1.15 As further required by said Article V(c), the TRPA regional plan, as amended by this ordinance, consists of a single, enforceable plan and includes correlated elements consisting of a land use plan, a transportation plan, a conservation plan, a recreation plan, and a public services and facilities plan, each of which plans sets forth the material required by, and otherwise complies with, said Article V(c) of the Compact.

1.16 As required by Article V(d) of the Compact, the TRPA regional plan, as amended by this ordinance, provides for the attaining and maintaining of federal, state or local air and water quality standards, whichever
are strictest, in the respective portions of the Lake Tahoe region for which such standards are applicable. To the extent said plan, as amended, imposes air or water quality standards or control measures more stringent than the applicable state implementation plan or applicable federal, state or local standards for the Lake Tahoe region, the TRPA Governing Body finds that such additional standards or control measures are necessary to achieve the purposes of the Compact. Each element of said regional plan, as amended hereby, where applicable, identifies the means and time schedule by which air and water quality standards will be attained.

1.17 The provisions of this ordinance prescribing specific written findings pursuant to Article V(g) of the Compact relate to environmental protection and insure that the project under review will not adversely affect implementation of TRPA's regional plan, as amended, and will not cause the environmental threshold carrying capacities of the Lake Tahoe region to be exceeded.

1.18 This ordinance is necessary and desirable to promote, and is reasonably related to, a legitimate governmental interest, consisting of the public health, safety, general welfare, and environment of the Lake Tahoe region. In addition to the specific findings of compliance set forth hereinabove, this ordinance complies in all respects, procedural and substantive, with the Compact and is necessary to effectuate and implement the same.

1.19 The amendments to TRPA's regional plan, adopted by this ordinance, were the subject of an environmental impact statement ("EIS"), which was otherwise processed, reviewed and approved by the TRPA in accordance with the substantive and procedural provisions of Article VII of the Compact and the applicable provisions of TRPA's Rules and Regulations of Practice and Procedure. Without limiting the generality of the foregoing, the Governing Body further finds that said EIS contained the following information required by Article VII(a)(2) of the Compact: (a) the significant environmental impacts of the proposed amendments to said plan; (b) any significant adverse environmental effects, which cannot be avoided should said amendments be implemented; (c) alternatives to the proposed plan amendments, the number, description and types of which are hereby found to be appropriate and adequate for purposes of said Article VII of the Compact; (d) mitigation measures which must be implemented to assure meeting the standards of the Lake Tahoe region; (e) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity; (f) any significant irreversible and irretrievable commitments of resources which would be involved in the proposed amendments, should they be implemented; and (g) the growth-inducing impact of the proposed amendments. The Governing Body further finds that said EIS adequately addressed the amendments to TRPA's regional plan, adopted by this ordinance, and provided the Governing Body substantial, detailed information and a proper disclosure, upon which it could base a reasoned, sufficient and deliberate review and evaluation of the environmental impacts and commitments of said plan amendments adopted hereby, as will the
various alternatives thereto set forth in said EIS. The Governing Body further finds that, prior to adopting this ordinance, the Governing Body complied with the findings requirements of Article VII(d) of the Compact, a separate written finding having been made for each significant effect identified in said EIS as resulting from the amendments to the regional plan adopted hereby. The Governing Body further finds that said written findings pursuant to Article VII(d) are supported by substantial evidence in the record.

1.20 The TRPA Governing Body has received and considered the recommendations of the APC with respect to the amendments to TRPA's regional plan adopted by this ordinance, which recommendations were formulated after lengthy APC hearings and deliberations.

1.21 Any changes or alterations in the draft amendments to the regional plan made by the Governing Body subsequent to the noticed public hearings upon said amendments conducted by the Governing Body and APC are hereby declared insubstantial and thus not requiring a further noticed, public hearing pursuant to Article V of the Compact.

