TRPA
APC
PACKETS

APRIL
1993
TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION
NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the Advisory Planning Commission of the Tahoe Regional Planning Agency will conduct its regular meeting at 9:30 a.m. on Wednesday, April 14, 1993, at the North Tahoe Conference Center, 8318 North Lake Boulevard, Kings Beach, California. The agenda for said meeting is attached hereto and made a part of this notice.

April 5, 1993

By: [Signature]
David S. Ziegler
Executive Director
TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

North Tahoe Conference Center
8318 North Lake Boulevard
Kings Beach, California

April 14, 1993
9:30 a.m.

All items on this agenda are action items unless otherwise noted.

AGENDA

I. CALL TO ORDER AND DETERMINATION OF QUORUM

II. APPROVAL OF AGENDA

III. DISPOSITION OF MINUTES

IV. PUBLIC HEARING AND RECOMMENDATIONS

A. Amendment of Plan Area Statement 114, Bonanza, to Add a Special Area #3 in which the Six Parcels Bordered by "H" Street on the South, Bonanza on the West, and "G" Street on the North Are Eligible for Multi-Family Dwellings as a Special Use, City of South Lake Tahoe

B. Amendment of Plan Area Statement 114, Bonanza, to Add a Special Area #3 in which the Eight Parcels Southwest and Adjacent to Julie Lane and South of "D" Street Are Eligible for Multi-Family Dwellings as a Special Use, City of South Lake Tahoe

C. Amendment of Plan Area Statement 111, Tahoe Island, to Modify Special Area #2 to Allow Professional Buildings as a Special Use

D. Amendment of Chapter 37, Individual Parcel Evaluation System, Relative to SEZ Indicators

V. REPORTS

A. Executive Director

B. Legal Counsel

C. APC Members

D. Public Interest Comments

VI. PENDING MATTERS

VII. RESOLUTIONS

A. For Outgoing APC Member Ed Crowley

VIII. ADJOURNMENT
MEMORANDUM

March 24, 1993

To: Advisory Planning Committee

From: TRPA Staff

Subject: Amendment of the Plan Area Statement Map 114 (Bonanza)

Proposed Action: The proposed amendment is a modification to the plan area statement and map for Plan Area 114, Bonanza. This proposed amendment would create a Special Area #3 in which the 6 parcels bordered by "H" Street on the South, Bonanza on the West and "G" Street on the North would be eligible for multi-family dwellings as a special use. Within Special Area #3, the proposed maximum density allowed for multiple family dwellings is 8 units per acre.

Recommendation: Staff recommends approval of the proposed plan area amendment.

Background: The applicant, John Graham, proposes to amend the FAS 114 map to add a Special Area #3 which would allow multiple family dwellings as a special use within the boundaries of this new special area. The proposed maximum density allowed is to be 8 units per acre.

Under the current Plan Area Statement, single family dwellings are the only allowed residential use outside of special areas #1 and #2. Currently the City of South Lake Tahoe's zoning along Bonanza Avenue is HDR (High Density Residential) and allows multifamily dwellings.

TRPA received a letter March 2, 1993 stating that the City of South Lake Tahoe planning staff fully supports this amendment. In addition the applicant was issued two allocations in 1991 that he would like to transfer to his parcel, 32-171-07. The City’s planning staff supports the transfer and will require that the construction of the duplex commence prior to July 1, 1993.

3/24/93
Findings: Prior to amending the plan area statement, TRPA must make certain findings.

Chapter 6 Findings

1. Finding: The project will not cause the environmental thresholds to be exceeded.

Rationale: The proposed plan area statement map amendment would incorporate the 6 parcels bounded by Bonanza Avenue to the west, G Street to the north, and H Street to the south into a Special Area #3. This new special area would allow multiple family dwellings as a special use. Special Area #3 is proposed with a maximum density of 8 units per acre. The applicant has worked out some preliminary design estimates indicating a maximum of approximately 6 units per acre which could be proposed in order to accommodate access, vehicle turnarounds, guest and resident parking, and construction of units generally conforming to the size and character of moderate income housing units. At 6 units per acre with 6 to 10 new multiple family units being built, a total of 94-159 vehicle miles traveled (VMT) is anticipated. This is .005 to .01 percent of the 1987 base of approximately 1,813,000 VMT.

The parcels to be included in Special Area #3 are all mapped high capability lands. Scenic Roadway Unit 36 is located within this plan area and has a travel route rating of 15 which is not in attainment. Because these 6 parcels are not adjacent to U.S. Highway 50, nor will any improvements be seen from the U.S. Highway 50 corridor, this amendment will have no adverse impact on the travel route rating.

2. Finding: Wherever federal, state, and local air and water quality standards applicable to the Region, whichever are stricter, must be attained and maintained pursuant to Article V(d) of the Compact, the project meets or exceeds such standards.

Rationale: This plan area map amendment will have no impact on water quality or air quality. However, any future projects that proposed as a consequence of this amendment must meet all requirements of the TRPA Code of Ordinances which include air and water quality standards.

3. Finding: That the Regional Plan, as amended, achieves and maintains the thresholds.

Rationale: See Findings 1 and 2 above.
Requested Action: The TRPA staff recommends that the Advisory Planning Commission recommend approval of the proposed plan area statement and map amendment to the Governing Board.

If you have any questions or comments regarding this agenda item, please contact Coleen Shade at (702) 588-4547.
PLAN DESIGNATION:

Land Use Classification: RESIDENTIAL
Management Strategy: MITIGATION
Special Designation: SCENIC RESTORATION AREA
TDR RECEIVING AREA FOR:

1. Multi-Residential Units

MULTI-RESIDENTIAL INCENTIVE PROGRAM
(Special Area # 1)

DESCRIPTION:

Location: This 192 acre Plan Area is located adjacent to the South Tahoe "Y" and is located on TRPA maps F-19 and G-19.

Existing Uses: This Plan Area contains primarily residential uses including single family residences, apartments and a large trailer park. There is also some commercial use. The area is 80 percent built out.

Existing Environment: This area is covered with a mixed-age stand of pine trees and varying understory vegetation. There is one large SEZ which traverses the area and which includes 76 undeveloped residential lots. The area is 40 percent SEZ, 55 percent low hazard, and five percent moderate or high hazard. The land coverage is 30 percent plus an additional 30 percent disturbed.

PLANNING STATEMENT: This Plan Area should continue to develop as a residential area, maintaining the existing character of the neighborhood.

