TRPA
APC
PACKETS

FEBRUARY
1987
February 11, 1987
2-87

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that the Advisory Planning Commission of the Tahoe Regional Planning Agency will conduct its regular meeting at 9:30 a.m. on Wednesday, February 11, 1987, in the TRPA office, 195 U.S. Highway 50, Zephyr Cove, Round Hill, Nevada. The agenda for said meeting is attached hereto and made a part of this notice.

February 3, 1987

By: William A. Morgan
Executive Director
Tahoe Regional Planning Agency

APC
MEETING AGENDA

I CALL TO ORDER AND DETERMINATION OF QUORUM

A. Introduction of New APC Member

II APPROVAL OF AGENDA

III DISPOSITION OF MINUTES

IV PLANNING MATTERS

A. Consideration of Recommendation on Amendments to Plan Area Statements

B. Findings of Technical Adequacy and Recommendation on Certification

1. Environmental Impact Statement, North Shore Transit Maintenance Facility

2. Environmental Impact Statement, Ski Incline Master Plan

C. Discussion and Possible Recommendation, Adoption of Ski Incline Master Plan

D. Discussion on the Code of Ordinances

E. Status Report on Airport Consensus

V REPORTS

A. Staff

B. Acting Legal Counsel

C. Public Interest Comments

D. APC Members

VI RESOLUTION

A. For Former APC Chairman Bill Combs

VII CORRESPONDENCE

VIII PENDING MATTERS

IX ADJOURNMENT
MEMORANDUM

February 3, 1987

To: Advisory Planning Commission

From: Staff

Subject: Amendments to the 1/7/87 Draft Plan Area Statements

On January 29, 1987 the Tahoe Regional Planning Agency Governing Board approved first reading of an ordinance adopting the Plan Area Statements (PAS) and maps. Included with this action was a list of APC, staff and Governing Board recommended changes. (List of 1/29/87 changes is attached.)

It was also noted that more changes were being proposed and that these changes would require a trailing plan amendment if the PAS adoption was not to be delayed. These proposed changes involve more staff clean up changes and some substantive changes proposed by staff and other interested parties (list of these proposed changes is attached).

The APC is requested to review the adopted changes for informational purposes and then review the proposed changes for a recommendation to the TRPA Governing Board. Discussion should focus on those with asterisks (*). The remainder are minor or technical in nature and TRPA staff recommends them.

An additional item was brought up at the January Governing Board meeting, in regards to the Park Cattle Company lands in Plan Areas 070A, 080, and 089. The attached letter from Park Cattle Company expresses their concerns and comments and has been included for informational purposes. The Governing Body requested that these comments and concerns be addressed as part of the trailing amendment process. Staff will be working with the Park Cattle Company and will provide a progress report at the APC meeting and possibly some recommendations.

GWB:cs

4/3/87
Approved Plan Area Statement
Changes - 1/29/87

In approving the Plan Area Statements, entitled, Regional Plan for the Lake Tahoe Basin, Plan Area Statements, 1/7/87, The Governing Board approved the following:

General

1. A secondary residence is allowed in any residential area, irrespective of the Plan Area Statement, on parcels of two acres or more. If the residential use is recognized as a special use, the secondary residence is also a special use. If the residential use is allowed, the secondary residence is also an allowed use. (An allocation is required for a secondary residence.)

2. The PACT assignments, as they are now proposed in this particular document dated 1/7/87, are approved. The APC Recreation Committee will review the Recreation Element, the issue of PACTs and their use and their assignments throughout the PABs, for a period of six months. Any project proposals for PACTs either inconsistent with the Area Plans that have been assigned or in which Plan Area Statements have no PACTs would be reviewed by the Recreation Committee for a recommendation to the Governing Board during this interim period.

(The Governing Board can take action on such proposals but would agree that no proposal go to the Board directly without a recommendation from the APC, after consideration of the Committee's evaluation. Should a Plan Area in which a project is proposed not have any existing PACTs, the Committee may recommend that PACTs be assigned, or the Committee may recommend that assignment of PACTs is premature and that the project be held up. A recommendation to add PACTs to a Plan Area Statement will need a Plan amendment. Additional environmental documentation may be necessary for any amendments. An opportunity for public review and comment of any amendments is required. This action is not intended to give license for anyone to come in with a recreation proposal if, in fact, the Plan Area does not now have such a land use as allowed or permitted.)

3. Home Occupations issue - Redefine home occupations as indicated below.

This use will not be a primary use, but will be an accessory use to residential uses and may be permitted anywhere the primary residential use is permitted. This use will be exempt from Agency review.

Home Occupation: Any use customarily conducted entirely within a dwelling by the inhabitants thereof, which is clearly incidental and secondary to the occupation of such dwelling for residential purposes, and in connection with which there are: a) no sales of products or services not produced on the premises; b) no employment of more than one person other than the residents of the dwelling; c) no signs or structures advertising the occupation; and d) no outside storage of materials or supplies. For guidance, the following uses are examples of home occupations: consultative professional occupations, whose function is one of rendering a service
and does not involve the dispensation of goods or products; a secondary business office, where said business has its principal office, staff and equipment located elsewhere; to the making of clothing; the giving of music lessons; the creation of original artifacts; the home office of a salesman when all sales are done by written order with no commodities or displays on the premises. In no case shall more than one home occupation be carried on in the same premises.

4. Staff will define a new category to deal with local utility lines. Accessory Use section in Chapter 18 will indicate local utility lines are accessory to primary uses and the definition of pipelines and power transmission will be modified as follows:

Pipelines and Power Transmission: Transportation facilities primarily engaged in the pipeline transportation of refined products of petroleum such as gasoline and fuel oils; natural gas; mixed, manufactured or liquified petroleum gas; or the pipeline transmission of other commodities. Power transmission includes facilities for the transmission of electrical energy for sale. This does not include offices or service centers (classified in "Professional Offices"), equipment and material storage yards (classified under "Storage Yards"), distribution substations (classified under "Public Utility Centers"), power plants (classified under "Power Generating") or accessory facilities such as local distribution lines and service drops which are considered accessory to the primary uses requiring such services.

5. The definition of local public health and safety facilities will be modified as follows:

Local Public Health and Safety Facilities: Facilities operated by public or quasi-public entities for the local protection of the public such as fire stations and other fire prevention facilities, police and sheriff substations, highway maintenance and snow removal facilities, water tanks, pumps, sewage pumps and related facilities, and emergency medical services. Does not include accessory facilities such as local distribution lines, hydrants and service drops which are considered accessory to the primary uses requiring such services.

6. Staff is directed to redefine single-family dwelling in relation to the issue of air space parcels. The definition of parcel will be modified as follows:

Parcel: A legally created area of land or in the case of a condominium, separate space, that is shown as a separately bounded area on a recorded parcel map, subdivision map or other recorded document. The parcel ownership or its treatment by the county assessor is not necessarily determinative.

7. Action on guest houses will be deferred until an ordinance is prepared.

8. A definition of senior citizen housing is to be prepared.
Specific PAS Modifications

1. PAS 002, Page 2, Policy #3: New wording as follows:

   3. TRPA will assist with a study of the entire area within Plan Area 001A, 002 and adjacent Plan Areas to identify areas that are man-modified in accordance with Chapter 20 of the Code of Ordinances. The target date for completion of the study will be August 1, 1987. Areas recognized by the Agency as man-modified shall be regulated in accordance with the provisions of Chapter 20 of the Code of Ordinances.

2. PAS 007, Page 2: Add to Special Area #1 as follows: Public service churches (A).

3. PAS 009B: Delete Planning Consideration #1.

4. PAS 009B: Delete Special Policies #2 and #3.

5. PAS 009B: Insert new Policy #2 as follows:

   Flager County and the Tahoe City Advisory Council, in cooperation with TRPA, have commenced a county general plan review of the areas included in Plan Areas 001A, 001B, 002, 003, 004, 005, 006, 007, 008, 009A, 009B, 010, 011, 012, 171, 172, 173, and 174. Until that general plan process has been completed, the Plan Areas designated 001A, 001B, and 009A have been designated preliminary Community Plan areas. However, it is the intent of TRPA that an indepth examination of the entire area be undertaken during the general plan process to determine the final areas that shall be subject to Community Plan incentives, and establish the final boundaries of Community Plan areas, as well as to develop other relevant planning considerations. Proposals for inclusion of any significant additional areas within Community Plan boundaries shall demonstrate compliance with the criteria for such inclusion set forth in the Code of Ordinances.

6. PAS 009B: Insert new Special Policy #3 to read:

   A large commercial project is under consideration for development within this Plan Area. Evaluation of proposals for this or other similar commercial development shall await completion of the planning process described in Policy #2 above, unless it is allowed as consistent with the rules applicable to areas not within Community Plans.

7. PAS 010, Page 3: Correct Accessory Structures to add (S) after water intake lines under Tolerance District 2.

8. PAS 019, Page 2: Correct Public Service Uses to read as follows: Pipelines and power transmission (S), and local public health and safety facilities.
9. PAS 025, Page 2: Put heading "Tourist Accommodation" above Timeshare (residential design) under Maximum Densities.

10. PAS 028, Page 1: Delete Special Designation: Eligible for Community Plan. Page 2: Correct Policy #5 as follows:

5. This area should be considered in a Community Plan for PAS 029, 022 and 026.

11. PAS 037, Page 1: Change Planning Consideration #1 as follows:

1. This planning area includes a large section of shorezone, including TVGID's Burnt Cedar Beach, which have limited public access.

12. PAS 041, Page 2: Correct General Use to add (S) behind day care centers under Public Service, General List.

13. PAS 044, Page 3: Oversight, add day care center (S) under Public Service, Special Area #1.

14. PAS 045, Page 1, correct Special Designation to read: Preliminary Community Plan area.

15. PAS 046, Page 2: Oversight, add day care center (S) under Public Service, General List.

Page 3: Add (residential design) behind Timeshare under Tourist Accommodation, Maximum Densities.

16. PAS 049, Page 3: Add wording to second sentence in maximum community noise equivalent level section: ...the Highway 28 corridor is 55 CNEL except where it abuts PAS 054 which is 60 CNEL.

17. PAS 050, Page 2: Delete commercial uses from general list and create to Special Area #1 as follows:

Special Area #1: The following list of permissible uses is applicable in Special Area #1.

- Eating and drinking places (A), food and beverages retail sales (S), personal services (A), and professional offices (A).

18. PAS 051, Page 1: Change second sentence in Planning Consideration #2 to read as follows: TRPA and the Tyrolian Village Homeowners have an agreement to provide the needed improvements.

19. PAS 052: Add transmission and receiving facilities as a special use.

20. PAS 057, Page 2: Move Special Policy #4 to Planning Considerations.

21. PAS 060, Page 3: Correct density for secondary residence to read: 1 unit per area of project.
22. PAS 068, Page 2: Correct Recreation: change "rural sports and group facilities (S)" to "rural sports (S), and group facilities (S)."

Page 4: Under Maximum Densities - Recreation, delete: "rural sports and" and "overnight accommodations."

23. PAS 071, Page 1: Add Special Policy as follows:

2. Senior citizen housing should be encouraged in this area.

24. PAS 076, Page 1: Correct Special Designation to read: Preliminary Community Plan Area.

25. PAS 080, Page 2: Add recreation vehicle parks (S) to recreation uses.

26. PAS 082, Page 1: Add scenic restoration language to Planning Consideration #3.

27. PAS 083, Page 1: Remove Special Designation for Scenic Restoration.

28. PAS 086, Page 3: Correct density for secondary residence to read: 1 unit per area of project.

29. PAS 087, Page 3: Correct density for secondary residence to read: 1 unit per area of project.

30. PAS 088, Page 1: Correct Planning Consideration #1 to indicate ...1,000 units inside and outside the drainage basin...

