TRPA
APC
PACKETS

APRIL
1996
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 8:30 a.m. on Wednesday, April 10, 1996, at the North Tahoe Conference Center, 8318 North Lake Boulevard, Kings Beach, California. The agenda for the meeting is attached hereto and made a part of this notice.

April 1, 1996

By:

James W. Baetge
Executive Director

This agenda has been posted at the TRPA office and at the following post offices: Zephyr Cove and Stateline, Nevada, and Tahoe Valley and Al Tahoe, California. The agenda has also been posted at the North Tahoe Conference Center in Kings Beach, the Incline Village GID office, and the North Lake Tahoe Chamber of Commerce.
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. PUBLIC INTEREST COMMENTS (No Action)

Any member of the public wishing to address the Advisory Planning Commission on an agenda item not listed as a Public Hearing or a Planning Matter item, or on any other issue, may do so at this time. However, public comment on Public Hearing and Planning Matter items will be taken at the time those agenda items are heard.

NOTE: THE ADVISORY PLANNING COMMISSION IS PROHIBITED BY LAW FROM TAKING IMMEDIATE ACTION ON, OR DISCUSSING ISSUES RAISED BY THE PUBLIC THAT ARE NOT LISTED ON THIS AGENDA.

IV. DISPOSITION OF MINUTES

V. PLANNING MATTERS

A. Extension for Community Plan Tourist Accommodation and Commercial Allocations and Alternatives for Future Allocations

B. Update on Affordable Housing Activities of the Local Government Committee

VI. PUBLIC HEARING AND RECOMMENDATION TO THE GOVERNING BOARD

A. Recommendation on Technical Adequacy of the North Tahoe Community Plan EIR/EIS; Adoption of Community Plans for Carnelian Bay, Tahoe Vista, Kings Beach, Kings Beach Industrial, North Stateline, Incline Village Commercial, Incline Village Tourist, and Ponderosa Ranch; Adoption of Areawide Design, Parking, and Sign Standards for Washoe County and Placer County; Related Plan Area Statement, Code and Goals and Policies Amendments

B. Draft EIS for the Lake Tahoe Shorezone Development Cumulative Impact Analysis

C. Draft EIR/EIS for Park Avenue Development Project - 1:00 p.m.
D. Heavenly Ski Resort Master Plan, Final EIR/EIS (Presentation Only, No Action)

VII. REPORTS
A. Executive Director
B. Legal Counsel
C. APC Members

VIII. ADJOURNMENT
April 1, 1996

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Discussion on Extension for Community Plan Tourist Accommodation and Commercial Allocations and on Alternatives for Future Allocations

Proposed Action: Staff requests an APC recommendation on the extension of the December 31, 1996 expiration deadline for commercial allocations and tourist bonus units in adopted community plans (see Attachment A). The proposed extension date for adopted community plans is December 31, 1998. This will require an amendment to:

1. Goals 5 and 6 of the Land Use Subelement of the Goals and Policies Plan;
2. Goals 3 and 4 of the Development and Implementation Priorities Subelement of the Goals and Policies Plan;
3. Amendment of Sections 14.6, 33.3, 33.4 of the Code; and

Staff Recommendation: Staff recommends the two year extension in order to provide time to implement the adopted community plans and to provide an orderly transition to the 1996 Evaluation.

Background: It has come to staff's attention that there is a potential to create pressure to develop commercial projects before the December 31, 1996 expiration date for commercial allocations and tourist bonus units. The unknown of the 1996 Evaluation recommendations, the "use it or lose it" requirement currently in the Code, and the anticipation of future allocations for community plans that have demonstrated demand are pressuring the partners in the Community Plan process to hurry commercial development.

The community plan process developed in 1987 called for a 10-year community plan period with a goal to complete 23 community plans by December 1, 1989. Thus the following allocations were set up for the first ten years of the Regional Plan.
1987-96 Commercial and Tourist Allocations

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<th>Comm. Floor Area to CPs</th>
<th>CFA to Outside CPs</th>
<th>Tourist Bonus Units to CPs</th>
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Currently TRPA has adopted eight community plans and plans to take action on eight more in April. The first community plan was not adopted until October of 1993. Because of irrevocable commitment requirements, only two of the community plans (Meyers and Kingsbury) have been able to allocate commercial floor area or tourist bonus units. On the other hand, progress on needed environmental improvements in community plans has been mixed. In general, the progress for both commercial development and environmental improvements has been slower than envisioned in the 1987 Regional Plan.

In a March discussion with the Governing Board, staff presented a list of basic assumptions for the 1996 Evaluation (see Attachment B). Two basic assumptions are:

1. The adopted Community Plan allocation deadlines will be extended.
2. The focus of the 1996 Evaluation will be on the Environmental Improvement Program and allocations will be linked to its implementation.

These assumptions will be presented as part of the description for the 1996 Evaluation environmental document scoping meeting April 17, 1996.

