TRPA
APC
PACKETS

OCTOBER
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 9:30 a.m. on Wednesday, October 9, 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.

September 30, 1996

By:  [Signature]
Deputy 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.
TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

North Tahoe Conference Center
Kings Beach, California

October 9, 1996
9:30 a.m.

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. PUBLIC HEARING AND RECOMMENDATION TO THE GOVERNING BOARD

A. Amendment of Plan Area Statement 041, Incline Village #3 (Residential), to Permit Multiple Family Dwellings as a Permissible Use on Washoe County APN 129-500-08 On Which the Use is Presently Not Permitted

B. Amendment of Plan Area Statement Boundary Between Plan Area 057; Spooner Lake (Recreation), and Plan Area 060, Genoa Peak (Conservation), to Relocate Douglas County APNs 01-130-09, -12, -13, -14, and 016 from Plan Area 057 to Plan Area 060

C. Draft BIS for the Lake Tahoe Shorezone Development Cumulative Impact Analysis

VI. PLANNING MATTERS

   1. Noise
   2. Soils
   3. SEZs
VII. REPORTS

A. Executive Director

B. Legal Counsel

C. APC Members

VIII. ADJOURNMENT
MEMORANDUM

September 23, 1996

To: TRPA Advisory Planning Commission
From: TRPA Staff
Subject: Amendment of Plan Area Statement 041, Incline Village #3 (Residential), to Permit Multiple Family Dwellings as a Permissible Use on Certain Parcels on Which the Use is Presently Not Permitted

Proposed Action: The owners of a 7.2 acre vacant parcel of land located in Plan Area 041 Incline Village Unit #3 (Residential) propose to amend the Plan Area Statement to permit Multiple Family Dwellings as a Permissible Use on their parcel at a maximum density of 8.5 units/acre. The proposal involves amending the Plan Area Statement List of Permissible Uses and the Table of Maximum Densities. The proposed action also creates a new Special Area and related special designations and policies for the subject parcel of land. Refer to Exhibit A, Plan Area Statement 041. The proposed amendment is shown in Exhibit A using the cross-out/underline format.

Staff Recommendation: Staff recommends that the Advisory Planning Commission recommend Governing Board approval of the proposed amendments as conditioned.

Background: You will recall that the APC considered a similar amendment at the May 8, 1996 meeting. By a vote of 12-2 the APC recommended approval of the amendment as conditioned to the Governing Board. The Governing Board subsequently denied the application. This application differs from the previous one because it is seeking a density of 8.5 dwelling units per acre, rather than the original 4 dwelling units per acre and the project will be designed to provide attached and clustered multi-family dwellings. Section 5.23 of the TRPA Rules of Procedure provides that a previously denied application may be resubmitted within 12 months if it includes a modification of the previously denied project.

In the 1960s, the site was originally purchased by Washoe County from the developer of Incline Village for an elementary school site. The school was not built and in 1995 the Washoe County School District sold the parcel.
In 1994, the TRPA Governing Board amended Chapter 13 of the Code to specifically revise the criteria by which amendments proposing to add multiple family uses are evaluated. The purpose was to create transit-oriented development (TOD) which will enable higher residential densities (+/- 15 units/acre) in order to create a critical mass of people in a concentrated area to make transit service attractive and effective.

Because the amendment would add multiple family dwellings to a parcel which presently does not allow such a use, Chapter 13 of the TRPA Code of Ordinances requires TRPA to make specific findings prior to approval that the site is suitable for transit-oriented development. The findings are presented below in the Chapter 13 Findings section and form portions of the basis for the recommended conditions of approval.

The applicants' stated purpose for the amendment is to permit development of 34 market-rate attached and clustered multiple family homes. The applicants would then seek approval of a multiple family project consisting of attached and detached structures, and then subdivide the approved multiple family development into individual building envelopes and common open space. The existing plan area statement would permit development of one single family dwelling, one secondary residence (e.g., guest house), and certain public service, outdoor recreation, and resource management uses on the subject parcel. Refer to Exhibit A.