1.22 The administrative record for purposes of consideration and adoption of this ordinance is hereby declared to include, but not be limited to: all documents adopted hereby as comprising the amendments to TRPA's regional plan; the environmental impact statement, including response to comments, and documents incorporated therein, prepared with respect to said amendments; all reports or studies received, prepared or authorized by the TRPA with respect to said amendments, including, but not limited to, the report of the Urban Land Institute; TRPA Resolution No. 82-11, adopting environmental threshold carrying capacities; the environmental impact statement and documents incorporated therein, prepared with respect to said environmental threshold carrying capacities; the Study Report prepared with respect to said environmental threshold carrying capacities; the TRPA Lake Tahoe Region Water Quality Management Plan, including all documents incorporated therein and supplemental thereto; the environmental impact statement and documents incorporated therein and supplemental thereto, prepared with respect to said water quality management plan; the Findings and Declarations contained in Article I of the Compact; all oral testimony and documentary evidence received or noticed by the TRPA Governing Body or APC relating to all of the foregoing; and the minutes and transcripts of the TRPA Governing Body and APC relating or referring to preparation, consideration, or adoption of the amendments to TRPA's regional plan and the environmental threshold carrying capacities upon which such amendments are based.

1.23 The Governing Body incorporates herein, as though fully set forth, the findings and provisions of TRPA Resolution No. 82-11, adopting environmental threshold carrying capacities for the Lake Tahoe region.

1.24 The TRPA Governing Body acknowledges the existence of the Santini-Burton Act (P.L. 96-586, 94 Stat. 3361) and the Tahoe Area Land Acquisition Commission ("TALAC"), created by Chapter 833 of the Statutes of 1980 of the State of California. TRPA recognizes said
federal and state programs as separate and distinct from TRPA, an entity having no power of eminent domain, vested exclusively with authority to regionally plan and zone for the use of property pursuant to the police power. While TRPA, including its regional plan and ordinances, and said land-acquisition programs are legally and operationally separate and distinct, TRPA recognizes that substantial acquisition of land through said independent programs may affect the environment of the Lake Tahoe region to some degree. As a result, it is the present intent of the TRPA Governing Body five (5) years from the date hereof to reexamine the provisions of the amendments to the regional plan, adopted by this ordinance, in view of the effect, if any, upon said region resulting from said acquisition programs and take whatever action it then deems appropriate with respect to its amended regional plan adopted hereby. Said intent to reexamine the provisions of said amendments is not to be construed as a suggestion or advocacy by TRPA that the governmental entities administering said programs, or any other governmental entity, purchase or otherwise acquire any real property situated within the Lake Tahoe region.

1.25 The land-use regulatory provisions of the amendments to the regional plan, adopted by this ordinance, turn upon the provision of a reasonable, beneficial use of land under all the circumstances within the Lake Tahoe region, including, but not limited to, the circumstances identified in Article I of the Compact. The goals of such regulatory provisions comply with the intent and purpose of the Compact, including, but not limited to, the protection of the quality of the water of Lake Tahoe. It is not the intent of the amendments to the regional plan adopted hereby to reduce the value of real property in the Lake Tahoe region, the desire being that the value thereof remain as that of property subject to a reasonable, beneficial use pursuant to the regulations set forth in said amendment.

1.26 The TRPA Governing Body, by the adoption of this ordinance, does not intend, and the amendments to TRPA's regional plan adopted hereby shall not be construed as authorizing TRPA, to exercise its regulatory power to grant or deny a permit in a manner which shall take or damage private property for public use without payment of just compensation or due process of law. Nothing in said amendments is intended to increase or decrease the rights of any property owner under the Constitutions of the United States, the State of California, or the State of Nevada.

1.27 It is the intent of the TRPA Governing Body, by the adoption of this ordinance, to replace the TRPA regional plan herefore in effect, including, but not limited to, the regional plan of the California Tahoe Regional Planning Agency otherwise applicable to the portion of the Lake Tahoe Region located in the State of California pursuant to Article V(e) of the Compact with the amendments to said TRPA regional plan adopted hereby, which amendments shall apply to the Lake Tahoe region, as a whole, as the exclusive regional plan of the TRPA.

