TRPA
APC
PACKETS

NOVEMBER
1987
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 Thursday, November 12, 1987, at 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.

November 2, 1987

By:  
W. A. Morgan
Executive Director
Tahoe Regional Planning Agency
TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

TRPA Office, 195 U.S. Highway 50
Zephyr Cove, Round Hill, Nevada

NOTE: Thursday, November 12, 1987
9:30 a.m.

AGENDA

I CALL TO ORDER AND DETERMINATION OF QUORUM

II APPROVAL OF AGENDA

III DISPOSITION OF MINUTES

IV PUBLIC HEARING

A. Chapter 7 (Temporary Uses, Structures and Activities) of the Code of
Ordinances

B. Chapter 10 (Structures Housing Gaming) of the Code of Ordinances

C. Chapter 24 (Driveway and Parking Standards) of the Code of Ordinances

D. Chapter 91 (Air Quality Control) of the Code of Ordinances to
Clarify the Prohibition on the Use of Coal in the Tahoe Region

V PLANNING MATTERS

A. Report on and Approval of Membership of Standing Committees

B. Status Report on Development of Code Chapters and Related Programs

1. Chapter 15 (Redevelopment Plans)

2. Scenic Package
   - Chapter 26 (Outdoor Advertising Standards)
   - Chapter 94 (Scenic Highway Corridors)
   - Scenic Restoration Program
   - Design Review Guidelines

C. Report on Status of Identification of Indicators and Time Schedules
   Pursuant to Chapter 32 (Regional Plan and Threshold Review), Code of
   Ordinances

D. Discussion on the Regional Transportation Plan
   Update and Regional Transportation Plan EIR/EIS

E. Status Report on Land Coverage Banking Program
VI REPORTS
   A. Legal Counsel
   B. APC Members
   C. Public Interest Comments

VII CORRESPONDENCE

VIII PENDING MATTERS

IX ADJOURNMENT
TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

TRPA Office, 195 U.S. Highway 50
Round Hill, Zephyr Cove, Nevada

October 14, 1987

REGULAR MEETING MINUTES

I CALL TO ORDER AND DETERMINATION OF QUORUM

Chairman Alice Becker called the regular October 14, 1987 meeting of the Advisory Planning Commission (APC) to order at 9:35 a.m. and asked for a roll call.

Members Present: Ms. Huber, Mr. Renz, Ms. Jamin, Mr. DeMello, Mr. Hoefer (present after vote on September minutes), Ms. Becker, Mr. Rosse, Mr. Pyle, Mr. Glab (present after vote on September minutes), Mr. Hansen (present at 1:35 p.m.), Mr. Brooks, Mr. Van Wagenen (present at 10:05 a.m.), Mr. Thrams, Mr. Combs, Mr. Harper

Members Absent: Mr. Sullivan, Ms. Unsicker, Mr. Poppoff, Ms. Bedard

II APPROVAL OF AGENDA

Mr. Morgan asked that discussion on the Incline Village postal committee recommendation (item IV C.) be taken up prior to action on the Recreation Committee findings (item IV B.)

MOTION by Mr. Renz, with a second by Mr. Pyle, to approve the agenda as amended. The motion carried unanimously.

III DISPOSITION OF MINUTES

MOTION by Mr. Pyle, with a second by Mr. DeMello, to approve the September 9, 1987 regular meeting minutes as submitted. The motion carried unanimously.

IV PLANNING MATTERS

A. Finding of Technical Adequacy, Final EIS for the Round Hill to Stateline Substation 120 KV Transmission Line, Sierra Pacific Power Company

Senior Planner Rick Angelocci explained that the 60 day comment period on the EIS began on April 20 and closed on June 19. Copies of the draft EIS were sent to the APC on April 28; the final EIS was sent prior to this meeting. The EIS evaluated four alternative routes for construction of a transmission line between the Round Hill and Stateline Substations. The final EIS notes that, provided the mitigation measures identified in the draft EIS are incorporated as part of the project, the preferred route (Alternative C) will not result in any significant environmental impacts. The two major issues in the EIS are visual impacts and impacts on resources such as wildlife, fishery and historic sites. Staff has reviewed the draft and final EIS and recommends that the APC find the document to be technically adequate and that it be forwarded to the Governing
Board with a recommendation for certification. Thirteen comments have been received on the draft EIS; the final contains the responses to those comments.

Mr. John Petrovsky, with EDAW, Inc., the consultant who prepared the EIS, explained the purpose of and need for the project. The additional line will increase reliability without increasing power supply to the Basin. In-basin generation or conservation cannot meet this need. While the project is the first step in completion of the 1978 power supply master plan, it is not dependent on any future phases. Mr. Petrovsky presented additional information on the design and location of the project and on alternative considerations.

Mr. Steve Siegel, of Sierra Pacific Power, explained that, while technically feasible, undergrounding the whole project would increase the project costs by 7.2 times. (This figure was later revised to 5.2.)

Using displays, Mr. Tom Packard, a technical specialist with EDAW, addressed the environmental impacts of the four alternatives that were evaluated and described land uses in the project area. The two most critical environmental concerns in the project area are meadow environments and deciduous/riparian habitats which occur along stream courses (shown on the display). Mr. Packard described the individual routes and their attendant impacts. Alternative C, the preferred alternative, avoids any serious scenic quality impacts and crosses Kingsbury Grade at a location that is already highly developed with commercial uses and overhead utilities. Alternative C is also 100 to 200 feet inside the forest boundary near a residential area and thus has sufficient vegetative buffer. It avoids the sensitive Kingsbury Meadow area and takes advantage of an existing utility line right-of-way through other portions of the project. The most significant comments received were raised by the Forest Service, one being that a complete archaeological, on-the-ground survey be conducted in the corridor of the preferred alternative. This has been done and is presented in the final EIS. One cultural resource site was identified, and effective mitigation measures have been agreed to by Sierra Pacific. Second, the Forest Service expressed concern about goshawk nesting in the area. A detailed field study was done to determine the relationship of the nest to the public transmission line. The results of the studies are Appendix C in the final EIS. Mitigation measures designed to protect the nesting site call for scheduling construction at appropriate times. The Forest Service has indicated this issue has been effectively address. A third comment, received from the Park Cattle Company, opposed Alternative B because it bisected Park property. It was also recommended that transmission lines be consolidated wherever possible. Sierra Pacific has agreed to double-circuit where possible. In summary, it is felt that Alternative C, considering all mitigation measures outlined in the document incorporated as part of the proposed project, is free of significant environmental impacts.

Mr. Thramps questioned the visual impacts of the transmission line in the area of the Douglas County park. Mr. Siegel explained that the line would run along the edge of the park, taking advantage of coniferous trees which will form a backdrop for the line in the area. Visual impacts will be minimized. Mr. Renz questioned the Douglas County Parks Department response on the proposal. There is a letter in the EIS from the Douglas County Public Works Director stating that Douglas County is not in favor of this particular route because of the visual impacts on the park; Alternative D is favored. Mr. Siegel explained that
the lines would be below the tree line. The trees are 60 feet in height, and the support structures for the line will be no higher than 47.5 feet.

Mr. Siegel explained the changes made to Alternative C as a result of public comment. These pertain to consolidation of existing utility lines wherever possible and feasible. Mr. Hoefer spoke in favor of Alternative C but suggested there may be other opportunities for doubling up the lines. There is a distribution line along the north/south line through Section 23 running along the edge of a subdivision. Can doubling up occur here? Mr. Packard responded that there was discussion about consolidating the line with the 14 KV distribution line which runs literally in the backyards of residences located on the west side of Chimney Rock Road. There were residents who did not want to see the consolidation but preferred to see the new line placed 200 feet beyond and within the forest boundary. Mr. Siegel explained that consolidating the 120 KV line with the 14 KV line would require a wider right-of-way which would infringe onto backyards and could, in some instances, require homes to be moved. Moving the existing 14 KV line to the new transmission line route would mean that laterals would have to extend and connect to each residence.

Mr. Glab asked if the Community Plan for the area could be coordinated with the project. Mr. Renz responded that the Sierra Pacific Power project was way ahead of the Community Plan. Mr. Glab suggested it would be beneficial to combine the two. The power line might put restrictions on the Community Plan. Mr. Renz explained that the alignment would have no impact on the Community Plan area.

Mr. Frank Luchetti, with Sierra Pacific Power, explained that if approved the line will be constructed in 1988.

Mr. Hoefer asked that there be a commitment by Sierra Pacific Power to double up on the line in the area of the Chimney Rock residences. If not done as a part of this project, he would like this transition made in the future. He would like to see if the 200 foot right-of-way buffer could be narrowed down a bit through consolidation of the lines. The drop lines to individual residences are not much of an impact. Mr. Renz agreed that he would like to have the existing line moved to the proposed new alignment. Mr. Siegel explained there also is a telephone line in the alignment of the 14 KV line. He did not think the phone company would like to have its lines on the same structure as the transmission line because of the possibility of interference with the higher voltage. Relocating the 14 KV line will not eliminate the need to have poles behind the residences in this subdivision.

It was clarified that the cost for undergrounding the lines was actually five times more expensive, not seven, as earlier stated.

Mr. DeMello expressed concern with the visual impacts of additional overhead lines in future phases of the power master plan. Mr. Thrums asked if it would be possible to identify sensitive areas where undergrounding of lines could occasionally occur where there is a question of visual sensitivity, e.g., the park area. Mr. Siegel explained that there would still be a need for above-ground equipment; trees cannot grow above the underground lines. Mr. Renz asked that this be done along the park. He would like to see the line undergrounded along the road right-of-way to avoid removal of trees.
On the subject of the goshawk nesting sites, Mr. Hoefer concurred that Alternative C would likely have a minimum impact if the construction period is outside the nesting period. He did not see this recorded in the EIS as a mitigation proposal and would like to ensure its inclusion. The Forest Service's wildlife biologist has concerns about the cumulative effects. While the power line would have less impact than bicycle riders, joggers, and walkers, it would be an unfortunate loss if nesting birds chose not to return to these sites every year. Although he did not have any proposals for a contingency plan, there should be an awareness of what could be done should this occur.

Mr. John Berdrow, Sierra Pacific Power civil engineer, explained that undergrounding the wires from an overhead position requires a dip structure, a three-poled steel structure within a 50' x 50' fenced area. The fence is 10' in height to prevent people from getting near the wires. All areas above the buried 4" cable must be entirely cleared of vegetation. What would result would be two fenced areas (small substations) with a cleared swath between them. The maximum distance this wire can be pulled is 1,000'. Undergrounding for greater distances would require 10' x 10' buried concrete pole boxes with access. This would require more ground disturbance.

Addressing Mr. Hoefer's comments on the goshawk, Mr. Morgan explained that the EIS did cover the Forest Service's reservations. The EIS actually states it is questionable whether the Forest Service could issue a permit. Mr. Hoefer has added further concerns today about the possibility of adverse impacts on the goshawk. The Agency must make the V(g) finding relative to environmental thresholds that, based on substantial evidence in the record, there will be no violation of the thresholds. It is beginning to look like the evidence is weak in that respect. He was beginning to have reservations about recommending certification of the document unless this evidence could be strengthened relative to the goshawk issue.

Mr. Siegel explained that the threshold shows maintenance of 12 goshawk sites; this a 13th site, not originally identified in the threshold study. There is adjacent habitat for the goshawk; the goshawk moves its nest sometimes up to 1/2 mile from year to year. If the proposed route were to move even a quarter mile or less, it would be outside the area of protection afforded by the Forest Service. There are already quite a few disturbances (bicycle trails, etc.) in this area, and the birds have been seen in the residential areas. Activities associated with residential living do not appear to be much of a hindrance to the bird. They appear to be very tolerant, and there is area available for the bird to move into. If the threshold were to be affected, he would think that it would be affecting on one of the 12 identified sites. This is a 13th site. The measures that are to be taken are not to construct or do maintenance during nesting or brooding times. Work is going to be about as far away as possible from the nesting site without going into the residential areas. This 100 foot buffer can be reduced so that work is conducted even further away, but in doing so, there will be a visual impact on the home sites in the area. The Forest Service was asked to present additional measures that could be taken, and the only response was to put the line somewhere else.