Environmental Documentation: The extension amendment for adopted community plans would allow 36,200 CFA less commercial development over a longer period of time. The tourist development would be reduced by 45 bonus units and the time would be extended. The proposed amendments are within the limits of the existing Regional Plan environmental documents, which did not identify any unmitigated impacts. Therefore, staff is proposing a finding of no significant environmental effect with these amendments.

The Regional Plan EIS, the Regional Transportation Plan/Air Quality Plan EIS, and the 208 Plan EIS assumed 400,000 sq. ft. of commercial development and development of 200 tourist bonus units from 1987 to 2006. For analysis purposes, another 400,000 sq. ft. of commercial and 200 tourist bonus units were assumed for the last ten years of the Plan.

As to the status of the 1997 - 2007 allocations, TRPA is in the process of preparing the 1996 Threshold Evaluation. The Environmental Assessment (EA) is assuming the same range of alternatives that were considered in 1991 Threshold Evaluation and the previous plans. This amount may be reduced, redistributed, or allocated by different means in accordance with the pending results of the 1996 Threshold Evaluation.

Required Findings: The following findings must be made prior to adopting the proposed amendments:
A. 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: Due to the long planning process, there is only one year left to implement the Community Plans. The Regional Plan needs to be amended to extend the allocation deadlines to allow the implementation of the 16 adopted community plans. The extension will give time for slightly less commercial and tourist development over a longer time period along with the Community Plan improvements.

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

   Rationale: All the community plans were approved with environmental documents indicating consistency with the attainment of environmental thresholds. Also, as noted above in the environmental section, the proposal is within the limits of the Regional Plan environmental documents.

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

   Rationale: All the community plans were approved with environmental documents certified (from 1993 to 1996) indicating compliance with applicable federal, state and local air and water quality standards.

B. Ordinance 87-8 Findings: Section 2.40 of Ordinance 87-8 requires the following findings prior to Code amendments. The proposed amendment provides for an equal or better means of attainment or maintenance of the thresholds. The required findings and their rationales are:

1. The amendments are consistent with the Compact and with attainment or maintenance of the thresholds. The community planning process is a basic part of the Regional Plan and the implementation of Thresholds. Because of unforeseen delays, the adopted Community Plans need to be given an extension to give them a chance for implementation.
2. One of the following findings:

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

   b. 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; or

   c. Legal constraints, such as court orders, decisions or Compact amendments, require amendment of the Goals and Policies or Code; or

   d. Technical or scientific information demonstrates the need for modification of a provision of the Goals and Policies or Code; or

   e. 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; or

   f. 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.

Finding: Finding f. is the most appropriate finding since there is a potential to create pressure to develop commercial projects before the December 31, 1996 expiration date for commercial allocations and tourist bonus units. The Community Plans with their schedule for environmental improvements need sufficient time to be implemented.

If you have any questions or comments, please contact Gordon Barrett at (702) 588-4547.
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<th>Extension Tau Bonus</th>
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1996 THRESHOLD EVALUATION ASSUMPTIONS
FOR APRIL 17, 1996 SCOPING MEETING

THE FOCUS OF THE REPORT AND RECOMMENDATIONS WILL BE ON THE ENVIRONMENTAL IMPROVEMENT PROGRAM (EIP) AND ITS IMPLEMENTATION

THERE WILL BE NO MAJOR CHANGES PROPOSED IN REGULATIONS OR THRESHOLDS

THERE WILL BE RECOMMENDATIONS FOR STUDIES, WORK PROGRAMS, AND SCHEDULES FOR CONSIDERATION OF MAJOR PLAN AND THRESHOLD AMENDMENTS

THE NEXT TEN YEARS OF ALLOCATIONS WILL BE WITHIN PREVIOUS EIS’s ESTIMATES AND LINKED TO THE EIP

ADOPTED COMMUNITY PLAN ALLOCATIONS AND TARGET DATES WILL BE EXTENDED FOR TWO YEARS

THE ENVIRONMENTAL DOCUMENTATION WILL BE AN ENVIRONMENTAL ASSESSMENT WITH THREE ALTERNATIVES AND RECOMMENDED MITIGATION

NO GROWTH
NO ACTION BY TRPA
CONTINUATION OF EXISTING ALLOCATION RATES
MEMORANDUM

April 1, 1996

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Update on Affordable Housing Activities of the Local Governing Committee

Background: In the fall of 1995 a Local Government Committee was formed in order to coordinate issues associated with affordable housing in the Lake Tahoe Basin. The Local Government Committee is comprised of Governing Board members from each of the local jurisdictions: El Dorado County, City of South Lake Tahoe, Placer County, Washoe County, Douglas County, and Carson City. At this time the Local Government Committee primarily coordinates affordable housing issues, but it is anticipated that the Committee will be active in many issues where local government coordination is necessary.