1.28 Each of the foregoing findings is supported by substantial evidence in the record.
Section 2.00 Adoption of Amendments to the Regional Plan

The regional plan of the TRPA, as amended to date, is hereby further amended to consist exclusively of the following documents, each of which is incorporated herein by this reference as though fully set forth:

2.10 Goals and Policies Plan Documents

Regional Plan for the Lake Tahoe Basin, Part I, Goals and Policies, October ____, 1983

2.20 Planning Area Statements

Attachments A and B of Regional Plan for the Lake Tahoe Basin, Part I, Goals and Policies, October ____, 1983

2.30 Regional Plan Maps

A. Plan Area Maps at scales of 1" = 400' and 1" = 2000' that depict the physical boundaries of each of 175 planning areas.

B. Land Capability and Stream Environment Zone Maps at scales of 1" = 400' and 1" = 2000' that depict the physical boundaries of land capability districts including stream environment zones.

C. Shorezone Capability and Pierhead Line Maps at a scale of 1" = 400' that depict the boundaries of shorezone tolerance districts and the pierhead line.

D. Special Interest Species and Sensitive/Uncommon Plant Maps at scales of 1" = 400' and 1" = 2000' that depict the location of special interest species, sensitive plants, and uncommon plant communities.

E. Prime Fish Habitat Maps at a scale of 1" = 2000' that depict the location of excellent, good, and marginal habitat in the littoral zone of Lake Tahoe.

F. Stream Ranking Maps at a scale of 1" = 2000' that depict the location of excellent, good, and marginal habitat in the streams of the Lake Tahoe Basin.

G. Historical Site Maps that depict the locations of historical sites in the Lake Tahoe Basin.

2.40 Reference Documents


Section 3.00 Article V(g) Findings for Project Review Pending Adoption of TRPA Code

3.10 Pursuant to Article V(g) of the Compact, TRPA shall make the following specific, written findings prior to approving any project in the region referred to in Sections 4.00 and 5.00 of this ordinance:

1) The subject activity is a project as prescribed in TRPA ordinances, therefore requiring TRPA review and approval.

2) The project, including compliance with the conditions of approval, is consistent with the TRPA Regional Plan and all of its elements as amended pursuant to Article V(c) of the Tahoe Regional Planning Compact.

3) The project complies with the applicable standards and regulations set forth in the implementing ordinances for the TRPA Regional Plan.

4) The project complies with the TRPA Rules and Regulations of Practice and Procedure.

5) The project, including compliance with the conditions of approval, will not have a significant individual or cumulative impact on the environment.

6) All feasible measures mitigating adverse environmental impacts have been included in the project, and there are no economically feasible alternatives which would have less adverse environmental impact.
7) The establishment, maintenance and operation of the proposed construction, use or activity is not detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such construction, use or activity.

8) The proposed construction, use or activity is not detrimental or injurious to the general welfare of the region.

9) The project will not cause the adopted environmental threshold carrying capacities of the region to be exceeded since the individual or cumulative impacts resulting from the project will not:

a. Increase the loading of dissolved phosphorus, iron and other algal nutrients into the waters of Lake Tahoe;

b. Increase the loading of dissolved inorganic nitrogen from surface runoff into the waters of Lake Tahoe;

c. Exceed the limitations on impervious cover set forth in the Land Capability Classification of the Lake Tahoe Basin, California-Nevada, a Guide for Planning, Bailey, 1974;

d. Result in disturbance within a naturally functioning stream environment zone;

e. Increase existing carbon monoxide concentrations within the Tahoe Basin;

f. Increase traffic volumes on the U.S. Highway 50 corridor;

g. Increase existing ozone concentrations within the Tahoe Basin;

h. Increase existing particulate concentrations within the Tahoe Basin;

i. Increase the transport of nitrates into the Tahoe Basin;

j. Increase vehicle miles of travel in the Tahoe Basin;

k. Increase fumes from diesel engines within the Tahoe Basin;