31. PAS 088, Page 2: Add (A) after Timeshare (residential design) under General List.

32. PAS 089A, Page 3: Delete multiple-family dwelling under maximum densities.

33. PAS 092, Page 3: Correct residential bonus units to read 190 units.

34. PAS 093, Page 1: Add Special Policy as follows:

2. Senior citizen housing should be encouraged in this area.

35. PAS 094, Page 1: Add Special Policy as follows:

2. Senior citizen housing should be encouraged in this area.

36. PAS 095, Page 2: Add snow mobile courses (S) to recreation uses.

37. PAS 098, Page 2: Add policy as follows:

8. The TRPA and the City of South Lake Tahoe Redevelopment Agency will evaluate all or portions of this Plan Area for a Special Designation as Eligible for Redevelopment Plans after substantial progress has been made toward implementation of the redevelopment plan in PAS 089, 091 and 092.
38. PAS 099, Page 1: Change Policy #1 to read as follows:

1. The area in between Highway 50 and Freel Peak and in between Tulare Avenue and Los Angeles Avenue should be considered for designation as a historical district.

39. PAS 099, Page 1: Add Special Policy as follows:

2. Senior citizen housing should be encouraged in this area.

40. PAS 099, Page 2: Correct Policy #5 to read as follows:

The TRPA and the City of South Lake Tahoe Redevelopment Agency will evaluate all or portions of this Plan Area for a Special Designation as Eligible for Redevelopment Plans after substantial progress has been made toward implementation of the redevelopment plan in PAS 089, 091 and 092.

41. PAS 099, Page 3: To account for an existing use, under Shorezone Tolerance District 4, Primary Uses add: water oriented outdoor recreation concessions (A).

42. PAS 100, Page 2: As per the response to comment document Special Policy #6, will be reworded as follows: The Agency in coordination with the City of South Lake Tahoe, shall undertake a study to determine the long term use and maintenance of Lake Christopher. The study shall determine the feasibility for SEZ restoration and relocating Cold Creek to its original channel.

43. PAS 101, Page 2: As per the response to comment document Special Policy #1, will be reworded as follows: The existing golf course may be retained and improved to executive course standards (target greens) so long as there is no net increase in the amount of stream environment disturbance and maintenance practices are implemented to prevent nutrients from reaching Lake Tahoe, and such development is necessary to successful completion of a TRPA-approved master plan.

44. PAS 101, Page 3: Since use conflicts with city ordinance, delete snow mobile courses (S) from recreation list.

45. PAS 103, Page 1: Correct Policy #1 to read as follows:

The TRPA and the City of South Lake Tahoe Redevelopment Agency will evaluate all or portions of this Plan Area for a Special Designation as Eligible for Redevelopment Plans after substantial progress has been made toward implementation of the redevelopment plan in PAS 089, 091 and 092.

46. PAS 105, Page 1: Correct Policy #1 to read as follows:

The TRPA and the City of South Lake Tahoe Redevelopment Agency will evaluate all or portions of this Plan Area for a Special Designation as Eligible for Redevelopment Plans after substantial progress has been made toward implementation of the redevelopment plan in PAS 089, 091 and 092.
47. PAS 110, Page 1: Add Special Policy as follows:

2. Senior citizen housing should be encouraged in this area.

48. PAS 110, Page 2: Correct Policy #5 to read as follows:

The TRPA and the City of South Lake Tahoe Redevelopment Agency will evaluate all or portions of this Plan Area for a Special Designation as Eligible for Redevelopment Plans after substantial progress has been made toward implementation of the redevelopment plan in PAS 089, 091 and 092.

49. PAS 119, Page 1: Correct Existing Uses, to read as follows: Past uses within this Plan Area have ranged from gravel mining to off road vehicle races and rodeo events at the Amaker Ranch. Developed facilities include several homes, an Elks Club, a golf course, a community recreation area and a facility offering snowmobiling and horse back riding. Fishing and rafting on the river are other important recreation activities.

50. PAS 119, Page 2: Add Planning Consideration #9 as follows: A large portion of this Plan Area has been acquired by the state and is being rehabilitated.

51. PAS 119, Page 4: Correct density for secondary residence to: 1 unit per area of the project.

52. PAS 120: Remove Scenic Restoration Designation and #4 Improvement Program.


Page 4: Add to summer home - 1 unit per parcel or lease site.

54. PAS 142, Page 2: As indicated in the response to comments document a Special Policy #6 will be added as follows: Shorezone development shall be restricted to existing marina facilities.

55. PAS 144B, Page 2: Resource Management delete from list of permissible uses: Farm/ranch accessory structure.

Add to recreation uses: Beach recreation (A) and boat launching facilities (A).

56. PAS 145, Page 3: To recreation uses add: Boat launching facilities (S).

57. PAS 157, Page 3: Limit employee housing to multiple-family dwellings as follows:

Employee Housing (multiple-family dwellings only)

58. PAS 158, Page 3: Add Secondary Residence under Maximum Density at 1 unit per area of project.
59. PAS 159, Page 4: Limit employee housing to the densities set forth for other uses as follows:

Employee Housing As per the limitations above

60. PAS 162: The standard paragraph "Nearshore and Foreshore of the Shorezone:" needs to be added.


62. PAS 164, Page 2: Change Secondary Residence to (S) in General List.

63. PAS 166, Page 1: The last sentence of the Planning Statement should be reworded as follows: delete the word "selecting" and substitute with "expansion of."

64. PAS 166, Page 2: As per the response to comments, the second sentence of Special Policy #1 should be changed to read as follows: In-basin access to skiers via Ward Valley Road shall be limited according to the Ski Area Master Plan, which may recommend access to the ski area for local residents of Plan Area 167 and to individuals arriving via approved mass transportation.

65. PAS 169, Page 3: Limit employee housing to multiple-family dwellings as follows:

Employee Housing (multiple-family dwellings only)

66. PAS 174: Delete terms no longer used as permissible commercial uses: Temporary construction yards (S), offices, temporary (S), and storage accessory (S).

67. As per the response to comments delete "power generating" as a permissible public service use from the following Plan Area Statements: 004, 019, 080, 095, 101, 140, 141, 146, 150, 152 and 153.

68. Add "water intake lines (A)" as permissible accessory uses/structures in all Tolerance districts listed in the following Plan Area Statements: 024B, 057, 060, 068, 070A, 127 (missing from Tolerance District 1 only), 128, 129, 144B, and 146 (missing from Tolerance District 2 and 7).

69. Insert the following as new policy and delete the similar references in these Plan Area Statements 001, 001A, 001B, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 171, 172, 173, 174:

Placer County and the Tahoe City Advisory Council, in cooperation with TRPA, have commenced a county general plan review of the areas included in Plan Areas 001A, 001B, 002, 003, 004, 005, 006, 007, 008, 009A, 009B, 010, 011, 012, 171, 172, 173, and 174. Until that general plan process has been completed, the Plan Areas designated 001A, 001B, and 009A have been designated preliminary Community Plan areas. However, it is the intent of TRPA that an indepth examination of the entire area be undertaken during the general plan process to determine...
the final areas that shall be subject to Community Plan incentives, and establish the final boundaries of Community Plan areas, as well as to develop other relevant planning considerations. Proposals for inclusion of any significant additional areas within Community Plan boundaries shall demonstrate compliance with the criteria for such inclusion set forth in the Code of Ordinances.
<table>
<thead>
<tr>
<th>Comment</th>
<th>Change</th>
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<tbody>
<tr>
<td>Editorial</td>
<td>1. All PASs: All improvements for water quality shall refer to Figure VIII, 1 through 18 of Volume I of the 208 Water Quality Plan.</td>
</tr>
<tr>
<td>Oversight/Clean Up</td>
<td>2. PAS 005, Page 2: Add bed and breakfast facilities to general list.</td>
</tr>
<tr>
<td>Oversight/Clean Up</td>
<td>3. PAS 005, Page 3: Add to tourist accommodation density: Bed and Breakfast Facilities 8 units per acre.</td>
</tr>
<tr>
<td>Requested Minor Substantive Change</td>
<td>*4. PAS 006, Page 2: Delete nursery as a special use and modify definition of tree farm in Chapter 18 to include establishments which grow native or approved plant species.</td>
</tr>
<tr>
<td>EIS Required Addition</td>
<td>5. PAS 015: Add Planning Consideration as follows: The Threshold Study identifies this Plan Area as providing golden eagle habitat, and the California Department of Fish and Game has identified critical fawning habitat for deer in the area.</td>
</tr>
<tr>
<td>EIS Required Addition</td>
<td>6. PAS 019: Add Planning Consideration as follows: The Agency Wildlife Map identifies numerous deer migration routes in this Plan Area, and the Threshold Study identifies this area as providing golden eagle habitat. The USFS has observed an active goshawk nest in the area.</td>
</tr>
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<td>Requested Substantive Change</td>
<td>*7. PAS 025, Page 1: Add Special Policy #1 as follows:</td>
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<td></td>
<td>1. Additional commercial development shall be limited to parcels containing commercial uses on the effective date of the Plan. (Staff agrees with this recommendation.)</td>
</tr>
<tr>
<td>EIS Required Addition</td>
<td>8. PAS 030: Add Planning Consideration as follows: The Agency Wildlife Map identifies numerous deer migration corridors throughout this Plan Area.</td>
</tr>
<tr>
<td>Oversight/Clean Up</td>
<td>9. PASs 037, 038, 044, 045, 046, 048, 049, 050 and 054 add a Planning Consideration as follows &quot;State Route 28 within this Plan Area is proposed to be expanded to four lanes as part of the second phase set forth under Goal #1, Policy #1 of the Regional Highway System Subelement of the Goals and Policies Plan.</td>
</tr>
</tbody>
</table>
*10. PAS 044, Page 2: Add Policy #4 as follows:

4. The development of commercial facilities on vacant parcels in Special Area #1 shall be limited to the parcels abutting Northwood. (Staff agrees with this recommendation.)

EIS Required Addition

11. PAS 047: Add Planning Consideration as follows:
The Agency Wildlife Map identifies deer migration routes in this Plan Area.

Clean Up

12. PAS 047, Page 2: Delete from Maximum Density "(TDR only)."

EIS Required Addition

13. PAS 052: Add Planning Consideration as follows:
The Agency Wildlife Map identifies a deer migration route into this Plan Area.

EIS Required Addition

14. PAS 053: Add Planning Consideration as follows:
The Agency Wildlife Map identifies deer migration routes in this Plan Area.

EIS Required Addition

15. PAS 055: Add Planning Consideration as follows:
The Agency Wildlife Map identifies habitats for osprey and goshawks in this Plan Area. The USFS reports habitat for bald eagles here.

Requested Minor Substantive Change

16. PAS 055:

1. Under Planning Considerations #8, if there are no problems with the Scenic Roadway, Shoreline, and Resource Evaluation Areas, in this PAS, they should be written with a positive connotation.

*2. Special Policies, item #8, we ask that the word "only" be eliminated from the statement. (Staff does not agree with this.)

*3. Under the section entitled Permissible Uses - Residential, secondary residences and single family dwelling should be allowed (A) rather than special uses (S). (Staff does not agree)

*4. Under section entitled Nearshore and Foreshore of the Shorezone Tolerance Districts 1, 3, and 5, Accessory Uses - fences should be allowed (A). This is in reference to the impacts of the subject property by numbers of trespassers from USFS and State of Nevada properties. (Staff does not agree.)
5. Because of the problems created by having an existing residential use in a PAS that has a Land Use Classification of Recreation we would request that APN 130-360-08 be designated a Special Area, so that the residential character of the property is recognized and can be maintained. (Staff recommends a Special Policy to recognize historic significance.)

17. PAS 056: Add Planning Consideration as follows: The Agency Wildlife Map identifies goshawk and waterfowl habitat in this Plan Area and a deer migration route at the southeastern border.

18. PAS 057: Add Planning Consideration as follows: The Agency Wildlife Map identifies habitats for goshawk and waterfowl and deer migration routes in this Plan Area.

19. PAS 058, Page 2: Add Policy #6 as follows:

6. New or additional commercial development shall be limited to parcels with commercial development on the effective date of this Plan.

20. PAS 060: Add Planning Consideration as follows: The Agency Wildlife Map identifies goshawk habitat and deer migration routes in this Plan Area. Agency and USFS personnel have identified an active osprey nest site in this area.