PLANNING CONSIDERATIONS:

1. The large SEZ in this area may represent a constraint on additional development depending on the extent of modification.

2. The SEZ drainage is extensively disturbed.

3. Periodic flooding occurs in the SEZ drainage area.

4. There is a significant lack of adequate drainage improvements on existing developed properties and roads.

5. The Highway 50 corridor in this Plan Area is in need of restoration. The Agency, in coordination with Caltrans, should develop a mutually-acceptable restoration plan to be implemented by Caltrans.

SPECIAL POLICIES:

1. The upper Bonanza area is characterized by high erosion. A revegetation program in this area would
help reduce the problem

2. Special Area # 1, bisected by Highway 50/89, is a transitional area of mixed. The entire area within this special area should be limited to uses compatible with scenic restoration, the intensity of Highway 50/89 and the background residential areas.

**PERMISSIBLE USES:** Pursuant to Chapter 18 PERMISSIBLE USES and if applicable, Chapter 51 PERMISSIBLE USES AND ACCESSORY STRUCTURES IN THE SHOREZONE AND LAKEZONE, the following primary uses may be permitted within all or a portion of the Plan Area. The list indicates if the use is allowed (A) or must be considered under the provisions for a special use (S). Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited within this Plan Area.

**General List:** The following list of permissible uses is applicable throughout the Plan Area (except as noted in a special areas #1, #2 and #3).

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Single family dwelling (A).</td>
</tr>
<tr>
<td>Public Service</td>
<td>Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), churches (S), and day care centers/pre-schools (S).</td>
</tr>
<tr>
<td>Recreation</td>
<td>Participant sports facilities (S), day use areas (A), and riding and hiking trails (A).</td>
</tr>
<tr>
<td>Resource Management</td>
<td>Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).</td>
</tr>
</tbody>
</table>

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

All the uses listed on the General List plus the following additions:

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Nursing and personal care(A), mobile home dwelling (S), residential care (A), and multiple family dwellings (A)</td>
</tr>
<tr>
<td>Tourist Accommodation</td>
<td>Bed and breakfast facilities (S) and hotel, motels and other transient dwellings (S).</td>
</tr>
<tr>
<td>Commercial</td>
<td>Nursery (S), professional offices (S), and schools - business and vocational (S).</td>
</tr>
</tbody>
</table>
| Public Services        | Cultural facilities (S), government offices (S), social service organizations (S), membership organizations (S), publicly owned assembly and entertainment facilities (S), local assem-

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PAS 080 -- KINGSBURY DRAINAGE
Page 2

7
**Special Area #2:** The following list of permissible uses is applicable to Special Area #2.

All the uses listed on the General List plus the following additions:

- **Residential**
  - Multiple family dwellings (S) and mobile home dwellings (A).
- **Tourist Accommodation**
  - Bed and breakfast facilities (S).

**Special Area #3:** The following list of permissible uses is applicable to Special Area #3.

All the uses listed on the General List plus the following addition:

- **Residential**
  - Multiple-family dwellings (S)

**MAXIMUM DENSITIES:** Pursuant to Chapter 21 DENSITY, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Multiple Family Dwellings</td>
<td>10 units per acre</td>
</tr>
<tr>
<td><strong>Special Area #1 &amp; #2</strong></td>
<td>15 units per acre</td>
</tr>
<tr>
<td><strong>Special Area #3</strong></td>
<td>8 units per acre</td>
</tr>
<tr>
<td>Nursing and Personal Care</td>
<td>25 persons per acre</td>
</tr>
<tr>
<td>Residential Care</td>
<td>25 persons per acre</td>
</tr>
<tr>
<td>Mobile Home Dwellings</td>
<td>8 units per acre</td>
</tr>
<tr>
<td><strong>Tourist Accommodation</strong></td>
<td></td>
</tr>
<tr>
<td>Bed and Breakfast Facilities</td>
<td>10 units per acre</td>
</tr>
<tr>
<td>Hotel, Motel and Other</td>
<td></td>
</tr>
<tr>
<td>Transient Dwellings</td>
<td>40 units per acre</td>
</tr>
</tbody>
</table>

**RESIDENTIAL BONUS UNITS:** Pursuant to Chapter 35, the maximum number of residential bonus units for Special Area #2 which may be permitted for this Plan Area is 50 units.

**MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL:** The maximum community noise equivalent level for this Plan Area is 50 CNEL. The maximum community noise equivalent level for the Highway 50 corridor is 65 CNEL.

**ADDITIONAL DEVELOPED OUTDOOR RECREATION:** The following are the targets and limits for additional...
developed outdoor recreation facilities specified in Chapter 13 to be located within this Plan Area. Specific projects and their timing are addressed in the TRPA Five-Year Recreation Program pursuant to Chapter 33 Allocation of Development. The following additional capacities allowed are measured in persons at one time.

**SUMMER DAY USES 0 PAOT**  **WINTER DAY USES 0 PAOT**  **OVERNIGHT USES 0 PAOT**

**IMPROVEMENT PROGRAMS:** The capital improvement and other improvement programs required by the Regional Goals and Policies Plan for this area shall be implemented. The improvements include, but are not limited to, the following:

1. Improvements required by the *Volume III of the Surface Water Quality Management Plan as shown on Figure VIII-1 through 18 of Volume 1 of the 20X Water Quality Plan.*

2. The highway and transit improvements indicated in the Transportation Element of the Regional Goals and Policies Plan.

3. Stream zone restoration as indicated in *Volume III of the Water Quality Management Plan—the Stream Environment Zone Restoration Program.* (To be completed.)

4. The scenic restoration and landscaping improvements indicated in the Scenic Quality Implementation Program for the Highway 50 and 89 corridors. (To be completed.)
MEMORANDUM

March 24, 1993

To: Advisory Planning Committee

From: TRPA Staff

Subject: Amendment of the Plan Area Statement Map 114 (Bonanza)

Proposed Action: The proposed amendment is a modification to the Plan Area Statement and Map for Plan Area 114, Bonanza. This proposed amendment would create a Special Area #3 in which the 8 parcels southwest and adjacent to Julie Lane, and south of D Street, could be eligible for multiple family dwellings as a Special Use. Within Special Area #3, the proposed maximum density allowed for multiple family dwellings is 8 units per acre.

Recommendation: Staff recommends approval of the proposed Plan Area amendment.

Background: The applicant, Robert McIntyre, proposes to amend the PAS 114 map to add a Special Area #3 which would allow multiple family dwellings as a special use within the boundaries of this new special area. The proposed maximum density allowed is to be 8 units per acre.

