TRPA
APC
PACKETS

FEBRUARY
1998
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, February 11, 1998, 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.

February 2, 1998

By [Signature]
James W. Baelge
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 CID office, and the North Lake Tahoe Chamber of Commerce.
TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

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

February 11, 1998
9:30 a.m.

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

AGENDA

I. CALL TO ORDER AND DETERMINATION OF QUORUM

II. APPROVAL OF AGENDA

III. PUBLIC INTEREST COMMENTS (No Action)

Any member of the public wishing to address the Advisory Planning Commission on any 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 Code Section 54.4 B(4) (Prohibition of Superstructures) to Allow Exceptions for Health and Safety Facilities and Scientific Research Facilities

B. Scope of Impacts for Environmental Documents Relative To Proposed Alternatives to Current Parking and Other Recreational Use Patterns Along the East Shore of Lake Tahoe

C. Amendment of Boundary Line Between Plan Area 104, Highland Woods, and Plan Area 103, Sierra Tract-Commercial, to Move a Portion of El Dorado County APN 31-290-25 From PAS 104 to PAS 103

D. Amendment of the Regional Transportation Plan to Incorporate Projects Proposed in the 1998 Regional Transportation Improvement program (RTIP) and Adoption of the 1998 Regional Transportation Improvement Program

E. Adoption of the Environmental Improvement Program
F. Amendment of Code Chapter 4, Section 4.7, and Appendix A to Modify the List of Projects Requiring Governing Board Review and a Hearings Officer Review, Amendment of the TRPA Rules of Procedure by the Addition of Article XIV Pertaining to Hearings Officer Procedures

G. Morris, Amendment of Regional Plan Overlay Maps for Man-Modified Determination, Douglas County APN 07-180-04

VI. PROJECT REVIEW AND RECOMMENDATION TO THE GOVERNING BOARD - 2:00 p.m.

A. Stateline Casino Core Areawide Drainage Environmental Assessment and Project

VII. PLANNING MATTERS

A. South Lake Tahoe Redevelopment Project #3, Draft EIS (Project Adjacent to the California/Nevada Stateline)

VIII. REPORTS

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

IX. ADJOURNMENT
REGULAR MEETING MINUTES

Chairperson Bob Jepsen called the regular January 14, 1998, meeting of the Advisory Planning Commission ("APC") to order at 9:37 a.m. and asked for a roll call.

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Members Present: Mr. Thompson, Mr. Hansen, Mr. Doughty, Mr. Hansen, Ms. Baldrica, Mr. Barham, Mr. McDowell, Mr. Dodds, Mr. Porta, Ms. Rohr, Mr. Joiner, Mr. Morgan, Mr. Haen, Ms. Kvas, Mr. Marchio, Mr. Jepsen

Members Absent: Mr. Hust, Mr. Poppoff, Mr. Lawrence, Mr. Combs

II. APPROVAL OF THE AGENDA

Deputy Director, Jerry Wells, advised that Agenda Item VI.B. had been continued. Mr. Wells introduced the new APC member, Tom Porta, who would be taking Wendell McCurry's position on the APC.

III. PUBLIC INTEREST COMMENTS – There were none.

IV. ADMINISTRATIVE MATTER

A. Election of APC Chairman and Vice-Chairman for 1998 and 1999

Vice-Chairperson Bob Dodds stated that he would be leaving the APC and Lauri Kemper would be taking his place so he would not be able to take the position as Chairperson.

MOTION by Mr. Dodds, with a second by Mr. Hansen, nominating Mr. Jepsen for the position of Chairperson. The motion carried unanimously.

MOTION by Mr. Hansen, with a second by Mr. Haen, nominating Mr. Marchio for the position of Vice-Chairperson. The motion carried unanimously.

V. DISPOSITION OF MINUTES

Mr. Jepsen stated that on page 2 of the September 10, 1997, minutes, the statement "Chairperson Jepsen opened the meeting up for a public hearing" should be added after the sentence "A discussion ensued".

Mr. Dodds stated that on page 3, paragraph 1, of the September 10, 1997, minutes, the word "have" should be added before the word "seen". On the second paragraph, the fourth line, the word "of" should be replaced with the word "or".
Ms. Rohr stated that on page 3, the last paragraph, and on page 4, the first paragraph, of the September 10, 1997, minutes, the word “MTVE” should be replaced with the word “MTBE”. In addition, on page 5, the ninth paragraph of the September 10, 1997, minutes, the word “bases” should be replaced with the word “basins”.

Mr. Joiner stated that on page 4, the sixth paragraph, of the September 10, 1997 minutes, the word “attorney” should be inserted after the word “Projects”. On page 5, the fifth paragraph, of the September 10, 1997 minutes, the word “advertised” should be replaced with the word “readvertised”.