Mr. Morgan asked what the likelihood would be of the Forest Service approving the project based on available information. Mr. Hoefer responded that he was not familiar with all the conversations on this one topic. He had discussed the topic briefly with his wildlife biologist. It has been confirmed that, while
the proposal would be issued a permit, it still doesn't lessen the concern for the potential impact. The mitigation during construction may take care of this concern. The birds are tolerant of people. They are not tolerant of people encroaching on their nests. When that happens on a regular basis, the birds' attention is focused on the intruder, and this means they have less time to forage and provide other protection for their offspring in the nest. If there is enough of that, the goshawks may leave the area entirely. He would think that the major impacts will result particularly from the bike trail; this is the area that needs to be focused on.

Mr. Petrovsky suggested that what was apparent in this discussion was a difference in professional judgment. EDAW's biologist believes that the people impacts have been severe and yet the bird remains and nests in this location each year. This project increment, as long as the nesting season is avoided, should not cause the bird to move.

**MOTION** by Mr. Harper to recommend that the EIS for Sierra Pacific Power's KV from the Round Hill to Stateline Substation be certified with the finding that the environment has been adequately disclosed and mitigation measures that are possible have been adequately disclosed. There is recognition that a particular project is not being approved at this time. Staff is requested to bring to the attention of the Governing Board at the time of the review of the project the possibility of combining both the distribution line and the major transmission line in Section 23 running behind the subdivision and, secondly, that the Board be requested to pay attention to mitigation measures for protection of the goshawk. Second by Mr. Renz.

Mr. Thrums asked if the concerns to be considered at the time of project review by the Board could include a consideration of the visual impacts by the park and the possibility of undergrounding the line in that area.

Mr. Harper and Mr. Renz agreed to include a request that the Board consider at the time of project review the visual impacts of the line at the park and the possibility of undergrounding the line in this area.

Mr. Morgan asked that it be noted that part of the evidence to support the motion is the testimony given by the representatives from Sierra Pacific and other comments made.

The motion carried on the following vote:

**Ayes:** Ms. Huber, Mr. Renz, Ms. Jamin, Mr. DeMello, Mr. Hoefer, Mr. Van Wagenen, Mr. Rosse, Mr. Pyle, Mr. Glab, Mr. Brooks, Mr. Harper, Mr. Thrums, Mr. Combs, Ms. Becker

**Nays:** None

**Abstain:** None

**Absent:** Mr. Sullivan, Ms. Unsicker, Mr. Hansen, Mr. Poppoff, Ms. Bedard

Mr. Glab asked what the cost was to prepare the EIS for Sierra Pacific Power. Mr. Siegel responded that the consultant fees were $58,000.

**C. Discussion on Recommendation of Incline Village Postal Committee**

Referencing the October 6 packet memo, Transportation Planner Leif Anderson
described actions in Incline Village which led to the recommendation by the Incline Village Postal Review Committee that a new, enlarged main post office be constructed to meet the needs for improved postal delivery service at Incline. TRPA staff has reviewed the recommendation in conjunction with documents which address this issue. The 1982 Air Quality Plan identified a system of substations to be built in the City of South Lake Tahoe or, as an alternative, to institute home delivery as a means of reducing vehicle trips. The Air Quality Plan, however, is geared toward the nonattainment area - primarily the South Shore. The Postal Service has prepared a 1983 Action Plan which includes a preferred alternative calling for construction of Neighborhood Delivery Centers (NDCs). Although this focuses primarily on the South Shore area, it does identify Incline Village as an area for NDCs without specifying the number of facilities or their location. The Goals and Policies call for a change in mail delivery modes and also set as a goal the initiation of neighborhood mail delivery. The draft Regional Transportation Plan also includes NDCs as a goal and sets as a policy the implementation of the Postal Service's Action Plan. If NDCs are shown not to be successful, the Postal Service is to report to TRPA and is encouraged to implement home delivery within defined areas of the Basin. The staff analysis at this point would indicate that construction of a new postal facility at Incline Village is not consistent with adopted Goals and Policies. Staff has not yet had an opportunity to do an indepth analysis to determine what changes in Vehicle Miles Traveled or traffic congestion would occur through construction of a new postal facility in Incline. Staff feels that APC input should be given before this type of analysis commences.

Mr. Keith Skytta, on behalf of the Incline Village Postal Committee, questioned why NDCs were being recommended for the Incline area and whether they would actually cause a reduction in VMTs. Eighty percent of Incline's residents drive to one central location for basic needs two to three times a week. Unlike the South Shore area, there is only one major center for shopping in the Incline area. The problem with the existing facility is inadequate parking and the fact that there are about 2,000 trips going past an elementary school to get to the post office. The Incline area needs a new postal service facility. In a recent survey, 75% of those responding indicated they would continue to use the post office for their mail. These people do not want rural delivery, NDCs or cluster boxes.

Mr. Morgan suggested that if the Postal Service wished to pursue the new postal facility a project application would have to be submitted. This would be evaluated and a determination made on what environmental documents would be necessary. Using the Agency's standards, the alternatives would have to be evaluated. It would be preferable if this matter did not come before the Agency until the Community Planning process was well underway; a postal facility of the kind being recommended is a key feature of a Community Plan; it causes development to occur or not to occur, and it tends to establish unique traffic patterns. The Community Plan is the ideal context in which to consider a main postal facility. The choice of how to deal with this is going to depend in large part on how the Postal Service wishes to proceed.

Mr. Fred Blauth, a member of the Postal Review Committee, explained that the post office defines home delivery as anything other than going to the post office and picking up mail. Home delivery could be an NDC, a rural box or cluster boxes. The concern with having cluster boxes is that in 20 years there will have to be over 1,000 to 2,000 locations spread throughout Incline. Each
cluster must have a 20' x 30' pullout because the County will not allow cars to be parked on the road in the winter time. The post office will not plow these areas.

Mr. Hoefer suggested that getting people to modify their patterns for picking up mail is difficult to accomplish. People who have been seriously inconvenienced at the main post offices have taken boxes at NDCs. Others are content to continue with the way they have been picking up mail all along. There needs to be traffic reduction with whatever method is chosen. If an alternative other than NDCs is chosen for Incline, he would like to know what will be done to take care of the traffic and the required reductions. This is something the Postal Committee should address.

Mr. Morgan explained that in his discussions with Postmaster Jack Wilkins he had learned that the Postal Service has money nationwide for these sorts of projects. A budget proposal and a two-year wait is not necessary. If the Postal Service were to receive the green light to move ahead with a new facility, it could move ahead with project development.

Mr. Harper suggested that one of the Committee's concerns appeared to be that the NDCs were the only alternative being evaluated. In his opinion, these NDCs were always oriented to South Lake Tahoe because of its nonattainment status. Second, South Lake Tahoe's topography is different from Incline Village's. Third, there is a desire to have NDCs evaluated before they are automatically installed in Incline. It should be determined whether a new, larger postal center located in a more convenient area would, in fact, alleviate the problems. The traffic patterns south of Highway 28 are not nearly as well laid out as those above Highway 28. Incline is changing from a second home area to a permanent home area; it has a central core. He would like the APC to urge the Postal Service not start selecting and building NDCs without examining all other alternatives. A site(s) needs to be identified.

Mr. Brooks, a member of the advisory board for Incline Village/Crystal Bay, explained that when this subject was discussed in Incline the feeling was that the post office was presenting this; it was not a part of the plan. The post office got all the heat initially. The feeling on the advisory board was that the community definitely did not want NDCs.

Mr. Newhall, a member of the Postal Review Committee, explained that historically the Postal Service runs a considerable period of time behind the demand for services. Even the post office recognizes that there is a problem that needed to be addressed. When the NDCs were proposed, the community objected strongly and formed the Postal Review Committee to give input to the Postal Service.

Mr. Morgan advised that staff would contact the Postal Service to determine how to proceed from this point. Staff will discuss the Postal Service's future intentions and will work with the Service in laying out the issues that need to be addressed. From this, a good issue paper will be put together for discussion with the Postal Service.
B. Discussion and Action on the Recreation Committee Findings

Senior Planner Jean Shaffer summarized the issues and recommendations of the APC's Recreation Subcommittee as set forth in the 9/24/87 packet material. In January the APC asked the committee to study the issue of recreation and how the capacity for recreation was being allocated around the Basin. The committee has been meeting regularly since January and in June presented an update with a request from input to the APC. APC action on the unanimously approved recommendations is requested today.

Discussion followed on the concept of PAOTs and their use as a planning tool, reserving sewer plant capacity for expanded recreational facilities in the future, visitor information centers, and how the PAOTs were allocated to the various recreation uses.

Mr. Pyle asked that visitor information centers, which require PAOTs, be better defined. There should not be double counting of PAOTs when several uses (day use and visitor information center, as an example) exist on one recreational site. Mr. Thrums suggested that the terms "visitor information center" might be reevaluated. A key point is whether the use is growth inducing or is actually mitigating impacts.

Ms. Marjorie Springmeyer, from the audience, asked what the Forest Service's plans were for the Rabe Meadow adjacent to Nevada Beach. Is this area available for public use and enjoyment? Also she was interested in what provision had been made for a cemetery in the Nevada portion of the Basin. Mr. Hoefer responded that the Forest Service had no plans for development of the Rabe Meadow; it is available to the public for dispersed types of recreation. The Forest Service does anticipate the eventual expansion of the Nevada Beach campground adjacent to the existing campground. Becker suggested that Ms. Springmeyer contact TRPA and Forest Service staffs for additional information on these topics.

The meeting recessed for a lunch break from 12:10 to 1:15 p.m. Members present after lunch: Huber, Harper, Renz, Becker, DeMello, Rosse, Thrums, Glab, Hoefer, Pyle, Hansen (present at 1:35 p.m.), Mr. Combs (present at 1:40 p.m.), Jamin (present at 1:45 p.m.), Mr. Van Wagenen (present at 2:12 p.m.)

Discussion resumed on the findings and recommendations of the Recreation Committee. Ms. Shaffer pointed out that visitor information centers were defined in Chapter 18 of the Code. There is not a shortage of PAOTs for day use areas so there would not be a problem with assigning PAOTs to visitor information centers. In the master planning process, sites with numerous uses will have those uses defined so that there will not be double assignment of PAOTs to single sites. Mr. Harper asked that it be clear that the total number of PAOTs would be assigned on a master plan basis and not assessed to individual uses within the master plan.

Mr. Pyle suggested that PAOTs should be assigned if a use is growth inducing. He liked staff's idea of having background information available so that reconstructing the process of assigning PAOTs and the whole recreation issue will be possible in the future. Mr. Morgan agreed and suggested it would be important for the Project Review staff to know how many PAOTs are involved in a
given facility. The interpretation to be applied is that the total complex be
looked at as a whole unit. Recreation planners and designers will be expected
to know how the PAOTs have been distributed and computed. He would like, as an
addendum, to have staff make it clear how PAOTs are computed when there is a
question of a combination of uses. The entire complex is to be viewed.

Discussion followed on PAOTs in connection with privately owned and publicly
owned recreation uses, whether they serve the tourist or the local residents.
Mr. Hoefer explained that if the land in question is federal or state park land
and a use was being proposed for the broad, general public, PAOTs would be
required. If the proposed use was to be urban recreation, it would not be
subject to PAOTs. Ms. Scholley suggested that item 5 under PAOT Limitations
(Developed Outdoor Recreation Uses) be amended to read, "Beach recreation,
outdoor recreation concessions, golf courses, and rural sports not operated as
by urban recreation providers require summer day use PAOTs."

Mr. Glab suggested that the PAOTs should be looked at as a planning tool. In
the hands of bureaucrats, they could too easily become a restriction and be
misused.

Mr. Morgan asked that the APC take action on the committee's recommendation.
Should the APC vote to approve the recommendation, staff would commence looking
into modifying or adding to the Plan in such a manner as to make the
recommendations a part of the plan and Plan Area Statements. These amendments
would come back to the APC.