Site Characteristics: The subject vacant land is shown in Exhibit B, Vicinity Map. It has frontage along Village Boulevard in Incline Village near the Country Club Drive intersection. It is a mix of land capability classes, including classes 1b (stream environment zone), 1c, 2, 4 and 6. The site is mostly class 4 and 6. Third Creek runs along the eastern portion of the site and includes a 35 foot wide SEZ setback on both sides. Part of the riparian corridor associated with the Creek is disturbed and is in need of restoration. National forest lands purchased through the Burton-Santini program are on the other side of Third Creek adjoining the subject parcel. A highly disturbed borrow material pit (capability class 1c) is on the property and is approximately 1 acre in area. TRPA has formally verified approximately one acre of existing land coverage in the SEZ portion of the site.

Surrounding Land Uses. Existing land uses in the vicinity of the site include a mixture of residential types, primarily single family dwellings with some duplexes, and four-plexes. Two larger condominium projects are located across Village Boulevard from the site. They are located in Plan Area 044, Fairway (Residential), in which multiple family dwellings are a permissible use. In Plan Area 041, the Incline Village Executive (par 3 layout) golf course which is located north of the site is part of Incline Village Unit #3, an approved density transfer subdivision. The approved density of Incline Village Unit #3 is four units/acre while the actual density is 620 units on 226 acres of land or slightly more than two units/acre. Refer to Exhibit C, Existing Land Uses.
The subject site is not a part of the Incline Village Unit #3 subdivision and, therefore, is not currently permitted to have multiple family dwellings on it. Unit #3 includes the four-plex residential units surrounding the Incline Village Executive Golf Course. The golf course lands were used in the Unit #3 density calculation and involved a transfer of development density from the golf course to the four-plex parcels. Refer to Plan Area Statement 041 Planning Consideration #1 and Special Policy #3 which address the density transfer. Unit #3 was approved by Washoe County prior to the formation of TRPA.

Washoe County Land Use and Zoning Designations. The proposed amendment was not consistent with existing Washoe County Land Use and Zoning designations; however, Washoe County has since approved a Land Use Designation change for the subject parcel. Existing Washoe County zoning for the parcel is E-1, 1st Estate Residential. Proposed projects need only be consistent with either the Land Use or Zoning Designation, but not both. The zone generally permits single family residential uses to be developed at a minimum 15,000 square foot minimum lot size (slightly less than 3 units/acre density or roughly 21 total units on the site). All Washoe County zoning is scheduled to sunset later this year so the Land Use Designation (High Density Suburban) will become the only method of determining allowable land uses.

Discussion: Using the criteria listed in the required TOD finding, below, it must be determined if the parcel is suitable for transit-oriented development (TOD). The two key criteria in developing a TOD are high densities (to establish a critical mass which transit can efficiently serve) and location within the urban core or downtowns (which promotes walking trips, transit use, and the opportunity to work and live in close proximity). There is one development in the vicinity with a density greater than 6 units/acre, the existing Glenrock Townhouse development across Village Boulevard. It has a density of 10.7 units/acre. There are 21 other multi-family developments in the area surrounding the subject site. In addition, transit service on TART is presently available along Village Boulevard.

Findings: Prior to amending the plan area boundary, TRPA must make the following findings. Because the proposed amendment is to add multiple family as a permissible use, specific findings found in Chapter 13 of the Code must be made that the amendment will facilitate "transit-oriented development" (TOD). Due to the distance of the site's location away from the core commercial areas and the previously proposed lower density, providing a basis for making the required TOD findings has been an issue of concern for staff. This is discussed further below.
Chapter 13 Findings

1. **Finding:** The amendment is substantially consistent with the plan area designation criteria in subsections 13.5.B and 13.5.C of the TRPA Code of Ordinances.

**Rationale:** Subsection 13.5.B is the Plan Area Major Land Use Classification and Management Designations. The Plan Area Land Use Classification is Residential. This is consistent with the proposed use. Further, residential areas should be developed on moderate-high capability lands, have access to services and include areas now developed for residential uses. The proposed action would be consistent with the designations as shown below, however, the Land Use Classification and the Management Strategy do not differentiate between single family and multiple family residential.