MOTION by Mr. McDowell, with a second by Ms. Baldrica, to approve the September 10, 1997, APC minutes as amended. The motion carried with Messrs. Dodds and Marchio abstaining.

Mr. Dodds stated that on the November 12, 1997, minutes, the name “Mr. Singer” stated in “Members Present” should be replaced with the name “Mr. Dodds”.

MOTION by Ms. Baldrica, with a second by Mr. Morgan, to approve the November 12, 1997, APC minutes as amended. The motion carried with Messrs. Barham, Doughty and Hansen abstaining.

VI. PUBLIC HEARING AND RECOMMENDATION TO THE GOVERNING BOARD

A. Amendment of Code Chapter 1, Section 1.7, Introduction to Code of Ordinances to Provide for Administrative Fee for Mitigation Fund Management; Adoption of Resolution to Establish Amount Collected

Agency Counsel Rachelle Nicolle presented the staff summary amending Chapter 1, Section 1.7 of the Code of Ordinances allowing the collection of administrative fees on mitigation funds and adoption of resolution to establish the amount collected.

A discussion ensued.

Chairperson Jepsen opened the meeting up for a public hearing.

Mr. Larry Lohman, representing the El Dorado Building Department, commented that consideration should be given to turning the streamlining responsibility over to the local jurisdictions.

Since no one else wished to comment, Chairperson Jepsen closed the public hearing.

MOTION by Mr. Hansen, with a second by Mr. Doughty, to recommend approval to the Governing Board of the proposed amendment to Chapter 1, Section 1.17. The motion carried with Mr. Haen voting no and Mr. Porta abstaining.

Mr. Haen stated that he was reluctant to vote on the item when comments from the users had not been made, and we don’t know how they feel about the amendment. In addition, Mr. Haen commented that he believed that the funds could be used more effectively where they are at now rather than used administratively. Mr. Wells stated that TRPA would be soliciting those comments between now and the Governing Board meeting.
VII. PLANNING MATTERS

A. Consideration of Lowering of IPES Line

Senior Planner Joe Pepi presented the staff summary considering the lowering of the IPES line in 1998.

A discussion ensued.

Chairperson Jepsen opened the meeting up for a public hearing. Since no one wished to comment, Chairperson Jepsen closed the public hearing.

MOTION by Mr. Haen, with a second by Mr. Morgan, to recommend approval to the Governing Board to lower the IPES line in 1998. The motion carried unanimously.

(Break taken at 10:30 a.m.)

Reconvened at 10:40 a.m.)

B. Discussion on Streamlining Agency Programs and Activities

Chief of Project Review Rick Angelocci presented a slide show and discussion on streamlining Agency programs and activities.

A discussion ensued.

VIII. REPORTS

A. EXECUTIVE DIRECTOR

1. Status Report on Environmental Improvement Program and Legislative Packet

Executive Director Jim Baetge discussed the Governor's statement on the budget. He also stated that the Governor announced an "initiative program" and a "grant program". Mr. Baetge further stated that a new draft EIP would be expected soon and hopefully circulated by the end of January. TRPA is planning on formal adoption of the EIP by February. In addition, Mr. Baetge handed out the Lake Tahoe Federal Legislative Agenda and stated that TRPA was looking for more signatures supporting the document; i.e., the local chambers.

A discussion ensued.

B. LEGAL COUNSEL

Agency Counsel Rachelle Nicollet commented that the answer to the Lake Tahoe Recreation Association v. TRPA had been filed on January 6th, 1998, and status report was scheduled for March 2nd, 1998. In the TRPA v. Tonnemacher case, we are discussing a potential resolution; if not, we will prepare a stipulation for a status conference and proceed to trial. The TRPA v. Lafferty case has been dismissed. The RFP process for outside legal counsel in the Suitum and Barbieri cases is continuing, and we expect the Governing Board to select a firm at the January Governing Board meeting. In the TSPC v. TRPA case, five pretrial motions have been filed and
three have been ruled on by the court, and we are waiting to hear about the other two; no trial date has been set at this point in time. In addition, Susan Scholley's husband has been transferred to New Jersey and she would be leaving the Agency at the end of March.

C. APC MEMBERS

Ms. Kvas stated that Romany Woodbeck would be moving to Nashville, Tennessee this month.

VIII. ADJOURNMENT - The meeting was adjourned at 12:04 p.m.

Respectfully submitted,

Sue Mikanovich
Clerk to the Commission

This meeting was taped in its entirety. Anyone wishing to listen to the tapes may call (702) 588-4547 to make an appointment. In addition, written documents submitted at the meeting are available for review at the TRPA office, 308 Dorla Court, Zephyr Cove, Nevada.
MEMORANDUM

February 3, 1998

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Code Section 54.4 B (4) (Prohibition of Superstructures) to Allow Exceptions for Health and Safety Facilities and Scientific Research Facilities.