Mr. Tom Martens, Executive Director with the League to Save Lake Tahoe,
questioned the shift in item III. (Overall Recreation Recommendations) from a
recommendation that 11% of the recreational capacity may be developed in the
five to ten years of the plan to a recommendation that 25% of the reserved
capacity be developed within five years. What is the impact of this on Vehicle
Miles Traveled (VMT)? How will this be implemented and tracked? There needs to
be an implementation section somewhere. In this same item, there is a
suggestion that "locally operated recreational facilities acquired via the
California Tahoe Conservancy should also be classified urban recreation." What
does locally operated mean? Why are the California Tahoe Conservancy's projects
all classified as urban? What happens to new public agencies that come along,
particularly those that are quasi-private? How would they be treated? What
resource is being allocated for new quasi-public agencies that come along? On
the subject of dispersed recreation, why are certain classes of projects not
subject to PAOT allocations? The function of PAOTs is to put a ceiling on
growth-inducing projects and to be able to analyze when that level is reached.
In dispersed recreation, where certain classes of projects are growth inducing,
there is no analysis. As an example, the Forest Service is proposing an offroad
vehicle trail that runs along Pioneer Trail to High Meadows. The impact of this
will be that the trail will go on a publicly circulated and advertised map. It
will be growth inducing. There is no PAOT review of this proposal and yet the
impacts of environmental damage are great enough to warrant an analysis. Also
eliminating staging areas (parking lots and places to access the trail) is also
missing. Why are dispersed trails, particularly for offroad vehicle use, lumped
together without a separation of uses? Finally, in doing out the PAOTs, why
isn't there incentive to encourage people to meet other threshold goals?
Mr. Morgan responded to Mr. Martens comments. The reason the Tahoe Conservancy is mentioned specifically is that there is a general acceptance of the fact that state and federal programs would invariably be outdoor recreation oriented. It was automatically assumed that the Conservancy would focus its efforts on outdoor recreation. It doesn’t matter how many other agencies show up. The determining factor is whether the use is outdoor recreation or urban recreation. To the question on why dispersed recreation did not need PAOTs, it is part of the Goals and Policies to treat dispersed differently from outdoor, developed recreation. The argument can be made either way. The impacts will still be assessed. On the question of incentives, most of the plan allocations are free to proceed within their limits; no incentives are offered for them to go beyond them to meet the goals - except for tourist accommodations. These types of units are given out if something is offered in return. He would not want to see incentives used in the context of PAOTs. PAOTs are supposed to be a reservation, not a limitation. The intent is that these be utilized. Incentives can in some cases become obstacles.

Mr. Larry Hoffman, representing the Tahoe Sierra Preservation Council, made general comments on the discussions and concerns raised during the committee’s efforts to prepare the recommendation being presented. It should be clear that if a recreation use is primarily urban in nature it is designed to serve the existing urban population - it does not come out of the PAOT pool. If the use is a big regional park developed by the Federal Government and intended to attract the public, it does require PAOTs. This is the key distinction. He would urge this matter be moved onto the Governing Board for action so that the necessary policy decisions can be made prior to drafting ordinance and Plan Area Statement amendments.

Mr. David Gregorich, representing the Tahoe Conservancy, explained that the Conservancy had established a public access and recreation plan and was working with local agencies and utilities to achieve its goals. The long-term management strategy is that these projects will be operated by the urban recreation providers. These projects would be implemented either by giving grants directly to the providers or, in cases where the Conservancy was acquiring property, by arranging for these agencies to be the managers.

MOTION by Mr. Renz to send the Recreation Committee’s recommendation on to the Governing Board with the changes as discussed.

Mr. Morgan explained that his intent, should the motion pass, would be to discuss and get concurrence on this from the Governing Board. At that point, the APC would be involved in drafting necessary ordinance amendments.

Second by Ms. Jamin. The motion carried on the following vote:

Ayes: Mr. Renz, Ms. Jamin, Mr. DeMello, Mr. Hoefer, Mr. Van Wagenen, Mr. Rosse, Mr. Pyle, Mr. Harper, Mr. Thrams, Mr. Combs, Ms. Huber, Ms. Becker
Nays: Mr. Glab
Abstain: Mr. Hansen
Absent: Mr. Sullivan, Ms. Unsicker, Mr. Brooks, Ms. Bedard, Mr. Poppoff

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Chairman Becker thanked Jean Shaffer and the committee for their work in preparing the recommendation. Mr. Morgan questioned the local government representatives on the proper forum for relaying these recommendations back to the local governments and recreation commissions. He indicated that staff would be willing to meet with local recreation commissions and committees to explain what the Agency was trying to accomplish. Mr. Thraps suggested staff also contact the public utility districts (in Placer County the TCPUD and NTPUD).

D. Status Report on Regional Transportation Plan and EIS

Transportation Planner Curtis Jordan explained that copies of the Plan and EIS were not yet ready for distribution and circulation. Copies will be sent to the clearinghouses next week. The target date for bringing the document to the APC for certification is January 1988.

E. Discussion of Possible Amendment to Chapter 20 [Subsection 20.5.B(4)] and Chapter 25 [Subsection 25.2.B]

Mr. Morgan presented the staff summary on the proposed amendments to exempt certain categories of projects from the land coverage mitigation programs. The proposed amendment would allow a project that is primarily intended to improve water quality to be exempt from both the excess land coverage mitigation program and the BMP retrofitting requirements.

MOTION by Mr. Harper, with a second by Mr. Hansen, to recommend approval of the proposed amendments to Chapter 20 and Chapter 25 as outlined. The motion carried unanimously. (Members present: Glab, Thraps, Van Wagenen, Hoefer, Huber, Pyle, Jamin, Becker, Rentz, Harper, Hansen Combs)

F. Status Report on Development of Code Chapters

Chapter 7 - Temporary Uses and Structures and Special Events
Chapter 10 - Structures Housing Gaming
Chapter 15 - Redevelopment Plans
Chapter 24 - Outdoor Advertising Standards
Chapter 94 - Scenic Highway Corridors
Chapter 96 - Road Closures
Design Review Guidelines

Principal Planner Gordon Barrett commented first on the status of the scenic package. All pertinent documents are put together in what is being referred to as the "scenic package". Included will be ordinance chapters relating to outdoor advertising standards, scenic highway corridors, design review guidelines, and scenic restoration programs. These will be addressed in an environmental document targeted for February Governing Board adoption. Because of the 60 day circulation requirement, the package will need to be completed by the first of December. A consultant will be hired to help prepare the environmental document and to give a second opinion on some of the issues. A committee of local architects, business community representatives, and sign experts will also be involved. He would like public involvement immediately so that future problems and dissatisfaction can be avoided as much as possible - particularly with the sign standards. March may be a more realistic date for Board action.
Mr. Thraps agreed that March was a better target date. It may be appropriate to have several different committees or a sequence of committees to deal with many topics within the scenic package. The level of progress that will be made using professionals and business community representatives together will be slow. It might be easier to have design professionals make broader, conceptual statements about design review guidelines for the Basin at large. Mr. Renz agreed that the sign issue should be separated out from the other topics. Mr. Glab suggested giving the committee an optimum standard to work on. Having a good sign standard is critical; the Agency has an opportunity to set some optimum standards.

(Mr. Thraps left the meeting at 2:50 p.m.)

With regard to Chapter 7, Mr. Barrett explained that several meetings had been held with the APC committee and others from the public sector. A first cut of the ordinance has been drafted but only two APC members were present at the last meeting. Does the APC want a vote from the committee or a consensus position of all those in attendance? In general, those in attendance have agreed on the way to present the material. Some on the committee want to see a revised draft before proceeding. Mr. Renz suggested that staff get a consensus position from the committee. Mr. Barrett explained that the committee members were John Renz, Mike Van Wagenen, Mr. Hoefer, Mr. Harper/Slaughter, Ms. Huber, Ms. Jamin, and Ms. Bedard.

Chairman Becker urged APC members to attend committee meetings and participate in ordinance drafting. She suggested that APC members let staff know when they would be able to attend committee meetings.

Mr. Van Wagenen explained that the Chapter 7 committee was close to having a product. The main issue is which items are to be exempt and which will trigger a review. One more meeting is necessary before bringing the matter to the APC next month, although he did not think a committee "vote" was necessary.

Mr. Pyle asked that there be more formality in the conduct and reporting of the outcome of the meetings' accomplishments.

With regard to Chapter 10, two comments were received on a draft which had been mailed out to those interested in structures housing gaming. Interested parties will meet on October 21 to prepare a draft to bring to the APC. The APC will be getting a staff-recommended draft; there is no formal committee.

With regard to Chapter 15, an official draft will be out for circulation by the end of the month. An EIS will be drafted and certification, along with adoption of an ordinance, will be scheduled for February 1988.

The transportation staff is soliciting input on Chapter 24; there is no formal committee at this time. Chapters 24, 10, and 7 are scheduled for an APC public hearing in November. The road closure ordinance has been dropped in favor of MOUs with affected entities.

Mr. Hansen suggested that the Transportation/Air Quality Committee be assigned the task of reviewing the driveway and parking standards.
Discussion followed on the makeup of the various committees. Mr. Barrett explained that staff would put together a list of the committees and their memberships for discussion in November.

(Mr. Glab and Mr. Combs left the meeting. Members present: Van Wagenen, Hoefer, Pyle, Jamin, Becker, Renz, Harper, Hansen, Huber)

G. Report on Status of Identification of Indicators and Time Schedules Pursuant to Chapter 32 (Regional Plan and Threshold Review), Code of Ordinances

On behalf of staff member Dave Ziegler, who was absent due to illness, Agency counsel Susan Scholley advised that Chapter 32 required the Agency to adopt a list of indicators and time schedules within 120 days of the effective date of the Regional Plan. In the interim, staff has been using a list of indicators which will be, for the most part, adapted to the new format. Nothing substantive is to be presented today. The 120 days run out in early November. Mr. Harper asked that information on this topic be included in the November packet so that there be an opportunity for review prior to the meeting. He did not wish to have the material handed out at the meeting.

V. REPORTS

A. Legal Counsel

Ms. Scholley advised she would send a copy of the amended Rules of Procedure to the APC members. While she had recommended that, in general, the APC be deleted from the appeal process, she would recommended that certain types of appeals continue to be taken to the APC. Mr. Harper asked that the whole role of the APC be taken up in the amended Rules. The TRPA's APC operates backwards from most planning commissions. The Board seems to get bogged down in procedural and project-type issues. At the local government level, planning commissions usually do the ground work for the governing board. The TRPA Governing Board wastes a lot of time on things which could be handled by the APC. Ms. Scholley concurred that there needed to be a reassessment of the APC's role. She would suggest there be a joint meeting of the Rules Committee and the APC to discuss this further. She would set this up for sometime early in 1988.

Ms. Scholley brought the APC up to date on the William Code Kelly v. TRPA case, the TRPA v. Bruce King case, and the Tahoe Sierra Preservation Council v. TRPA case. The Legal Committee meeting scheduled for October 15 has been cancelled.

B. APC Members

Mr. Harper announced that Bill Morgan had been honored by the Nevada Chapter of the American Planning Association and was given a special award for his efforts on the TRPA Regional Plan. Also the Tahoe Bond Act Commission met recently and supported the Nevada Attorney General's position that bond monies not be used to specifically buy out the property owners involved the Tahoe Sierra Preservation Council litigation. The Bond Act's plan is scheduled for adoption in November. Last, there have been inquiries about allocations that were provided to eligible recipients. Now it appears that the 208 Plan is preventing use of these allocations. When will the 208 Plan be amended? This applies in most cases to high capability properties which must be accessed by crossing a stream zone.
Mr. Morgan explained that the program calls for the 208 Plan amendments to be certified by the two states and EPA in the spring of 1988.

C. Public Interest Comments - none

VI CORRESPONDENCE - none

VII PENDING MATTERS - none

VIII ADJOURNMENT - The meeting adjourned at 3:33 p.m.

Respectfully submitted,

[Signature]

Julie D. Frame
Administrative Assistant

This meeting was taped in its entirety. Anyone wishing to listen to the tapes may call for an appointment at (702) 588-4547.
MEMORANDUM

November 3, 1987

To: Advisory Planning Commission

From: The Staff

Subject: Public Hearing on Chapters 7, 10, 24 and 91 of the Code of Ordinances

Attached are the proposed chapters which will be the subject of the public hearing before the APC on November 12:

1. Chapter 7 - Temporary Uses, Structures and Activities
2. Chapter 10 - Structures Housing Gaming
3. Chapter 24 - Driveways and Parking (parking section added)
4. Chapter 91 - Air Quality Control (minor change)

These ordinances are currently under review by various groups and committees. Staff will report on the committee recommendations at the November 12 meeting.

The staff is working on an environmental assessment for these proposed ordinance additions and will distribute a draft EA to the APC on November 12.

Request for Recommendation: The APC is requested to review and make recommendations to the staff on the subject ordinances following the public hearing. The Governing Board is scheduled to consider adoption of these ordinances at its December 16, 1987 meeting. Before the ordinances are presented to the Board, the APC will have one more opportunity to review them at the December APC meeting. APC should plan to make a final recommendation to the Governing Board at the December meeting.

GWB: rjo
11/3/87
7.0 Purpose: This chapter sets forth standards for projects of limited duration and impact, such as temporary uses, temporary structures, and temporary activities. As to temporary activities such as special events, the purpose is to identify those major events which may have substantial impacts which will require regulation through local government or TRPA review.