The Management Strategy for Plan Area 041 is "Development with Mitigation." Areas with this designation can accommodate additional development if the impacts are fully mitigated and the land is capable of withstanding the use. Both onsite and offsite mitigation of environmental impacts from development shall be required. Additional development which may be approved on the site must demonstrate that all impacts are fully mitigated. Installation and maintenance of on-site BMPs will be required as a condition of developing the parcel. The applicant has proposed to restore the disturbed section of Third Creek which traverses the property. The Natural Resources Conservation Service has provided technical assistance in developing a restoration plan. It is unclear at this point how much of the SEZ would be required to be restored as a project-level BMP. Additional development impacts include placement of additional land coverage and generation of additional vehicle trips. Both items will be required to be mitigated.

Subsection 13.5.C addresses Plan Area Special Designations. Plan Area 041 Special Designations include a Transfer of Development Right Receiving Area for Multi-Residential Units and the MULTI RESIDENTIAL BONUS UNIT INCENTIVE PROGRAM. The designations are only for the parcels in Unit #3 which are part of the density transfer program involving the golf course. Also, because of the environmental threshold mitigation required to approve the amendment, neither of these Special Designations will apply. This will be clarified through a notation in Plan Area 041 that the Special Designations may not be used in the newly-created Special Area #1. Further discussion is provided below in the Chapter 6 Findings.
3. Finding: If the amendment is to add multiple-family as a permissible use to a plan area or for one or more parcels, the plan area or affected parcel must be found suitable for transit-oriented development (TOD). Factors in determining suitability for TOD may include, but are not limited to, areas that have transit and neighborhood services within 10 minute walks, good pedestrian and bike connections, opportunities for residential infill (at densities greater than 8 units per acre) or infill with mixed uses, and adequate public facilities.

Rationale: In order to provide a basis for making this finding, the following items are recommended to be included in the proposal as conditions of approval found in the adopting ordinance:

1. Provision of an on-site pedestrian circulation system which connects all individual uses on the site and provides access to the neighborhood, to common open space and other facilities and which is maintained year-round (also required by Chapter 30 of the Code of Ordinances).

2. Provision of home mail delivery only to all residential units within the project.

3. Provision of two transit shelters at the two existing stops near the front of the parcel along Village Blvd. The design of the shelters should be consistent with the design of existing transit shelters found along State Route 28 in Incline Village.

4. Execution of a "will-serve" agreement with Diamond Peak to provide ski shuttle service to the transit stops.

5. Provision of a Class I bicycle trail along the parcel’s Village Boulevard frontage (approximately 680 feet). It will likely be located on the Village Boulevard public right-of-way in front of the parcel. The segment of bicycle trail from Village Blvd. to Country Club Drive is on Washoe County’s List of Priority Bicycle Trails. It will be required to be built to Washoe County standards.

6. Density on the subject property shall be greater than 8 dwelling units per acre.

7. Development on the subject property shall include a mixture of attached and detached residential units.
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: The proposed amendment is consistent with the Plan Area Statements because the ultimate use of the parcel is residential and it is located in a residential plan area. Further, the project will not adversely affect implementation of the Regional Plan because the applicant has included Stream Environment Zone restoration as part of the proposed action.

To maintain the present Level Of Service at nearby street intersections which will be affected by the project, only two points of ingress/egress (driveway) to the street network shall be permitted at the project. This requirement is based on the results of the traffic study submitted by the applicant and on Sections 24.2 and 93.3 of the Code of Ordinances and shall be set forth in the adopting ordinance as a condition of approval.

Based on incorporating the VMT maintenance measures into the approval which are shown below in Finding #2, the proposed amendment is consistent with, and will not adversely affect implementation of the Regional Plan and related elements.