Under the current Plan Area Statement, single family dwellings are the only allowed residential use outside of special areas #1 and #2. Currently, the City of South Lake Tahoe’s zoning for the subject parcel is HDR (High Density Residential) and allows multi-family dwellings.

Findings: Prior to amending the Plan Area Statement, TRPA must make certain findings.

Chapter 6 Findings

1. Finding: The project will not cause the environmental thresholds to be exceeded.

Rationale: The proposed Plan Area Statement map amendment would incorporate the 8 parcels southwest and adjacent to Julie Lane, and south of "D" Street, into a Special Area #3. This new special area will allow multiple family
dwellings as a special use. Special Area #3 is proposed with a maximum density of 8 units per acre.

Four of the eight lots are mapped as land capability class 1b (stream environment zone). One lot is mapped as land capability class 1a, and the remaining lots are mapped either land capability class 5 or 7. Allowing 8 units per acre, the permissible density for the high capability parcels will be a total of 12 residential units.

To construct multiple family dwellings on the subject parcels, it will be necessary to transfer development rights to these properties. The development rights will most likely come from non-buildable single family dwelling parcels. The trip rates for a single family use is equal to 10 daily vehicle trip ends per unit (DVTE) or 120 DVTE for the total number of units to be transferred. The DVTE rate for multiple family dwellings is 6.1, which equates to 73.2 DVTE for the possible 12 multiple family units. Thus, the proposed amendment may result in a reduction of 47 DVTE.

Scenic Roadway Unit 36 is located within this plan area and has a travel route rating of 15 which is not in attainment. Because these 8 parcels are not adjacent to U.S. Highway 50, nor will any improvements be seen from the Highway 50 corridor, this amendment will not have an adverse impact on the travel route rating.

2. Finding: Wherever federal, state, and local air and water quality standards applicable to the Region, whichever are stricter, must be attained and maintained pursuant to Article V(d) of the Compact, the project meets or exceeds such standards.

Rationale: This plan area map amendment will have no impact on water quality or air quality. However, projects that are proposed as a consequence of this amendment must meet all requirements of the TRPA Code of Ordinances which include air and water quality standards.

3. Finding: That the Regional Plan, as amended, achieves and maintains the thresholds.

Rationale: See Findings 1 and 2 above.

Requested Action: TRPA staff recommends that the Advisory Planning Commission recommend approval of the proposed plan area statement and map amendment to the Governing Board.

If you have any questions or comments regarding this agenda item, please contact Jim Lawrence at (702) 588-4547.
114 -- BONANZA

PLAN DESIGNATION:

Land Use Classification  RESIDENTIAL

Management Strategy     MITIGATION

Special Designation      SCENIC RESTORATION AREA

TDR RECEIVING AREA FOR:

1. Multi-Residential Units

MULTI-RESIDENTIAL INCENTIVE PROGRAM
(Special Area # 1)

DESCRIPTION:

Location: This 192 acre Plan Area is located adjacent to the South Tahoe “Y” and is located on TRPA maps F-19 and G-19.

Existing Uses: This Plan Area contains primarily residential uses including single family residences, apartments and a large trailer park. There is also some commercial use. The area is 80 percent built out.

Existing Environment: This area is covered with a mixed-age stand of pine trees and varying understory vegetation. There is one large SEZ which traverses the area and which includes 76 undeveloped residential lots. The area is 40 percent SEZ, 55 percent low hazard, and five percent moderate or high hazard. The land coverage is 30 percent plus an additional 30 percent disturbed.

PLANNING STATEMENT: This Plan Area should continue to develop as a residential area, maintaining the existing character of the neighborhood.

PLANNING CONSIDERATIONS:

1. The large SEZ in this area may represent a constraint on additional development depending on the extent of modification.

2. The SEZ drainage is extensively disturbed.

3. Periodic flooding occurs in the SEZ drainage area.

4. There is a significant lack of adequate drainage improvements on existing developed properties and roads.

5. The Highway 50 corridor in this Plan Area is in need of restoration. The Agency, in coordination with Caltrans, should develop a mutually-acceptable restoration plan to be implemented by Caltrans.

SPECIAL POLICIES:

1. The upper Bonanza area is characterized by high erosion. A revegetation program in this area would
help reduce the problem

2. Special Area #1, bisected by Highway 50/89, is a transitional area of mixed. The entire area within this special area should be limited to uses compatible with scenic restoration, the intensity of Highway 50/89 and the background residential areas.

PERMISSIBLE USES: Pursuant to Chapter 18 PERMISSIBLE USES and if applicable, Chapter 51 PERMISSIBLE USES AND ACCESSORY STRUCTURES IN THE SHOREZONE AND LAKEZONE, the following primary uses may be permitted within all or a portion of the Plan Area. The list indicates if the use is allowed (A) or must be considered under the provisions for a special use (S). Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited within this Plan Area.

General List: The following list of permissible uses is applicable throughout the Plan Area (except as noted in a special areas #1, #2 and #3).

Residential
- Single family dwelling (A).

Public Service
- Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), churches (S), and day care centers/ preschools (S).

Recreation
- Participant sports facilities (S), day use areas (A), and riding and hiking trails (A).

Resource Management
- Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

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

All the uses listed on the General List plus the following additions:

Residential
- Nursing and personal care(A), mobile home dwelling (S), residential care (A), and multiple family dwellings (A)

Tourist Accommodation
- Bed and breakfast facilities (S) and hotel, motels and other transient dwellings (S).

Commercial
- Nursery (S), professional offices (S), and schools - business and vocational (S).

Public Services
- Cultural facilities (S), government offices (S), social service organizations (S), membership organizations (S), publicly owned assembly and entertainment facilities (S), local assem-
Special Area #2: The following list of permissible uses is applicable to Special Area #2.

All the uses listed on the General List plus the following additions:

- Residential: Multiple family dwellings (S) and mobile home dwellings (A).
- Tourist Accommodation: Bed and breakfast facilities (S).

Special Area #3: The following list of permissible uses is applicable to Special Area #3.

All the uses listed on the General List plus the following addition:

- Residential: Multiple-family dwellings (S)

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

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RESIDENTIAL BONUS UNITS: Pursuant to Chapter 35, the maximum number of residential bonus units for Special Area #2 which may be permitted for this Plan Area is 50 units.

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL. The maximum community noise equivalent level for the Highway 50 corridor is 65 CNEL.