Proposed Action: The applicant, Kleppe, has requested TRPA consider amending Code Section 54.4.B(4) of the TRPA Code of Ordinances to allow for an exception to the prohibition of superstructures in the Shorezone for Public Health and Safety Facilities and Scientific Research Facilities.

Staff Recommendation: Staff recommends the Advisory Planning Commission recommend adoption of the proposed Code Section 54.4.B(4) amendment to the Governing Board.

Background: Currently the TRPA Code of Ordinances prohibits the construction of superstructures in the shorezone. A superstructure is defined in Chapter 2 as “A structure within the foreshore or nearshore, other than a handrail, davit, or flagpole but including boathouses, which projects above high water or ground elevation more than five feet.” The existing language is supported by staff and the shorezone partnership. However, there have been a few, very specific situations where this language is too restrictive. These situations, specifically, pertain to public health and safety facilities and scientific research facilities.

We have had requests to install radio transmitters as well as other public health and safety apparatus at the end of piers which staff was unable to process because they are not allowed structures in the shorezone. And with the advancement in real time monitoring capabilities, in some very specific and isolated situations, there is a need to house data-gathering equipment over water on a pier.

Staff and the applicant have drafted an amendment that is very specific. To limit the number of applications, the applicant for a Public Health and Safety structure must be a public agency whose jurisdiction includes boating and water safety. Staff estimates that nine agencies would qualify to apply for these structures. The applicant for a scientific research structure must be conducting research or monitoring identified in the...
Environmental Improvement Program. In no situation would this new language allow a structure to be built to house watercraft. Currently only the Tahoe Research Group, USGS, TRPA, NDEP, and LWQCB have EIP monitoring programs. See Exhibit A for the proposed language which includes special findings.

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: The proposed Code amendment is very limited in who is eligible to apply and, therefore limited in its application. All application must be reviewed for compliance with other Code provisions which include scenic standards. All projects approved under this new language will must meet all Regional Plan standards.

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

   Rationale: All projects that are approved under this new Code language must make the finding that no threshold will be exceeded. In addition, in scenic shoreline units that are not in attainment, any project approved must show there are not additional impacts to scenic quality standards and there is an actual net benefit.

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: See Findings 1 and 2 above.

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: See Findings 1 and 2 above.

AGENDA ITEM V.A.
Environmental Documentation: Based on the above analysis and completion of an EIS, no significant environmental impacts were identified that cannot be mitigated to a less than significant level. The amendment is consistent with the proposed shorezone scenic mitigation system and these limited additional superstructures will be included within the system.

If there are any questions regarding this agenda item, please contact Coleen Shade at (702) 588-4547.
54.4.B Design And Construction Standards: Design and construction standards are:

(4) Superstructures shall not be permitted on any lake or lagoon in the Region unless TRPA finds that the structure is:

(a) for the purpose of conducting research identified in the Environmental Improvement Program or conducting ongoing monitoring of environmental conditions identified in TRPA’s monitoring program; and

(i) the nature of the research or environmental monitoring requires an “over the water” location for data gathering instrumentation and is the minimal size necessary; and

(ii) no watercraft will be housed in or on the superstructure; or

(b) required by a public agency for public health and safety purposes (such as a radio transmitter or a light beacon); and

(iii) by its very nature the superstructure requires an over the water location and is the minimum size necessary; and

(iv) no watercraft will be housed in or on the superstructure.
TAHOE REGIONAL PLANNING AGENCY

MEMORANDUM

February 3, 1998

To: TRPA Governing Board
From: TRPA Staff
Subject: Scope of Impacts for Environmental Documents Related to Proposed Alternatives to Current Parking and Other Recreational Use Patterns Along the East Shore of Lake Tahoe

Proposed Action: No formal action is proposed for this item at this time. Staff is requesting input and comments on the scoping of alternatives to parking and use patterns along the east shore of Lake Tahoe.

Staff Recommendation: Staff recommends that a public hearing be held to gather public input and comments on the scoping of alternatives to parking and use patterns along East Shore.

Background: SR 28 between Incline Village and Spooner Summit is one of fourteen National Scenic By-ways designated by the U.S. Department of Transportation, having received this distinction in 1996. This designation is reserved for those highways possessing outstanding qualities that exemplify the regional characteristics of our nation.