21. PAS 060, Page 2: Delete nursery as a special use. (Staff agrees with this.)

22. PAS 060: Add Planning Consideration as follows: The proposed Highway 50 bypass route is located in this Plan Area.

23. PAS 062: Add Planning Consideration as follows: The USFS has identified historic peregrine falcon nesting habitat in this Plan Area.

24. PAS 063, Page 2: Delete the following uses from Special Area #1: Amusements and recreation services, outdoor retail sales, and general merchandise stores. (Staff agrees with deleting outdoor retail sales and amusements and recreation services.)

25. PAS 066: 1. Under the section entitled Permissible Uses - Residential, single family dwelling should be allowed (A) in addition to the multi-family dwelling already allowed. (Staff agrees with this for Special Area #1)
2. Under the section entitled Permissible Uses - Public Service, we request that "kindergarten through secondary" be deleted after schools, and that schools be an allowed use (A). (Staff does not agree.)

3. Under section entitled Nearshore and Foreshore of the Shorezone Tolerance Districts 1, 7, and 8, Accessory Uses - fences should be allowed (A). This is in reference to the impacts on the subject property by numbers of trespassers from USFS properties. (Staff does not agree.)

Oversight/Clean Up 26. PAS 067, Page 2: Add Policy #6 as follows:

6. The Presbyterian Conference facility (Special Area #2) should the rehabilitated subject to a master plan approval. This plan should concentrate on land coverage reduction and more efficient use of existing facilities.

Requested Substantive Change 27. PAS 067, Page 3: In Special Area #1 delete amusements and recreational services and outdoor retail sales. Change general merchandise and personal services to special uses. (Staff agrees with this.)

Oversight/Clean Up 28. PAS 068, Page 2: Delete "caretaker residence (S), temporary dwelling (S), resort (S), temporary events (S)." Change "single family house" to "single family dwelling," and change "public safety" to "local public health and safety facility." Add under tourist accommodations: Hotel, motel, and other transient units (S), and under public service add: "pipelines and power transmission (S)."

Oversight/Clean Up 29. PAS 068, Page 3: Delete "commercial boating - special events (A), dispersed (from both tolerance districts 1 and 2, and 6) employee housing, 15 units per acre, bed and breakfast facilities, 20 bedrooms per parcel, recreation vehicle park, 10 units per acre, timeshare (transient), 20 units per acre, and resorts, 25 persons per acre." Add "water intake lines (S)" (in both Tolerance Districts). Change "tour boats" to "tour boat operations."

Requested Substantive Change 30. PAS 070A, Page 2: Delete nursery. Page 1: Add new Policy #4 as follows:

4. New or additional commercial development shall be limited to parcels with commercial development on the effective date of this Plan. (Staff agrees with this.)
Oversight/Clean Up

31. PAS 070A, Page 3: Add "water intake lines (A)" to both shorezone Tolerance Districts.

Requested Minor

*32. PAS 073, Page 1: Add new Policy #2 as follows:

2. New or additional commercial development shall be limited to parcels with commercial development on the effective date of this Plan. (Staff agrees with this.)

Oversight/Clean Up

33. PAS 075: Add Planning Consideration as follows: The proposed Highway 50 by pass route is located in this Plan Area.

Requested Substantive Change

*34. PAS 075, Page 1: Delete vehicle storage and parking. (Staff disagrees with this.)

Oversight/Clean Up

35. PAS 080: Add Planning Consideration as follows: The proposed Highway 50 by pass route is located in this Plan Area.

EIS Required Addition

36. PAS 080: Add Planning Consideration as follows: The Agency Wildlife Map identifies a deer migration corridor into this Plan Area.

Oversight/Clean Up

37. PAS 080: Revise Special Policy #4 in PAS 080 to read "Caesars Tahoe open space (Parcel 1) recorded in Book 1078, Page 634, of the Official Records of Douglas County is located in this area and should continue to be maintained as a scenic view corridor and as a historic site. All activities taking place on the Caesars Tahoe property should be viewed in light of said open space.

Requested Substantive Change

*38. PAS 082, Page 1: Policy #2 to read as follows:

2. Commercial development shall be limited to parcels whose use was commercial at the effective date of the plan. Change in use shall be limited to neighborhood serving uses which reduce vehicle miles traveled. (Staff agrees with this.)

Requested Minor Substantive Change

*39. PAS 084, Page 1: Policy #2 to read as follows:

2. Commercial development shall be limited to parcels committed to such development (Special Area #1). New uses or change in use shall be limited to neighborhood serving uses which reduce vehicle miles traveled.

Page 2: Delete health care services and change all other commercial uses to special uses.
40. PAS 085: Delete Planning Consideration #5 and #7. Add new Planning Consideration #5 as follows: The proposed alignment for the Montreal extension passes through this area.

41. PAS 085, Page 2: Delete all commercial uses except eating and drinking places in Special Area #1.

42. PAS 086: Add Planning Consideration as follows: The Agency Wildlife Map identifies a major deer migration corridor through this Plan Area.

43. PAS 086, Page 1: Add the following sentence to Special Policy #1: "A portion of the PAOTs assigned to the California side of Heavenly Valley may be reallocated to this Plan Area as part of the master plan process, if it is found that the increase in capacity is consistent with policy direction set forth in this PAS.

44. PAS 087: Add Planning Consideration as follows: The Agency Wildlife Map identifies a major deer migration corridor through this Plan Area.

45. PAS 087, Page 3: Delete secondary storage. (Staff does not agree.)

46. PAS 089B: Add Planning Consideration as follows: The USFS has identified bald eagle habitat in this Plan Area.

47. PAS 089B: Adjust Plan Area boundary at the stateline to include the Pruett/Park Cattle Company property in PAS 070A.

48. PAS 092, Page 2: Add Policy #5 as follows:

5. Commercial development shall be limited to parcels whose use was commercial at the effective date of the plan. Additional development shall be limited to areas in approved redevelopment plans. (Staff agrees with this.)

49. PAS 095: Add Planning Consideration as follows: The Agency Wildlife Map identifies peregrine falcon habitat and major deer migration corridors through this Plan Area, and the USFS has identified active goshawk habitat here.

50. PAS 095, Page 2: Delete nursery. (Staff agrees with this.)
51. **EIS Required Addition**

PAS 100: Add Planning Consideration as follows:
The Agency Wildlife Map identifies waterfowl habitat in the area, and the USFS has identified this area as bald eagle habitat.

52. **Oversight/Clean Up**

PAS 100: Remove Special Designation for Scenic Restoration Area.

53. **Oversight/Clean Up**

PAS 100: Add public utility centers as a special use under Public Service.

54. **Oversight/Clean Up**

PAS 100, Page 2: Reword Policy #6 as follows:
The TRPA, in coordination with the City of South Lake Tahoe, shall undertake a study to determine the long term use and maintenance of Lake Christopher. The study shall determine the feasibility for SEZ restoration and relocating Cold Creek to its original channel.

55. **Recognize Existing Use**

PAS 101, Page 3: Add grazing (A) to resource management.

56. **Recognize Existing Use**

PAS 101, Page 2: Add domestic animal raising (S) to residential.

57. **EIS Required Addition**

PAS 109: Add Planning Consideration as follows:
The USFS has identified a historic goshawk nesting site in this Plan Area.

58. **Requested Substantive Change**

PAS 109, Page 2: Delete commercial uses.
(Staff agrees with this.)

59. **Requested Minor Change**

PAS 111, Page 2: Add policies 6 and 7 as follows:

6. Extensions of commercial development should be limited to Special Area #1 along Highway 89 to help facilitate concentration of commercial development.

7. Special Area #2 in the Eloise area should be primarily a multi-residential area.

60. **Requested Substantive Change**

PAS 111, Page 3: In Special Area #1 delete amusements and recreation services and general merchandise stores. Add nursery (S).

61. **Requested Substantive Change**

PAS 112, Page 3: In Special Area #1 delete eating and drinking places. Delete last sentence in Policy #1.
**Requested Minor Substantive Change**

*62. PAS 114, Page 1: Add new Policy #2 as follows:

2. Special Area #1 is a transitional area of mixed uses and should be limited to uses compatible with scenic restoration and the intensity of Highway 50/89 and the background residential areas.

**Requested Substantive Change**

*63. PAS 114, Page 2: In Special Area #1 delete outdoor retail sales and privately owned assembly and entertainment. Add hotels, motels and other transient dwellings (S) and bed and breakfast facilities (S) under tourist accommodation. (Staff agrees with this.)

**Requested Minor Substantive Change**

*64. PAS 118, Page 2: Delete nursery, add tree farms (S).

**EIS Required Addition**

*65. PAS 199: Add Planning Consideration as follows: The Agency Wildlife Map identifies waterfowl habitat in this Plan Area.

**Requested Minor Substantive Change**

*66. PAS 119, Page 3: Delete nursery.

**EIS Required Addition**

*67. PAS 121: Add Planning Consideration as follows: The Agency Wildlife Map identifies habitats for peregrine falcon waterfowl in this Plan Area, and USFS personnel have observed goshawks in the area.

**Requested Minor Substantive Change**

*68. PAS 123, Page 2: Delete nursery.

**EIS Required Addition**

*69. PAS 126: Add Planning Consideration as follows: The Agency Wildlife Map identifies bald eagle and waterfowl habitats in this Plan Area.

**EIS Required Addition**

*70. PAS 127: Add Planning Consideration as follows: The Agency Wildlife Map identifies bald eagle and waterfowl habitats in this Plan Area.

**Requested Substantive Change**

*71. PAS 127, Page 1: Delete transfer of existing development designation. (Staff does not agree.)

**Requested Substantive Change**

*72. PAS 127, Page 2: Delete general merchandise stores, service stations and outdoor retail sales. (Secondary storage?) Map: Adjust boundary to include Camp Richardson south of 89. (Staff agrees with boundary changes and deleting outdoor retail sales.)

**EIS Required Addition**

*73. PAS 128: Add Planning Consideration as follows: The Agency Wildlife Map identifies bald eagle and waterfowl habitats in this Plan Area, and the USFS has identified an active goshawk nest site in this Plan Area.
62. PAS 114, Page 1: Add new Policy #2 as follows:

2. Special Area #1 is a transitional area of mixed uses and should be limited to uses compatible with scenic restoration and the intensity of Highway 50/89 and the background residential areas.

63. PAS 114, Page 2: In Special Area #1 delete outdoor retail sales and privately owned assembly and entertainment. Add hotels, motels and other transient dwellings (S) and bed and breakfast facilities (S) under tourist accommodation. (Staff agrees with this.)

64. PAS 118, Page 2: Delete nursery, add tree farms (S).

65. PAS 199: Add Planning Consideration as follows: The Agency Wildlife Map identifies waterfowl habitat in this Plan Area.

66. PAS 119, Page 3: Delete nursery.

67. PAS 121: Add Planning Consideration as follows: The Agency Wildlife Map identifies habitats for peregrine falcon waterfowl in this Plan Area, and USFS personnel have observed goshawks in the area.

68. PAS 123, Page 2: Delete nursery.

69. PAS 126: Add Planning Consideration as follows: The Agency Wildlife Map identifies bald eagle and waterfowl habitats in this Plan Area.

70. PAS 127: Add Planning Consideration as follows: The Agency Wildlife Map identifies bald eagle and waterfowl habitats in this Plan Area.

71. PAS 127, Page 1: Delete transfer of existing development designation. (Staff does not agree.)

72. PAS 127, Page 2: Delete general merchandise stores, service stations and outdoor retail sales. (Secondary storage?) Map: Adjust boundary to include Camp Richardson south of 89. (Staff agrees with boundary changes and deleting outdoor retail sales.)

73. PAS 128: Add Planning Consideration as follows: The Agency Wildlife Map identifies bald eagle and waterfowl habitats in this Plan Area, and the USFS has identified an active goshawk nest site in this Plan Area.
74. **EIS Required Addition**: PAS 129: Add Planning Consideration as follows: The Agency Wildlife Map identifies bald eagle and waterfowl habitats in this Plan Area, and the USFS has identified an active goshawk nest site here.