Background on Affordable Housing in the Lake Tahoe Basin

In December 1994, the TRPA Governing Board adopted amendments to the Code of Ordinances dealing with affordable housing. Subsection 43.4.F(2) stated that

"Approval of subdivisions after December 31, 1995 of post-1987 residential projects which do not qualify as affordable housing are prohibited until TRPA finds the city or county, with zoning jurisdiction, has demonstrated its commitment to assume its "fair share" responsibility to provide lower and very low income housing within existing urban areas pursuant to Goal #1 of the TRPA Housing Sub-element of the Regional Plan Goals and Policies."

In the Goals and Policies, local governments are encouraged to assume their fair share of the responsibility to provide lower and very low income housing.

In December 1995, the TRPA Governing Board made findings for Washoe, Placer, El Dorado Counties, and the City of South Lake Tahoe, that they were assuming responsibility to provide their fair share of affordable housing. The same finding was made for Douglas County in February 1995. This finding was an interim finding, effective until December 1996, when the finding must be made again.

KB:rd

AGENDA ITEM V.B.

Planning for the Protection of our Lake and Land
TRPA has recently committed staff and resources to write an Affordable Housing Needs Assessment. This report will establish each jurisdiction's "fair share" of affordable housing. The fair share will be established using primarily land use, employment, and housing information. The fair share report will be completed in the fall of 1996.

In writing the fair share report and establishing the "fair share," the Local Government Committee has become an integral player by opening lines of communication between local jurisdictions. They continue to assist TRPA staff, as well as the Housing Advisory Group, in coordinating and providing input to the Affordable Housing Needs Assessment.

If you have any questions or comments regarding this agenda item, please contact Kelly Berger or David Atkins at (702) 588-4547.
March 28, 1996

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Recommendation on Technical Adequacy of the North Tahoe Community Plan EIR/EIS; Adoption of Community Plans for Carnelian Bay, Tahoe Vista, Kings Beach, Kings Beach Industrial, North Stateline, Incline Village Commercial, Incline Village Tourist, and Ponderosa Ranch; Adoption of Area-wide Design and Parking Standards for Washoe County and Placer County; Area-wide Sign Standards for Washoe County; Community Plan Sign Standards for Placer County; Related Plan Area Statement, Code, and Goals and Policies Amendments

Proposed Action: The APC is requested to review and consider recommending adoption of the following Community Plans and items related thereto including a finding of technical adequacy for the Environmental Impact Report/Environmental Impact Statement, to the Governing Board.


2. Adoption of the North Shore Community Plans and related Plan Area Statement amendments (plans mailed to APC members by each county) as follows:
   a. Carnelian Bay Community Plan, including Design Standards and Guidelines relating to Carnelian Bay.
   b. Tahoe Vista Community Plan, including Design Standards and Guidelines relating to Tahoe Vista.
   c. Kings Beach Commercial Community Plan, including Design Standards and Guidelines relating to Kings Beach Commercial.
   d. Kings Beach Heavy Commercial Community Plan, including Design Standards and Guidelines relating to Kings Beach Heavy Commercial.
   e. North Stateline Community Plan, including Design Standards and Guidelines relating to North Stateline.
   f. Incline Village Commercial Community Plan, including Design Standards and Guidelines relating to Incline Village Commercial.
   g. Incline Village Commercial Tourist Community Plan, including Design Standards and Guidelines relating to Incline Village Commercial Tourist.

JPH/rd
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h. Ponderosa Ranch Community Plan (formerly Incline Village Industrial)
   including Design Standards and Guidelines relating to Ponderosa
   Ranch.

i. The following Plan Area Statement amendments relative to the above
   listed community plans:

   -- PAS 031 (Brockway Residential), PAS 033 (Stateline Point
     Residential), and PAS 034 (Crystal Bay Residential) to revise
     the boundaries of PAS 032, North Stateline Community Plan.

   -- PAS 044 (Fairway Residential) and PAS 049 (Mill Creek
     Residential) to revise the boundaries of PAS 048, Incline
     Village Tourist Community Plan.

   -- PAS 047 (Tunnel Creek Conservation) to revise the boundaries of
     PAS 054, Ponderosa Ranch Community Plan.

   -- PAS 028 (Kings Beach Residential) to transfer 50 residential
     Bonus Units to the North Stateline Community Plan (PAS 032).

   -- PAS 028 (Kings Beach Residential) to transfer 50 Residential
     Bonus Units to the Ponderosa Ranch Community Plan (PAS 054) for
     the purpose of developing employee housing.

   -- PAS 028 (Kings Beach Residential) to transfer 20 Residential
     Bonus Units to the Tahoe Vista Community Plan (PAS 022).

   -- PAS 036 (Incline Village #4 Residential) to transfer all 10
     Residential Bonus Units to the Incline Village Commercial
     Community Plan (PAS 045).

   -- PAS 041 (Incline Village #3 Residential) to transfer all 25
     Residential Bonus Units to the Incline Village Commercial
     Community Plan (PAS 045).

   -- PAS 044 (Fairway Residential) to transfer all 47 remaining
     Residential Bonus Units to the Incline Village Commercial
     Community Plan (PAS 045).