One requirement for the Eastshore Drive National Scenic By-way is the completion of a Corridor Management Plan (CMP). A CMP was completed for this segment of SR 28 in 1997. Much of the effort of these planning studies has been to address the issue of parking. Designated parking is located in just a few locations, with a large number of users parking along the roadway shoulder in an uncontrolled fashion. The CMP identified recommendations for removing and/or reducing the parking along the highway.

The groups involved in TEAM Tahoe (US Forest Service, Nevada State Parks, TRPA, NDOT, Tahoe Area Naturists, Carson City) have been working to develop alternatives to the on-highway parking. Listed below are some goals that have been identified for the proposed project.

The goal of this project is to address the visual and erosion concerns along Nevada State Route 28 corridor by providing alternative methods of access for the public.

It is the intent of this project to maintain current levels of public access as specified in the Lake Tahoe Basin Management Unit Forest Management Plan.

Staff will begin this item with a brief presentation. Please contact Paul Pettersen or Bridget Cornell at (702) 588-4547 if you have any questions or comments regarding this agenda item.

/bkc

AGENDA ITEM V.B.
Planning for the Protection of our Lake and Land
February 2, 1998

To: Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Boundary Line Between Plan Area 104, Highland Woods, and Plan Area 103, Sierra-Tract Commercial, to Move a Portion of El Dorado County APN 31-290-25 from PAS 104 to PAS 103

Proposed Action: The applicant, Mr Craig S. Collins, requests TRPA consider an amendment of the boundary line between Plan Area Statement 103, Sierra Tract Commercial, and Plan Area Statement 104, Highland Woods, to add a portion of El Dorado County APN 031-290-25 from PAS 104 to PAS 103. Please see Attachment A map for existing boundary and Attachment B map for the proposed amendment.

Staff Recommendation: Staff recommends the Advisory Planning Commission (APC) make a recommendation to the Governing Board to adopt the proposed amendment to amend the boundary line between PAS 103 and PAS 104.

Discussion: The proposed amendment has gone before the City’s Planning Commission and City Council and has been adopted. Currently, there is a inconsistency between the City’s zoning and TRPA’s zoning due to the City’s adoption of the proposed amendment.

The subject parcel is located one parcel off Lake Tahoe Boulevard and fronts on Lodi Avenue. There is an existing building on the parcel. Prior to the City’s adoption amending the boundary line, the parcel had two zoning designations. The front two-thirds of the building was zoned General Commercial by the City and Commercial/Public Service by TRPA. The rear portion was zoned Multi-family Residential by the City and Residential by TRPA. The existing building was split by a zoning line, precluding the rear portion from being used as a commercial use.

The building has historically been used as an auto body shop and as an auto dealer. The entire building was utilized and the vehicle repair occurred in the rear portion of the building. There had been a variance and Special Use Permit issued in the 1960’s which allowed these auto related uses. In the early 1980s, the Lake Tahoe Community College (LTCC) moved into the building. Although there were never approvals given for this change in use, it was considered to be a public service use, however, since it was a leased commercial building, the owner’s have retained the commercial floor area. The LTCC has relocated from the building and it currently sits vacant. The property owner is currently proposing that the entire building either be a retail use or an office building. Prior to the City of South Lake Tahoe amending the boundary line, only the front two-thirds had the commercial designation. The rear portion was limited to residential uses.
At the November 18, 1997 City Council meeting, the Council adopted the ordinance amending the General Plan Map for the rear third of subject parcel and approving the zoning change from High Density Residential (HDR) to General Commercial (GC). Concerns were raised by affected property owners within the vicinity of the subject parcel. They were concerned about uses that could potentially conflict with the surrounding residential uses. City staff responded to the callers by explaining that the property owner was currently discussing possibilities of either retail or general office uses. However, this does not preclude the property owner from developing with any use that may be permissible under the Commercial Use List (See Attachment C). Although the property owner can develop the parcel with any use permissible, a permit will be required by the City or possibly TRPA. Any special use will require TRPA Governing Board approval.

Any new development that may occur due to the amendment will require to be consistent with the Code, the Regional Plan Package, and TRPA Plan Area Statements. PAS 103 is designated as a Commercial/Public Service and provides uses that are consistent with this designation, but any new development or redevelopment will have to comply with the planning considerations and special policies of PAS 103. The subject parcel is in Scenic Unit 35 and is targeted for scenic restoration as required by the scenic threshold. Uses that are incompatible with scenic restoration is not encouraged in this area.

Findings: Prior to amending the TRPA Code of Ordinances, TRPA must make the following findings.

Chapter 6 Findings

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

   Rationale: The amendment will bring the an subject parcel into consistency with the City of South Lake Tahoe’s zoning. Furthermore, the front portion of the parcel is currently consistent with the uses allowed by PAS 103, only the rear portion of the parcel does not have the commercial designation. The amendment will bring the whole parcel and the existing building into an commercial plan area therefore allowing the whole parcel to be used as a commercial use. Planning considerations and special policies of the PAS 103 targets the area as a scenic restoration area and any new development or redevelopment of the subject parcel will have to be consistent with scenic restoration as required by the scenic threshold.