75. **Requested Minor Substantive Change**: PAS 129, Page 3: Delete commercial uses with boundary adjustment for PAS 127. (Staff agrees.)

76. **EIS Required Addition**: PAS 130: Add Planning Consideration as follows: The Agency Wildlife Map identifies goshawk and waterfowl habitats in this Plan Area.

77. **Requested Substantive Change**: PAS 136, Page 2: Delete outdoor retail sales and add Special Policy #5 as follows:

5. Additional commercial development shall be limited to parcels containing commercial uses on the effective date of the Plan. (Staff agrees.)

78. **EIS Required Addition**: PAS 137: Add Planning Consideration as follows: The Agency Wildlife Map identifies waterfowl habitat in this Plan Area.

79. **EIS Required Addition**: PAS 139: Add Planning Consideration as follows: The Agency Wildlife Map identifies several deer migration routes and peregrine falcon habitat in this Plan Area. It contains a historic peregrine nest site and goshawk habitat identified by the USFS. The California Department of Fish and Game have mapped critical fawning habitat here.

80. **EIS Required Addition**: PAS 141: Add Planning Consideration as follows: The Agency Wildlife Map identifies habitat for waterfowl, and the Threshold Study cites this area as providing golden eagle habitat. Peregrine nesting habitat exists bordering this Plan Area.

81. **EIS Required Addition**: PAS 142: Add Planning Consideration as follows: The Agency Wildlife Map identifies this area as providing waterfowl habitat.

82. **EIS Required Addition**: PAS 143: Add Planning Consideration as follows: The Agency Wildlife Map identifies this Plan Area as containing habitat for bald eagles and deer migration corridors. The Threshold Study cites golden eagle habitat in the area, and the California Department of Fish and Game has identified critical fawning habitat for deer here. The USFS has identified peregrine falcon habitat in the area.
83. PAS 145, Page 2: Add Special Policy #7 as follows:

7. Additional commercial development shall be limited to parcels containing commercial uses on the effective date of the Plan. (Staff agrees.)

84. PAS 146: Add Planning Consideration as follows: The Agency Wildlife Map identifies osprey, bald eagle, and waterfowl habitats in this Plan Area.

85. PAS 148: Add Planning Consideration as follows: The USFS has identified goshawk habitat in this Plan Area.

*86. PAS 150, Page 2: Delete outdoor retail sales and service stations. Add new Policy #6 as follows:

6. Additional commercial development shall be limited to parcels containing commercial uses on the effective date of the Plan. (Staff agrees.)


88. PAS 152: Add Planning Consideration as follows: The Agency Wildlife Map identifies waterfowl in this Plan Area.

89. PAS 152, Page 2: Delete nursery.

*90. PAS 156, Page 1: Add Special Policy #2 as follows:

2. Additional commercial development shall be limited to parcels containing commercial uses on the effective date of the Plan. (Staff agrees.)

*91. PAS 157, Page 2: Delete outdoor retail sales and add Policy #9 as follows:

9. Any new or additional commercial uses shall be permitted only pursuant to an adopted Community Plan.

*92. PAS 162: Add Planning consideration as follows: The Agency Wildlife Map identifies this Plan Area as containing goshawk and waterfowl habitat and a major deer migration route.

*93. PAS 163, Page 2: Delete nursery and secondary storage. (Staff agrees.)
93. PAS 165: Remove Special Policy #1 relating basic-service/TDR requirements and renumber.

94. PAS 166: Add Planning Consideration as follows: The Agency Wildlife Map identifies a deer migration route in this area, and the USFS has identified goshawk and waterfowl habitat in this Plan Area.

*95. PAS 174, Page 2: Delete all commercial uses. (Staff agrees.)
BEFORE THE GOVERNING BOARD
OF
THE TAHOE REGIONAL PLANNING AGENCY

COMMENTS OF PARK CATTLE CO.
AND THE EDGECOMD WATER COMPANY

REGARDING

January 7, 1987 Revisions To Plan Area Statements
For The Lake Tahoe Basin

Presented By

Gordon H. DePaoli, Esq.
Woodburn, Wedge, Blakey and Jeppson
First Interstate Bank Building
One East First Street, Suite 1600
Reno, Nevada 89505

January 28, 1987
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I. INTRODUCTION.

Park Cattle Co. and the Edgewood Water Company (Park) have presented written and oral comments concerning the Plan Area Statements and the Code Of Ordinances for the Lake Tahoe Basin. The comments set forth herein are intended to supplement those comments with respect to the January 7, 1987 revisions to the Plan Area Statements.

II. PLAN AREA STATEMENTS FOR THE LAKE TAHOE BASIN.

A. Introduction.

It is virtually impossible to know the impact of a Plan Area Statement on a particular piece of property without also knowing the substance of the entire Code Of Ordinances. Although certain chapters of the Code may be more directly related to Plan Area Statements than others, those chapters do not reveal the full scope of regulation which will be imposed on a property. The Plan Area Statements should not be adopted before the Code Of Ordinances.

B. Park Cattle Co.'s Property And Plan Area Statements.

1. Plan Area 080-Kingsbury Drainage.

(a) Park's Property Does Not Belong In This Plan Area.

Park has approximately 246 acres of property in this Plan Area. One of its principal objections to this Plan Area Statement is that its property does not belong in it. For a number of specific reasons, Park suggested that its property should either be placed into three (3) new plan areas or that parts of it should be included in Plan Area 089A, the Nevada
South Stateline Resort Area, in Plan Area 076, the Kingsbury Commercial Plan Area, and in Plan Area 078, the Middle Kingsbury Residential Plan Area. See, November 24, 1986, Comments Of Park Cattle Co. And The Edgewood Water Company, pp. 10-11 (Park's November 24, 1986, Comments).

The January 7, 1987, revision to this Plan Area continues to include all of Park's property in Plan Area 080. Several reasons have been given for this result. First, it is said that a large portion of Park's 246 acres is required open space for the Caesars Hotel Casino. See, Response To Comments: TRPA Plan Area Statements, Park II: Specific Comments, No. 203 (TRPA Response To Comments). As a matter of fact, only 16 of Park's 246 acres are a part of the original Park Tahoe (now Caesars Tahoe) project.

Second, it is suggested that a large portion of the Park property is classified as high hazard or stream environment zone. Id. Park has consistently disagreed with that classification. If the existence within an area of lands classified as high hazard was the determining factor, substantially the entire region would receive a conservation designation. Other regulations adequately control the development of such lands. There is no need to classify all of Park's property as conservation simply to restrict development on high hazard lands. Finally, large areas of the Park property consist of land which is not designated high hazard or stream environment zone.

Another reason given for the conservation designation is that there are no substantial improvements,
i.e., streets, sewer lines, and water lines within the Park property. *Id.* That reason ignores the fact that Park's property abuts Highway 50, is located on the Loop Road, and is adjacent to a small portion of Kingsbury Grade. It ignores the fact that sewer and electrical lines are nearby and in fact cross the property. It ignores the fact that the Edgewood Water Company provides water to the property and that its distribution lines and main storage facility are in fact located on it.

Another reason given for rejecting Park's proposal is that the Edgewood Creek Water Shed Association is already overcovered and targeted for coverage removal. *Id.* Park's property in this Plan Area is not overcovered. *Id.* Moreover, there are other Plan Areas within the Edgewood Creek Water Shed Association which have not received the conservation designation.

Finally, it is said that this is a low priority area for development. *Id.* When one considers the location of this property and what is around it, one must ask why. This land is directly adjacent to one of the Region's major employment centers. It is adjacent to tourist and commercial centers and is bounded by major transportation corridors.

(b) Application Of The Plan Area Statement To Park's Property.

(i) Special Designations.

The only reason given for not providing any special designations for this Plan Area is its conservation designation. TRPA Response To Comments, No. 208. No other
reason is given why the special incentives available to land owners willing to take environmentally beneficial measures on their land and elsewhere are not also made available in this Plan Area. Certainly, the Plan Area Statement contemplates a need for environmental improvements within this Plan Area. Yet no incentives are provided to assist in the achievement of those improvements.

(ii) **Special Policies.**

A new Special Policy 3 has been added. It suggests that the lower portions of the Plan Area should be considered in the Community Plans for Stateline and Kingsbury. Park's property should be included in those Community Plans. The best way to insure that that occurs is to include Park's property in the applicable Plan Areas.

Park continues to object to the designation of its property as a "scenic view corridor." Contrary to the TRPA Response To Comments, that designation imposes a public burden on Park's property and will result in Park's not being allowed a reasonable economic use of it.

(iii) **Permissible Uses.**

The extent to which Park's property is impacted by this Plan continues to be highlighted by the permissible use designations for this Plan Area. Contrary to the TRPA Response To Comments, ranch uses, limited recreational uses, and timber uses are not reasonable economic uses of the property. The fact that Park's property in other Plan Areas has existing lawful uses, does not justify the inverse condemnation of this property. See, TRPA Response To Comments, No. 210.
As noted in its November 24, 1986, Comments, Park is concerned that the major storage and distribution facilities of the Edgewood Water Company located in this Plan Area be recognized as permitted uses. Chapter 18 of the Code Of Ordinances defines public utility centers to include "quasi-public" facilities. No definition of "quasi-public" is provided. This issue should be dealt with directly and clearly. See, Park's, November 24, 1986 Comments, pp. 13-14.

Moreover, the Edgewood Water Company facilities should be an allowed rather than a special use.

(iv) **Additional Developed Outdoor Recreation.**

Special Policy No. 3 suggests a developed campground for recreational vehicle parking for this Plan Area. However, under the additional outdoor recreation section, no additional capacities are allowed for this Plan Area. Without an assignment of additional capacity, Special Policy No. 3 can not be implemented.

(v) **Improvement Programs.**

The Plan Area Statements should not mandate the implementation of programs which have not yet been written and/or reviewed by the Governing Board. The requirement for such a program may be added when and if such programs are adopted.

2. **Plan Area 070A - Edgewood.**

(a) **Planning Considerations.**

Planning Consideration 2 recognizes the recent construction of a siltation basin at the Edgewood Golf Course which will reduce pollution entering Lake Tahoe. It should
also recognize that for many years there have been numerous ponds on the Edgewood Golf Course which have acted as siltation basins and which have assisted in the reduction of pollutants entering Lake Tahoe from Edgewood Creek.

(b) **Special Policies.**

Park continues to object to and requests the deletion of Special Policy No. 1 which suggests that the Edgewood Golf Course should be redesigned. Special policies should be carefully considered. Under section 13.7.A of the proposed Code of Ordinances, they cannot be changed except by plan amendment.

(c) **Permissible Uses.**

Park's comments concerning the definition of public utility centers also apply to this Plan Area because major facilities of the Edgewood Water Company are located in it. It is not clear whether the bar and restaurant facilities at the Edgewood Golf Course will be primary uses, accessory uses or both. Since these uses exist and since this Plan Area consists almost entirely of Park property, Park suggests that eating and drinking places be an allowed, rather than a special use.

The accessory uses/structure provisions for both shorezone tolerance districts in this Plan Area should include water intake lines as being allowed. This is important to protect existing water diversions out of Tahoe and to encourage future diversions out of Tahoe rather than out of streams. **See, Park's November 24, 1986, Comments, pp. 17-18.**

A number of uses have been eliminated from the
shorezone provisions in this Plan Area. It appears that this may be due to the provisions of section 51.2.D of the Code which deals with "dispersed water oriented outdoor recreational uses." However, it is not clear whether that generic use should be included in the Plan Area Statement. This should be clarified.

(d) **Additional Developed Outdoor Recreation.**

This Plan Area does not allow for any additional recreation development. Some additional outdoor recreation development should be allocated to this Plan Area. Although golf course expansions do not require PAOT's, this Plan Area, which is adjacent to a major tourist center, is ideal for the location of other additional developed outdoor recreation facilities.

(e) **Improvement Programs.**

Mandatory improvement programs should be deleted unless and until the programs are actually written and reviewed and approved by the Governing Board.

3. **Plan Area 089A - Nevada South Stateline Resort Area.**

(a) **Planning Statement.**

The Planning Statement should expressly state that structures housing gaming under a non-restricted license are permitted and conforming uses.