3. Adoption of technical amendments to implement the Community Plans as
   follows:

   a. Delete PAS 032, 045, 048, 022, 017, 029, and 026 to be replaced by
      Community Plans (Attachment A).

   b. Amend Land Capability Overlays D-4, E-3, E-4, F-3, F-4, G-3, H-3,
      and H-4 to match Community Plan maps (See Chapter 4 of the Community
      Plans.)

   c. Amend Chapter 30, Design Standards, to reference new standards for
      the North Shore Community Plans.
d. Amend Chapter 26, Sign Standards, to reference the new standards for the North Shore Community Plans.

e. Amend Chapter 24, Driveway and Parking Standards, to reference the new standards for the North Shore Community Plans.

f. Amend Chapter 33, Allocation of Development, to transfer commercial floor area previously reserved for projects outside community plan areas in Washoe county into the community plan areas (Attachment B).

4. Adoption of the Signage, Parking, and Design Standards and Guidelines for the Tahoe Plan Area of Washoe County (November 1995) with the following amendments thereto:

a. The proposed substitute standards must identify the findings required to allow exceptions and assign this responsibility to TRPA alone. It is also recommended that the allowance of exceptions be limited to a very small number.

b. Section 2, Building Design, must include reference to the TRPA Code of Ordinances Chapter 22, Height. This section should be reorganized to include more information about building design (goals and intent) at the front to reduce the appearance that satellite dish location is the primary goal of this section.

c. Amend Section 5, Landscaping, as follows: a) no exemptions from preparation of a landscape plan can be allowed for any uses in scenic corridors and never allowed for auto dealerships; b) the standards related to perimeter parking lot landscaping must include provisions for screening parked cars from view; c) the requirement for wall heights related to certain uses must include exceptions for scenic considerations such as view blockage and should refer to the different visual environments for appropriate design; and d) remove the references to 50 percent expansion and 20 percent minimum landscaped area as they do not relate to the TRPA Code provisions for project review and allowed land coverage. Additionally, the mulch list should emphasize use of pine needles and this section should be organized to begin with a strong statement regarding design goals and intent.

d. Delete references to Washoe County and to specify that this shall only apply to the four Washoe County Community Plans.

Staff Recommendation: Staff recommends the APC, after conducting a public hearing, recommend Governing Board certification of the EIS/EIR, adoption of the eight Community Plans located in Placer and Washoe Counties, and adoption of the Plan Area Statement amendments and other technical amendments.

Background: The Washoe County Community Plan Team which was formally approved by the Governing Board in June 1989, began its work on the community plans in August 1989. Prior to that date, the team drafted revisions to Washoe
Memorandum to Advisory Planning Commission
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North Tahoe Community Plan EIR/EIS and Adoption
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County's Tahoe Area Plan. The Area Plan is the County's long range master
plan for that portion of Washoe County which is within the Tahoe Region. The
Area Plan, adopted in November 1989, by the Washoe County Commission, desig-
nated the four community plan areas as specific plan areas in recognition of
the subsequent community planning process. The Plan Team membership has
changed numerous times during the past six years.

Because Plan Area 032, North Stateline Casino core, is located in both
California and Nevada, a joint community plan is being prepared. The joint
plan contains identical Goals and Objectives, commercial and tourist accommo-
dation unit allocations, and environmental threshold targets. Preliminary
community plans for Washoe County were reviewed and approved by the Governing
Board in September 1990. The Crystal Bay Casino Association, which consists
of all four casinos within North Stateline, has proposed that TRPA and the two
counties adopt and implement substitute sign standards within the community
plan area. The substitute standards are presently being evaluated. Once the
evaluation process is complete, they will be scheduled for a public hearing
before the APC. This is expected to occur in June 1996.

The Placer County Community Plan Team was originally approved by the TRPA
Governing Board in August 1987 to plan the Kings Beach, Tahoe Vista, and North
Stateline Community Plans. The Governing Board has approved changes to the
Team membership on several occasions due to resignations. The Preliminary
Community Plans for Placer County were approved by the Governing Board in
August 1987.

There will be a presentation on this item at the meeting. Please contact
Andrew Strain, Gabby Barrett, or John Hoole at (702) 588-4547 if you have any
questions or comments regarding this matter.

1/4

JPH/rd

AGENDA ITEM VI.A.
026 -- KINGS BEACH INDUSTRIAL

SEE KINGS BEACH INDUSTRIAL COMMUNITY PLAN
SEE INCLINE VILLAGE TOURIST COMMUNITY PLAN
054 -- INCLINE VILLAGE INDUSTRIAL

SEE INCLINE VILLAGE INDUSTRIAL COMMUNITY PLAN
SEE TAHOE VISTA COMMUNITY PLAN
SEE CARNELIAN BAY COMMUNITY PLAN
SEE KINGS BEACH COMMERCIAL COMMUNITY PLAN
SEE KINGS BEACH INDUSTRIAL COMMUNITY PLAN
33.3.C Maximum Amount And Distribution Of Allocations For Additional Commercial Floor Area: A maximum of 400,000 square feet of additional commercial floor area may be permitted from January 1, 1987 to December 31, 1996. The allocation and distribution of this floor area shall be as follows:

(1) Within Community Plans: From January 1, 1987 to December 31, 1996, the maximum amount of additional commercial floor area allocated to community plan areas is 360/000 371,000 square feet.