ADDITIONAL DEVELOPED OUTDOOR RECREATION: The following are the targets and limits for additional
developed outdoor recreation facilities specified in Chapter 13 to be located within this Plan Area. Specific projects and their timing are addressed in the TRPA Five-Year Recreation Program pursuant to Chapter 33 Allocation of Development. The following additional capacities allowed are measured in persons at one time.

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan for this area shall be implemented. The improvements include, but are not limited to, the following:

1. Improvements required by the Volume III of the Surface Water Quality Management Plan as shown on Figure VIII-1 through 13 of Volume 1 of the 208 Water Quality Plan.

2. The highway and transit improvements indicated in the Transportation Element of the Regional Goals and Policies Plan.

3. Stream zone restoration as indicated in Volume III of the Water Quality Management Plan—the Stream Environment Zone Restoration Program. (To be completed.)

4. The scenic restoration and landscaping improvements indicated in the Scenic Quality Implementation Program for the Highway 50 and 89 corridors. (To be completed.)
March 24, 1993

To: Advisory Planning Committee

From: TRPA Staff

Subject: Amendment of the Plan Area Statement 111 (Tahoe Island)

Proposed Action: The proposed amendment is a modification to the Plan Area Statement 111, Tahoe Island. This proposed amendment would modify Special Area #2 in this plan area by adding a commercial use to the list of permissible uses. This proposed amendment would add professional offices to the list as a special use on only those parcels within Special Area #2 that are adjacent to Tahoe Keys Boulevard.

Recommendation: Staff recommends approval of the proposed plan area amendment.

Background: The applicant, Laurence Cosper, proposes to amend PAS 111, Tahoe Island, to add professional offices as a special use to the permissible use list in Special Area #2. Currently Special Area #2 allows no commercial uses. The applicant owns parcels 23-221-17 and 18 locate at the southeast corner of Tahoe Keys Boulevard and Eloise Avenue.

The applicant has represented that Residential uses on his property are not feasible due to the high traffic volume that currently exists on Tahoe Keys Boulevard and from the neighborhood postal center that is located across the street. The applicant also has represented that the high level of vehicle traffic would make any residential units incompatible with the higher than normal noise levels, glare from vehicle headlights and safety concerns associated with children living and playing in close proximity to a busy intersection.

The two subject parcels have commercial uses to the west, southwest, south and southeast, a public service use to the northwest, a residential use to the east and vacant residential land to the northeast. There is an established commercial use on parcel 18 (Law office), and parcel 17 is vacant.

The subject parcels have a mapped land capability of 7, allowing for 30% coverage on each parcel. There is sufficient allowable land coverage to provide adequate parking.

3/24/93
Findings: Prior to amending the plan area statement, TRPA must make certain findings.

Chapter 6 Findings

1. Finding: The project will not cause the environmental thresholds to be exceeded.

   Rationale: The proposed Plan Area Statement map amendment would modify Special Area #2 in Plan Area 111, Tahoe Island, by adding Professional Offices to the list of permissible uses as a special use. A special policy will be added that states that only those parcels within Special Area #2 and adjacent to Tahoe Keys Boulevard are eligible. This amendment really only affects 4 parcels. One of these parcels currently has a law office on it (which does not comply with the current PAS), another has a post office, the third is a planned unit development, and the forth is vacant.

   The applicant’s parcels are mapped 100% class 7 land capability which would allow 30% impervious land coverage on each parcel. The information provided to TRPA indicates there is approximately 6552 square feet of allowable land coverage on the vacant parcel.

   The applicant has provided TRPA with a vehicle trip analysis for a professional office of 3000 square feet (approximately 1600 square foot footprint). Based on this size of office building, there is a potential for 71.5 to 298.1 additional VMT. The proposed modification to Special Area #2, adding a permissible commercial use, could result in 8.8 to 235.4 additional VMT over what could potentially be developed there today. The higher estimate is .01 percent of the regional estimate of 1,813,000 VMT.

2. Finding: Wherever federal, state, and local air and water quality standards applicable to the Region, whichever are stricter, must be attained and maintained pursuant to Article V(d) of the Compact, the project meets or exceeds such standards.

   Rationale: This plan area amendment will have no impact on water quality or air quality. However, any projects that are proposed as a consequence of this amendment must meet all requirements of the TRPA Code of Ordinances which include air and water quality standards.
3. **Finding:** That the Regional Plan, as amended, achieves and maintains the thresholds.

**Rationale:** See Findings 1 and 2 above.

**Requested Action:** The TRPA staff recommends that the Advisory Planning Commission recommend approval of the proposed plan area statement and Map amendment to the Governing Board.

If you have any questions or comments regarding this agenda item, please contact Coleen Shade at (702) 588-4547.
111 -- TAHOE ISLAND

PLAN DESIGNATION:
- Land Use Classification: RESIDENTIAL
- Management Strategy: MITIGATION
- Special Designation: SCENIC RESTORATION
- PREFERRED AFFORDABLE HOUSING AREA
- MULTI-RESIDENTIAL INCENTIVE PROGRAM

DESCRIPTION:

Location: This Plan Area is located north of the South Tahoe "Y" and south of the Tahoe Keys and is depicted on TRPA maps G18 and F-18.

Existing Uses: The predominant use of this area is residential although non residential development includes motels, restaurants, and heavy equipment and storage area. The area is approximately 70 percent built out. Residential density is primarily one single family dwelling per parcel although some high densities are associated with duplexes, apartment buildings, and a planned unit development. Three Tahoe Keys Property Owners Association (TKPOA) single family dwelling subdivisions and TKPOA's water treatment facility are located within this area.

Existing Environment: Nearly half of this area (250 acres) is classified as SEZ. Substantial portions of the area classified as SEZ have been disturbed by existing development. Undeveloped lots within the SEZ total 322. The balance of the area is low hazard land with 238 undeveloped lots remaining. Over half of the planning area is disturbed with hard and soft coverage. Vegetation consists of fir, lodgepole pine, willow, and marsh grasses. Two TKPOA subdivisions in this area have been reclassified as man-modified.

PLANNING STATEMENT: This area should continue to be residential, maintaining the exiting character of the neighborhood.

PLANNING CONSIDERATIONS:

1. There is an excess of land coverage and disturbance within the SEZ.
2. Portions of the area are subject to flooding.
3. This area contains a site reserved for possible affordable housing.
4. Additional fire hydrants and water system improvements are needed in this area.
5. This area is the location of Tahoe Valley ball field and Tallac Park (20 acres).
6. Thresholds require the scenic restoration of the Highway 89 corridor.