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

Rationale: The applicant has submitted a traffic study as required by the Code of Ordinances. Based on the addition of 34 additional residential units, it predicts that the site will generate 382 additional daily vehicle trip ends and 1,562 additional Vehicle Miles of Travel when developed. This would result in a significant adverse environmental impact which worsens the existing nonattainment status of the VMT threshold. In order to make the finding that the project will not cause the environmental thresholds to be exceeded, the following VMT threshold maintenance measures must be included in the proposed amendment as a new Special Policy #4 and are found in the adopting ordinance:

The average distance from downtown Incline Village (defined to be the nearest boundary of Plan Area 045) to existing units of use to be transferred to the site or to sending parcels from which development rights are retired and transferred, must be equal to or greater than the distance to the site from the nearest boundary of Plan Area 045. This will ensure that the average trip length
of units which are ultimately placed on the site will be
less than or equal to the average trip length of the
original location of transferred units and development
rights.

3. 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 1 of the Compact, the project meets or exceeds
such standards.

Rationale: See findings 1 and 2 above.

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

Rationale: See findings 1 and 2 above.

Environmental Documentation: Staff has prepared an Initial Environmental
Checklist (IEC) for the proposed project. Staff proposes a Finding of No
Significant Effect (FONSE) based on the Chapter 13 findings shown above and on
the following:

1. No additional development would be permitted by the amendment than is
otherwise permissible under the Regional Plan.

2. The amendment as conditioned includes VMT threshold maintenance and other
related transportation elements (e.g., provision of bicycle trail,
intersection level of service maintenance) which must be incorporated
into the proposed amendment.

3. The applicant has included in the proposal restoration of approximately
one acre of the disturbed Third Creek Stream Environment Zone. The
applicant has volunteered to work diligently with the Natural Resources
Conservation Service and others as necessary, to ensure the restoration
of the disturbed SEZ is completed.

Staff will begin this item with a brief presentation. Please contact John
Hoole at (702) 588-4547 if you have any questions or comments regarding this
item.
041 -- INCLINE VILLAGE #3

PLAN DESIGNATION:

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

1. Multi-Residential Units

2. Existing Development (Special Area #1 Only)

MULTI-RESIDENTIAL INCENTIVE PROGRAM

DESCRIPTION:

Location: This area is located west of the Mt. Rose Highway in the general vicinity of the executive golf course. It can be found on TRPA maps G-2, G-3, H-2 and H-3.

Existing Uses: Existing uses include low density residential, multiple units, the executive golf course and Sierra Nevada College. The area is 70 percent built out.

Existing Environment: The area’s land capability is 55 percent moderate hazard and 40 percent SEZ. The land coverage is 25 percent plus an additional 20 percent disturbed.

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

PLANNING CONSIDERATIONS:

1. For Incline Village Unit #3 Subdivision, the golf course was included in density calculations to allow multiple units on a number of lots.

2. The stream environment zone in this area has been substantially altered by road placement, golf course placement and residential development.

3. Fertilizer use on the golf-course adjacent to a stream environment zone can increase nitrogen loads to the lake.

4. There are two partial barriers to fish migration on the north west tributary of Third Creek.

5. The future use of the school site on Village Street is uncertain.

6. Scenic Roadway Unit 23 is within this Plan Area.

SPECIAL POLICIES:

1. Stream zone and fishery restoration should be encouraged.
2. Recognize as appropriate uses the existing golf course, college and mobile home development, and encourage the expansion of college facilities as needed.

3. The lots in Incline Village Unit #3 designated as eligible for multi-density under the approved sub-division map shall be eligible for such density with TDR.

4. Multiple family dwellings which may be developed in Special Area #1 shall comply with the following policies, regardless of whether they are ultimately converted to single family dwellings through subdivision of existing development. The average distance from the nearest boundary of Plan Area 045 to existing units of use to be transferred to the site or to sending parcels from which development rights are retired and transferred, must be equal to or greater than the distance to Special Area #1 from the nearest boundary of Plan Area 045. Multiple Residential homes units shall not be used in Special Area #1. Multiple family dwelling projects in Special Area #1 shall comply with the transit-oriented development findings and transportation/air quality mitigation measures shown in TRPA Ordinance 96-...