(b) **Special Policies.**

Park continues to object to Special Policy No. 1.

There is no dispute that the property referred to in that Special Policy is a part of the project area for Caesars Tahoe. Park objects to the attempt to expand what was intended and
required in 1973 when this property was included as a part of the Park Tahoe project. The land in question was included as a part of the project area so that the land coverage for the Park Tahoe would not exceed fifty percent (50%) of the total land area of the project. Nothing in that 1973 designation required the land to be maintained "as a scenic view corridor" or as an historic sight. The Governing Board should not impose additional and new burdens on the property in question by reason of this Special Policy.

(c) Permissible Uses.

Multi-residential should be added as a residential use. Vehicle storage and parking should be an allowed, rather than special use in this Plan Area. Sport assembly should be added as a permitted use. In the alternative, the definition of privately owned assembly and entertainment facilities should be expanded to include the definition of sport assembly.

(d) Improvement Programs.

No improvement program should be mandated unless and until it is complete, reviewed by the public, and adopted by the Governing Board.

PARK8 1/emr
MEMORANDUM

February 2, 1987

To: TRPA Advisory Planning Commission

From: Agency Staff

Subject: North Shore Transit Maintenance Facility EIR/EIS

Enclosed in your packet is a copy of the final EIS/EIR for the North Shore Transit Maintenance Facility. The comment period on the draft document ended on January 20, 1987. The Final EIS/EIR consists of the comments received on the draft document and the responses to those comments.

The staff is requesting that the APC determine that the document is technically adequate and recommend adoption by the Governing Board at the regularly scheduled meeting February 25, 1987. The staff and K. E. Foster Engineering, the consultant primarily responsible for the preparation of the document, will be available for any questions the APC or public may have. Please bring your copy of the draft EIS/EIR which was distributed at the December 1986 meeting.

If you have any questions, contact Jim Brennan at (702) 588-3296.
MEMORANDUM

February 4, 1987

To: Advisory Planning Commission

From: Agency Staff

Subject: Findings of Technical Adequacy and Recommendation on Certification--Environmental Impact Statement, Ski Incline Master Plan

Background

TRPA staff has been working with IVGID, Washoe County, and the U.S. Forest Service since January, 1986 on the Master Plan and Environmental Impact Statement for the expansion of Ski Incline. The staff and IVGID's contractors made presentations on the administrative draft EIS at the August and September, 1986, APC meetings. In the 15th Stipulation on the Preliminary Injunction issued by Judge Garcia in the current Regional Plan-related litigation, TRPA received approval to "accept an application, prepare, circulate, and certify an EIS for the Ski Incline Master Plan."

Circulation of a draft TRPA EIS began on November 7, 1986 and ended January 5, 1987. TRPA received comments from the public, affected agencies, and the APC, which were transmitted to IVGID for preparation of a Response to Comments, in cooperation with TRPA staff. A draft Response to Comments is enclosed for your review, along with a list of proposed mitigation measures.

Also, the Plan Area Statements adopted at first reading on January 27, 1987 designate the Ski Incline area for outdoor recreation, and state, "This area should continue to provide downhill skiing opportunities to the extent that the associated uses can be mitigated to prevent unacceptable erosion and loss of natural vegetation." A special policy in PAS 052 calls for provision of opportunities for ski area expansion consistent with the need to redevelop the base facilities to enhance the scenic quality of the resort, to improve operating efficiency, and to protect water quality. PAS 052 provides 900 PAOTs for additional winter day use recreation.

Discussion

At the February 11 APC meeting, TRPA staff will make a presentation on the Ski Incline Master Plan EIS, with assistance from IVGID's consultant team, particularly in the area of analysis of scenic impacts. (Note that recommendations to certify the EIS and to approve the Master Plan are listed separately on the agenda.)
In reviewing the adequacy of the EIS, the APC members should consider the following questions:

1. Is the proposed action clear and complete?
2. Does the Response to Comments adequately respond to all comments?
3. Is the proposed mitigation program complete?
4. Does the EIS adequately set forth the expected environmental impacts associated with the alternatives?

TRPA staff and members of IVGID's consulting team (Design Workshop, Resource Concepts, Alpen Group, and OMNI-Means) will be available at the February APC meeting to answer questions from the commissioners.

Recommendation

After discussion of the EIS, Response to Comments, and list of mitigation measures, and after consideration of the completeness of the Master Plan itself, the APC should decide, as appropriate, on the adequacy of the EIS for the Ski Incline Master Plan.

If you have any questions or comments on this agenda item, contact Dave Ziegler at (702) 588-3296.
MEMORANDUM

February 4, 1987

To: Advisory Planning Commission

From: Agency Staff

Subject: Discussion and Possible Recommendation, Adoption of Ski Incline Master Plan

Background

See the packet memo on agenda item IV.B.2 for additional information pertinent to this agenda item.

In November, 1986, staff provided APC members with copies of the proposed Ski Incline Master Plan. Please inform the staff if you do not have a copy of the proposed master plan.

On December 9, 1986, the Washoe County Commission, upon the recommendation of the Washoe County Planning Commission, approved the expansion of Ski Incline, including the addition of a dining/bar facility, relocated maintenance facility, day care center, additional and upgraded chairlifts, and the expansion of the skiing terrain, subject to 30 conditions. (Approval letter is attached.)

The exemption from the Preliminary Injunction does not give TRPA the explicit authority to adopt the Master Plan. If, in the opinion of TRPA counsel, an additional exemption is required, any APC action recommending approval of the Master Plan would be subject to TRPA obtaining the necessary exemption or settling the Regional Plan-related litigation.

Discussion

When the TRPA Board adopts the Ski Incline Master Plan, it will adopt the master plan as a Regional Plan amendment, by ordinance. An adopting ordinance will be circulated, prior to Board action, according to the TRPA Rules and Regulations.

Staff suggests that APC review the Ski Incline Master Plan in accordance with the document, Criteria for Development and Expansion of Ski Areas, Lake Tahoe Basin [CTRPA, 1977], attached. These criteria were developed by a Ski Area Committee appointed by the CTRPA and representing a cross section of the private and public sectors, ski area operators, skiers, technicians in ski area design and construction, and environmental protection specialists.

2-4-87
DSZ:mmi

Agenda Item IV.C.
The Response to Comments included in the final EIS for the Ski Incline Master Plan includes an analysis of the proposed master plan in light of the 1977 CTRPA criteria.

In reviewing the Ski Incline Master Plan, the staff suggests that the APC consider the following issues:

1. Phasing—is the phasing of the Master Plan clear? Should the TRPA approval apply to all phases?

2. Completeness— does the proposed Master Plan respond to all the CTRPA criteria? Does it include all necessary mitigation of environmental impacts?

3. USFS concurrence—can TRPA approve a master plan affecting Forest Service lands without the Forest Service's concurrence? Does the Forest Service concur in the proposed master plan?

4. Consistency with the TRPA Goals and Policies and Plan Area Statements— is the proposed action consistent with these recently-adopted Plan documents?

5. Is the proposed master plan consistent with the EIS?

6. Can the VI(b) findings required in the Compact be made with respect to the projects contemplated in the proposed master plan?

TRPA staff and the IVGID consulting team (Design Workshop, Resource Concepts, Alpen Group, and OMNI-Means) will be present at the February 11 APC meeting to answer questions from the APC and to assist in the consideration of these and other issues.

Recommendation

After considering the proposed Master Plan in light of the 1977 CTRPA criteria, and after considering the adequacy of the accompanying environmental impact statement (EIS), the APC should consider a recommendation to the TRPA Board that they adopt the Ski Incline Master Plan as a Regional Plan amendment.

If you have any questions or comments on this agenda item, please contact Dave Ziegler at (702) 588-3296.
December 12, 1986

Mr. William Morgan
Executive Director
Tahoe Regional Planning Agency
Post Office Box 1038
Zephyr Cove, NV 89448

Incline Village General Improvement District
Post Office Drawer P
Incline Village, NV 89450

I, Judi Bailey, County Clerk and Clerk of the Board of
County Commissioners, Washoe County, Nevada, do hereby certify
that at a regular meeting of the Board held on December 9, 1986,
Chairman King issued the following order:

66-1253  MAJOR PROJECT REVIEW CASE NO. MPR9-4-86 - SKI INCLINE
[PORTIONS OF APN 126-010-06, -54, -56, -60, 126-020-03
AND -51]

The County Manager advised that the applicant was
notified by certified mail of the time set to consider Major
Project Review Case No. MPR9-4-86 for Ski Incline to expend an
existing ski area west of Fairview Boulevard in the Tahoe
Planning Area.

Michael Harper, Department of Comprehensive Planning,
displayed a map of the project, reviewed the project, stated that
the three involved governmental entities, the TRPA, the U.S.
Forest Service, and the County, agreed to a common scoping
process, and suggested that if the Board does not concur with the
recommended expansion, they approve the special use permit for
the existing use.

Mr. Harper then reviewed the recommended conditions
and in response to questions raised at Caucus advised that the
expansion does not provide for any additional parking because the
TRPA would not approve such request and there is very little area
suitable for additional parking other than a structure; that
County policy advocates alternative transportation measures and
the present shuttle system to the ski area is under-utilized;
that regarding possible conflict between the RTC TART system and
the Ski Incline shuttle, applicant advises that the RTC had been
consulted initially regarding the free shuttle and indicated they
felt it inappropriate to extend TART service to Ski Incline and
there is a condition requiring review of the shuttle system for
maximum coordination; that the draft Environmental Impact Statement indicates that the upgraded ski resort which would attract more local skiers who are more aware of the shuttle bus. He noted that the 1128.48 acres includes U.S. Forest Service land and land the Forest Service is presently negotiating for a trade with FLEX Corporation and staff feels comfortable in suggesting the entire acreage be the reviewing threshold. He added that as far as parking availability at shuttle pickup sites, that none is contemplated as it has been found that once ski equipment is loaded into the vehicle, skiers do not wish to unload their cars until the ski resort has been reached.

Concerning condition 16, Mr. Harper stated that applicant wishes to be assured that the current parking will be retained. He also stated that condition 18 concerning drainage improvements should be amended to reflect County Engineering inspection at the completion of each phase.

Jurgen Wetzstein, Area Manager at Ski Incline, described the present facility and the anticipated improvements, which he explained are geared to attract a more advanced skier. He addressed the parking area advising that it includes 627 parking spaces; that these spaces are fully utilized only ten days out of the ski season and the rest of the time, the area is only at 30% capacity; that if the demand is present for more bus shuttle services, it can be expanded as needed; and that it is hoped that through an aggressive marketing program and improved skiing product, that greater skier utilization of the resort would become a reality without affecting the parking.

Chairman King advised that he is a lessee of Ski Incline for his radio station, but that this presents no conflict of interest.

Following further discussion, there being no appeals filed, upon recommendation of the Washoe County Planning Commission, on motion by Commissioner Williams, seconded by Commissioner Ritter, which motion duly carried, Chairman King ordered that Major Project Review Case No. MPR9-4-86 (Ski Incline) be issued to Incline Village General Improvement District to expand an existing ski area which will include the addition of a dining/bar facility, relocated maintenance facility, day care center, additional and upgraded chairlifts, and the expansion of the skiing terrain on portions of six parcels of property totalling 1128.48 acres in size, zoned E-1 (First Estates), A-4 (Farm and Forest) and C-1 (Limited Commercial), located within Sections 12, 13 and 14, T16N, R18E, M.D.B. & M., being west of Fairview Boulevard, in the Tahoe
Planning Area, Washoe County, Nevada, subject to the following 30 conditions with condition number 14 amended to provide for scheduled review of the parking and shuttle plans, and condition number 18 reflecting the amendments suggested by Mr. Harper:

**General Conditions**

1. Design plans and construction shall be in compliance with all applicable statutes, ordinances, rules, regulations and policies in effect at the time of issuance of the building permit.

2. The applicant shall commence construction within five years after the date of final approval by the Tahoe Regional Planning Agency, and shall complete construction according to the phasing plan provided in the application. Prior to commencement of each phase, the applicant shall submit a report to the planning staff detailing compliance with previous conditions.