7.1 Applicability: Except as exempted below, all projects considered temporary shall comply with the provisions of this Chapter.

7.1.A Accessory Special Events Exempted: Temporary activities considered part of a primary use shall be reviewed pursuant to the standards applicable to the primary use. Events accessory to a primary use, such as sporting events at a school, a golf tournament at a golf course, a ski race at a ski area, a sale at a store, a conference at a convention facility, a special event at an approved special event area, and a garage sale at a residence are exempt from TRPA review and approval if the event and its impacts are contained on the project site and meet the criteria in Subsection 4.6.B or the conditions of approval of the primary use.

7.1.B Other Exemptions: Certain temporary uses, structures, and activities are exempt from review and approval by TRPA pursuant to Section 4.6.

7.2 Definitions: The following definitions apply:

7.2.A Temporary Use: A temporary use is a primary use listed in the Table of Primary Uses in Chapter 18 or as set forth in Chapter 51 or an accessory use approved as a nonpermanent use for a period of operation not to exceed twelve months.
7.2.B **Temporary Structure:** A temporary structure is a structure or improvement approved to exist for a period not to exceed twelve months or, in the case of a temporary activity, the time limit set forth in the permit.

7.2.C **Temporary Activity:** A temporary activity is an organized activity which does not occur more than four times in a calendar year, and does not exceed fourteen consecutive days in duration.

7.3 **Temporary Uses Limitations:** A temporary use may be approved by TRPA for a period not to exceed six months. TRPA may extend the original approval period once for an additional six months. Temporary uses not listed in the applicable plan area statement shall be considered special uses pursuant to Chapters 18 and 51. Temporary uses listed in a PAS shall be considered allowed or special use as set forth in the PAS.

7.4 **Temporary Structure Limitations:** A temporary structure related to an existing or temporary use may be approved for a period not to exceed six months. TRPA may extend the original approval once for an additional six months. A temporary structure for a temporary activity shall be limited to the time specified in the permit for the temporary activity. Temporary structures shall comply with the standards set forth in Section 7.7.

7.5 **Temporary Activity Limitations:** A temporary activity may be approved for a period not to exceed fourteen consecutive days and not more often than four times in a calendar year. A temporary activity may be approved as a series of events which span a period of not more than three years. Temporary activities shall comply with the development standards set forth in Section 7.7.

7.6 **TRPA-Approved Projects:** Temporary structures and uses necessary for the construction of a TRPA-approved project may be permitted provided the structures and uses are removed within the time limits set forth in the project approval.

7.7 **Review Standards:** Temporary projects shall comply with the following standards:

7.7.A **Land Coverage:** Temporary projects, other than activities, shall be comply with the land coverage standards and findings of Chapter 20 except as noted in Subsection 7.7.I. Temporary activities may be permitted temporary land coverage and disturbance subject to the following conditions:

1. The temporary coverage or disturbance shall be the minimum necessary for the activity;
2. There shall be no grading or vegetation removal which requires a permit from TRPA;
(3) No disturbance, other than that ordinarily exempted in Chapter 4, shall be permitted in lands classified 1a, 1b (SEZ), 1c, 2, 3, or backshore; and

(4) Temporary coverage shall be removed and disturbed areas revegetated upon completion of the event.

7.7.B Parking: Temporary uses and structures shall comply with the parking requirements of Chapter 24. An applicant for a temporary activity shall prepare a parking analysis and plan. Temporary activities may be permitted parking on unpaved surfaces, on street parking, and off site parking pursuant to a parking analysis and plan.

7.7.C BMPs: Temporary uses and structures shall comply with the BMP requirements of Chapter 25 for construction sites. Temporary activities shall comply only with the requirements temporary BMPs. When the temporary project uses unpaved areas or causes or continues to cause land disturbance, the reviewing authority may require application of permanent BMPs to all or a portion of the project area.

7.7.D Outdoor Advertising: Temporary uses and structures shall comply with the outdoor advertising standards for permanent uses as set forth in Chapter 26. Temporary activities shall comply with the outdoor advertising standards for temporary signs as set forth in Chapter 26.

7.7.E Noise: The noise standards of Chapter 23 shall apply, except temporary activities may be permitted to exceed the noise standards provided the activity is the subject to a public hearing and is:

(1) In a commercial/public service or tourist PAS and is limited to six hours duration between 8 A.M. and 10 P.M.;

(2) A race or exhibition limited to six hours duration during daylight hours.

7.7.F No Permanent Impacts: Impacts, mitigated or otherwise, resulting from the temporary project shall be limited to the approved period. Temporary projects shall not be approved if significant adverse impacts may occur after the approved period. Temporary projects shall not result in the creation of permanent structures or uses. Temporary projects shall provide adequate security to insure removal of any temporary structures and improvements and to insure implementation of required mitigation.

7.7.G Traffic Mitigation: Temporary uses and structures shall be subject to the traffic mitigation requirements of Chapter 93 except as set forth in Subsection 7.7.I below.
Temporary activities are exempt from Chapter 93. Temporary activities requiring a road closure as set forth in subparagraph 4.6.B(1)(b) shall submit and implement a traffic mitigation program including detour and traffic management plans.

7.7.H Allocations: Temporary projects are exempt from the allocation limitations set forth in Chapter 33.

7.7.I Mitigation Fees: Temporary projects are exempt from the mitigation fee requirements of Chapter 20 Land Coverage, Chapter 56 Mitigation Fee Requirements, Chapter 82 Water Quality Mitigation, and Chapter 93 Traffic and Air Quality Mitigation. This subsection does not eliminate any requirements to mitigate identified impacts.

7.7.J Other Standards: As applicable the other provisions of this Code shall apply to temporary projects.

7.8 Seasonal Uses and Structures Distinguished: Uses, structures and activities not meeting the definitions of this chapter are considered permanent. Temporary projects do not include:

7.8.A Seasonal Uses: Seasonal uses operated periodically for more than 14 consecutive days on a year to year basis are considered permanent uses and are regulated pursuant to Chapter 18. Seasonal uses include such uses as snow mobile rentals, Christmas tree sales lots, ski areas, outdoor recreation concessions, and marinas.

7.8.B Seasonal Structures: Structures and improvements existing for more than the time limits set for temporary structures in this chapter are considered permanent.

7.9 Existing Temporary Projects: Existing temporary projects not exempted by Section 4.6 may be continued as set forth below. Any modification or expansion of the temporary project shall be subject to the provisions of this chapter.

7.9.A Existing Temporary Uses and Structures: A temporary use or structure legally commenced prior to the effective date of the Regional Plan may be continued pursuant to the limitations set forth in the applicable permit, if any was required, or two years from the effective date of the Regional Plan whichever is less.

7.9.B Temporary Activities: Temporary activities established prior to the effective date of the Regional Plan may continue for two years from the effective date of the Regional Plan provided the activity remains substantially the same in scale, location, timing, and duration.
Chapter 4 amendments to establish what temporary uses, structures, and temporary activities are exempt from TRPA review:

Add Section 4.6 to read as follows:

4.6 Temporary Uses, Structures, and Activities: The following activities are exempt from review and approval by TRPA.

4.6.A Temporary Uses and Structures: Temporary uses and structures shall be determined exempt pursuant to the standards set forth for permanent uses and structures as set forth in this chapter.

4.6.B Temporary Activities: The following temporary activities are exempt:

(1) Temporary Activities (without MOU): Temporary activities not covered by the memoranda of understanding in Subparagraph 4.6.B (2) are exempt provided the activity complies with the criteria set forth below:

(a) The temporary activity does not require parking in unpaved areas;

(b) The temporary activity does not require the closure of a traffic lane or intersection of a state or federal highway for more than one hour, or in the case of Highway 50 from the South Y to Kingsbury Grade for any period of time;

(c) The temporary activity does not discharge pollutants affecting attainment of air quality standards or visibility standards (Outdoor recreation/cook fires are exempted by Chapter 91);

(d) The temporary activity does not discharge pollutants affecting attainment of water quality standards (examples of pollutants include discharges of grease, oil, muddy water, human waste, garbage, and chemicals);

(e) The temporary activity does not create noise levels which exceed the noise limitations set forth in Chapter 23 (Chapter 23 exempts legal fireworks displays);

(f) The temporary activity does not create permanent or temporary land or vegetation disturbance; and

(g) The temporary activity does not exceed 14 consecutive days duration and does not occur within a project area more than four times in a calendar year.
(2) **Temporary Activities (MOU):** Temporary activities not exempted pursuant to the criteria in 4.6.B(1) (a) through (g) and reviewed and approved by local government, U.S. Forest Service, or state agency pursuant to Chapter 7 and an MOU between TRPA and the reviewing authority.

Add new Subsection 4.3.H as follows:

4.3.H **Holiday Outdoor Retail Sales:** Outdoor retail sales associated with legal holidays, such as Christmas tree sales lots, are exempt provided the activity does not require parking or sales on unpaved areas, does not create land coverage or disturbance, does not exceed more than six weeks duration, is located in a Commercial/PS or Tourist Plan Area, has been approved by the applicable local government and has a statement filed pursuant to Section 4.3.
CHAPTER 10

STRUCTURES HOUSING GAMING

Chapter Contents

10.0 Purpose
10.1 Applicability
10.2 Regulation Of Structures Housing Gaming Under A Nonrestricted License As Permitted And Conforming Uses
10.3 Reconstruction Of Structures Housing Gaming
10.4 Regulation Of Modification, Remodeling, Change In Use, Or Repair Of A Structure Housing Nonrestricted Gaming
10.5 Regulation Of Restricted Gaming
10.6 Regulation Of Activities Outside Structures Housing Gaming
10.7 Coordination With NTRPA

10.0 Purpose: Structures containing restricted and nonrestricted gaming are subject to special regulations as set forth in Article VI(d) through (i) of the Compact. This chapter implements those provisions and coordinates regulation with the State of Nevada designated regulatory agency, Nevada Tahoe Regional Planning Agency.

10.1 Applicability: Structures containing licensed restricted gaming or licensed nonrestrictive gaming shall be regulated pursuant to the provisions of the Compact as implemented by this chapter.

10.2 Regulation Of Structures Housing Gaming Under A Nonrestricted License As Permitted And Conforming Uses: TRPA shall recognize structures housing gaming under a nonrestricted license as permitted and conforming uses as follows:

10.2.A Prohibition Of New Structures Housing Gaming: The construction of, change of use to, or expansion in cubic volume of any structure to house gaming under a nonrestrictive license not existing or approved on May 4, 1979, is prohibited.

10.2.B Existing Structures Housing Gaming: The following are permitted and conforming uses and shall be considered allowed uses pursuant to Chapter 18:

(1) Every structure housing gaming under a nonrestricted license which existed as a licensed gaming establishment on May 4, 1979 or whose construction was approved by Tahoe Regional Planning Agency affirmatively or deemed approved before that date.

(2) Every other nonrestricted gaming establishment whose use was seasonal and whose license was issued before May 4, 1979, for the same season and for the number and type of games and slot machines on which taxes and fees were paid in the calendar year 1978.
10.3 Reconstruction Of Structures Housing Gaming: Any structure housing gaming under a nonrestricted license may be rebuilt or replaced to size not to exceed the cubic volume, area open to the public, height, and land coverage existing or approved on May 4, 1979 without the review and approval of TRPA or other regulatory authority of the state of Nevada whose review would be required for a new structure. Any remodel, modification or other change from the original structure shall be regulated pursuant to Section 10.4.

10.4 Regulation Of Modification, Remodeling, Change In Use, Or Repair Of A Structure Housing Nonrestricted Gaming: TRPA review of modification, remodeling, change in use, or repair shall be pursuant to the following provisions:

10.4.A External Modification: Any external modification of the structure which requires a permit from local government or is not exempt from TRPA review pursuant to Chapter 4 shall require TRPA review and approval.

(1) TRPA Review: TRPA review of an external modification is limited to determining whether the modification will do any of the following:

(a) Enlarge the cubic volume of the structure.
(b) Increase the total square footage of area open to or approved for public use on May 4, 1979.
(c) Convert an area devoted to the private use of guest to an area open for public use.
(d) Increase the public area open to public use which is used for gaming beyond the limits contained in subparagraph 10.4.C(1).
(e) Conflict with or be subject to the provisions of the Code applicable throughout the Region.