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:

Residential

- Single family dwelling (A), multiple family dwellings (A) only on the lots in Incline Village Unit #3 that are designated as eligible for multiple density on the approved subdivision maps and mobile home dwellings (A) only on properties identified by the county for such use.

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 - college (A), local post offices (S), and day care centers/pre-schools (S).

Recreation

- Participant sports facilities (S), day use areas (A), riding and hiking trails (A), outdoor recreation concessions (A), and golf courses (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 run-off control (A).

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

Residential

- Multiple family dwelling (S), single family dwellings (A), and employee housing (A).

Public Service

- Same as General List.
Recreation

Resource Management

Same as General List

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>1 unit per parcel</td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td></td>
</tr>
<tr>
<td>Multiple Family Dwellings</td>
<td>In accordance with Special Policy #3 for this Plan Area, except as noted for Special Area #1, 8.5 units per acre in Special Area #1 only</td>
</tr>
<tr>
<td>Mobile home dwellings</td>
<td>8 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 25 0 units.

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area 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 USE 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 Surface Volume IV of the Water Quality 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.)
AMENDMENT OF PLAN AREA STATEMENT 041
INCLINE VILLAGE #3
AMENDED PLAN AREA MAP

Not to Scale

MT. ROSE HIGHWAY

PAS 041

New Special Area #1
Subject Parcel
129-500-0B

PAS 044

PAS 038

PAS 043
EXISTING LAND USES

Scale 1" = 400'

Key:
1 Single Family Residence
2 Duplex
3 Triplex
4 4-plex
V Vacant
FS Forest Service
September 26, 1996

To: Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Plan Area Statement Boundary Between Plan Area 057, Spooner Lake (Recreation), and Plan Area 060, Genoa Peak (Conservation), to relocate Douglas County APNs 01-130-09, -12, -13, -14, and -16 from Plan Area 057 to Plan Area 060

Proposed Action: This item has been continued from the September Advisory Planning Commission meeting. Staff is currently meeting with the affected property owners to work out a solution per the APC direction. In the interim, staff will submit the original amendment for discussion and will have an alternative option at the October APC meeting, if needed.

This applicant-proposed amendment is a modification of the TRPA Plan Area Statement Maps for Plan Area 057 Spooner Lake (Recreation), and Plan Area 060 Genoa Peak (Conservation), to incorporate five (5) Douglas County parcels located east of and adjacent to U.S. Highway 50 (See Attachment A). The applicant proposes to amend the boundary line between 057 and 060 to add the five parcel, currently located in PAS 057, into PAS 060, thereby allowing residential uses as a special use. See Attachment B for the proposed amendment.

Staff Recommendation: Staff recommends that the APC recommend adoption of the plan area statement amendment to the Governing Board. Staff recommends approval of the amendment based on new information provided to staff to justify amendment of the boundary line.

Background: The proposed amendment is a modification of the TRPA Plan Area boundary between 057 Spooner Lake Recreation and 060 Genoa Peak Conservation. The amendment will add Douglas County APN 01-130-09, -12, -13, -14, and -16, into PAS 060. All five parcels currently are in PAS 057.

The parcels are currently zoned for Recreational Uses by TRPA and Agriculture/Residential use by Douglas County. Under TRPA’s land use classification, residential uses are not permissible in PAS 057, but are a special use in PAS 060. Moving the parcels into PAS 060 will bring these parcels into a land use classification consistent with county zoning. Of the
five parcels listed, two parcels are in private ownership and are legal lots of record as of 1976 and the remainder are in public ownership. The applicant has brought it to TRPA's attention that, because the lots were legally existing prior to the adoption of the Regional Plan and were in private ownership, they should have been included in a plan area that allowed single family development.

During the original drafting, it was thought that the five subject parcels were in public ownership, therefore they were included in PAS 057, precluding them from development of single family uses.