(a) Administration: The 360/000 340,000 square feet of additional commercial floor area shall be allocated by TRPA, distributing 279/000 281,340 square feet initially to the local jurisdictions. The 279/000 281,340 square feet shall be assigned to community plans pursuant to pursuant to (i) below. TRPA shall retain 54,000 square feet in reserve as bonus square footage to be assigned to community plans upon their adoption pursuant to (ii) below. TRPA shall retain 36,000 square feet for approval of commercial projects prior to adoption of community plans. The foregoing allocations, including the division of the 279/000 281,340 square feet among local jurisdictions, is reflected in the following table.

**COMMERCIAL FLOOR AREA ALLOCATIONS WITHIN COMMUNITY PLAN AREAS ("CP")**

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Initial Allocation</th>
<th>Bonus Allocation</th>
<th>Before CP Adoption</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>To CPs (75%)</td>
<td>CPs (15%)</td>
<td>(10%)</td>
</tr>
<tr>
<td>So. Lake Tahoe/</td>
<td>79,100</td>
<td>55,990</td>
<td>36,000</td>
</tr>
<tr>
<td>El Dorado County</td>
<td>112,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Placer County</td>
<td>33,750</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Washoe County</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Douglas County</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Square Feet</td>
<td>279,000</td>
<td>54,000</td>
<td>371,340</td>
</tr>
</tbody>
</table>

(i) **Initial Allocation:** TRPA shall distribute the initial allocation of additional commercial floor area to a community plan by taking into consideration such factors as demonstrated
need, the expected ability to achieve or maintain environmental thresholds, the reasonableness of projected time schedules, the degree of certainty for obtaining the needed funds for implementation, compatibility with other community plans, and other relevant factors. The amount initially allocated shall be from the 75 percent portion designated for local jurisdictions for planning purposes as shown in the above table in the first column.

(ii) **Allocation Of Reserve:** As soon as TRPA has reviewed a sufficient number of proposed community plans to adequately assess the cumulative impacts of development and proposed mitigation, TRPA shall distribute any remaining or additional commercial floor area retained pursuant to Subsection 33.3.C(1)(a). This distribution shall reward those community plans which best demonstrate the ability to achieve and maintain environmental thresholds, and have a clearly demonstrated need for the additional allocation. TRPA shall retain a sufficient reserve to adequately address the needs of community plans not yet presented for review. It is TRPA’s goal, acting in partnership with local interests, to achieve completion of community plans by December 31, 1989, in all areas where sufficient local interest and initiative exists to do such planning. Accordingly, TRPA expects to allocate the remaining unallocated floor area by that date, so long as the allocation is supported by local needs assessments.

(b) **Before Adoption Of A Proposed Community Plan:** Projects having an aggregate commercial floor area not exceeding the 36,000 square feet set forth in (a) of subparagraph 33.3.C(1) and located within the boundaries of proposed community plans, may be approved by TRPA. The 36,000 square feet allocation shall be apportioned to the local jurisdictions as follows:
A local jurisdiction may transfer its above allocated commercial floor area to another jurisdiction pursuant to a memorandum of understanding between the participating jurisdictions and approved by TRPA. Within the limits set forth in this paragraph, the local jurisdiction shall select and recommend projects for TRPA shall be accepted for review by TRPA without a written recommendation from the local jurisdiction. No single commercial project shall be allocated more than 4,500 square feet of the 36,000 square feet in a ten year period for use within the project area.

(c) After Adoption Of A Community Plan: Upon the adoption of a community plan, the rate of utilization of square footage of additional commercial floor area shall be in accordance with the provisions of the community plan. When all community plans within a jurisdiction are adopted, any remaining unallocated initial floor area assigned to the jurisdiction shall be assigned by TRPA to the adopted community plan areas within the jurisdiction.

(2) Outside Community Plans: From January 1, 1987 to December 31, 1996, the maximum amount of additional commercial floor area allocated to areas outside community plan boundaries is 40,000 square feet.