SPECIAL POLICIES:

1. Drainage problems on developed parcels should be remedied.
2. Restoration of disturbed SEZ and reduction of soft coverage have high priority.

3. Redevelopment is encouraged along Highway 89 consistent with a City of South Lake Tahoe redevelopment plan. Noncommercial and tourist accommodation uses permitted in this area should be located on Highway 89.

4. Expansion of the Tahoe Valley ball field and Tallac Park may be permitted, consistent with a TRPA-approved master plan, which specifies the PAOT capacity of the improvements.

5. A senior citizen affordable housing project of up to 80 units may be permitted to be developed on a six-acre parcel optioned to the City in this area. The option must be exercised by the City prior to 1987 or the land reverts to Dillingham for any use authorized by law.

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

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

8. Professional offices are a special use in Special Area #2 adjacent to Tahoe Keys Boulevard only.

PERMISSIBLE USES: Pursuant to Chapter 18 PERMISSIBLE USES and if applicable, Chapter 51 PERMISSIBLE USES AND ACCESSORY STRUCTURES IN THE SHOREZONE AND LAKEZONE, the following primary uses may be permitted within all or a portion of the Plan Area. The list indicates if the use is allowed (A) or must be considered under the provisions for a special use (S). Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited within this Plan Area.

**General List:** The following list of permissible uses is applicable throughout the Plan Area (except as noted in Special Areas #1 and #2):

- **Residential**
  - Single family dwelling (A).

- **Public Service**
  - Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), churches (S), schools-kindergarten through secondary (A), and day care centers/pre-schools (S).

- **Recreation**
  - Participant sports facilities (S), day use areas (A), and riding and hiking trails (A).

- **Resource Management**
  - Reforestation (A), sanitation salvage cut (A), Management special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

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

All the uses listed on the General List plus the following additions:

- **Residential**
  - Multiple family dwellings (A).

- **Tourist Accommodation**
  - Hotel, motel and other transient dwelling units accommodations (S) and bed and breakfast facilities (S).

PAS 111 -- TAHOE ISLAND
Page 2
Commercial

Eating and drinking places (A), food and beverage retail sales (S), nursery (S), and outdoor retail sales (S).

Recreation

Outdoor recreation concessions (S).

Special Area #2: The following list of permissible uses is applicable in Special Area #2.

All the uses listed on the General List plus the following additions:

Residential

Multiple family dwellings (A), nursing and personal care (S), and residential care (S).

Commercial

Professional offices (S).

Tourist Accommodation

Bed and breakfast facilities (S).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwellings</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Multiple Family Dwellings</td>
<td>8 units per acre</td>
</tr>
<tr>
<td>Nursing and Personal Care</td>
<td>25 persons per acre</td>
</tr>
<tr>
<td>Residential Care</td>
<td>25 persons per acre</td>
</tr>
<tr>
<td>Tourist Accommodation</td>
<td></td>
</tr>
<tr>
<td>Hotel, Motel and Other</td>
<td></td>
</tr>
<tr>
<td>with less than 10% of units with kitchens</td>
<td>40 units per acre</td>
</tr>
<tr>
<td>with 10% or more units with kitchens</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>Bed and Breakfast Facilities</td>
<td>10 units per acre</td>
</tr>
</tbody>
</table>

RESIDENTIAL BONUS UNITS: Pursuant to Chapter 35, the maximum number of residential bonus units which may be permitted for this Plan Area is 80 units.

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area, including the Highway 89 corridor is 55 CNEL.

ADDITIONAL DEVELOPED OUTDOOR RECREATION: The following are the targets and limits for additional developed outdoor recreation facilities specified in Chapter 13 to be located within this Plan Area. Specific projects and their timing are addressed in the TRPA Five-Year Recreation Program pursuant to Chapter 33 Allocation of Development. The following additional capacities allowed are measured in persons at one time.
SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan for this area shall be implemented. The improvements include, but are not limited to, the following:

1. Improvements required by Volume III of the Surface Quality Water Management Plan, as shown on Figure VIII.1 through 18 of Volume I of the 208 Water Quality Plan.

2. The highway and transit improvements indicated in the Transportation Element of the Regional Goals and Policies Plan.

3. Stream zone restoration as indicated in Volume III of the Water Quality Management Plan, the Stream Environment Zone Restoration Program. (To be completed.)

4. The scenic restoration and landscaping improvements indicated in the Scenic Quality Implementation Program for the Highway 89 corridor. (To be completed.)
MEMORANDUM

April 2, 1993

To: Advisory Planning Commission

From: TRPA Staff

Subject: Amendments of Chapter 37 (IPES) of the Code of Ordinances Relative to Clarification of Secondary Indicators And Disturbed Sites For The Stream Environment Zones

Proposed Action: To amend Chapter 37 of TRPA's Code of Ordinances as set forth below.

Recommendation: Staff recommends that the Advisory Planning Commission conduct a public hearing and, if appropriate, recommend adoption of the proposed Code of Ordinance amendments to the Governing Board.

Background: TRPA staff has brought these amendments along with ancillary revisions to Chapter 2 before the APC and Governing Board in November of 1992. The APC recommended approval of the changes to the Governing Board. The Governing Board continued the item, because of concerns raised by some of the public, and directed staff to conduct a public meeting where comment could be received and discussed by TRPA's advisory committee and staff. Such a meeting was held on March 3, 1993. Staff made some changes to the amendment language and decided to bring it back before the APC. Staff will be prepared to address questions, regarding the impact of the amendments and the significance of not adopting them, at the APC Hearing.

TRPA staff had identified a technical problem in the criteria for identifying stream environment zones (SEZs), primarily with respect to the secondary SEZ indicators. The specific language in these criteria include (1) the use of the term "alluvial soil type"; (2) the terminology used to describe evidence within the soil profile of a high water table; and (3) language that prevents soils which do not fit one of the named map units in the Tahoe Basin Soil Survey, but have groundwater or evidence of groundwater between 20 and 40 inches and SEZ vegetation, from meeting the soils criteria for a secondary SEZ. Because these soils do not adequately fit the profile description of the named secondary "alluvial soil" map units (i.e. Lo, Cr, or Co), they cannot meet this criteria. Additional changes relate to the need to clarify identification procedures for disturbed SEZs.

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4/2/93

AGENDA ITEM IV.D.