Discussion: In evaluating the proposed plan area amendment, staff uses a three-step approach. The first step is to determine whether a mistake was made in mapping the original plan area boundaries and assigning permissible uses to the area. The second step is to determine whether new information submitted to TRPA or something has changed in the land use character to warrant amending the boundaries. The third step is to determine whether the amendment to the plan area would change land use patterns such that attainment and maintenance of environmental thresholds is improved or enhanced.

Based on the above three-step procedure, staff recommends approval of the plan area amendment. New information has been provided by the applicant showing that two of the lots were private legal lots of record prior to 1976 and therefore eligible for residential development. IPES scores have been issued for both private parcels. Rather than amending a residential plan area boundary to include the five parcels, staff recommends taking the five parcels out of the current recreation plan area and adding them to the adjoining conservation plan area. Single family uses are a special use in PAS 060 and will require Governing Board approval.

The location of the five parcels are located on lands classified as 1a and the topography is generally very steep. The area is limited to a few uses due to the steepness of the terrain. An IPES score evaluation will be required in order for either of the private parcels to be developed as single-family residential parcels. Recreation plan areas are areas with good potential for developed outdoor recreation, park use, or concentrated recreation. Due to the steep topography of this area it does not have good potential for developed outdoor recreation. The parcels are more suited for a conservation land use classification. Areas with value as primitive or natural areas, with strong environmental limitations on use. As stated earlier, two of the five subject parcels are already in public ownership. The State of Nevada and the U.S. Forest Service own the other three.

Staff will begin this item with a brief presentation. If you have any questions or comments regarding this agenda item, please contact John Hitchcock at (702) 588-4547.
057 -- SPOONER LAKE

PLAN DESIGNATION:

Land Use Classification: RECREATION
Management Strategy: MITIGATION
Special Designation: NONE

DESCRIPTION:

Location: This area extends east of Glenbrook to the Basin boundary and south from Skunk Harbor to the vicinity of Highway 50 and Spooner Summit. The boundaries of this area are depicted on the Agency maps H-10, H-11, Marlette Quadrangle and Glenbrook Quadrangle.

Existing Uses: Most of the Plan Area is in public ownership and currently is being managed by the USFS and Nevada State Parks for recreation and some timber management. The shorezone area has restricted vehicular access and is being managed for quality recreation experiences that include hiking, sunbathing, and other day use activities that require few, if any, support facilities. Developed day use facilities are provided by the Nevada Parks Department in the vicinity of Spooner Lake. The Lake provides fishing opportunities. Slaughterhouse Canyon offers excellent opportunities for hiking and cross country skiing. Other facilities in the area include a highway maintenance station and a U.S. Forest Service fire station.

Existing Environment: Extensive modifications or disturbances are mostly restricted to the highways that cross through the Plan Area. Dominant plant communities include mixed conifer fir, rabbit brush, Basin sagebrush, manzanita, red fir, and deciduous riparian vegetation. Most of the Plan Area is classified as high hazard. Shorezone on Lake Tahoe is tolerance districts 3 and 5.

PLANNING STATEMENT: This area should provide for low to moderate resource management and expanded recreational opportunities. New recreational facilities are acceptable if provisions are made for adequate treatment and disposal of sewage and if the new facilities and uses do not detract from the scenic entrance to the Basin.

PLANNING CONSIDERATIONS:

1. Developed trail systems are inadequate to accommodate demand.
2. Heavy use by hikers and others is creating localized problems with erosion.
3. Parking along Highway 28 contributes to traffic congestion, highway hazards, and roadside erosion.
4. Private property restricts public access to Slaughterhouse Canyon.
5. Roadside cut-slopes and the highway maintenance yard detract from the scenic quality of the area.
6. The highway maintenance yard is being phased out.
7. There are three water filings on Glenbrook Creek that could exacerbate low flows in late summer.
8. The development of recreation facilities may be restricted due to the absence of sewer treatment facilities in the vicinity.
9. This area is a major entry point to the Basin and offers excellent potential for expanded recreational opportunities.