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

   Rationale: The amendment will not cause the environmental thresholds to be exceeded. Commercial/Public Service uses are already allowed on the subject parcel and any new development will be subject to the Regional Plan Package. Furthermore, the area is targeted...
for scenic restoration and any new project will be required to be consistent with TRPA's scenic restoration program and scenic threshold.

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 V(d) of the Compact, the project meets or exceeds such standards.

**Rationale:** See Finding 1 and 2 above

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:** See Finding 1 and 2 Above. Any new development or redevelopment that may occur due to the amendment will be required to meet all applicable sections of the Code, Rule and other TRPA Plans and programs, such as the scenic restoration program.

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

**Rationale:** See Finding 1 and 2 Above. The amendment from a Regional Perspective will not cause additional land coverage or disturbance that would otherwise be permitted by the Regional Plan.

**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.

**Rationale:** Currently the front two-third of the building and subject parcel is consistent with Subsections 13.5.B and 13.5.C. The amendment will bring the rear portion of the building and parcel into consistency with the uses allowed in the front two-thirds of the building.

**Environmental Documentation:** Staff has prepared an Initial Environmental Checklist (IEC) for the propose amendment. Staff proposes a Finding of No Significant Effect (FONSE) based on the Chapter 6 and Chapter 13 Findings shown above and on the following:

1. The City of South Lake Tahoe has processed and certified a Negative Declaration on this proposal; and

2. From a regional perspective, no additional land coverage or disturbance would be permitted by the amendment than is otherwise permissible under the Regional Plan; and

**AGENDA ITEM V.C.**
3. The amendment will bring a rear portion of a building and parcel into conformance with the front portion, which has historically been an commercial/public service use, and into conformance with the City's zoning.

Requested Action: Staff request the APC make a recommendation to the Governing Board to adopt the implementing ordinance amending the boundary line between PAS 103 and 104 to add a portion of El Dorado County APN 031-290-25 into PAS 103.

Staff will begin this item with a brief presentation. Please contact Gabby Barrett at 702-588-4547, or via email: trpa@sierra.net, if you have any comments regarding this item.
CSLT Adopted General Plan Map Amendment

Subject Parcel
APN 031-290-25
PLAN DESIGNATION:

Land Use Classification: COMMERCIAL/PUBLIC SERVICE

Management Strategy: REDIRECTION

Special Designation: TDR RECEIVING AREA FOR:
1. Existing Development

SCENIC RESTORATION AREA

DESCRIPTION:

Location: This area is located along Highway 50 between the Truckee River and Trout Creek and is located on TRPA may G-18.

Existing Uses: This area contains a mixture of commercial uses including motels. The area is 90 percent built out.

Existing Environment: The lands are classified ten percent SEZ and 90 percent low hazard. The land coverage is 70 percent plus an additional ten percent disturbed.

PLANNING STATEMENT: This area should continue to provide commercial services for the residents and visitors of the south shore.

PLANNING CONSIDERATIONS:

1. The area experiences periods of traffic congestion.

2. Scenic Roadway Unit 35 is in this area and is targeted for restoration as required by the scenic threshold.

3. Within this area, major development is located in the SEZ.

4. The present community college will be relocated from it present site.

5. Additional fire hydrants and water system improvements are needed in this area.

SPECIAL POLICIES:

1. The TRPA and the City of South Lake Tahoe Redevelopment Agency will evaluate all or portions of this Plan Area for a Special Designation as Eligible for Redevelopment Plans after substantial progress has been made toward implementation of the redevelopment plan in PAS 089, 091, and 092.
2. Uses incompatible with the Scenic Restoration Plan should be encouraged to relocate of Highway 50.