(a) Administration: A maximum of 40,000 square feet of additional commercial floor area shall be allocated and distributed by TRPA for commercial development outside community plan boundaries, proposed or adopted. The 40,000 square feet shall be apportioned to the local jurisdiction as follows:

<table>
<thead>
<tr>
<th>South Lake Tahoe/El Dorado County</th>
<th>11/12/84/###/##/</th>
</tr>
</thead>
<tbody>
<tr>
<td>10,008 sq. ft.</td>
<td>7,020 sq. ft.</td>
</tr>
<tr>
<td>Placer County</td>
<td>14,976 sq. ft.</td>
</tr>
<tr>
<td>Washoe County</td>
<td>6,516 sq. ft.</td>
</tr>
<tr>
<td>Douglas County</td>
<td>5,000 sq. ft.</td>
</tr>
</tbody>
</table>
A local jurisdiction may transfer its above-allocated commercial floor area to another jurisdiction pursuant to a memorandum of understanding between the participating jurisdictions and approved by TRPA. Within the limitations set forth in this paragraph, the local jurisdiction shall select and recommend projects for TRPA consideration. No project shall be accepted for review by TRPA without a written recommendation from the local jurisdiction. There is a base rate allocation of 4,000 square feet per year. Two years after January 1, 1987, and every two years thereafter, TRPA shall determine whether the yearly rate of approvals of commercial projects is consuming 5,000 square feet or more per year. If the rate has exceeded said 25 percent, the issuance of approvals shall be delayed, or otherwise restricted, until the rate of approval returns to a maximum of 4,000 square feet per year.

(b) Limitations: No single commercial-project shall be allocated more than 4,500 square feet in a ten year period of the 40,000 square feet for use within the project area.
FINDINGS FOR NORTH SHORE COMMUNITY PLANS

I. Article VII(d) Findings for the EIS: These findings are made and based upon the administrative record of the EIS/EIR and the North Shore Community Plans, including other documents prepared pursuant to the North Shore Community Plans. A summary of impacts and mitigations is provided in the final EIS. These findings are also based on the Regional Plan Package and supporting environmental documents, including but not limited to the Goals and Policies, the 1988 TRPA 208 Plan, the 1989 Scenic Quality Improvement Program, the 1991 RTP/AQP, and the EISs for said documents.

With respect to the possibly significant effects on EARTH AND SOILS identified in the EIS, changes or alterations have been required in or incorporated into the community plans which avoid or reduce the potentially significant adverse effects to a less than significant level.

Rationale: Compliance with the TRPA Regional Plan and Code requirements relating to land coverage and soils disturbance will provide mitigation for soils impacts. In addition, the CP sets forth coverage and disturbance reduction targets and a related CIP to further mitigate impacts.

With respect to the possibly significant effects on HYDROLOGY AND WATER QUALITY identified in the EIS, changes or alterations have been required in or incorporated into the community plans which avoid or reduce the potentially significant adverse effects to a less than significant level.

Rationale: Compliance with the TRPA Regional Plan and Code requirements relating to water quality will provide mitigation for soils impacts. In addition an area wide remedial water quality improvement project and SEZ restoration projects are required as part of this plan.

With respect to the significant and possibly significant effects on AIR QUALITY identified in the EIS, changes or alterations have been required in or incorporated into the community plans which avoid or reduce the potentially significant adverse effects to a less than significant level.

Rationale: There are no identified air quality impacts associated with this CP, as mitigated by proposed transportation projects. Compliance with the Regional Plan and Code requirements relating to air quality will provide assurances that no adverse impacts will occur.

With respect to the significant and possibly significant effects on TRANSPORTATION identified in the EIS, changes or alterations have been required in or incorporated into the community plans which avoid or reduce the potentially significant adverse effects to a less than significant level.
Rationale: Compliance with the TRPA Regional Plan and Code requirements relating to transportation will provide mitigation for transportation impacts. Mitigation projects are proposed with this CP to attain VMT and LOS targets.

With respect to the possibly significant effects on VEGETATION, WILDLIFE AND FISHERIES identified in the EIS, changes or alterations have been required in or incorporated into the community plans which avoid or reduce the potentially significant adverse effects to a less than significant level.

Rationale: There are no impacts identified with vegetation, wildlife, and fisheries for this CP assuming compliance with the TRPA Regional Plan and Code requirements.

With respect to the possibly significant effects on NOISE identified in the EIS, changes or alterations have been required in or incorporated into the community plans which avoid or reduce the potentially significant adverse effect to a less than significant level.

Rationale: The additional noise levels identified will be mitigated through compliance with the TRPA Regional Plan and Code requirements. The CP does list noise targets and strategies to attain the targets.

With respect to the possibly significant effects on RECREATION identified in the EIS, changes or alterations have been required in or incorporated into the community plans which avoid or reduce the potentially significant adverse effects to a less than significant level.

Rationale: There are no recreation impacts identified. Compliance with the TRPA Regional Plan and Code requirements relating to recreation will provide mitigation for unidentified impacts.

With respect to the possibly significant effects on SCENIC QUALITY identified in the EIS, changes or alterations have been required in or incorporated into the community plans which avoid or reduce the potentially significant adverse effects to a less than significant level.

Rationale: The CP proposes scenic targets and strategies to attain the targets. The CP proposes Design Standards and Guidelines to address signs and other scenic improvement measures.

With respect to the possibly significant effects on LIGHT AND GLARE identified in the EIS, changes or alterations have been required in or incorporated into the community plans which avoid or reduce the potentially significant adverse effects to a less than significant level.