If an external modification is determined to have any of the effects enumerated in subparagraphs (a) through (c) above, the modification is prohibited. If the external modification is determined to have any of the effects enumerated in subparagraph (d) or (e) it is subject to the provisions of the Code. If the external modification is determined to have none of the above effects, it is not subject to the provisions of this Code.

(2) Time Limits For Determination: TRPA shall make this determination within 60 days after a complete application is delivered to TRPA unless the applicant has agreed to an extension. A report describing the activity and the NTRPA action, if any, shall be required as part of a complete application for submittal to the TRPA.
(3) **Project Review:** If the external modification is determined to have the effects enumerated in Subparagraphs 10.5.A(1)(d), TRPA shall process it as a project pursuant to the regulations of TRPA. If the external modification is determined to have the effect enumerated in subparagraph 10.4.A(1)(e), it shall be processed in accordance with the applicable Code provision.

10.4.B **External Repair, Change In Use, And Remodel:** External repair, change in use, and remodel of a structure housing nonrestricted gaming shall be reviewed and approved pursuant to the provisions for external modifications as set forth above.

10.4.C **Internal Modification, Remodeling, Change In Use, Or Repair:** Internal modification, remodeling, change in use, or repair of a structure housing nonrestricted gaming is not a project and does not require TRPA review or approval except as follows:

(1) **Internal modification, remodeling, change in use or repair of areas open to public use within a structure housing gaming under a nonrestricted license which alone or in combination with any other such modification, remodeling, change in use or repair will increase the total portion of those areas which is actually used for gaming by more than the product of the total base area, as defined below, in square feet existing on or approved before August 4, 1980, multiplied by 15 percent constitutes a project and is subject to all of the provisions of the Compact relating to projects. For purposes of this paragraph and the determination required by Article VI(g) of the Compact, base area means all of the area within a structure housing gaming under a nonrestricted license which may be open to public use, whether or not gaming is actually conducted or carried on in that area, except retail stores, convention centers and meeting rooms, administrative offices, kitchens, maintenance and storage areas, rest rooms, engineering and mechanical rooms, accounting rooms and counting rooms.

(2) **Internal modifications related to an external modification, remodel, change in use, or repair may be subject to TRPA review and approval.** In order to mitigate impacts associated with a proposed combination external - internal project, the structure housing gaming may elect to submit to internal review and approval.
(3) The area within any structure housing gaming under a nonrestricted gaming license which may be open to public use is limited to the area existing or approved for public use on May 4, 1979.

10.5 Regulation of Restricted Gaming: The review of gaming conducted pursuant to a restricted license shall be as follows:

10.5.A Use: Gaming conducted pursuant to a restricted gaming license issued before May 4, 1979, to the extent permitted on that date, shall be a permitted and conforming use and shall be considered an allowed use pursuant to Chapter 18. New establishments with restricted gaming as a primary use shall be prohibited.

10.5.B Restricted Gaming As An Accessory Use: Gaming conducted pursuant to a restricted gaming license is exempt from TRPA review if it accessory to the primary use.

10.5.C Modification, Remodel, Change In Use, And Repair of Structures Containing Restricted Gaming: Structures containing restricted licensed gaming shall be reviewed pursuant to the standards of the Code applicable throughout the Region.

10.6 Regulation Of Activities Outside Structures Housing Gaming: Activities noncontiguous and outside areas determined to be structures housing nonrestricted licensed gaming shall be regulated pursuant applicable standards of this Code except as specified in 10.6.A.

10.6.A Special Relocation Limitations For Structures Housing Gaming: TRPA shall not permit restaurants, convention facilities, showrooms, or other public areas to be constructed elsewhere in the Region outside the structure in order to replace area existing or approved for public use on May 4, 1979.

10.7 Coordination With NTRPA: In order to administer and enforce the provisions of Article VI (g) of the Compact, the State of Nevada has designated the Nevada Tahoe Regional Planning Agency as the appropriate planning or regulatory agency.

10.7.A Reports: The NTRPA or its successor designee shall identify all structures housing gaming and require the owner or licensee of structures housing gaming under a nonrestricted license to provide:

(1) Basic Data: Documents containing sufficient information for NTRPA to establish the following relative to the structure:
(a) The location of its external walls;
(b) Its total cubic volume;
(c) Within its external walls, the area in square feet open or approved for public use and the area in square feet devoted to or approved for the private use of guests on May 4, 1979;
(d) The amount of surface area of land under the structure; and
(e) The base area as defined in Subparagraph 10.4.B(1) in square feet existing on or approved before August 4, 1980.

(2) Certification: NTRPA or its successor designee shall review and certify the information as to accuracy and consistency with the requirements of the Compact. NTRPA shall forward a copy of the certified information to TRPA.

10.7.B Reports On Internal Activities: An informational report describing the internal modification, remodeling, change in use, or repair which increases the areas open for public use which is used for gaming shall be submitted by the NTRPA or its successor designee to TRPA at least one working day before commencement of the activity.

10.7.C Coordinated Review: Coordinated review and compliance procedures should be established through a Memorandum of Understanding between TRPA and NTRPA or its successor designee.
CHAPTER 2 DEFINITIONS AMENDMENTS

Add new definitions as follows:

Structure Housing Gaming: Means the entire area within the external walls of a building or buildings joined together in some definite manner and in which gaming under a nonrestricted license is conducted in any part thereof. It includes any structures that existed or were approved as of January 1, 1979. It shall not include appurtenances such as vents, chimneys, elevator housings, cooling and heating units and other mechanical equipment; shall not include appurtenances used to shelter said mechanical equipment or vertical shaft openings in the roof; and public safety appurtenances such as fire escapes.

External Walls: Is any structural wall exposed to the elements.

Areas Open To Public Use (public use areas): Means all of the areas within a structure housing gaming under a nonrestricted license except areas devoted to the private use of guests.

Areas Devoted To Private Use Of Guests (private use areas): Means those portions of a structure housing gaming which are open to public invitees but reserved for their private use. It includes only hotel rooms and hallways to serve hotel room areas, and any parking areas within a structure housing gaming. A hallway is deemed to serve hotel room areas if more than fifty percent (50%) of the areas on each side of said hallway are hotel rooms.

Restricted Gaming License: Has the meaning ascribed to it in Section 4 of Chapter 287 Statues of Nevada 1979.

Nonrestricted Gaming License: Means a gaming license which is not a restricted license.

External (gaming): Outside the structural aspects of an external wall or roof of a structure housing gaming.

Remodel: To change the appearance of a structure. Remodeling may occur in conjunction with reconstruction, modification or expansion but does not include changes associated with ordinary maintenance and repair.

Internal (gaming): Within and including the structural aspects of an external wall or roof of a structure housing gaming.

Adopted definitions for informational purposes:

Ordinary Maintenance and Repair: Ordinary maintenance and repair, which is the upkeep, or preservation of the condition of property and includes: painting; reroofing; replacement of windows, siding, doors, floor coverings, interior ceiling and wall coverings and decorations, health and safety devices, noncombustion heaters, appliances, air conditioning, sewer, water and electrical equipment, and other fixtures.
Construction: The creation, building, assembly, disassembly, demolition, modification, or reconstruction of a structure.

Repair: To put back in good condition after damage, decay or wear. (See Chapters 4 and 52.)

Reconstruction: The total replacement of a structure or a portion thereof.

Change in Use: Conversion of a primary use from one use category to another use category as listed in the Table of Primary Uses in Chapter 18 (e.g., service station to professional office).

Expansion: An increase in size or extent of an existing structure or use that results in additional commercial floor area, additional residential units, additional tourist accommodation units, additional PAOTs, additional land coverage, vehicle trips, or other capacities regulated by this Code.

Modification: Changes in the form or substance of a structure or activity.

Change in Operations: A change in operation is any modification, change, or expansion of an existing or previous use resulting in additional vehicle trip generation. Changes in operation include, but are not limited to: expansion of gross floor area; or change in the type of generator on the Trip Table, normally indicated by a substantial change in products or services provided.
CHAPTER 4 AMENDMENTS

Add Section 4.7 to read as follows:

4.7 Structures Housing Gaming: The following activities are exempt from TRPA review and approval:

4.7.A Internal Modification, Remodel, Change In Use Or Repair: Except for increases in gaming floor area as set forth in Subsection 10.4.B, such activities occurring within structure housing restricted gaming are exempt provided the reporting requirements of Subsection 10.7.B are met.

4.7.B Restricted Gaming As An Accessory Use: Gaming conducted pursuant to a restrictive license is exempt from TRPA review if it is accessory to the primary use within the project area.

4.7.C Ordinarily Exempt: Activities related to structures housing gaming shall be exempt if the other provisions of this chapter exempt the activity generally through out the Region.
CHAPTER 24

DRIVEWAY AND PARKING STANDARDS

Chapter Contents

24.0 Purpose
24.1 Applicability
24.2 Compliance Program
24.3 Driveways
24.4 Parking Standards
24.5 Parking Lot Design

24.0 Purpose: This chapter sets forth minimum standards for driveways and parking facilities to minimize interference with traffic flow on the street and highway system of the Tahoe Region.

24.1 Applicability: This chapter is applicable to all development that requires or uses vehicular access or parking.

24.2 Compliance Program: The standards set forth in Sections 24.3 and 24.4, inclusive, shall be conditions of approval for projects with driveways or parking, and for projects for which TRPA finds that the driveways or parking are not in compliance with the standards set forth in Sections 24.3 and 24.4, inclusive, and are causing significant adverse impacts on traffic, transportation, air quality, water quality, or safety. If TRPA finds that driveways associated with existing development are causing such impacts, TRPA may implement corrective measures pursuant to Chapter 9.

24.3 Driveways: To ensure organized and well-designed ingress and egress of vehicles from driveways, TRPA shall review the design of driveways according to the following standards and procedures:

24.3.A Driveway Defined: A driveway is a clearly identifiable path of vehicular access from the parking area of a parcel to the public right-of-way or other access road. A driveway may be either one-way or two-way.

24.3.B General Standards: Driveway's shall comply with the following standards:

(1) New driveways shall be designed and located so as to cause the least adverse impacts on traffic, transportation, air quality, water quality, and safety.

(2) Shared Driveways: In the application of Subsections 24.3.C through 24.3.E, inclusive, TRPA shall encourage shared driveways if TRPA finds that the effect is equal or superior to the effect of separate driveways.
(3) **Role of Community Plans:** Approved community plans may replace the standards in Subsections 24.3.C through 24.3.E, inclusive, with alternative specific provisions, provided such provisions are more appropriate to the situation and provide equal or superior measures to satisfy the environmental thresholds.

(4) **Standards of Caltrans and Nevada Department of Transportation:** On state and federal highways, the ingress/egress standards of the California or Nevada Department of Transportation shall apply, as appropriate, in addition to the standards in Subsections 24.3.C through 24.3.E, inclusive. Where the state standards conflict with Subsections 24.3.C through 24.3.E, inclusive, the state standards shall control.

(5) **Slope of Driveways:** Slopes of driveways shall not exceed the standards of the county or city in whose jurisdiction the driveway is located. Driveways shall not exceed ten percent slope, unless TRPA finds that construction of a driveway with a ten percent or less slope would require excessive excavation and that the runoff from a steeper driveway shall be infiltrated as required in Chapter 25. In no case shall the driveway exceed fifteen percent slope.

24.3.C **Numbers of Driveways:** Additional or transferred development, which does not require a traffic analysis pursuant to Section 93.3, shall be served by a single driveway with no more than two points of ingress/egress from the public right-of-way or other access road. Additional or transferred development, which requires a traffic analysis pursuant to Section 93.3, shall conform to the ingress/egress provisions necessary to mitigate all traffic and air quality impacts under Section 93.3.

24.3.D **Width of Driveways:** Driveway widths shall conform to the following standards:

(1) **Single Family Homes:** Driveways serving single family homes shall have a minimum width of ten feet. Where the single family home includes a garage, the driveway shall be at least as wide as the garage door opening for a distance of fifteen feet from the front of the garage.
(2) Other Residential Uses: Two-way driveways serving residential uses other than single family homes shall have a minimum width of 20 feet and a maximum width of 24 feet. One-way driveways serving other residential uses shall have a minimum width of ten feet and maximum width of twelve feet.

(3) Commercial, Tourist Accomodation, Recreation, and Public Service Uses: Two-way driveways serving commercial, tourist accomodation, recreation, and public service uses shall have a minimum width of 20 feet and a maximum width of 30 feet. One-way driveways serving such uses shall have a minimum width of ten feet and a maximum width of fifteen feet. For two-way driveways with median dividers serving such development, each direction shall have a minimum width of ten feet and a maximum width of seventeen feet.