3. Uses encroaching in the Trout Creek Meadow should be included in the SEZ restoration program.

**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.

<table>
<thead>
<tr>
<th>Category</th>
<th>Permissible Uses</th>
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<tbody>
<tr>
<td>Residential</td>
<td>Employee housing (S), mobile home dwellings (S), multiple family dwelling (S),</td>
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<td></td>
<td>nursing and personal care (S), resident care (S), and single family dwelling (S).</td>
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<tr>
<td>Tourist Accommodation</td>
<td>Bed and breakfast facilities (S), hotel, motels, and other transient dwelling</td>
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<td></td>
<td>units (A), timeshare (hotel/motel design) (S), and timesharing (residential</td>
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<tr>
<td></td>
<td>design) (S).</td>
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<tr>
<td>Commercial</td>
<td>Auto, mobile home and vehicle dealers (S), building materials and hardware (S),</td>
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<td></td>
<td>eating and drinking places (A), food and beverage retail sales (A), furniture,</td>
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<td></td>
<td>home furnishings and equipment (A), general merchandise stores (A), mail order</td>
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<td>and vending (A), nursery (A), outdoor retail sales (S), service stations (A),</td>
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<td>amusements and recreation services (S), outdoor amusements (S), animal</td>
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<td></td>
<td>husbandry services (S), auto repair and service (S), broadcasting studios (A),</td>
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<td>business support services (A), contract construction services (S), financial</td>
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<td>services (A), health care services (A), laundries and dry cleaning plant (S),</td>
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<td>personal services (A), professional offices (A), repair services (A), Schoolis</td>
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<td></td>
<td>- business and vocational (S), secondary storage (S), printing and publishing (S),</td>
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<td></td>
<td>small scale manufacturing (S), vehicle storage and parking (S), and warehousing (S).</td>
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<tr>
<td>Public Service</td>
<td>Churches (A), cultural facilities (A), day care centers/pre-schools (A),</td>
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<td>government offices (A), local assembly and entertainment (A), local post office</td>
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<td>(A), local public health and safety facilities (A), membership organizations</td>
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<td>(A), public utility centers (S), schools - kindergarten through secondary (S),</td>
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<td>social service organizations (A), pipelines and power transmission (S), transit</td>
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<td>stations and terminals (S), transportation routes (S), and transmission and</td>
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<td></td>
<td>receiving facilities (S).</td>
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</tbody>
</table>
Recreation Day use areas (A), participant sports facilities (S), outdoor recreation concessions (S), riding and hiking trails (S), and visitor information center (S).

Resource Management Reforestation (A), sanitation salvage cut (A), thinning (A), timber stand improvement (A), tree farms (A), 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), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (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>
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<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Multiple Family Dwellings</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>Mobile Home Dwelling</td>
<td>8 units per acre</td>
</tr>
<tr>
<td>Nursing and Personal Care</td>
<td>25 people per acre</td>
</tr>
<tr>
<td>Residential Care</td>
<td>25 people per acre</td>
</tr>
<tr>
<td>Employee Housing</td>
<td>As per limitations above</td>
</tr>
</tbody>
</table>

| Tourist Accommodation                    |                               |
| Bed and Breakfast                        | 10 units per acre             |
| Hotel, Motel and other Transient Units   | 40 units per acre             |
| with less than 10% of units with kitchens| 15 units per acre Timeshare   |
| with 10% or more units with kitchens     | As per the limitations set forth in this 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 65 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

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.)

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

March 3, 1999

To: TRPA Advisory Planning Commission
From: TRPA Staff
Subject: Amendment of the Regional Transportation Plan to Incorporate Projects Proposed in the 1998 Regional Transportation Improvement Program (RTIP); and Adoption of the 1998 Regional Transportation Improvement Program (RTIP)

Proposed Action: To review the proposed amendments to the Regional Transportation Plan (see Page 4 for proposed amendments) incorporating the projects proposed in TRPA's 1998 RTIP and recommend approval of the amendments to the Governing Board; and to recommend adoption of the 1998 Regional Transportation Improvement Program (RTIP) (Attachment "A") to the Governing Board.

Staff Recommendation: Staff recommends the APC make a recommendation to the governing Board to adopt the RTP amendments and to adopt the 1998 RTIP.

Background: Transportation projects in the State of California are programmed for funding by the California Transportation Commission (CTC). The State Transportation Improvement Program (STIP) programs projects for construction while the State Highway Operation & Protection Program (SHOPP) is primarily a maintenance programming document.

Each Regional Transportation Planning Agency (RTPA) is to prepare a Regional Transportation Improvement Program (RTIP) for their respective regions. RTPAs are to consult with Caltrans in the development of the RTIP in order to allow Caltrans to consider the financial impact of the RTIP on Caltrans staff requirements needed to support projects approved in the State Transportation Improvement Program (PSTIP) prepared by Caltrans. Each RTIP is to include a list of projects that are candidates for inclusion in the STIP adopted by the CTC.

The CTC adopted RTIP guidelines require that the RTIP prepared by the RTPAs shall support and be consistent with the most recent update of the region's Regional Transportation Plan (RTP). TRPA's most recent update of its RTP is the Regional Transportation Plan – Air Quality Plan (RTP-AQP), approved by the Governing Board in May 1992, and reaffirmed in 1994 and 1996. Part of today's action includes assuring consistency with the RTP-AQP by amending it to incorporate the projects proposed in the 1998 RTIP.