3. Applicant shall obtain all necessary permits from the United States Forest Service for expansion onto lands administered by this agency prior to any land disturbing activities on these lands.

4. An extension of time request will not be considered by the Board of County Commissioners unless said request is submitted to the County planning staff at least sixty days prior to the expiration date.

5. Prior to acceptance of any improvements to be dedicated to Washoe County and release of any financial guarantees required by Washoe County, the owner/developer is to furnish to the Washoe County Engineering Division a full set of reproducible "as-built" construction drawings prepared by a registered engineer, and a copy of said drawings to the Building and Safety Division and planning staff.

6. "As-built" plans shall be in compliance with all plans and documents submitted with and made part of this request or as required to satisfy conditions of this approval. All documentation necessary to satisfy the conditions noted below shall accompany the "as-built" plans when submitted to the planning staff, the County Engineering Division, and the Building and Safety Division.
7. The Board of County Commissioners reserves the right to review and revise the conditions of this approval should it determine that a subsequent license or permit issued by Washoe County violates the intent of this approval.

8. A copy of the approved major project review special use permit shall be attached to all applications for administrative permits issued by the County.

9. A construction plan, dust control plan, and solid waste disposal plan shall be submitted to and approved by the District Health Department prior to any ground-disturbing activity on site.

10. Construction plans or any food handling facilities, detailing food storage and preparation areas, shall be submitted to the District Health Department for review and approval.

11. Applicant shall submit a report to the planning staff subsequent to final approval by the Tahoe Regional Planning Agency and prior to any ground disturbing activity detailing which conditions of this approval have been satisfied by the Tahoe Regional Planning Agency's approval and which conditions (if any) of the regional agency's approval conflict with the conditions of approval for MPR9-4-86. Conflicts in conditions shall be resolved prior to any ground disturbing activity by the applicant.

12. The applicant shall submit a report to the planning staff for its review and approval prior to any ground disturbing activities delineating which mitigation measures identified in the administrative draft of the draft environmental impact statement are to be implemented, what techniques and time-frames will be used to implement the mitigation measures, what maintenance measures and schedules will be implemented, and what monitoring and reporting procedures will be used to insure that the mitigation measures are succeeding.

13. A note shall be placed on all construction plans stating: "Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted and the Department of Conservation and Natural Resources, Division of Historic Preservation and Archaeology shall be notified to record and photograph the site." The period of temporary delay shall be limited to a maximum of two working days from the date of notification.
Traffic

14. Applicant shall submit a ski shuttle and parking plan to the planning staff and Regional Transportation Commission for their review and approval. Said plan shall be reviewed annually or at the time each phase is submitted for building permits. The plan shall address, at a minimum, the anticipated patronage per day, the number and size of shuttle busses to be used, the routes and schedules to be used; and an analysis of the ski shuttle system expansion on air quality and average daily trips resulting from the plan.

15. Applicant shall not exceed the present number of 627 parking spaces.

16. Applicant shall submit a traffic control plan to the planning staff and Regional Transportation Commission for their review and approval that prohibits parking along public streets.

Drainage

17. Any storm drainage from this site must have pretreatment for petrochemicals and silts. The treatment facility(s) should conform to the Washoe Council of Government's Urban Stormwater Management Plan and the Tahoe Regional Planning Agency's 208 Plan.

18. Drainage improvements shall be designed and constructed to the satisfaction of the County Engineering Division for each phase as that phase is submitted for building permits.

19. The 100-year flood plain boundaries and flood elevations shall appear on each construction drawing.

20. At the time of submittal of each construction drawing, an on-site grading plan shall be submitted to the Building and Safety Division noting conformance with grading and drainage, erosion control, slope stabilization, and revegetation mitigation measures required as part of these conditions.

Water

Design

22. Applicant shall submit a detailed set of architectural renderings to the Design Review Committee for their review and approval prior to commencement of any physical construction of structures for any phase. These renderings shall address, at a minimum, type of architectural style, material and color schemes to be used, location of structures, type and amount of landscaping including size of initial plant material and maturation size and date of plant material. The plans shall substantially conform to the design criteria enumerated in the adopted master plan for Ski Incline, dated September 11, 1986.

23. Applicant shall indicate on detailed architectural plans the provision for security lighting for all buildings and parking areas. This detail shall be reviewed and approved by the Sheriff's Office. Lighting shall not be directed toward or shall be shaded from neighboring residential uses.

24. Any free-standing, on-premise signs shall require subsequent review and possible amendment of this special use permit.

25. Applicant shall submit a snow removal and storage plan for the parking area and internal road network to the County Engineering Division for its review and approval.

Utilities

26. Any subsequent expansion of utilities on site shall be placed underground, except for telephone service, which may use the existing/future lift towers if feasible and acceptable to the telephone service provider.

27. The placement of existing communication equipment on and/or in a new structure shall require an amendment to this special use permit. The construction and/or erection of a new facility shall conform to the general standards identified in the adopted master plan for Ski Incline adopted September 11, 1986.

Wildlife

28. Applicant shall develop a mule deer management plan for review and approval by the Nevada Department of Wildlife
for the Ski Incline property, including any area under permit from the United States Forest Service.

29. Applicant shall cooperate with the Nevada Department of Wildlife in programs to enhance the fisheries population in Incline Creek.

**Fire Protection**

30. Access and fire hydrants (if required) shall be installed prior to storage of combustible building material or framing of structures to the satisfaction of the North Lake Tahoe Fire Protection District.

Very truly yours,

Judi Bailey
JUDI BAILEY, County Clerk
and Clerk of the Board
of County Commissioners,
Washoe County, Reno, Nevada

cc: Planning, Public Works, Building, Engineer

N.B. A copy of this letter should be attached to your plans when you apply for a building permit.
Criteria For Development

And

Expansion Of Ski Areas

Lake Tahoe Basin

August 1977
POOR QUALITY ORIGINAL (S) TO FOLLOW
Ski Area Committee

Wes Howell, Chairman
Realtor

Bill Johnson
Hydrologist,
United States Forest Service

Ed Oppenheim
Director of Area Development,
Far West Ski Association

Dave Tucker
Architect and Ski Consultant

Vern Sprock
Ski Area Owner and Manager

Nick Bedami
Ski Area Owner and Manager

Charles White, Engineer
California Water Resources
Control Board

Fred Yeager
Associate Planner
Placer County

Luggi Foeger
Ski Consultant

Ernest Wertheim
Landscape Architect

Peter Klaussen
Ski Consultant

Norm Wilson
Ski Consultant

Dr. Robert Leonard
Research Director
Tahoe Research Group

Ken Milam
Director
Planning Department
El Dorado County

Lowell Northrop
Contractor

California Tahoe
Regional Planning Agency

Laurel W. Ames
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Purpose And Intent

The purpose of this report is to identify all major considerations which must be addressed in the review of proposals for new or expanded ski areas in the Tahoe basin.

The criteria consists of five elements of planning which, when applied to a ski area development proposal, will provide an initial concept of its limits and capabilities. The criteria will provide clear and complete notice to ski area developers of procedures required for review of proposals and all action required by responsible governmental agencies.

A review of these criteria by a technical committee should be conducted every two years or more frequently if needed.

The decisions of criteria resulting from review shall apply only to projects formally submitted to the Agency after the date of adoption.

The Area Committee was appointed by the Governing Board of the Area to develop criteria specifically intended to protect the Tahoe basin environment and alter the expansion and development of ski areas within the Tahoe basin. The Committee represented a broad cross section of the private and public sector, ski area operators, skiers and technicians in ski area design and construction as well as in environmental protection.

This document is the result of more than a thousand hours of work by these members and is testimony to the professional expertise and working knowledge of the committee members of all facets of ski area development and operation and its impacts on the surrounding physical and social environments.
Planning Criteria

Assumptions Pertinent to the Tahoe Basin

* That ski areas can be constructed or expanded if specific development criteria are met.
* Development constraints will be severe limiting factors in the development of ski areas.
* Demand for skiing will continue to increase in the Tahoe basin and in the Sierra as a whole.
* The terrain, climate and geographic location of the Lake Tahoe basin are not conducive to the development of ski areas.
* The U.S. Forest Service will have a major role in the development of ski areas due to land ownership.
* Residential developments are considered under a separate set of criteria.
* Peak-day ski attendance is responsible for many of the problems related to ski area development.

General Considerations

* A ski area development or expansion proposal must comply with the CTRPA Regional Plan.
* Potential or actual conflicts or compatibilities with winter and summer uses should be considered.
* Development of ski areas which require least alteration of the natural environment should be given primary consideration.
* External economies can result from the location of ski facilities in close proximity to other ski areas.
Master-Plan

A master plan describing the ultimate extent of the ski area shall be submitted by the developer to the Agency. The following elements will be described in general terms:

* Boundaries of entire ski area within and outside the basin.
* Ski terrain and lift facilities.
* Base facilities including lodges, parking, commercial space, residential units, maintenance buildings and ancillary facilities.
* Regional facilities, including transportation, housing and utilities.
* Socio-economic and environmental considerations.
* Planning team and the responsibilities of the participants.

Development Plan

A development plan shall be submitted by the developer to the Agency for approval. The plan should be submitted in the form recommended in Appendix D and shall address itself in detail to Sections II - V of this report. This plan must make the relationship among environmental, socio-cultural, public service, and transportation concerns clear.
Socioeconomic Criteria

* The developer shall demonstrate that the economic changes and public demand for ski facilities justify the proposed development.

* The developer shall furnish proof of his prior ability to handle the complete project. This includes a submission of "Net Worth", and a complete financing plan for the project.

* The developer shall submit a record of his prior business experience documenting the success or failure of prior projects, as well as his compliance or non-compliance with restrictions, ordinances, etc.

* The developer must show that the new or expanded ski facility would not cause an unacceptable increase in net expense to any governmental agency. The net expense would be the difference between cost of services and income generated by the facility for the same governmental agency.

* Services incuring public expense can include, but are not limited to the following:
  - transportation
  - road maintenance
  - snow removal
  - ambulance/hospitals
  - schools
  - recreation services
  - welfare/unemployment
  - police protection
  - fire protection
  - solid waste disposal
  - sewage treatment
  - water supply

* The developer shall show the impact of the increase in overnight visitors and employees on housing.

* The developer shall show the impact on hospital facilities.

* The developer shall show how this development would affect the overall economy of the area.
Environmental Criteria

The decision whether or not to approve a particular development or expansion plan should depend upon the meeting of certain standards and criteria and on sound, long-range planning which emphasizes the avoidance of environmental damage rather than attempts to repair damage after the fact. Whenever possible, these criteria are intended to avoid disturbance that would arise from construction rather than prescribe technical solutions for repair of disturbances, some of which solutions have not yet been proven effective in the Yuba basin.

The ski area criteria that follow under environmental headings are not intended to be a handbook of development practices. Detailed standards and procedures can be found in publications of the following agencies and should be consulted: Lahontan Regional Water Quality Control Board (water, soil, erosion control, revegetation), TRPA-208 Programs, TRPA-U.S. Forest Service land capability system (water, erosion control, resegregation), county ordinances and development manuals (all environmental elements), U.S. Forest Service (water, soil, revegetation), Air Resources Board (air), OSHA (noise), universities, including University of California, Davis and University of Nevada, Reno (water, soil, erosion control, revegetation, air).

An environmental report shall be prepared and submitted as a part of the development plan for the area. This report will consist of resource data on fisheries, wildlife, soils, geology and vegetation. Hydrologic information will be shown separately in the Water Quality Monitoring Program (page 10). The following specific topics must be included in the environmental report.

Fisheries

- Inventory of fish species and threatened or endangered species.
- Information on abundance, distribution, growth, food, habits and habitat for all fish species.
- Expected impacts on the fisheries of runoff phenomena including sedimentation and reduced flows.
- Mitigating measures to protect the resource.
Wildlife

* Map of critical wildlife habitat and migration routes.
* List of known resident birds and mammals species.
* List of threatened and/or endangered species.
* Expected impacts on wildlife, habitat and migration routes.
* Mitigating measures.