Rationale: Compliance with the TRPA Regional Plan and Code requirements and the new Design Standards and Guidelines relating to light and glare will provide mitigation for those impacts.

With respect to the possibly significant effects on SAFETY AND RISK OF UPSET identified in the EIS, changes or alterations have been required in or incorporated into the community plans which avoid or reduce the potentially significant adverse effects to a less than significant level.
Rationale: There were no safety impacts identified.

II. Chapter 6 Findings for Community Plan Adoption and adoption of related Code and PAS Amendments: The following findings must be made prior to adopting the proposed plans and amendments:

A. Chapter 6 Findings:

1. Finding: The community plan 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: The North Shore Community Plans are identified as areas appropriate for community plans in the Goals and Policies, Land Use Subelement, Goal #2, Policy 6. Community plans are an important tool for redirection and rehabilitation of development as discussed in the Land Use Subelement, Goal #2. The North Shore Community Plans were prepared in conformance with the substantive and procedural requirements of the Goals and Policies, as implemented through Chapter 14 of the Code.

Consistent with the Goals and Policies, the 1988 TRPA 208 Plan, the 1989 Scenic Quality Improvement Program, and the 1991 RTP/Air Quality Plan also consider community plans as an implementation tool. The North Shore Community Plans contain the required element of community plans, including environmental targets to assist in the attainment and maintenance of the thresholds. When implemented, the North Shore Community Plans will have a beneficial impact on TRPA's efforts to attain and maintain thresholds.

All development within community plans is subject to the Code of Ordinances. As contemplated by Chapter 14, the community plans, when adopted, will replace the existing plan area statements. The community plans include updated land capability information.

2. Finding: That the community plan will not cause the environmental thresholds to be exceeded.

Rationale: The Community Plans set forth environmental threshold related targets with strategies to achieve those targets. The EIS for these plans did not find any threshold to be exceeded. When considered together, the North Shore Community Plans are expected to reduce vehicle miles of travel, thereby assisting in threshold attainment and maintenance.
3. **Finding:** Wherever federal, state and local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(d) of the Compact, the community plan meets or exceeds such standards.

**Rationale:** The Community Plans set forth environmental threshold related targets (for air quality and water quality, the threshold targets are the applicable standards) and strategies to achieve those targets. The EIS for these plans did not find any standard to be exceeded.

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

**Rationale:** The Community Plans set environmental targets, with implementation strategies, which are designed to make a contribution to achieving a regional threshold. By linking the allocation of commercial floor area to environmental targets and implementation programs, the Community Plans will work, in concert with other regional plan programs (e.g., 208 Plan, Scenic Quality Improvement Program, RTP/Air Quality Plan) to achieve and maintain thresholds. Community plans are an important tool in the achievement and maintenance of thresholds.

The concentration and rehabilitation of commercial and related development within the North Shore Community Plan areas will reduce VMT and auto trips and provide a land use pattern that encourages transit and pedestrian modes of transportation. The rehabilitation is directly related to scenic improvements and indirectly to implementation of BMPs. The provision of environmental targets and capital improvements to achieve them within the North Shore Community Plans will result in progress toward threshold attainment that ordinarily would not be required under EIS mitigation requirements.

5. **Finding:** The Regional Plan, as amended, achieves and maintains the thresholds.

**Rationale:** See 2 and 4 above.

IV. **Special Findings and Considerations Related to Community Plan Adoption**

A. **Chapter 14 Community Plans Findings and Considerations:**

1. **Section 14.3 Boundary Findings** - The final North Shore Community Plans propose to add one parcel, known as Washoe County Assessor's Parcel Number 123-053-04. It is 0.19 acres in size. It is presently owned by the Tahoe Biltmore
Casino/Hotel and contains the former Crystal Bay Fire Station which has been relocated. The findings discussion is presented below. No other additions are proposed by the Washoe County Community Plans. All plans, with the exceptions of PAS 045, Incline Village Commercial, include a reduction in the area of land within the community plan.

North Stateline, Tahoe Vista, and Kings Beach Community Plan Boundary Addition Findings

Finding: 14.3.A Commercial Uses: The area within the boundaries is an area where commercial uses are concentrated or should be concentrated; is served or easily served by transit systems; which has adequate highway access; which has or can have housing in the vicinity available for employees working in the area; and which otherwise qualifies as an area suitable for continued or increased levels of commercial activity. Some areas, because of their existing and proposed development patterns, may incorporate more than commercial use classifications.

Rationale: The parcel to be added is directly adjacent to the existing commercial core of the community plan area. It is easily served by transit, has adequate access to the roadway network, including Highway 28, and can have housing available in the vicinity for employees working in the area. It has been developed for public service uses and qualifies as an area suitable for increased levels of commercial activity due to its proximity and the fact that it is an existing developed site.

Finding: 14.3.B Traffic Considerations: The nature and intensity of uses proposed for the area within the boundaries is demonstrably consistent with the achievement of VMT reduction policies and level of service goals for street and highway traffic established for the plan area.