Since the previous RTIP was adopted for the Tahoe Region in December 1995, there have been two changes to legislation in California that have changed the role of the Tahoe Regional Planning Agency.

/bkc

Planning for the Protection of our Lake and Land
The first involved how TRPA accesses funds to program in the STIP. Previously, when TRPA adopted an RTIP, the funding level was dictated by county minimums for El Dorado County and Placer County. The previous law defined a STIP project minimum for each county in California. Rather than having a separate apportionment for the Tahoe Region, the funds would have to come from the two counties. This situation presented problems in El Dorado and Placer Counties, because two RTPAs exist for each. The change in legislation eliminated this problem by assigning a county minimum to the Tahoe Region. The RTIP being presented today is the first in which the Tahoe Region is assigned its own fund estimate for proposed projects.

Secondly, during 1997, activity in the California Legislature to reform the STIP process resulted in the adoption of Senate Bill 45 (SB 45). SB 45 consolidated 9 categorical programs into essentially 2 programs (The Regional Improvement Program and the Interregional Improvement Program). In addition it shortens from 7 to 4 years the time horizon for programming commitments (6 years for 1998 STIP) and requires “full costing” of projects by expanding STIP programming from right of way and construction to also include project support. SB 45 curtails speculative nomination process, thus disciplining nominations from Caltrans and regions. SB 45 encourages closer partnership between Caltrans and regional agencies in developing individual project priorities, prior to submitting proposed STIP projects to the Commission, and shifts commission’s focus from project selection more toward program implementation and performance.

As mentioned above, the STIP will now be comprised of two project categories: Regional and Interregional. The Regional projects are those that will be programmed by the local transportation planning agencies, and the Interregional projects will be programmed by Caltrans and the California Transportation Commission. TRPA received its fund estimate for Regional projects in December 1997. Of the Regional fund estimate, a certain percentage is required to be set aside for TEA projects, and 2% is allowed to be used by RTPAs for regional project planning purposes. The following is a breakdown of the funds available in the Tahoe Region:

<table>
<thead>
<tr>
<th>1998 STIP Fund Estimate for Tahoe Region</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total county share of new STIP Funds, 1998 STIP:</td>
</tr>
<tr>
<td>TEA Projects and Reserve:</td>
</tr>
<tr>
<td>2% for Project Planning and Programming:</td>
</tr>
<tr>
<td>TOTAL AVAILABLE FOR RTIP PROGRAMMING:</td>
</tr>
</tbody>
</table>

Discussion: The purchase of transit vehicles is an eligible use of STIP monies. Both Placer County and the City of South Lake Tahoe are in the process of pursuing funds to purchase replacement vehicles for the existing TART and STAGE fleets, respectively. In keeping with TRPA’s emphasis on transit, TRPA is proposing the programming of approximately $560,000 in STIP funds for the purchase of transit vehicles. Both of the jurisdictions will be contributing a local portion as well.
TRPA has been working with the local jurisdictions to identify roadway improvement projects for STIP funding. One stipulation that is required for projects to be funded is that there must be an approved Project Study Report (PSR) for the project. At the time SB 45 was approved there was only one approved PSR, that for the Tahoe Keys Intersection Improvements. However, the PSR for the City of South Lake Tahoe US 50 Sidewalk project was nearly complete. No other PSRs could be approved within the time frame available under SB 45, so between these 2 projects, it was agreed between the City, Caltrans and TRPA to pursue completion of the PSR for the US 50 Sidewalk Project.

As identified in the PSR, the first stage of the US 50 Sidewalk Project will go from just east of Ski Run Boulevard to the Trout Creek Bridge, and the second stage will go from the Trout Creek Bridge to the “Y”. TRPA has been working with Caltrans, the City of South Lake Tahoe, and the engineer completing the PSR (KB Foster) to make sure that the appropriate elements are incorporated into the project. It now appears that all involved parties are satisfied with the current project proposal. TRPA is recommending that Stage 1 of the sidewalk project be funded through the 1998 STIP in the amount of $6,700,000. The City of South Lake Tahoe is contributing $650,000 in local funds for a total project cost of $7,350,000.

Placer County has made a request to TRPA to provide STIP funding for the Tahoe City Urban Improvement Project (TCUIP). The UIP received STIP funding through Caltrans previously, but costs have since escalated and additional elements have been added to the project. The unfunded portions include elements of the proposed pedestrian facilities. TRPA is proposing to fund approximately $463,000 of this project from its 1998 STIP funding.