10. Scenic Roadway Units 27 and 28 and Shoreline Unit 26 are within this Plan Area.

SPECIAL POLICIES:

1. Access to shorezone and snow play areas should be accommodated with off-highway parking facilities and transit service.

2. Trail systems should be developed and maintained to discourage the proliferation of unmanaged trails and to provide expanded opportunities for hiking.

3. The visitor entry to the Basin should be enhanced with information services, recreation facilities, and improved scenic quality.

4. Recreational development within the area should be consistent with an approved master plan that incorporates long-term projections of proposed facilities on both state and federal lands.

5. Water circulation should be improved in Spooner Lake to help eliminate winter kill of fish populations.

6. Off-road vehicle courses should be designated only on U. S. Forest Service Land.

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:

Residential
- Employee housing (S).

Public Service
- Cultural facilities (S), pipelines and power transmission (S), local post office (S), local public health and safety facilities (S), transmission and receiving facilities (S), transportation routes (S), and transit stations and terminals (S).

Recreation
- Cross country skiing courses (A), day use areas (A), riding and hiking trails (A), undeveloped campgrounds (A), developed campgrounds (A), off-road vehicle courses (S), outdoor recreation concessions (A), rural sports (S), group facilities (S), snowmobile courses (S), visitor information center (S), beach recreation (A), and boat launching facilities (S).

Resource Management
- Reforestation (A), sanitation salvage cut (A), special cut (A), selection cut (S), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).
Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance Districts 3 and 5

Primary Uses
Beach recreation (A), boat launching facilities (S), and safety and navigational facilities (A).

Accessory Structures
Buoys (A), piers (A), fences (S), boat ramps (A), breakwaters or jetties (S), floating docks and platforms (A), shoreline protective structures (S) and water intake lines (A).

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.

**USE**  **MAXIMUM DENSITY**

Residential  5 units per State Park Lands
Employee Housing  
Recreation  
Group Facilities  25 persons per acre
Developed Campgrounds  8 units per acre

RESIDENTIAL BONUS UNITS: Pursuant to Chapter 35, the maximum number of residential bonus units which may be permitted for this Plan Area is 0 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 USE 0 PAOT  OVERNIGHT USES 390 PAOT

OTHER: Trailhead parking and 26 miles of trails

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 Surface 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 the Stream Environment Zone Restoration Program. (To be completed.)
060 -- GENOA PEAK

PLAN DESIGNATION:

Land Use Classification
CONSERVATION

Management Strategy
MITIGATION

Special Designation
NONE

DESCRIPTION:

Location: The Genoa Peak Plan Area includes the undeveloped back country area extending from Logan Shoals to Zephyr Cove and east to the Basin boundary. The boundaries of this Plan Area are depicted on TRPA maps H-11, H-12, H-13, H-14, H-15, H-16, and the Glenbrook and South Lake Tahoe Quadrangles.

Existing Uses: Highway 50 closely parallels the lake through this area. Public lands along a short stretch of the highway in the area north of Cave Rock provide access to the shorezone for sightseers, hikers, and fishermen. Dirt roads leading from Daggett Pass and paralleling the Basin boundary provide some off-highway vehicle use and opportunities for cross country skiing and hiking. There are private parcels in the planning area, but most remain undeveloped. Most of the planning area is managed for primitive recreation by the USFS.

Existing Environment: The majority of this planning area is undeveloped and classified as high hazard. Dominant plant communities include mature stands of mixed conifer fir, Basin sagebrush, willow, and manzanita. One of only two known active osprey nest sites in Nevada is located in this Plan Area. Shorezone tolerance districts are 3 and 5.

PLANNING STATEMENT: This area should be managed for low level resource use with special management emphasis on the protection of water and visual qualities.