l. Result in the removal of native vegetation in amounts inconsistent with the limits defined in the Land Capability Classification of the Lake Tahoe Basin, California-Nevada, A Guide for Planning, Bailey, 1974, for allowable impervious cover and permanent site disturbance;

m. Affect significant wildlife habitat;

n. Affect prime fish habitat in Lake Tahoe;
o. Cause noise levels in the Tahoe Basin to exceed the limits set forth in the thresholds under the numerical standards for the single noise event or background noise levels;

p. Be inconsistent with the goals and policies contained in the Recreation Element of the Regional Plan and will not adversely affect the insurance that a fair share of the total Basin capacity for outdoor recreation is available to the general public;

q. Result in a decrease in the 1982 ratings for all roadway and shoreline units as shown in Tables 13-6 and 13-7 of the Draft Study Report; and

r. Be incompatible with the natural, scenic and recreational values of the region.

10) There is substantial evidence in the record supporting the foregoing findings.

3.20 This section expires upon the adoption by the TRPA Governing Body of the TRPA Regulatory Code or other appropriate compilation of regulatory ordinances further implementing the amendments to the Regional Plan adopted by this ordinance.

Section 4.00 Pending Applications for Permits

[Direction to be determined by the Governing Body after consideration of the Regional Plan.]

Section 5.00 Implementation of Regional Plan

5.10 Except as otherwise provided by this section, all TRPA ordinances, rules, regulations and policies in effect on the date of adoption of this ordinance shall remain in effect until otherwise amended or repealed. Pending adoption of the TRPA Regulatory Code or other appropriate compilation of regulatory ordinances further implementing the amendments to the Regional Plan adopted by this ordinance, said existing TRPA ordinances, maps, rules, regulations and policies shall be utilized by TRPA to implement the Regional Plan, as amended, to the extent that they are consistent with said Regional Plan, as amended, and the environmental threshold carrying capacities. In the event said TRPA ordinances, maps, rules, regulations or policies are inconsistent or in conflict with said Regional Plan, as amended, or with said carrying capacities, said Regional Plan and carrying capacities, to the extent of said inconsistency or conflict, prevails.

5.20 Pending adoption of said TRPA Regulatory Code, or other appropriate compilation of regulatory ordinances further implementing the amendments to the Regional Plan adopted by this ordinance, TRPA shall not accept, review or approve applications for major projects. "Major projects", for purposes of this section, refers exclusively to the projected listed on Exhibit A attached hereto and incorporated herein.
5.30 Subsection 5.20 shall not apply to any major projects determined by a unanimously vote of the TRPA Governing Body members, present at a meeting thereof at which a quorum is established, to constitute "an emergency". "Emergency", for purposes of this section, refers exclusively to a project involving the public health, safety and general welfare.

5.40 This section expires upon adoption by the TRPA Governing Body of the TRPA Regulatory Code or other appropriate compilation of regulatory ordinances further implementing the amendments to the Regional Plan adopted by this ordinance.

Section 6.00 Enforcement

The provisions of this ordinance and the amendments to the TRPA regional plan adopted by this ordinance shall be enforced by the TRPA, the States of California and Nevada, the City of South Lake Tahoe, and the Counties of El Dorado, Placer, Washoe, Carson City and Douglas.

Section 7.00 Interpretation and Severability

The provisions of this ordinance and the amendments to the TRPA regional plan adopted by this ordinance shall be liberally construed to effect their purposes. If any section, clause, provision or portion of this ordinance or said amendments is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance or said amendments, as the case may be, shall not be affected thereby. For this purpose, the provisions of this ordinance and said amendments are hereby declared respectively severable.

Section 8.00 Effective Date

This ordinance shall be effective immediately upon adoption hereof.