Planning for the Protection of our Lake and Land

26
Memorandum to Advisory Planning Commission
Amendment of Chapter 37 Relative to
SEZ Soil Criteria Language -- Page 2

The Code of Ordinances employs, incorrectly, the terminology "alluvial soil types" to identify soils which owe their major characteristics to the presence of surface and subsurface water. The correct definition of alluvial soil types are those soils which were formed by the process of deposition by flowing water. Of the 16 soil map units identified as alluvial soils in the Tahoe Basin Area Soil Survey (Rodgers, 1974), only six are principally influenced by the presence of surface water or subsurface water within 40 inches of the surface.

The proposed amendments to the Chapter 37 SEZ criteria were formulated with the assistance of a committee of 17 people, including private consultants in hydrology and wetland delineation, representatives from state agencies, employees of several federal agencies directly responsible for developing and applying the U.S. Federal Wetland Criteria, and TRPA staff. Together this group has an extensive level of expertise and experience in wetlands related matters.

The Committee reviewed the language of the SEZ criteria in Chapter 37 in a series of four meetings held between the spring and fall of 1992, including two field trips to examine the SEZ delineation problems and the usefulness of the proposed amendments to the criteria. In March of 1993 a public meeting was held to hear and discuss public comments on the amendments.

Upon adoption of these recommended Code amendments by the Governing Board, staff will propose corresponding amendments to the Water Quality Management Plan ("208 Plan"). Since the proposed Code amendments clarify current interpretation and improve the application of criteria on all lands which exhibit SEZ characteristics, TRPA can implement them immediately without waiting for 208 Plan amendments to take effect.

The proposed Code amendments below, show added language as underlined (included are terms currently underlined) and deleted language as overstricken.

Amend the Code of Ordinances, Chapter 37 as shown below:

37.3.A Purpose: One of TRPA’s primary goals is to improve the water quality of Lake Tahoe, and Stream Environment Zones (SEZs) are critical components of the sensitive Tahoe landscape because they protect water quality by providing natural treatment and conveyance of surface runoff. Disturbance of and encroachment into SEZs reduces their capacity to filter sediments and nutrients transported by surface waters. As such, TRPA protects SEZs from disturbance and has adopted identification criteria that differs from the Federal Wetlands Criteria. Similarly, TRPA’s delineation methodology uses hydrology, soils, and vegetation. Other important benefits provided by SEZ protection include maintenance of flood flow capacity, fish and wildlife habitat, and open space buffers.

4/02/93

AGENDA ITEM IV.D.
37.3 RIA  Definitions  The definitions are as follows:

(1) **R2Y**  Confined - Stream types classified under major categories A and B, and stream type C2, as defined in the report entitled "A Stream Classification System," David L. Rosgen, April, 1985.

(2) **R3Y**  Designated Flood Plain - The limits of the Intermediate Regional Flood where established for creeks by the U.S. Army Corps of Engineers (USACE), or the limits of the 100-year flood where established for creeks by the U.S. Army Corps of Engineers, or by Federal Emergency Management Agency (FEMA) maps if USACE maps do not exist for that area.

(3) **R4Y**  Ephemeral Stream - Flows sporadically only in response to precipitation, with flows lasting a short time.

(4) **R5Y**  Groundwater Between 20-40 Inches - Evidence of ground water, such as low chroma mottles between 20 and 40 inches below the natural ground surface, or the existing surface, if no fill has been placed. [ADDITIONAL/ADDITIONAL/ADDITIONAL/ADDITIONAL].

(5) **R6Y**  Intermittent Stream - Flows in response to precipitation or snow melt.

(6) **R7Y**  Lake - A water body greater than 20 acres in size, exceeding two meters deep at low water and lacking trees, shrubs, persistent emergents, emergent mosses or lichens with greater than 20 percent aerial coverage.

(7) **R8Y**  Low Chroma Mottles - Mottles that have Munsell Soil Color Chart chromas of 2 or less (moist), and values of 4 or more (moist). For soils that have horizons which are dominated by low chroma colors (Munsell chromas of 2 or less), the low chroma horizons are included in the meaning of "mottles that have chroma of 2 or less." These low chroma mottles indicate the horizon that has [ADDITIONAL/ADDITIONAL/ADDITIONAL/ADDITIONAL].

4/02/93

AGENDA ITEM IV.D.
such mottles is saturated with water at some time of the
year or the soil is artificially drained. A complete
description of low chroma mottles from Soil Taxonomy
(SCS, 1976) is contained in Chapter 37 Technical
Appendices K.

(8) Man-Made Channel - A channel constructed by man for the
purpose of conveying water or a channel created by water
being discharged from a man-made source, such as a
culvert or pipe.

(9) Natural ground surface - The ground surface existing
before placement of fill material. (See Chapter 2 for the
definition of fill).

(10) Near Surface Groundwater - Evidence of ground water, such as low chroma mottles
within 20 inches of the natural ground surface, or
the existing surface, if no fill has been placed.

(11) Perennial Stream - Permanently inundated surface stream
courses. Surface water flows throughout the year except
in years of infrequent drought. Perennial streams shall
be those shown as solid blue lines on USGS Quad Maps, or
streams determined to be perennial by TRPA.

(12) Pond - A standing water body less than 20 acres in size
and/or less than two meters deep at low water.

(13) Primary Riparian Vegetation - The following vegetative
community types as identified in the 1971 report entitled
"Vegetation of the Lake Tahoe Region, A Guide for
Planning:"

(a) Type 0: Open water - Open water, Swamps and pools
and Vernal pools.
(b) Type 2: Herbaceous - Wet marsh or meadow and
Sphagnum bog.
(c) Type 7: Riparian shrub - Willow thicket and Alder
thicket.
(d) Type 9: Broadleaf - Low elevations.
Primary Soil Map Units - The following soil map units owe their major characteristics to the presence of near surface groundwater and are considered primary indicators of soil wetness.

(a) Elmira loamy coarse sand, wet, variant (Ev)
(b) Marsh (Mh)

Secondary Soil Map Units - The following soil map units owe their major characteristics to the presence of groundwater or evidence of groundwater such as indicated by evidence such as low chroma mottles between 20 and 40 inches below the natural ground surface or the existing surface, if no fill has been placed, and are considered secondary indicators of soil wetness.