Soils

* A map of erosion hazard potential keyed to the Revegetation and Erosion Control Plan.
* A map of soil potential for revegetation, including natural fertility and stability, water holding capacity and drainage characteristics, also keyed to the Revegetation and Erosion Control Plan. (A sample map should be made available to the developer by the CTRPA.)

Geology

* A map of significant surface and subsurface geology emphasizing features of particular relevance to site stability, drainage and proposed construction.
* Geological (and soils) data and discussion must also be related to engineering aspects of proposed construction.
* A map of avalanche hazard zones.

Vegetation

* A vegetation map covering all existing major tree, shrub and ground cover species.
* List of rare or endangered plant species.
Air Quality

- Ski lifts should be run in the electric mode only, with the following exceptions: Diesel standby may be used for emergency operations including evacuation of the area and access for search and rescue. Operation in the diesel mode will not be permitted for normal recreational transportation of skiers. Diesel may become acceptable in the event of development of effective noise and air pollution abatement technology.

- Equipment for access to and maintenance of lifts and runs should be powered by diesel or LP gas (use of the latter contingent upon safety considerations). Gasoline engines are less acceptable because of emission characteristics.

- Snowmobile use shall be acceptable only for safety work in conjunction with operation of the lift facility, and for rescue operations. No
commercial or other recreational use of snowmobiles shall be permitted.

* Heating of buildings shall be by solar power, natural or LP gas preferably; wood and electricity are acceptable; oil and coal are unacceptable until new technology provides effective pollution control.

* Use of salt, sand and other particulate materials for winter road safety shall be controlled, with acceptable limits for safety, to minimize production of atmospheric dust.

* Slash disposal in conjunction with run preparation and maintenance may be by burning and/or chipping.

Water Quality

PHOTOGRAPHIC RECORD

* The CTRPA project inspector shall compile and maintain a complete color photographic record of all sites of disturbance and nearby surface waters, before, during and after disturbance. This record will be valuable for enforcement of project environmental controls and evaluation of compliance with and effectiveness of controls and revegetation.

PRECONSTRUCTION REQUIREMENTS

* Locations of all sites to be disturbed shall be mapped and staked or flagged in the field prior to any disturbance (including slope staking of cuts and fills), subject to on-site approval in writing by CTRPA project inspector before any disturbance may begin. All excavation, construction and stabilization methods to be used are subject to on-site inspection and written approval prior to commencement of construction.

* The construction (disturbance) area must be defined within acceptable and justifiable limits so that enforcement is possible if boundaries are exceeded during or after construction. Fencing and/or flagging of critical areas to be protected will be necessary to prevent boundary violations, either accidental or deliberate.

* Construction methods shall be specified for all segments of the project. Heavy equipment may be used only where essential and if no adverse effects to the environment are noted and from construction areas.

55
There shall be no disturbance within a stream environment zone or 100-year floodplain, with the exception of approved stream crossings. Stream crossings may disturb no more than 5% of the stream environment zones defined within the project area. There shall be no filling within a stream environment zone. No relocation of stream courses shall be permitted.

* In soils with low productivity and/or low revegetation potential and high erosion hazard (SCS), soil disturbance must be avoided or, in areas where absolutely essential and permitted, must be minimized in areal extent and intensity by the use of such techniques as hand clearing, balloon, skyline, or over-snow logging. (See special criteria for run preparation page 13.)

* On sites where soil disturbance is permitted, the topsoil must be stockpiled for reuse, and must be protected from wind and water erosion during stockpiling. Prolonged soil disturbance which would delay revegetation will not be permitted.

* During periods of adequate soil moisture, revegetation of a given construction site must begin within four days after cessation of disturbance, and planting and reseeding must be completed within 14 days.

* Any major disturbance of soil and/or vegetation between September 1 and October 15, or during other periods when revegetation is inappropriate (soils too wet or dry), which cannot be effectively stabilized with vegetation before winter, must be stabilized by mechanical erosion control involving approved techniques as described in the erosion control plan for the project. Soil disturbance is not permitted between October 15 and May 1.

* Any disturbance severe enough to accelerate runoff will require construction of cross drains and/or an appropriate drainage system to control runoff. Control devices must discharge into undisturbed areas, preferably rocky ground or areas well protected from erosion. If water percolation capacity is exceeded within the discharge area, mechanical stabilization and/or revegetation measures must be implemented to increase percolation and to prevent erosion.

ROADS AND ROAD MAINTENANCE

* All lifts including terminals shall be constructed by helicopter or other methods that need not disturb soil surface (except at base areas with existing road access or within 500 m [1,500 feet] of the base area if slope is 14% or less) and all lift-tower foundations shall be dug by hand where the project CTRPA inspector finds that it is unacceptable to allow equipment access.
Any road proposed for construction must be a part of the master plan for the area and must not be visible from ground level or from lake level beyond the bounds of the master plan area. Factors to be considered for road acceptability include general layout to minimize cuts and fills (see specific criteria, pages 12 and 13), need for access, service and safety within the area, and ability to maintain the road without additional environmental damage due to repair or later relocation.

The use of road salt and road sand, if appropriate, will be regulated in a manner which will minimize impacts on vegetation and water quality.

REVEGETATION AND EROSION CONTROL

Maintenance of mechanical and revegetation erosion controls must be provided for in the Revegetation and Erosion Control Plan and must be enforceable by CTRPA to insure the permanent effectiveness of the controls.

TRAINING

Contractors and equipment operators who will be involved in the construction and maintenance phases of a given project must be given on-site training in the techniques to be used on the project and must be fully informed as to the environmental protection measures that will be implemented and enforced on the project by CTRPA staff and the project inspector.

MONITORING PROGRAM

Water Quality Monitoring Program

The developer shall be responsible for design and implementation of a water quality monitoring program of sufficient scope to determine any hydrologic or water quality impact that may result from the implementation of the master plan or any of its components. Sufficient data from previous monitoring programs, studies and/or from the developer's own program shall be collected and analyzed to determine the following information for the watershed(s) to be affected by the master plan.

* Duration, frequency and intensity of average and major hydrologic events including runoff events within all stream environment zones.

* The impact that any proposed hydrographic, vegetative or structural modifications to any portion of the watershed(s) will have in regard to the above criteria for duration, frequency and intensity within all the stream environment zones.

* Comprehensive water quality data of events prior to low points.
At a minimum, the following monitoring data for two full years, including a "normal" hydrologic year, shall be available to staff prior to construction of any portion of the development plan:

- Continuous stream flow records on any perennial streams immediately downstream from all proposed modified or disturbed areas within the master plan project boundary.

- Water quality sampling of runoff sufficient to determine the natural background concentrations of suspended sediments, NO₃-N, orthophosphate and total phosphorus, total iron and fecal coliform bacteria (colonies/100 ml). Such sampling shall be conducted during major runoff events including snow melt and rainstorms, as well as summer and winter low flow periods.

The adequacy of any proposed monitoring program to provide sufficient background data shall be determined by a qualified Lake Tahoe water quality specialist and submitted to the CTRPA staff for approval. All pre-construction monitoring data and analysis shall be submitted to the CTRPA and Lahontan Regional Water Quality Control Board in report form prior to construction of any portion of the master plan. The CTRPA shall not permit construction of any portion of the master plan until all pertinent waste discharge requirements, effluent limitations and water quality standards have been adopted by the Lahontan Regional Water Quality Control Board.

The developer shall continue the monitoring program approved by the CTRPA during any and all construction phases of the master plan. During any construction phase, monthly reports shall be prepared, under the supervision of a qualified Lake Tahoe water quality specialist, describing the water quality, hydrologic and environmental impact of any construction phase of the master plan. In all cases, water quality must meet all requirements and standards of the Lahontan Regional Water Quality Control Board.

VIOLATIONS

Violation of water quality standards in runoff waters will require immediate determination of the source of the pollutant(s) and implementation of corrective measures to the satisfaction of the Lahontan Regional Water Quality Control Board and CTRPA, at the expense of the developer.

WATER RIGHTS

The developer must show that sufficient water rights exist to satisfy all the water requirements of the project (e.g., domestic supply, irrigation, snow-making and fire protection). The developer must show that any existing or future, public or...
private facility used to obtain a water supply will not adversely affect aquatic biota, water quality or groundwater recharge at any time or at any point within the California portion of the Lake Tahoe basin. Any existing or proposed water supply facility shall not result in reduced flows to the extent that such reduction will adversely affect the aquatic ecology of the stream at any time. In no case may any system used to supply water to the development which, by itself or in conjunction with other systems, causes a greater than 50% reduction in the natural flow in any stream, spring or runoff channel within the California portion of the Lake Tahoe basin at any time.

**LAND DISTURBANCE**

*The following are lists of recommended criteria for two special areas of concern in the construction phase:

Special criteria for control of land disturbance:

* Bulldozers or similar heavy equipment may be used only under the following circumstances:

1. Limited rock redistribution as after blasting for run improvement in isolated areas. Heavy equipment is not acceptable for general run development.

2. Splitting of stumps and removal of broken stump segments in areas of permitted timber clearing.

3. Road construction under the terms of the master plan for the ski area in question.

4. Preparation of approved lift terminal areas.

5. Planting and seeding.

* Cut and fill slopes may be no steeper than 2:1, nor may they be longer than 10 meters slope length, unless:

1. It is determined by a qualified engineer, on a case-by-case basis, that steeper and longer slopes may be constructed without any increase in erosion potential or hazards to safety, and

2. The developer can demonstrate that short term and long term slope stabilization may be achieved on any steeper and longer slopes.

No cut or fill slope surface may be visible from any part of the public right of way or site the project boundary unless it is verified that a temporary erosion control or complete revegetation will be.
and reduce the slope. No cut or fill slopes may be
considered within the stream environment zone or the 100-year
floodplain. All runoff resulting from cut and fill slopes during
construction, twenty year storm must be settled and percolated prior
to reaching a stream environment zone. All cut and fill slopes shall
be adequately stabilized utilizing short term and long term erosion
control methods and procedures. Revegetation of cut and fill
slopes shall be the only acceptable method of long term
stabilization, unless the developer can demonstrate that any other
method will be as effective in controlling erosion, will not be
aesthetically offensive, can be adequately maintained, and will not
pose any hazards to safety.

SKI RUN PREPARATION

* Acceptable practices for the preparation of ski runs:

* Planning must make maximum use of existing skiable terrain.

* Layout of runs must not create obvious or chronic avalanche
paths.

* Timber removal to facilitate skiing and lift construction shall not
be undertaken until a stand improvement program, prepared by a
registered professional forester, encompassing the project parcel(s)
has been approved.

* No interference with streams shall be permitted. Glading, leaving of islands,
and aesthetically acceptable run designs will be considered. Forest
Service regulations and specifications for ski run layout
may serve as guidelines.

* Removal of logs from cleared areas shall be by helicopter, balloon
or over snow (minimum depth, one meter, compacted snow,
continuous cover in impact area — or use Forest Service
specification for Sierra).

Aesthetic Quality

* Placement of lift facilities and ski runs shall take into account
visual and other aesthetic impacts on the lake and surrounding
areas, including those outside the basin, e.g., the proposed
Granite Chief Wilderness west of Ward and Blackwood canyons.

* Design of lift towers, terminal structures, etc., must be consistent with
safety and consistent with aesthetic goals of the CTRPA general plan.
Ski tower heights should be determined in each case on the basis of
visual impact and safety.
Any road constructed as part of expanded lift facilities may not be visible from ground or lake level beyond the bounds of the master plan area.

Full operation of the lift for normal recreational use must be in a mode with acceptable noise suppression.

Snowmobiles may not be used recreationally in conjunction with the proposed expansion because of noise generation (see also air quality).

Erosion control can have significant visual impacts that must be considered especially in the short term on highly visible construction areas.

All reasonable and practical steps should be taken to minimize the adverse effects of noise from snowmaking equipment and the adverse effects of lights utilized for night skiing.
Public Utilities Criteria

In the review of a newly proposed or expanded ski area, the governing agency should review and give appropriate consideration to each of the following items:

1. The developer must demonstrate that sewage capacity exists for the proposed project. A will serve letter from the appropriate utility must be provided.