FIRST READING:

SECOND READING:

PASSED and ADOPTED by the Governing Body of the Tahoe Regional Planning Agency at a regular meeting held ________________, 1983, by the following vote:

Ayes:
Nays:
Abstain:
Absent:

James S. Reed, Chairman
Tahoe Regional Planning Agency
EXHIBIT A

MAJOR PROJECTS

I  Residential

A. New Construction (conversion or change in use)
   a. sfd 2-4 units
   b. sfd +5 units
   c. multiperson dwellings
   d. mobilehome park +2 units
   e. sfd in land capability levels 1, 2 and 3

B. Nonconforming uses, projects requiring an EIS

C. Miscellaneous
   a. variances
   b. determination of like and similar uses

II  Tourist Residential/Timesharing

A. Additions and accessory structures to existing facilities
   a. addition of 4 or less transient dwelling units
   b. addition of 5 or more transient dwelling units
   c. accessory structures (includes recreation facilities)

B. New construction or change in use
   a. hotels/motels
   b. timesharing other than sfd
   c. RV park

C. Miscellaneous
   a. variances
   b. determination of similar use
   c. permits for additional coverage/certification of EIS

III  Commercial

A. New construction of accessory structures or additions to existing structures
   a. greater than 100 vehicle trips or 1% of remaining roadway capacity

B. New construction or significant change in use
   a. batch plants
   b. bulk storage
   c. commercial development including professional offices
   d. commercial parking lots
   e. medical facilities
   f. indoor amusement facilities
g. wrecking yards
h. outdoor amusement facilities
i. quarries
j. marinas, backshore facilities
k. ski area base facilities
l. other

C. Miscellaneous
   a. variances
   b. determination of similar use
   c. permits for additional coverage/EIS certification

IV Public and Quasi-Public

A. New construction, use change and expansion of service capacity or service area
   a. airports, heliports and landing strips
   b. education facilities, general
   c. electrical power plants
   d. electrical substations
   e. educational facilities, avocational/vocational
   f. fire lookouts
   g. substantial fire protection facilities
   h. religious facilities
   i. radio, TV, and telephone relay stations and transmission lines and structures
   j. solid waste transfer stations
   k. transportation facilities
   l. sewage lift stations
   m. police protection facilities
   n. post office facilities
   o. historical sites
   p. incarceration facilities
   q. highways, roads and structures
   r. sewage treatment plants
   s. water storage tanks and reservoirs
   t. water treatment plants
   u. overhead or underground utilities but excluding service
   v. public services
   w. child care nurseries
   x. communication equipment buildings
   y. cultural facilities
   z. expansion of service area, annexations

B. Miscellaneous
   a. variances
   b. determination of similar use
   c. permits for additional coverage/EIS certification/
      regional public facilities

C. Federal projects requiring review under TRPA air and water quality plans and ordinances - not performed by private concessionaire
   a. EIS
Recreation

A. New construction, change in use and expansion of capacity
   a. undeveloped campgrounds
   b. outdoor recreation concessions
   c. private recreation areas
   d. private stables
   e. riding trails, corrals and stables
   f. skiing facilities
   g. organized recreation camps
   h. pack stations
   i. developed campgrounds
   j. golf courses
   k. day use areas
   l. recreation vehicle parks

B. Nonconforming uses, variances and projects requiring an EIS

Resource Management

A. New construction, change in use, and new resource management programs
   a. commercial forest products removal
   b. fish and wildlife management projects
   c. forest management programs
   d. forest products removal
   e. tree farms
   f. timber harvesting

B. Miscellaneous
   a. variances
   b. determination of similar use

C. Permits for additional coverage
   a. EIS certification

Land Divisions

A. Subdivisions of 2 or more undivided interests

B. Nonconforming divisions, variances and divisions requiring an EIS

Grading

A. Major alterations
   a. disturbance in an SEZ
   b. grading pursuant to permits issued by the Board
   c. disturbance in land capability levels 1, 2 and 3

B. Variances and projects requiring an EIS
IX  Demolition

A. Demolition of historic sites and all other sites

X  Shorezone

A. New construction or change in use
   a. piers, buoy fields (20+), boat ramps, groins and jetties, filling and dredging
   b. marinas

B. Nonconforming uses, variances and projects requiring an EIS
MEMORANDUM

DATE: October 25, 1983

TO: Governing Board

FROM: Agency staff

SUBJECT: Status of Evaluation System

It is generally agreed that a point-type evaluation system will be utilized for future single family development. Several alternatives for an evaluation system have previously been presented to the Board, along with some outlines for criteria to be applied in the evaluation system.