(a) Loamy alluvial land (Lo)
(b) Gravelly alluvial land (Gr)
(c) Celio gravelly loamy coarse sand (Co)
(d) Jabu coarse sandy loam, seeped, 2 to 15 percent slopes (JbD)

SEZ setbacks - A strip of land adjacent to the edge of a SEZ, the designated width of which is considered the minimum width necessary to protect the integrity of the various characteristic of the SEZ. The width of the setback shall be established in accordance with the procedure set forth in Subsection 37.3.D.

Secondary Riparian Vegetation - The following vegetative types as identified in the 1971 report entitled "Vegetation of the Lake Tahoe Region, A Guide for Planning:"

(a) Type 2: Herbaceous - Wet mesic meadow.
(b) Type 9: Broadleaf - High elevations.
(c) Type 19: Lodgepole - Wet type.

Slope Condition - The condition of the slope located adjacent to the stream channel or edge of the SEZ shall be defined as follows. The extent of existing slope protection, which is defined as the percent cover of original duff layer, down logs, low growing vegetation or rock fragments greater than 1-2 inches in diameter, shall be given primary consideration when determining slope condition.
Memorandum to Advisory Planning Commission
Amendment of Chapter 37 Relative to
SEZ Soil Criteria Language -- Page 6

(a) Good - Slopes show little or no evidence of surface (sheet, rill, gully) erosion or mass wasting. Slopes are typically covered 90 percent or more with original duff layer, down logs, slash, low growing vegetation or rock fragments greater than 1.2 inches in diameter. Slope gradient is commonly less than 30 percent. Soil horizons are usually cohesive and consolidated.

(b) Average - Slopes show evidence of surface (sheet, rill, gully) erosion or mass wasting over 5 to 25 percent of the slope surface. Slopes are typically covered between 50 to 90 percent with original duff layer, down logs, slash, low growing vegetation or rock fragments greater than 1.2 inches in diameter. Slope gradient is commonly between 30 and 70 percent. Soil horizons are typically moderately cohesive and consolidated.

(c) Poor - Slopes show evidence of active and pronounced surface (sheet, rill, gully) erosion or mass wasting over more than 50 percent of the slope surface. Slopes are typically covered less than 50 percent with original duff layer, down logs, slash, low growing vegetation or rock fragments greater than 1.2 inches in diameter. Slope gradient is often greater than 70 percent. Soil horizons are typically non-cohesive and unconsolidated. Evidence of seeping is often present.

(19) Terrace - A moderately flat land area, above the flood plain, generally less than 20 percent slope.

(20) Unconfined - Stream types classified under major categories C (excluding stream type C2), D and E as defined in the report entitled "A Stream Classification System." David L. Rosgen, April 1985.

37.3.C6 Identification: A stream environment zone (SEZ) shall be determined to be present if any one of the following key indicators is present or, in absence of a key indicator, if any two of the following secondary indicators are present. Plant communities shall be identified in accordance with the definitions and procedures contained in the 1971 report entitled "Vegetation of the Lake Tahoe Region, A Guide for Planning."

4/02/93
Memorandum to Advisory Planning Commission
Amendment of Chapter 37 Relative to
SEZ Soil Criteria Language -- Page 7

1) **Key Indicators:** Key indicators are:

(a) Evidence of surface water flow, including perennial, ephemeral and intermittent streams, but not including rills or man-made channels;

(b) Primary riparian vegetation;

(c) Near surface groundwater;

(d) Lakes or ponds;

(e) Beach (Be) soil; or

(f) One of the following **soil** primary soil map units:

(i) Elmira loamy coarse sand, wet variant (Ev).

(ii) Marsh (Mh).

(2) **Secondary Indicators:** Secondary indicators are:

(a) Designated flood plain;

(b) Groundwater or evidence of groundwater between 20 - 40 inches; or one of the following **soil** secondary soil map units:

(i) Loamy alluvial land (Lo);

(ii) Celio gravelly loamy coarse sand (Co); or

(iii) Gravelly alluvial land (Gr).

(iv) Jabu coarse sandy loam, seeped, 2 to 15 percent slopes (JbD).

(c) Secondary riparian vegetation; **if natural vegetation has been removed or altered, the potential vegetation can be inferred from other sources such as historical photos or vegetation from adjacent sites at similar elevations.**

37.3.**DE** **Boundaries:** The boundaries of an SEZ shall be the outermost limits of the key indicators; or the outermost limits where **any two secondary indicators coincide;** or the present limits of the stream (including ephemeral and intermittent) shall be the bank full width of such stream, which shall be defined as the level of frequent high flow, i.e., the level of flood with a recurrence interval of approximately 1.5 years.

4/02/93

AGENDA ITEM IV.D.
SEZ Setbacks: No buildings, other structures or land coverage shall be permitted in SEZ setbacks, except in accordance with Subsection 20.4.B and the exception for the backshore set forth in Subsection 55.4.D. The restoration requirements set forth in Subparagraph 20.4.A(2)(c) shall not apply within SEZ setbacks. The allowable base land coverage within SEZ setbacks shall be in accordance with Subsection 20.3.A, and may be combined with the allowable base land coverage for the remainder of the parcel to establish a total allowable base land coverage. A portion of the total allowable base land coverage for the parcel may be used to allow construction in the SEZ setback only in accordance with Subsection 20.4.B and the exception for the backshore set forth in Subsection 55.4.D. SEZ setbacks shall be established in accordance with the following criteria (see also Section I of the Technical Appendices).

(1) Confined Perennial Stream: When a confined perennial stream is present, the following setbacks shall be established based on the corresponding slope condition:

(a) Good Slope Condition: When the slope condition is identified as good, the setback shall be 25 feet from the edge of the SEZ or 15 feet from the edge of a terrace, if present, whichever is less.

(b) Average Slope Condition: When the slope condition is identified as average, the setback shall be 35 feet from the edge of the SEZ or 20 feet from the edge of a terrace, if present, whichever is less.

(c) Poor Slope Condition: When the slope condition is identified as poor, the setback shall be 60 feet from the edge of the SEZ or 35 feet from the edge of a terrace, if present, whichever is less.

(2) Unconfined Perennial Stream: When an unconfined perennial stream is present, the setback shall be 50 feet from the edge of the SEZ.

(3) Confined Ephemeral Or Intermittent Stream: When a confined ephemeral or intermittent stream is present the following setbacks shall be established based on the corresponding slope conditions:

(a) Good Slope Condition: When the slope condition is identified as good, the setback shall be 15 feet from the edge of the SEZ or ten feet from the edge of a terrace, if present, whichever is less.
Memorandum to Advisory Planning Commission
Amendment of Chapter 37 Relative to
SEZ Soil Criteria Language -- Page 9

(b) Average Slope Condition: When the slope condition is identified as average, the setback shall be 25 feet from the edge of the SEZ or 15 feet from the edge of a terrace, if present, whichever is less.