24.3.E Service Drives: Uses other than single family homes, which do not require the preparation of a traffic analysis pursuant to Section 93.3, may be permitted an additional service driveway for maintenance and garbage removal. The service driveway shall be at least ten feet wide, and no more than twelve feet wide. Uses which require the preparation of a traffic analysis pursuant to Section 93.3 may be permitted an additional service driveway or driveways for maintenance and garbage removal provided the traffic and air quality impacts of such driveways are mitigated under Section 93.3.

24.4 Parking Standards: Parking standards for the Region are as follows:

24.4.A Parking Demand: Table 24-1, or an approved Parking Analysis, shall be used to estimate the parking demand of uses in the Lake Tahoe Region.

24.4.B Onsite Parking: Adequate onsite parking to meet the parking demand shall be provided within the project area. In addition, the following standards shall apply:

(1) Residential Uses: Single-car garages shall not be counted towards meeting minimum standards. Multiple-car garages shall only count as one space towards meeting minimum standards.

(2) Non-Residential Uses: When parking demand is calculated to a fraction, parking demand shall be rounded up to the nearest whole number. At a minimum, non-residential activities shall provide at least two parking spaces plus one space for each employee for the peak work shift.
(3) **Multiple-Uses:** When two or more uses share a site or parcel, each use's parking demand shall be calculated independently of all other uses on the site. Total parking demand for a site or parcel shall be the sum of all uses at the site or parcel, unless an exception has been made pursuant to subparagraphs (5) or (6) below.

(4) **Fleet Vehicles:** All non-residential activities shall provide one appropriately sized parking space for each business or fleet vehicle.

(5) **Shared Parking:** Shared parking areas may be permitted by the TRPA when two or more uses have different peak period parking demands. Prior to approving shared parking, TRPA shall find that adequate parking exists, the demand for parking will not overlap, and any necessary agreements for shared parking have been executed. Any such agreements cannot be amended without written consent of TRPA.

(6) **Exceptions:** Following are specific exceptions to the onsite parking standards:

i. **Parking Analysis:** Exceptions to the parking standards may be permitted by TRPA on approval of a Parking Analysis.

ii. **Residential Uses:** When TRPA finds that the requirements of Subparagraph (1) above are not practical to implement without significant excavation or fill, or limited available land coverage, then each space within a garage or garages shall count towards meeting the parking standards.

iii. **Non-Residential Uses:** When there is an existing use and existing parking, and the proposed project significantly reduces parking demand, then the standards contained in this subsection may be reduced when TRPA finds that parking capacity cannot be increased on the site.

24.4.C **Offsite Parking:** Offsite parking shall not apply to meeting the standards with the following exceptions:

(1) **Temporary Uses or Special Events:** The applicant shall document the anticipated demand for offsite parking, the number of spaces needed, the duration of the demand, and the expected frequency of the occurrence.
(2) **Deed Restrictions:** Exceptions may be granted based upon an approval of a Parking Analysis when offsite parking is provided through a deed restriction, or similar device. Any such agreements cannot be amended without written consent of TRPA.

In all cases, locations for offsite or overflow parking areas shall require approval by the TRPA. The applicant shall demonstrate that the use of offsite parking will not result in compaction of soils, loss of vegetation, increased runoff, or violate applicable TRPA standards.

24.4.D **On-street Parking:** New on-street parking is prohibited. On-street parking along major highways shall be reduced and eliminated where possible. Community plans shall identify locations where off-street parking can be provided to eliminate on-street parking. Where on-street parking cannot be removed, state and local agencies shall implement on-street parking restrictions in designated areas for specific times. Minimum parking requirements shall not be met by providing parking within any street or highway right-of-way.

24.4.E **Community Plans:** Exceptions to the parking standards may be granted when parking is provided, in whole or in part, by equal or superior standards contained in an approved community plan.

24.4.F **Parking Analysis:** When a Parking Analysis is prepared, it shall contain the following:

(1) An estimate of parking demand; and

(2) Alternatives to the parking standards; and

(3) Means to ensure compliance with these alternatives; and

(4) Other information that TRPA may require.

24.5 **Parking Lot Design:** The proper design of parking lots is essential to providing the required amount of parking spaces within a minimum amount of area. The provision of the required parking must consider requirements for reduced coverage and be designed to have a minimum of impact on water quality. In order to meet these requirements, projects may have imposed, as conditions of approval, appropriate provisions of the Design Review Guidelines and the Agency's Handbook of Best Management Practices.
Table 24-1
Parking Demand Table

I. RESIDENTIAL

Domestic animal raising
1 Space/5 Pens; or
1 Space/500 s.f. of area devoted to boarding/breeding

Employee housing
(Use Multiple Family Dwelling Rate)

Mobile Home
2 Spaces/Unit; and
1 Space/6 Units (Guest Parking)

Multiple family dwelling
1 Space/Unit; and
½ Space per Bedroom

Multi-person dwelling
1 Space/2 Beds; and
1 Space/Live-in Staff; and
1 Space/10 Beds (Guest Parking)

Nursing and personal care
1 Space/3 Beds; and
1 Space/Staff

Residential care
1 Space/4 Beds; and
1 Space/Live-in Staff; and
1 Space/2 Other Staff; and
1 Space/5 Beds (Guest Parking)

Single family dwelling
2 Spaces

Summer home
(Use Single Family Dwelling Rate)
II. TOURIST ACCOMODATION

Bed and breakfast facilities
(Use Hotel/Motel Rate)

Hotel, motel, and other transient dwelling units
- 1 Space/Full-time Administrative Staff; and
- 1 Space/2 Other Full-time Employees; and
- 1 Space/3 Part-time Employees; and
- 1 Space/Guest Room; and
- 1 Space/250 s.f. Meeting/Display Area; and
- 1 Space/400 s.f. Commercial-Retail Area

Time sharing (hotel/motel design)
(Use Hotel/Motel Rate)

Time sharing (residential design)
(Use Hotel/Motel Rate)

III. COMMERCIAL

A. Retail

Auto, mobile home and vehicle dealers
- 1 Space/Employee; and
- 1 Space/500 s.f. Gross Sales Area

Building materials and hardware
- 1 Space/300 s.f. GFA; and
- 1 Space/2,000 s.f. Gross Site Area

Eating and drinking places
- 1 Space/75 s.f. GFA; and
- 1 Space/5 Permanent Seats

Food and beverage retail sales
- 1 Space/150 s.f. GFA

Furniture, home furnishings and equipment
  Furniture - 1 Space/500 s.f. Non-storage Area; and
  Other - 1 Space/1,000 s.f. Storage Area

General merchandise stores
  Convenience Store - 1 Space/150 s.f. GFA
  Other - 1 Space/300 s.f. GFA

Mail order and vending
- 1 Space/500 s.f. Non-storage Area; and
- 1 Space/1,000 s.f. Storage Area
III. COMMERCIAL (Continued)

A. Retail (Continued)

Nursery
1 Space/Full-time Employee; and
1 Space/300 s.f. GFA

Outdoor retail sales
1 Space/Employee; and
1 Space/500 s.f. Gross Sales Area

Service stations
1 Space/300 s.f. Retail/Office Area; and
3 Space/Service Bay

B. Entertainment

Amusements and recreation services
Arcade - 1 Space/150 s.f. GFA
Bowling - 5 Spaces/Lane
Health Spa/Gym - 1 Space/300 s.f. GFA
Ice/Roller Rink - 1 Space/Full-time Employee; and
1 Space/200 s.f. GFA
Tennis (Indoor), Racquetball, etc. - 1 Space/Employee; and
3 Spaces/Court
Theatre - 1 Space/Employee; and
1 Space/3 Seats
Other - 1 Space/35 s.f. GFA

Gaming-nonrestricted only
1 Space/1.5 Full-time Employees; and
1 Space/3 Part-time Employees; and
1 Space/250 s.f. Casino Floor Area

Privately owned assembly and entertainment
Auditorium - 1 Space/Full-time Employee; and
1 Space/150 s.f. GFA; or
1 Space/3 Seats
Caberet - 1 Space/2 Employees; and
1 Space/4 Seats
Convention - 1 Space/Full-time Employee; and
1 Space/400 s.f. GFA

Outdoor amusements
Miniature Golf - 3 Spaces/Hole; and
1 Space/250 s.f. Commercial Area
Other - Case-by-Case
C. Services

Animal husbandry services
1 Space/250 s.f. GFA Outside of Kennel

Auto repair and service
1 Space/300 s.f. Retail/Office Area; and
3 Space/Service Bay

Broadcasting studios
1 Space/300 s.f. GFA

Business support services
1 Space/300 s.f. GFA

Contract construction services
1 Space/1,500 s.f. GFA Storage; and
1 Space/300 s.f. GFA Office

Financial services
1 Space/200 s.f. GFA

Health care services
1 Space/150 s.f. GFA; and
1 Space/2 Employees

Laundries and dry cleaning plant
1 Space/500 s.f. Non-storage Area; and
1 Space/1,000 s.f. Storage Area

Personal services
Laundromat – 1 Space/150 s.f. GFA
Other – 1 Space/250 s.f. GFA

Professional offices
1 Space/250 s.f. GFA

Repair services
1 Space/500 s.f. Non-storage Area; and
1 Space/1,000 s.f. Storage Area

Sales lots
1 Space/Employee; and
1 Space/500 s.f. Gross Sales Area

Schools – business and vocations
1 Space/75 s.f. GFA; and
1 Space/Staff
III. COMMERCIAL (Continued)

C. Services (Continued)

Schools - preschool
1 Space/Employee; and
1 Space/5 Students

Secondary storage
1 Space/1,000 s.f. Storage Area

D. Light Industrial

Batch Plants
1 Space/500 s.f. Non-storage Area; and
1 Space/1,000 s.f. Storage Area

Food and kindred products
1 Space/500 s.f. Non-storage Area; and
1 Space/1,000 s.f. Storage Area

Fuel and ice dealers
1 Space/500 s.f. Non-storage Area; and
1 Space/1,000 s.f. Storage Area

Industrial services
1 Space/350 s.f. GFA

Printing and publishing
1 Space/500 s.f. Non-storage Area; and
1 Space/1,000 s.f. Storage Area

Recycling and scrap
1 Space/500 s.f. Non-storage Area; and
1 Space/1,000 s.f. Storage Area

Small scale manufacturing
1 Space/400 s.f. GFA

E. Wholesale/Storage

Storage yards
1 Space/500 s.f. Non-storage Area; and
1 Space/1,000 s.f. Storage Area

Vehicle and freight terminals
1 Space/Employee; and
1 Space/Bay

Vehicle storage and parking
1 Space/500 s.f. Non-storage Area; and
1 Space/1,000 s.f. Storage Area
III. COMMERCIAL (Continued)

E. Wholesale/Storage (Continued)

Warehousing

Mini-Warehouse - 1 Space/5 Rental Units; and
1 Space/Employee

Other - 1 Space/1,000 s.f. GFA

Wholesale and distribution
1 Space/500 s.f. Non-storage Area; and
1 Space/1,000 s.f. Storage Area

IV. PUBLIC SERVICE

A. General

Airfields, landing strips, and heliports
Case-by-Case

Cemeteries

Mausoleum - 1 Space/Employee; and
1 Space/6 Interment Spaces @ Capacity

Other - 1 Space/Employee; and
1 Space/4 Interment Spaces @ Capacity

Churches
1 Space/3 Seats

Collection stations
1 Space/500 s.f. Non-storage Area; and
1 Space/1,000 s.f. Storage Area

Cultural facilities
1 Space/Full-time Employee; and
1 Space/250 s.f. GFA

Day care centers
1 Space/Employee; and
1 Space/5 Students

Government offices
1 Space/250 s.f. GFA

Hospitals
1 Space/Physician; and
1 Space/2 Employees; and
1 Space/2 Beds; and
1 Space/300 s.f. Emergency Room Area

Local assembly and entertainment
(Use Privately Owned Assembly and Entertainment Rate)
IV. PUBLIC SERVICE (Continued)

A. General (Continued)

Local post office
Case-by-Case

Local public health and safety facilities
1 Space/Employee; and
1 Space/1,000 s.f.

Membership organizations
Case-by-Case

Power generating
1 Space/Full-time Employee

Publicly owned assembly and entertainment
(Use Privately Owned Assembly and Entertainment Rate)

Public utility centers
3 Space/2,500 s.f. of Facility Area

Regional public health and safety facilities
1 Space/Employee; and
1 Space/1,000 s.f.