Rationale: The proposed use for the parcel to be added is to house business offices associated with the adjacent Tahoe Biltmore Casino/Hotel. The nature of the proposed use is consistent with the VMT reduction and Level of Service maintenance targets contained in the Plan because it would serve the adjacent casino/hotel. Pedestrian trips along existing pedestrian paths between the office and the casino/hotel would be very short and reduce the need for additional automobile trips.

Finding: 14.3.C Concentration: The area within the boundaries will encourage concentration of commercial development, discourage the maintenance or exacerbation of strip commercial development and shall not allow isolated areas of commercial or tourist accommodations unrelated to the central commercial area.
Rationale: Based on its location, the addition will expand the existing commercial area in a manner so as not to exacerbate a strip commercial condition. It will encourage the concentration of commercial uses because of its proximity to the commercial core. It is within very short walking distance of the core area which provides retail goods and services. It will not result in an isolated commercial or tourist accommodation area because it is planned to provide the adjacent casino/hotel with business support services.

Finding: 14.3.D Size: The area within the boundaries is a size consistent with the needs for additional commercial development established by the needs assessment which evaluated the entire area of the community plan, taking into account the needs and opportunities of the Region taken altogether.

Rationale: The proposed area of land to be added to the community plan is small in size (0.19 acres) and is more than offset by the reduction in land area to be deleted from within the community plan boundary. The size is consistent with the demonstrated needs for the plan area based on the needs assessment which concludes that minor additions of specific commercial and tourist-related uses are desirable to help the plan area function as a more complete destination resort area.

2. Code Section 14.5.C, Equal or Superior Standards for Density, Noise, Driveways, Parking, Outdoor Advertising, Historic and Design - The Final EIS/EIR documents that the proposed substitute standards and guidelines are equal or superior to the existing TRPA standards and guidelines.

3. Code Subsection 14.6.D, Approval of the Community Plan -
   a. The APC will obtain and consider the recommendations of local government and other responsible public agencies and has made a recommendation to the Governing Board.
   b. The Governing Board will be asked to determine if the Plan is consistent with the Goals and Policies, the Code, the attainment of the targets and the requirements of 14.6.B(1).
   c. The Governing Board may determine the effect on other plan areas and determine that minor PAS amendments may be appropriate.
   d. The Governing Board may establish the initial allocations set forth in Chapter II of each of the Community Plans.

B. Code Chapter 33, Commercial Allocation Considerations:
1. **Code Subsection 33.3.C, Initial Allocations** - TRPA has considered the demonstrated need, the expected ability to achieve or maintain environmental thresholds, the reasonableness of projected time schedules, the degree of certainty for obtaining needed funds for implementation, and compatibility with other community plans.

2. **Code Subsection 33.3.C, Allocation of Reserve** - TRPA has reviewed a sufficient number of proposed CPs (18) to determine which CPs best demonstrate the ability to maintain environmental thresholds, and have a clearly demonstrated need for the additional allocation.

C. **Code Chapter 26, Substitute Standards**

1. **Code Subsection 26.5.B, Community Plan Standards** - The Final EIS gives TRPA the basis for finding the community plan scenic quality improvement program and sign provisions are equal or superior to TRPA Code Chapter 26.

2. **Code Subsection 26.11.C, Signs in Plan Area 032** - The scenic threshold evaluation is presently being prepared for this area if it indicates that with mitigation the area can achieve a scenic roadway unit score of 16 by 2007 then TRPA may make the finding that these standards and improvements are equal or superior to the existing Code. This will be the subject of a future Regional Plan amendment and related public review and approval process.
MEMORANDUM

April 1, 1996

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Draft EIS for the Lake Tahoe Shorezone Development Cumulative Impact Analysis

This item is an ongoing issue that is placed on the APC agenda each month throughout the comment period. For Commissioners' information, the Governing Board has extended the comment period to June 1, 1996.

If you have any comments or questions on this agenda item, please call Coleen Shade at (702) 588-4547.
MEMORANDUM

April 1, 1996

To: Advisory Planning Commission

From: TRPA Staff

Subject: Draft EIR/EIS - Park Avenue Development Project

Copies of the above-referenced document were previously mailed to you under separate cover. The 60-day public comment period began on March 4, 1996 and concludes on May 2, 1996.

TRPA Staff, the consultant and the applicant will be making a presentation regarding the Draft EIR/EIS at the April 10, 1996 APC meeting. If you have any questions or comments regarding this matter please contact Rick Angelocci of the TRPA staff at (702) 588-4547.
MEMORANDUM

April 2, 1996

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Heavenly Ski Resort Master Plan, Final EIR/EIS

This item is placed on the agenda for informational purposes only. Heavenly’s representatives and the EIR/EIS consultants will brief the Commission on the components of the master plan and EIS. TRPA staff plan to present the final master plan and EIS to the APC and Governing Board in May for action.

If you have any questions, please contact Andrew Strain at (702) 588-4547.