2. The developer must demonstrate that adequate water is legally available to the project (see environmental report). This is of particular importance if snow-making equipment is a part of the project. A will serve letter from the appropriate utility must be provided.

3. The developer must demonstrate that a long term reliable source of energy is available and will continue to be available for the duration of the project. A will serve letter from the appropriate utility shall be required, including a statement of expansion of improvements necessary in order to serve the project. Improvements include transmission lines, distribution stations, substations, storage facilities, etc.

4. All utility lines must be placed underground except where overhead lines already exist and with the exception of intercom-type systems on lift towers within the development where lines can be placed on towers. A variance to this provision may be granted where undergrounding would create greater environmental damage.

5. Whenever possible, utility lines should be buried within roadways or existing disturbed areas to minimize the disturbance of new areas.

6. The applicant must provide an agreement between the serving utilities to coordinate schedules for placement of underground facilities to avoid repeated ground disturbance.
Transportation Criteria

The transportation section identifies means and alternatives to discourage the private use of automobiles and encourage the maximum use of existing parking facilities and the maximum use of mass transit systems.

Basic Problems

* Peak traffic loading (congestion) occurs at ski areas in the evening from 4-5 p.m.

* Increased parking areas add to the peak loading problem and cause environmental problems such as increased runoff, lowering of water quality, litter accumulation, snow removal and storage, degradation of air quality (due to warm-up period and idling of autos).

* Providing increased parking facilities encourages the use of private autos by single occupants.

* Existing transit systems aren't efficient.

Solutions or Alternatives

* The physical layout of existing parking lots can be improved. The proper organization of a lot is important to the use of mass transit vehicles.

* Maximizing the use of existing parking can be accomplished through:
  * Attendant parking or parking lot employees guiding skier-driven autos into spaces.
  * Establishment of priority parking areas for autos with three or more passengers.
* Off-site parking for charter buses.

* Proper location of employee parking.

* Valet parking.

* Special lots for compact autos, motorhomes, campers.

* Paid parking should be used to encourage the use of public transportation.

* New buildings should be kept out of the parking areas to avoid conflicts with snow removal vehicles.

* Access roads must be sited to avoid hazardous, icy road conditions, avalanche slopes and stream environment zones and designed to minimize cut and fill slopes.

* Public/Private Mass Transportation.

Internal transit systems to transport skiers from residential developments to ski areas should be encouraged. It would be easiest and most economical to discourage the use of private autos for short trips from residential developments adjacent to ski areas.

Consideration should be given to transporting skiers from other existing parking areas not normally used during the winter. (Examples: school sites, park sites, recreation areas.)

Hotel and motel operators should be motivated to deliver patrons to ski areas.

Private buses can be used to transport skiers from bus stations, train stations, and airports.

Developers should be encouraged to provide transit vehicles from employees.

Persons arriving at ski areas on public transportation could receive rebates on ski lift tickets to cover the cost of the bus.

Appropriate scheduling by public transportation systems to accommodate the needs of skiers must be achieved.

* Carpooling by skiers and employees should be encouraged.

* Phasing out of gasoline-powered buses and replacement by buses with effective pollution control devices should be encouraged.

* Use of cable, rail and other horizontal tram types of conveyance in certain locations should be investigated.
Air transportation for emergency use and possibly public use should be considered.

* Exclusive lanes for mass transit vehicles (public and private) and emergency vehicles should be constructed.

* Reversible lanes should be constructed.

* Ski lift ticket sales should be limited to avoid parking and transportation problems.
Appendix A

Approximate Time Required

FLOW CHART

2 years

Monitoring
Data Collection

↓

Environmental Review
by County per CEQA

↓

Applicant’s Submittal to County and Lahontan

↓

Public Hearing by County

↓

Public Hearing by Lahontan

↓

Submittal to C.T.R.P.A. Board

↓

30 - 35 days

Public Hearing C.T.R.P.A. Board

↓

Submittal to T.R.P.A.

↓

30 - 60 days

Public Hearing T.R.P.A. Board

↓

Issuance of Building and Grading Permits

↓

Land disturbance prohibited Oct. 15 - May 1

↓

Project Construction

↓

Monitoring Program Compliance Assurance

↓

Continuous Review Requirements

NOTE:
The Flow Chart does not include USFS reviews required for projects proposed entirely on or in part on USFS property.

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DEFINITIONS

Accessory Uses — A use, building or other facility customarily a part of any permitted use that is clearly incidental and secondary to the permitted use and which does not change the character of the permitted use, or affect other properties in the vicinity.

Agency — The California Tahoe Regional Planning Agency (CTRPA).

Building — Any structure built and maintained for the support, shelter, or enclosure of persons, animals, or property of any kind.

Bulk Storage — Activities and uses with associated structures devoted to the storage of products and substances in bulk quantities such as lumber, oil, gasoline, building materials, and vehicles, and warehouses for consumer and other products.

CTRPA Permit — A permit issued by the CTRPA in accordance with its procedures to enable special consideration of whether a use, activity, building, structure, height, land coverage or other aspect of use or development will be permitted under the provisions of this Ordinance.

Day Care Nurseries — Buildings and other structures, and land, designed to be used for the care of four or more children, with or without compensation.

Key Points (in Water Quality Monitoring Program) — Locations within the stream environment zone that are well suited to providing meaningful samples for analysis and interpretation of water quality and other related environmental parameters.

Lake Tahoe Water Quality Specialist — To be selected and paid by the developer. It is recommended that qualifications for the specialist be essentially the same as those for the Project Inspector.

Normal Hydrologic Year — A water year (Oct. 1 - Sept. 30) in which total water discharge to Lake Tahoe by a stream with at least 10 years of continuous water record (e.g. Blackwood, Trout, UT @ Meyers) is not greater than 20% nor less than 20% of the average discharge for the period of record for that stream, and at least 80% of the discharge for the water year in question must occur in the snowmelt period in the absence of heavy spring rainfall which would cause flooding and abnormal disruption of the normal snowmelt pattern.

One-hour, 20-year storm — Maximum one-hour precipitation for a return period of 20 years.

100-Year Floodplain — The area which would be inundated by a flood having an average frequency of occurrence in the order of once in 100
years, although the flood may occur in any year. It is based on statistical analyses of streamflow records available for the watershed and analyses of rainfall and runoff characteristics in the general region of the watershed.

Project Inspector — The Project Inspector shall be qualified through training and experience to deal effectively with situations that could adversely affect the environment. He shall be familiar with:

1. The dynamics of water runoff and sedimentation, whether due to natural conditions or storms that cause sudden, unpredictable impacts;

2. The pollution defining criteria associated with water quality;

3. The erosive characteristics of soil to enable him to determine control measures (structural and non-structural) to use with varying soil types;

4. The source and availability of materials to control erosion and maintain water quality.

Ski Area — Uses and facilities pertaining to skiing including but not limited to runs, trails, lift lines, cables, chairs, cars, warming huts, campers, quarters, parking, vehicles, day lodges, shops for sale and rental of ski equipment, ski pro shop, first aid stations, ski school facilities and assembly areas, day nurseries, maintenance facilities, lounges, cafeterias and drinking establishments, and other ski-oriented shops.

Ski Area Capacity — Skier Capacity per Lift =

\[
\text{Vertical} \times \text{Hourly Capacity} \times \text{Hours of Operation} \times 0.9
\]

Vertical Feet Skied per Person per Day

In the above formula, the .9 is an adjustment for loading efficiency. The average vertical skied per day has ranged from 7,000 feet for low-intermediate skiers to 11,000 or more for advanced.

Area lift capacity is the sum of lift capacities with allowances for access or other special purpose lifts.

Ski Area Master Plan — A plan of orderly development of related facilities for a 10-year period of time, such period being a required element of an application for development of a new ski area or expansion of an existing ski area.

Stream crossing — A limited area within the stream environment zone which provides an essential access route for skiers and an existing stream zone and for which no reasonable alternative route exists.

Stream Environment Zone — Refer to "Stream Environment Zone" or "Controlled Hydraulic Areas at the Lake" in the Forest Practice Guide in the RFA 234 Forest Practice Guide.
Topsoil — A horticultural term referring to the upper, fertile layers of a soil profile having desirable nutrient and textural qualities for use in revegetation and maintenance of a healthy vegetative cover.


Topsoil — A horticultural term referring to the upper, fertile layers of a soil profile having desirable nutrient and textural qualities for use in revegetation and maintenance of a healthy vegetative cover.

Refer to the CTRPA Land Use Ordinance for other definitions.
SAMPLE CONTENT OUTLINE OF DEVELOPMENT PLAN

I. PROJECT DEFINITION

A. DETAILED DESCRIPTION
   Location
   Facilities
   Ski Area Capacity
   Cost Analysis
   Environmental Setting
   IMPACT ASSESSMENT
   Environmental
   Transportation and Parking
   Public Utilities
   Socio-Economic

B. DEVELOPMENT PROGRAM
   Road Construction
   Run Clearing
   Lift Installation
   Building Construction
   Utilities System
   Transportation System
   Revegetation Program
   Mitigation Measures

C. SUSTAINING MAINTENANCE PROGRAM
   Vegetative Management, Revegetation and Erosion Control
   Water Quality Monitoring
   Snow Removal
   Operating Policies

II. COMPLIANCE ASSURANCE PLAN

A. CONSTRUCTION PHASE
   Developer Compliance Assurance Program
   Critical Operation Definition (Including Justification)
   Proposed CTRPA Mandatory Inspection Points
   Proposed CTRPA Mandatory Notification Points
   Potential Problem Area Analysis and Contingency Corrective
     Action Plans for Same

S. SHAKEDOWN PHASE – (Initial Year of Operation)

C. SUSTAINING PHASE – (Normal Operation)
   Same as above.
III. MANAGEMENT

A. KEY PERSONNEL/RELATED EXPERIENCE DEFINITION:
RECORD OF PRIOR BUSINESS EXPERIENCE

Developer
Financial Backer(s)
Ski Area Planner

B. CONTRACTOR AND EMPLOYEE TRAINING AND MOTIVA-
TION PROGRAM

Construction
Operation
Inspection

IV. REGULATING AGENCY REVIEW

A. COMPLIANCE WITH CTRPA

California Department of Fish and Game
Air Pollution Control District
County
Lahontan Regional Water Quality Control Board
California Tahoe Regional Planning Agency
United States Forest Service
Tahoe Regional Planning Agency
MEMORANDUM

February 4, 1987

To: The Advisory Planning Commission

From: The Staff

Subject: Code of Ordinances

Staff will provide a status report on the completion of the Code of Ordinances at the meeting.
ADVISORY PLANNING COMMISSION
RESOLUTION
FOR
WILLIAM COMBS

WHEREAS William Combs, hereinafter referred to as "Bill," has, since March of 1980, served as Placer County's representative to the Advisory Planning Commission ("APC") of the Tahoe Regional Planning Agency; and

WHEREAS Bill has since that time enthusiastically and responsibly represented the citizens of Placer County and won the respect of all APC members and TRPA staff; and

WHEREAS, recognizing Bill's leadership qualities and his ability to stay calm in all kinds of situations, the APC members elected him as their chairman for a two-year term commencing January 9, 1985; and

WHEREAS Bill has for two years presided over APC discussions, arguments, agreements, decisions, and debates and has done so with dignity and with a sense of humor, frequently drawing on his extensive planning background and knowledge; he has been a key factor in the formulation of recommendations for the Governing Board's consideration; and

WHEREAS Bill has served above and beyond the call of duty as the APC's representative on the Litigation Committee and, later, the Consensus Workshop Committee; both committees were charged with identifying and helping to resolve the very complex issues raised in the Regional Plan litigation;

NOW, THEREFORE, BE IT RESOLVED that the APC hereby expresses its appreciation and thanks to Bill for his valuable contribution as chairman of the APC and looks forward to his continued participation in planning for the Lake Tahoe Basin.

PASSED and ADOPTED by the Advisory Planning Commission on February 11, 1987.

ALICE BECKER, Chairman
Advisory Planning Commission

AGENDA ITEM VI A.