Schools - college
1 Space/Faculty or Staff; and
1 Space/2 Full-time Students; and
1 Space/4 Seats in Auditorium, Stadium, or Gymnasium; and
1 Space/100 s.f. Non-classroom Meeting Area

Schools - kindergarten through secondary
Elementary - 1 Space/Faculty or Staff; and
           1 Space/50 s.f. Non-Classroom Area
High School - 1 Space/Faculty or Staff; and
              1 Space/3 Students; and
              1 Space/4 Seats Auditorium, Etc.; and
              1 Space/100 s.f. Non-classroom Meeting Area

Social service organizations
Case-by-Case

V. RECREATION

A. Urban Recreation

Day use areas
1 Space/1,000 Park Area
V. RECREATION (Continued)

A. Urban Recreation (Continued)

Recreation centers
1 Space/Full-time Employee; and
1 Space/500 s.f. GFA

Participant sports facilities
Swimming - 1 Space/Full-time Employee; and
1 Space/3 Part-time Employee; and
1 Space/75 s.f. Pool Area
Tennis - 1 Space/3 Courts
Other - Case-by-Case

Sports assembly
1 Space/3 Seats

B. Developed Outdoor Recreation

Beach recreation
Case-by-Case

Boat launching facilities
Case-by-Case

Cross country skiing courses
1 Space/Full-time Employee; and
1 Space/2 Part-time Employees; and
1 Space/7 Skiers & Maximum Capacity

Developed campgrounds
1 Space/Full-time employee; and
1 Space/3 Part-time Employees; and
1 Space/Campsite or Cabin; and
1 Space/ 10 Campsites or Cabins (Guest Parking)

Golf courses
Driving Range - 1 Space/Full-time Employee; and
1 Space/Tee
Executive (Par 3) - 1 Space/Full-time Employee; and
40 Space/9 Holes
Other - 1 Space/Full-time Employee; and
1 Space/3 Part-time Employees; and
10 Spaces/Hole

Group facilities
1 Space/1,000 Park Area

Marinas
1 Space/Full-time employee; and
1 Space/3 Moorings or Slips
V. RECREATION (Continued)

B. Developed Outdoor Recreation (Continued)

Off road vehicle courses
Case-by-Case

Outdoor recreation concessions
Case-by-Case

Recreational vehicle park
1 Space/Full-time employee; and
1 Space/3 Part-time Employees; and
1 Space/RV Site; and
1 Space/10 RV Sites (Guest Parking)

Riding and hiking trails
Case-by-Case

Rural sports
Case-by-Case

Skiing facilities
1 Space/Full-time Employee; and
1 Space/2 Part-time Employees; and
1 Space/7 Skiers @ Maximum Capacity

Snow mobile courses
1 Space/Full-time Employee; and
1 Space/2 Part-time Employees; and
1 Space/7 Snowmobilers @ Maximum Capacity

Undeveloped campgrounds
Case-by-Case

Visitor information center
Case-by-Case

All Other Uses
Case-by-Case
CHAPTER 91 AIR QUALITY CONTROL

Change 91.3.B Wood Heaters: Wood heaters to be installed in the Region shall meet the requirements of this Subsection. Wood heaters shall meet the safety regulations established by applicable city, county and state codes.

Add 91.3.B (5) Coal: No coal, or coal-based product, shall be used as a fuel unless the sulfur content is less than 0.3 percent by weight as verified by independent test information.
MEMORANDUM

November 3, 1987

To: The Advisory Planning Commission

From: The Staff

Subject: APC Committee Lists

As promised at the October APC meeting, the staff has prepared an updated list of APC committees including their tasks and memberships. The list does not include members who are no longer on the APC.

The purpose of this agenda item is for the APC to help the Chairman review and update the list for committee assignments.

I. Active APC Committees

A. Recreation Committee - special committee which reviews issues related to the TRPA Recreation Element

Members
- Jon Hoefer
- Mike Harper
- John Renz
- Teri Jamin
- Bill Combs
  (some ex officio members)

B. Temporary Use Committee - special committee which reviews Chapter 7 (Temporary Uses, Structures and Activities)

Members
- Mike Van Wagenen
- Bev Bedard
- Ginger Huber
- John Renz
- Teri Jamin
  (numerous ex officio members)

GWB: jf
11/3/87

AGENDA ITEM V A.

31
C. Transportation/Air Quality Committee - standing committee which reviews transportation and air quality issues; currently assigned to review Chapter 24 (Driveways and Parking)

Members
Stan Hansen
Steve DeMello
Bev Bedard
John Glab
Lew Dodgion

II Inactive APC Committees

A. Land Use Committee - standing committee which reviews land use, zoning, development and related issues

Members
Bill Combs
Mike Harper
John Renz
Teri Jamin
Ginger Huber
Stan Hansen
Walt Sullivan

B. Resource Management Committee - standing committee which reviews resource, monitoring, water quality and related issues

Members
Jon Hoefer
Leo Poppoff
Lew Dodgion
Dick Pyle
Judy Unsicker

11/3/87
MEMORANDUM

November 3, 1987

To: The Advisory Planning Commission

From: The Staff

Subject: Status of Chapter 15 – Redevelopment

Progress is being made in preparing a draft of the redevelopment ordinance. Attached is the proposed TRPA schedule for processing the ordinance and related documents, which include:

1. Chapter 15
2. Chapter 15 EIS
3. South Lake Tahoe Redevelopment Plan
4. SLT Phase I Project and EIR.

This schedule represents an optimum schedule and may be adjusted. If you have any questions, please call Gordon Barrett at (702) 588-4547.
MEMORANDUM

November 3, 1987

To: The Advisory Planning Commission
From: The Staff
Subject: Status Report on the Scenic Package

Proposed Scenic Advisory Committee:

The staff have organized a Scenic Advisory Committee to oversee progress of the scenic resource management program (scenic package). The committee will begin meeting the week of November 16, 1987, and continue to meet at two-week intervals until approximately the end of February 1988. At this point, a draft package will be released.

The following elements are included in the scenic package:

1. Chapter 26 - Outdoor Advertising
2. Chapter 30 - Design Standards, amended to include Scenic Highway Corridors
3. Design Review Guidelines
4. Scenic Quality Restoration Program
5. Recreation Area Scenic Thresholds
6. Project Review Scenic Evaluation Methodology
7. Environmental Documentation

The committee is made up of local planners, business representatives and design professionals. By choosing a broad base of interests for this committee, staff hopes to gain broad public support for the package as it evolves.

The committee will work as a whole as it addresses Scenic Highway Corridors and the Scenic Restoration Program. At the beginning of 1988 the committee will then be split into two subcommittees. The Signs Subcommittee will address outdoor advertising while the Design Review Subcommittee will address Design Review Guidelines, Recreation Area Scenic Thresholds and Project Review Evaluation Methodology.
Memo to the APC
Scenic Package
November 3, 1987
Page Two

The staff is in the process of hiring a consultant/mentor to help direct progress of the package. The proposed consultant will also assist in preparation of the draft environmental document for the entire package.

Schedule: After the committee is finished in 1988, the draft environmental document will be released. Following the mandatory 60-day review period, it will be brought before the APC at the May 1988 regular meeting. Once approved by the APC, the package and environmental document will be forwarded to the Governing Board for final adoption in May or June, 1988.

Please contact Andrew Strain at (702) 588-4547 with any questions regarding this agenda item.

11/3/87

AGENDA ITEM V B. 2.
MEMORANDUM

November 4, 1987

To: Advisory Planning Commission

From: Agency Staff

Subject: Report on Status of Identification of Indicators and Time Schedules Pursuant to Chapter 32 (Regional Plan and Threshold Review), Code of Ordinances

Chapter 32 of the Code of Ordinances establishes a process to identify the means and time schedules for attaining and maintaining the environmental thresholds (and other applicable local, state, and federal standards) pursuant to the requirements of the Compact and the Goals and Policies. The process is a rigorous one, similar to the process TRPA is required to follow annually to document progress toward attainment of the federal carbon monoxide standard.

For each threshold (or applicable local, state, and federal standard) TRPA must identify a corresponding indicator, target attainment dates, interim targets and evaluation intervals, and applicable compliance measures and document the effectiveness and adequacy of the compliance measures.

The following is a brief summary of the provisions of Chapter 32:

32.3.A Indicators. TRPA shall identify indicators for each threshold, with appropriate measurement standards (i.e., units of measurement). The indicators may be regional or sub-regional.

32.3.B List. TRPA shall maintain a list of the indicators.

32.3.C Current Status. TRPA shall list the status of each indicator and, where reliable data are lacking, shall identify a program and timetable to provide reliable data.

32.3.E Additional Factors. TRPA shall identify and report on the status of additional factors (i.e., factors in addition to the listed indicators) which may be useful in evaluating threshold attainment and maintenance.

DZ
11/4/87

Agenda Item V.C.

37
32.4.A Target Dates. Within 120 days of the effective date of the Regional Plan, TRPA shall list each threshold or standard that is in attainment, and establish target dates for attainment of all other thresholds and standards.

32.4.B Interim Targets. At the same time it sets the target dates, TRPA shall identify major evaluation intervals correlated with interim targets, using the appropriate units of measurement.

32.5.A Compliance Measures. Within 120 days of the effective date of the Regional Plan, TRPA shall maintain a list for each threshold and standard of all the compliance measures actually being implemented to attain and maintain the standard.

32.5.B Effectiveness. The list developed in 32.5.A shall show how much, and at what rate, the compliance measure is contributing (and will contribute) to attainment or maintenance of the threshold or standard. This analysis must be consistent with the target dates in 32.4.A and 32.4.B.

32.5.D Adequacy. TRPA shall ensure the attainment and maintenance of thresholds and standards on the established target dates, taking growth into account, and considering the need for supplemental compliance measures where necessary.

32.6.A Supplemental Compliance Measures. In addition to the list in 32.5.A, TRPA shall maintain a list of additional compliance measures to implement as necessary to attain and maintain the thresholds and standards.

Since July 1987, TRPA has been using the list of indicators required in Code section 32.3.A to make the project approval findings required in Article V(g) of the Compact. This list of indicators is included in the attached matrix, along with identification of measurement standards (i.e., units of measurement), status of monitoring, status of attainment, and recommended evaluation interval.

Before TRPA is in full compliance with Chapter 32, it will be necessary for staff to present the necessary target dates, interim targets, and analysis of compliance measures to the APC and the Governing Board, and gain Governing Board approval in the form of a resolution. This action is now scheduled for the December 1987 Board meeting.