(c) Poor Slope Condition: When the slope condition is identified as poor, the setback shall be 40 feet from the edge of the SEZ or 25 feet from the edge of a terrace, if present, whichever is less.

(4) Unconfined Ephemeral Or Intermittent Stream: When an unconfined ephemeral or intermittent stream is present the setback shall be 25 feet from the edge of the SEZ.

(5) Channel Absent: When there is an SEZ present but there is no associated channel identified, the setback shall be ten feet from the edge of the SEZ.

(6) Lakes and Ponds: Where a lake or pond is present, the SEZ setback shall be 10 feet from the high water line or 10 feet from the edge of the SEZ, whichever is greater, except where a backshore is established in accordance with Section 55.2 in which case there shall be no SEZ setback established.

37.3.4 X SEZ Documentation: Where the IPES field team identifies the existence of an SEZ on an individual parcel, it shall prepare a permanent written record or drawing applicable to that parcel showing the boundaries of the SEZ, the setback line from the SEZ and setting forth the reasons for its determination. At the time a project is reviewed applicable to a parcel evaluated under IPES as having an SEZ, the SEZ boundaries and setback shall be verified or adjusted based upon additional information then available.

Chapter 37, "Technical Appendices", Appendix K.

Appendix K. Low Chroma mottles

Throughout the keys and text of Soil Taxonomy (SCS, 1976), there are references to "mottles that have chroma of 2 or less." This refers to colors in a horizon in which parts have chroma of 2 or less, moist and value moist of 4 or more whether or not that part is dominant in volume or whether or not it is a continuous phase surrounding spots of higher chroma. If either the minor or major part of a horizon has chroma of 2 to 2 and value, moist of 4 or more and there are spots of higher chroma, the part that has the lower chroma is included in the meaning of "mottles that have chroma of 2 or less". The part is excluded from the meaning if all the horizon has chroma of 2 or less or if no part of the horizon has chroma as low as 2.

4/02/93
The phrase also means that the horizon that has such mottles is saturated with water at some period of the year or is artificially drained. If the soil is periodically wet or is drained, there should be some mottles of high chrome that were caused by segregation of iron or some reddish, very dark, soft accumulations of iron and manganese.

Environmental Documentation: Staff has completed an Initial Environmental Checklist (IEC) for the proposed action and proposes a finding of no significant environmental effect.

Findings: Prior to amending the Code, TRPA must make certain findings. Following each finding below, is a brief rationale for making the required findings.

Chapter 6 Findings

1. Finding: The project is consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and Maps, the Code and other TRPA plans and programs.

Rationale: This amendment implements the Goals and Policies, the Code of Ordinances, the Regional Plan, and the 208 Water Quality Management Plan. The amendment produces a more precise and technically sound definition for identifying stream environment zones that corrects Code language deficiencies which prevents protection of certain lands exhibiting SEZ characteristics.

2. Finding: The project will not cause the environmental thresholds to be exceeded.

Rationale: The amendment is designed to improve the application of TRPA policy, regarding SEZ protection, by changing Code language related to lands that exhibit SEZ characteristics, but were previously excluded from protection because they did not fit a known soil map unit description. Language changes also clarify identification of SEZs that have been disturbed and may be restorable. These changes are intended to assist TRPA in attaining the environmental thresholds.

3. Finding: Whenever federal, state, and local air and water quality standards applicable to the Region, whichever are stricter, must be attained and maintained pursuant to Article V(d) of the compact, the project meets or exceeds such standards.

Rationale: See Findings 1 and 2 above.

4/02/93

AGENDA ITEM IV.D.
4. **Finding:** The Regional Plan and all its elements, as implemented through the Code, Rules, and other TRPA plans and programs, as amended, achieves and maintains the thresholds.

**Rationale:** For the reasons set forth in the rationale above for Findings 1 and 2, this amendment improves the implementation of the Code and Regional Plan and will assist in the achievement and maintenance of the environmental thresholds.

**Ordinance 87-8 Findings (Non-Core Provisions)**

1. **Finding:** That the amendment provides for an equal or better means of attainment or maintenance of the thresholds.

**Rationale:** See Finding 2 above.

2. **Finding:** That the amendment is consistent with the Compact and with the attainment or maintenance of the thresholds.

**Rationale:** The amendments fix a loophole in current Code language regarding identification of SEZs thereby allowing equal application of TRPA policy to lands exhibiting SEZ characteristics, and clarify procedures for identifying disturbed SEZ sites which may be restorable. The restoration of disturbed SEZ’s is a threshold.

3. **Finding:** One or more of the following:

   a) There is demonstrated conflict between provisions of the Regional Plan Package and the conflict threatens to preclude attainment or maintenance of thresholds;

   b) That legal constraints, such as court orders, decisions or Compact amendments, require amendment of the Goals and Policies or Code;

   c) That technical or scientific information demonstrates the need for modification of a provision of the Goals and Policies or Code;

   d) That the provision to be amended has been shown, through experience and time, to be counter-productive to or ineffective in attainment or maintenance of the thresholds;

4/02/93
Memorandum to Advisory Planning Commission
Amendment of Chapter 37 Relative to
SEZ Soil Criteria Language -- Page 12

e) That implementation of the provision sought to be amended has been demonstrated to be impracticable or impossible because of one or more of the following reasons:

(1) The cost of implementation outweighs the environmental gain to be achieved;

(2) Implementation will result in unacceptable impacts on public health and safety; or

(3) Fiscal support for implementation is insufficient and such insufficiency is expected to be a long-term problem.

(f) That the provision to be amended has been shown through experience to be counter-productive or ineffective and the amendment is designed to correct the demonstrated problem and is an equal or better means of implementing the Regional Plan Package and complying with the Compact.

Rationale: Choosing item c) above, current Code terminology regarding "alluvial soil type" is misleading and does not adequately address situations where site conditions exhibit secondary SEZ indicators, but the soil does not fit one of the named map units in the Tahoe Basin Soil Survey. The proposed amendments correct the discrepancy and allow for identification of any area possessing adequate secondary indicators as an SEZ.

If you have any questions or comments regarding this agenda item, please contact Joe Pepi or Carl Hasty at (702) 588-4547.