PLANNING CONSIDERATIONS:

1. Dirt roads lack significant improvements and contribute to localized erosion problems.

2. There is no public right-of-way on the south end of Genoa Peak Road.

3. The area serves as a scenic backdrop as viewed from the lake and highway corridor.

4. This area serves as the headwater to seven small streams.

5. Snowmobile use in the area creates local nuisances to nearby residences.

6. The Agency Wildlife Map identifies goshawk habitat and deer migration routes in this Plan Area. Agency and USFS personnel have identified an active osprey nest site in this area.

7. The proposed Highway 50 bypass is located in the southern portion of this Plan Area.

8. Scenic Roadway Units 29 and 30 are within this Plan Area.
SPECIAL POLICIES:

1. Some dirt roads in the planning area should have seasonal closures.

2. No snowmobile or off-road vehicle courses should be designated within the roadless area which is reserved for semiprimitive nonmotorized recreation.

3. Trail systems and a trailhead should be established and managed with routine maintenance.

4. The U.S. Forest Service should continue to study the wilderness potential of the Lincoln Creek Roadless Area.

5. High priority should be given to restoration of disturbed lands with management emphasis on watershed protection.

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 Area #1).

Residential
- Domestic animal raising (S), single family dwelling (S), and summer homes (S).

Public Service
- Pipelines and power transmission (S), local public health and safety facilities (S), transmission and receiving facilities (S), and transportation routes (S).

Recreation
- Day use areas (A), riding and hiking trails (A), undeveloped campgrounds (A), off-road vehicle courses (S), snowmobile courses (S), beach recreation (A), and boat launching facilities (S).

Resource Management
- Reforestation (A), sanitation salvage cut (A) selection cut (A), special cut (S), thinning (A), timber stand improvement (A), tree farms (S), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), farm/ranch accessory structures (S), grazing (S), range pasture management (S), range improvement (S), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), prescribed fire management (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.
Tolerance Districts 3 and 5

Primary Use
Beach recreation (A), boat launching facilities (S), safety and navigational devices (A), salvage operations (A), and water borne transit (A).

Accessory Structures
Buoys (A), piers (A), fences (S), boat ramps (A), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (A).

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>Summer Homes</td>
<td>1 unit per parcel</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 0 units.

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL, except in the Lincoln Park roadless area where it is 25 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 USE 0 PAOT  OVERNIGHT USES 0 PAOT

OTHER: Trailhead and 25 miles of trail.

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 Surface Water Management Plan as shown on Figure VIII-1 through 18 of Volume I of the 208 Water Quality Plan.

2. Stream zone restoration as indicated in the Stream Environment Zone Restoration Program. (To be completed.)
MEMORANDUM

September 27, 1996

To: TRPA Advisory Planning Commission
From: TRPA Staff
Subject: Lake Tahoe Shorezone Development Cumulative Impact Analysis and Draft Environmental Impact Statement (DEIS)

This item is an ongoing issue that is placed on the APC agenda each month throughout the comment period which has been extended to November 30, 1996.

For the last six months, TRPA staff, along with 24 other representatives of public and private interests, have been working in a partnership to gain consensus on the difficult issues highlighted in the Shorezone DEIS. The Shorezone Partnership Committee meets twice a month for all day facilitated sessions. These meetings are scheduled to continue through October 1996.

Please contact Coleen Shade at (702) 588-4547 if you have any questions or comments regarding this matter.

JH:jf
9/27/96
September 26, 1996

To: TRPA Advisory Planning Commission

From: TRPA Staff


Proposed Action: No action is requested at this time; however, APC comments would be appreciated since a final report and amendments will be prepared in November for APC action. This is a continuation of a series of presentations to inform the APC about the 1996 Evaluation Report.

Presentation: The presentations are based on the draft Executive Summary mailed to you in your September APC packet. It provides an overview of the status of threshold attainment and the responding staff recommendations. If you desire a full draft report (two inches thick), please contact Roxanne Duer at (702) 588-4547, ext. 234 to obtain a copy.

At this meeting, the program managers will present the findings and recommendations for:

1. Noise - Rick Angelocci
2. Soils - Joe Pepi
3. SEZs - Carl Hasty

If you have any questions, contact the program manager or John Hoole at (702) 588-4547.