If you have any questions or comments on this agenda item, please contact Dave Ziegler at (702) 588-3296.
<table>
<thead>
<tr>
<th>Threshold/Standard</th>
<th>Indicator (Units)</th>
<th>Monitoring Status</th>
<th>Attainment Status</th>
<th>Recommended Evaluation Interval</th>
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</thead>
<tbody>
<tr>
<td><strong>Air Quality</strong></td>
<td></td>
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<tr>
<td>1. Carbon Monoxide (CO)</td>
<td>[CO], 8-hr avg. Stateline, CA Station (ppm)</td>
<td>ongoing-CARB</td>
<td>non-attainment</td>
<td>1 year</td>
</tr>
<tr>
<td>2. Ozone (O₃)</td>
<td>[O₃], 1-hr avg. Lk. Tahoe Blvd. Station (ppm)</td>
<td>ongoing-CARB</td>
<td>attainment</td>
<td>1 year</td>
</tr>
<tr>
<td>3. Particulate Matter (PM₁₀)</td>
<td>[PM₁₀], 24-hr avg. Lk. Tahoe Blvd. Station (ppm)</td>
<td>ongoing-CARB</td>
<td>non-attainment</td>
<td>1 year</td>
</tr>
<tr>
<td>4. Visibility</td>
<td>Visibility, regional path and sub-regional path (miles)</td>
<td>starting 1988</td>
<td>not known</td>
<td>1 year</td>
</tr>
<tr>
<td>5. Wood Smoke</td>
<td>Number of wood heaters, number of cords burned (unitless)</td>
<td>not programmed</td>
<td>non-attainment</td>
<td>1 year</td>
</tr>
<tr>
<td>6. VMT</td>
<td>Changes in numbers of trips; changes in avg. trip length</td>
<td>ongoing-Caltrans/NDOT/TRPA</td>
<td>non-attainment</td>
<td>1 year</td>
</tr>
<tr>
<td><strong>Water Quality</strong></td>
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</tr>
<tr>
<td>1. turbidity (shallow areas of Lake Tahoe)</td>
<td>turbidity at indicator stations (JTU)</td>
<td>not programmed</td>
<td>not known</td>
<td>5 years</td>
</tr>
<tr>
<td>2. clarity, winter (in-Lake)</td>
<td>Secchi depth, Dec-Mar avg., TRG index station (meters)</td>
<td>ongoing - TRG</td>
<td>non-attainment</td>
<td>5 years</td>
</tr>
<tr>
<td>Threshold/Standard</td>
<td>Indicator (Units)</td>
<td>Monitoring Status</td>
<td>Attainment Status</td>
<td>Recommended Evaluation Interval</td>
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<td>3. phytoplankton primary productivity (in-Lake)</td>
<td>phytoplankton PPR, ann. avg., TRG index station (gC/m²/yr)</td>
<td>ongoing - TRG</td>
<td>non-attainment</td>
<td>5 years</td>
</tr>
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<td>4. DIN load, surface runoff</td>
<td>[DIN] x discharge, annual total, tributary network (T/yr)</td>
<td>ongoing - TRG/USGS</td>
<td>non-attainment</td>
<td>5 years</td>
</tr>
<tr>
<td>5. DIN load, atmospheric</td>
<td>[NO₃] + [HNO₃], annual avg. Lake Tahoe Blvd. station (ppm)</td>
<td>starting 1988</td>
<td>non-attainment</td>
<td>1 year</td>
</tr>
<tr>
<td>6. nutrient loads, general</td>
<td>[sol. P] x discharge, [sol. Fe] x discharge, annual total, tributary network (T/yr)</td>
<td>ongoing - TRG/USGS</td>
<td>non-attainment</td>
<td>5 years</td>
</tr>
<tr>
<td>7. total N, P, Fe (tribs.) California only</td>
<td>any single tributary reading (ppm or mg/l)</td>
<td>ongoing (4 streams) expanding in 1987 - TRG/USGS/TRPA/LRWQCB</td>
<td>varies</td>
<td>1 year</td>
</tr>
<tr>
<td>8. DIN; sol. P; sol. Fe; SS (tribs.) Nevada only</td>
<td>any single tributary reading (ppm or mg/l)</td>
<td>ongoing SS (2 streams) expanding in 1987 - TRG/USGS/TRPA</td>
<td>varies</td>
<td>1 year</td>
</tr>
<tr>
<td>9. DIN; sol. P; sol. Fe; SS; grease/oil discharged to surface water from runoff</td>
<td>any single runoff reading (ppm or mg/l)</td>
<td>not programmed</td>
<td>varies</td>
<td>1 year</td>
</tr>
<tr>
<td>10. total N; total P; total Fe; turbidity; grease/oil discharged to groundwater from runoff</td>
<td>any single runoff reading (ppm or mg/l)</td>
<td>not programmed</td>
<td>varies</td>
<td>1 year</td>
</tr>
<tr>
<td>Threshold/Standard</td>
<td>Indicator (Units)</td>
<td>Monitoring Status</td>
<td>Attainment Status</td>
<td>Recommended Evaluation Interval</td>
</tr>
<tr>
<td>---------------------------</td>
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<tr>
<td><strong>Soil Conservation</strong></td>
<td></td>
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</tr>
<tr>
<td>1. impervious coverage</td>
<td>area of impervious coverage (acres)</td>
<td>starting 87/88-TRPA (by parcel no.)</td>
<td>varies</td>
<td>1 year</td>
</tr>
<tr>
<td>2. naturally-functioning SEZ</td>
<td>area of naturally-functioning SEZ (acres)</td>
<td>starting 87/88-TRPA (by parcel no.)</td>
<td>non-attainment</td>
<td>1 year</td>
</tr>
<tr>
<td><strong>Vegetation</strong></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>1. plant and structural diversity</td>
<td>plant and structural diversity (unitless)</td>
<td>ongoing - USFS/TRPA</td>
<td>non-attainment</td>
<td>5 years</td>
</tr>
<tr>
<td>2. meadow and riparian vegetation</td>
<td>area of meadow and riparian vegetation (acres)</td>
<td>ongoing - USFS/TRPA</td>
<td>non-attainment</td>
<td>1 year</td>
</tr>
<tr>
<td>3. deciduous riparian vegetation</td>
<td>area of deciduous riparian vegetation (acres)</td>
<td>ongoing - USFS/TRPA</td>
<td>non-attainment</td>
<td>1 year</td>
</tr>
<tr>
<td>4. shrub association</td>
<td>area of shrub association (acres)</td>
<td>ongoing - USFS/TRPA</td>
<td>attainment</td>
<td>5 years</td>
</tr>
<tr>
<td>5. yellow pine association - immature</td>
<td>area of immature yellow pine association (acres)</td>
<td>ongoing - USFS/TRPA</td>
<td>attainment</td>
<td>5 years</td>
</tr>
<tr>
<td>6. red fir association - immature</td>
<td>area of immature red fir association (acres)</td>
<td>ongoing - USFS/TRPA</td>
<td>attainment</td>
<td>5 years</td>
</tr>
<tr>
<td>7. forest openings</td>
<td>size (acres) and location of forest openings</td>
<td>case-by-case - USFS/TRPA</td>
<td>varies</td>
<td>1 year</td>
</tr>
<tr>
<td>Threshold/Standard</td>
<td>Indicator (Units)</td>
<td>Monitoring Status</td>
<td>Attainment Status</td>
<td>Recommended Evaluation Interval</td>
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<tr>
<td>8. uncommon plant communities</td>
<td>habitat sites of uncommon plant communities (unitless)</td>
<td>ongoing - USFS/TRPA</td>
<td>attainment</td>
<td>1 year</td>
</tr>
<tr>
<td>9. sensitive vegetation</td>
<td>number of habitat sites, sensitive vegetation (unitless)</td>
<td>ongoing - USFS/TRPA</td>
<td>attainment</td>
<td>1 year</td>
</tr>
</tbody>
</table>

**Wildlife**

| 1. special interest species | number of habitat sites, ongoing - USFS/TRPA                                    | attainment                          | 1 year                          |

**Fisheries**

<p>| 1. excellent stream habitat | excellent stream habitat (miles)                                                | starting 1988 - interagency program  | non-attainment                  | 1 year                          |
| 2. good stream habitat     | good stream habitat (miles)                                                     | starting 1988 - interagency program  | non-attainment                  | 1 year                          |
| 3. marginal stream habitat | marginal stream habitat (miles)                                                 | starting 1988 - interagency program  | attainment                      | 1 year                          |
| 4. instream flows          | instream flows (cfs)                                                            | case-by-case (also monitored on tributary network) | attainment                  | 1 year                          |
| 5. lake habitat            | area of excellent habitat (acres)                                               | starting 1988 - TRPA research effort  | non-attainment                  | 1 year                          |</p>
<table>
<thead>
<tr>
<th>Threshold/Standard</th>
<th>Indicator (Units)</th>
<th>Monitoring Status</th>
<th>Attainment Status</th>
<th>Recommended Evaluation Interval</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Noise</strong></td>
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<tr>
<td>1. single event</td>
<td></td>
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<tr>
<td>a. aircraft, daytime</td>
<td>LMAX at TRPA ref. points, any single reading (dBA)</td>
<td>ongoing - CSLT/TRPA</td>
<td>varies</td>
<td>1 year</td>
</tr>
<tr>
<td>b. aircraft, nighttime</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>2. single event</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>a. boats</td>
<td>LMAX at 50 ft., any single reading (dBA)</td>
<td>starting 1987 - TRPA</td>
<td>not known</td>
<td>1 year</td>
</tr>
<tr>
<td>b. motor vehicles</td>
<td></td>
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<tr>
<td>c. motorcycles</td>
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<tr>
<td>d. ORVs</td>
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<tr>
<td>e. snowmobiles</td>
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<tr>
<td><strong>Scenic Resources</strong></td>
<td></td>
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</tr>
<tr>
<td>1. travel route ratings</td>
<td>roadway and shoreline unit travel route ratings (unitless)</td>
<td>under development</td>
<td>non-attainment</td>
<td>2 years</td>
</tr>
<tr>
<td>2. scenic quality ratings</td>
<td>roadway and shoreline unit scenic quality ratings (unitless)</td>
<td>under development</td>
<td>non-attainment</td>
<td>2 years</td>
</tr>
<tr>
<td><strong>Recreation</strong></td>
<td></td>
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</tr>
<tr>
<td>1. preserve and enhance the high quality recreation experience</td>
<td>capacity for dispersed recreation (unitless)</td>
<td>ongoing - TRPA</td>
<td>non-attainment</td>
<td>2 years</td>
</tr>
<tr>
<td>2. establish a fair share of capacity for outdoor recreation available to the general public</td>
<td>public recreation</td>
<td>ongoing - TRPA</td>
<td>attainment</td>
<td>2 years</td>
</tr>
</tbody>
</table>

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MEMORANDUM

November 3, 1987

To: The Advisory Planning Commission
From: The Staff
Subject: Discussion on the Regional Transportation Plan Update and Regional Transportation Plan EIR/EIS

The draft TRPA Regional Transportation Plan and EIR/EIS began circulation Friday, October 30, 1987. The circulation period will be for a period of 60 days and will end on Tuesday, December 29, 1987. Comments on the draft documents will be accepted until the circulation closing date. Copies of the draft EIR/EIS were sent to the appropriate State Clearinghouses and to other federal, state and local agencies, as well as other interested parties.

Staff will present a status report on the Regional Transportation Plan and on the draft EIR/EIS at the November meeting of the APC. Copies of the draft EIR/EIS will be made available to members of the APC at the November meeting.

This item is for discussion only. No action is to be taken at this time. If you have any questions in regard to this agenda item, please contact Jim Brennan at (702) 588-3295.
MEMORANDUM

November 3, 1987

To: Advisory Planning Commission

From: Agency Staff

Subject: Status Report on Land Coverage Banking Program

At the September and October Governing Board meetings, the Board reviewed the report of the special task force on land coverage banking and received public testimony on the report. With respect to rehabilitation fee schedules, the staff will present its recommendation for your consideration at the December APC meeting. We expect to then present a recommendation to the Governing Board also in December.

The Board on October 29 also adopted a resolution (Resolution 87-25, attached) designating the California Tahoe Conservancy as a land coverage bank. This action of the Board parallels a recent action by the Tahoe Conservancy.

At the November 12 APC meeting, the staff will make a brief presentation on the status of the land coverage banking program, and answer questions from the Commissioners. If you have any questions on this agenda item, contact Dave Ziegler at (702) 588-4547.
WHEREAS Policy 3.D, Goal #3 of the Development and Implementation Priorities Subelement of the Goals and Policies states that TRPA, in cooperation with other agencies, shall establish a land coverage banking system; and

WHEREAS a Special Task Force was convened pursuant to Policy 2.D, Goal #3 of the Land Use Subelement of the Goals and Policies to analyze and report on costs and mechanisms involved in implementing a land coverage banking program; and

WHEREAS the Special Task Force met and considered the comments and recommendations of several knowledgeable individuals regarding the subject of land coverage banking; and

WHEREAS the members of the Special Task Force are persons of considerable experience and wisdom in fields relating to land coverage banking; and

WHEREAS, the Special Task Force has recommended the Tahoe Regional Planning Agency designate the California Tahoe Conservancy as the land coverage bank to serve the California side of the Lake Tahoe Region; and

WHEREAS the California Tahoe Conservancy, having been informed of the recommendation of the Special Task Force, has communicated a willingness to serve as a land coverage bank;

NOW, THEREFORE, BE IT RESOLVED that the TRPA Governing Board hereby designates the California Tahoe Conservancy as the land coverage bank for the California side of the Region, with the duties and authorities relating thereto to be set forth in a Memorandum of Understanding consistent with the Goals and Policies and approved by the Executive Director of the California Tahoe Conservancy and the Governing Board of the Tahoe Regional Planning Agency.

PASSED and ADOPTED this 29th day of October, 1987, by the Governing Board of the Tahoe Regional Planning Agency by the following vote:

Ayes: Mr. Houghteling, Mr. Sharp, Mr. Reed, Mr. Cefalu, Mr. Pruett, Ms. Roberts, Ms. Del Papa, Mr. Henrikson, Mr. Miller, Mr. Westergard, Mr. Gibbs

Nays: None

Abstain: None

Absent: Mr. Haagen, Ms. Cornwall, Mr. Hansen

[Signature] Chester A. Gibbs, Chairman
Tahoe Regional Planning Agency