Two alternatives for an evaluation system have been discussed within the past two months, so called Alternative #2 and Alternative #5. Alternative #2 evaluates the physical characteristics of the parcel and subdivision only:

I. Environmental Setting

II. Area Improvements

Alternative #5 includes a provision for some additional points to be gained for marginal cases for:

III. Special Site Design and

IV. Off Site Mitigation

At this point in time, Agency staff has been working on refining criteria for the above-referenced systems and working out details of its applicability. A final, detailed evaluation system will take hours of refinement, field work and consultation with the APC subcommittee.

Application of the Point System

When an application for a noncritical single family dwelling is made, or upon a request by the applicant, Agency staff will assess the parcel based upon: I. Environmental Setting and II. Subdivision Improvements. If the parcel earns a passing score, it is considered a noncritical and can therefore be processed through the local building departments. These noncritical applications must satisfy certain standards (See attachment A) which shall be verified by Agency staff (BMP's, coverage, height, etc.), through a memorandum of understanding between TRPA and the local building departments.
MEMORANDUM
October 25, 1983
Page Two

If the parcel is within 10% of a passing score, it may become eligible for one of the allocations in critical areas. If the applicant wishes to pursue this route, more complete plans will be required, and a limited number of points may be able to be granted for Site Design and Off-Site Mitigation, bringing the total points up to a passing score. If a marginal lot may be able to be approved through additional mitigation, it is because the impacts can be offset through those additional mitigation measures.

/sf
Criteria Currently Being Considered in the Evaluation System:

I. Environmental Setting
   A. Land Capability
   B. Slope of Building Site - Up/Down
   C. Access - Road Cuts & Fills
   D. Soil Characteristics - Rockiness/% Vegetated
   E. Hydrologic Factors - SEZ/Groundwater/Seeps

II. Subdivision Improvements
   A. Level of Improvements (BMP's) in the Hydrologic Area
   B. Condition of Watershed Association (Coverage)

III. Site Design - to be utilized only for the rating of critical lots. The minimum standards will be required for all single family dwelling proposals, but some extra points may be gained for:
   A. Solar Design and Orientation
   B. Minimization of Proposed Building Height
   C. Minimization of Proposed Coverage

IV. Off Site Mitigation - to be utilized only for critical lots. Certain on site mitigation will be a requirement for all development proposals, but a limited number of points can be gained for special off-site mitigation measures such as:
   A. Lot Retirement
   B. Off-site area improvements which fit into a master plan for the area and relate to the hydrologic area relating to the parcel.
   C. SEZ Restoration
Basic Standards Required for All Single Family Dwelling Proposals:

Subdivision contains paved roads, utilities, sewers and water

Coverage within allowable

Height within allowable

Excavation minimized to the extent possible only for off street parking and that necessary for stepped foundation

Vegetation Removal minimized to the extent possible

Provide two off street parking spaces - out of road right-of-way

Provide a drainage system which is capable of infiltrating all runoff from impervious surface (including driveways and decks) for a 20 year 1 hour storm event

Stabilize all cut and fill slopes adjacent to parcel (existing and created)

Provide a revegetation plan for all disturbed areas, created and existing, emphasizing native species.

Provide temporary erosion control during construction to prevent sediment and runoff from leaving the site

Provide vegetation protection to define limits of construction access.

Provide material storage in an areas which will not increase area of disturbance necessary for construction of the foundations

Provide a disposal container during construction to collect construction waste and keep the site clear from debris

Collect a security to insure that all BMP's are properly installed

Compliance with TRPA Standard Conditions of Approval for single family dwellings.