The following is a breakdown of how the balance of the Tahoe Region’s County Share will be allocated:

<table>
<thead>
<tr>
<th>Tahoe Region Proposed 1998 RTIP Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unrestricted County Share:</td>
</tr>
<tr>
<td>Transit Vehicle Purchase:</td>
</tr>
<tr>
<td>City of South Lake Tahoe Pedestrian Project:</td>
</tr>
<tr>
<td>Placer County Urban Improvement Project:</td>
</tr>
<tr>
<td>Balance of 1998 STIP funds:</td>
</tr>
</tbody>
</table>

In addition to the Regional Projects identified above, TRPA is recommending the Echo Summit Concrete Barrier and Drainage Improvement Project be incorporated into the Interregional Transportation Improvement Program. The Echo Summit Concrete Barrier and Drainage Improvement project has been submitted to Caltrans and the CTC as a recommended project to be funded through the Intergovernmental Program. TRPA has yet to be notified if the project is accepted for incorporation into the program.

As mentioned above, projects proposed for funding through the STIP process need to be consistent with the Region’s Regional Transportation Plan. TRPA is proposing to incorporate the projects proposed in the RTIP, as well as the project requested to be included in the

/bkc
Interregional Transportation Improvement Program. The projects listed below are recommended for incorporation in TRPA's Regional Transportation Plan - Air Quality Plan at the identified locations.

The following should be added to Volume III of the RTP-AQP, Mass Transportation Element:

In addition to expanding transit services in the Region, the existing services need to be maintained. In order to maintain the services, the vehicles will need to be replaced on a regular basis. The transit systems on the North and South shores should replace transit vehicles at such times that the vehicles have met or gone beyond their useful lives.

The following should be added to Volume III of the RTP-AQP, Streets and Highways Element:

Construction of concrete barrier and drainage improvements along US 50 from Echo Summit to bottom of grade.

The two additional projects in TRPA's RTIP (CSLT Sidewalks and Tahoe City UIP) are currently consistent with TRPA's RTP-AQP.

Staff will begin this item with a brief presentation. Please contact Bridget Cornell at (702) 588-4547 if you have any questions or comments regarding this agenda item.
Regional Transportation Improvement Program

The projects listed below are the regional projects for the Tahoe Region that TRPA is proposing be included in the 1998 California STIP.

Regional:
1. Purchase of Replacement Transit Vehicles:

Both the City of South Lake Tahoe and Placer County are in need of replacement buses to maintain the existing levels of service on both the South Tahoe Area Ground Express (STAGE) and the Tahoe Area Regional Transit (TART), respectively. This project would include the purchase of 4 transit vehicles.

Cost Estimate: $700,000.00
Funding Requested for 1998 STIP programming: $560,000.00

El Dorado County:
1. City of South Lake Tahoe Sidewalk Project (Phase I):

The City of South Lake Tahoe will construct sidewalks along US 50, from just West of Ski Run Boulevard west to the Trout Creek Bridge. This project will include the construction of the sidewalks and water treatment facilities for the runoff from the highway and the sidewalks.

Total Project Cost Estimate: $7,322,524.00
Funding Requested for 1998 STIP Programming: $6,700,000.00

Cost Breakdown:

Construction Costs: $5,307,324.00
Right of Way: 265,200.00
Permits, Environmental, etc.: 250,000.00
Prepare P, S, & E: 750,000.00
Construction Management, Engineering, etc.: 750,000.00
TOTAL PROJECT COST: $7,322,524.00

Placer County:
1. Tahoe City Urban Improvement Project:

Placer County has been working on the development of the Tahoe City Urban Improvement Project (TCUIP) for several years. This project has received STIP funds directly from the California Transportation Commission in past cycles. Certain elements of the project were not included in the original cost estimate, and other costs have escalated. The STIP funds being requested would fund additional elements of the pedestrian facilities.

Total Project Cost Estimate: $5,660,000.00
Funding Requested for 1998 STIP Programming: $463,000.00

February 3, 1998
MEMORANDUM

February 3, 1998

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Adoption of the Environmental Improvement Program

The EIP will be mailed to APC members under separate cover prior to the meeting. Staff will be making a presentation and taking public comment at the meeting.

Recommended Action: Staff recommends that the APC conduct a public hearing and recommend approval of the initial draft document to the Governing Board.

jF
2/3/98

AGENDA ITEM V.E.

Planning for the Protection of our Lake and Land
MEMORANDUM

February 2, 1998

To: TRPA Advisory Planning Commission
From: TRPA Staff
Subject: Proposed Amendments to Chapter 4, Project Review and Exempt Activities Relating to the Establishment of a Hearings Officer.

Proposed Action: Advisory Planning Commission (APC) is requested by TRPA staff to consider amendments to Chapter 4 (see attached ordinance) to add provisions for establishing a Hearings Officer and amend Appendix A to reduce the number of projects that require Governing Board approval. Staff also requests that the APC consider amending the Rules of Procedure to include a new Article that establishes procedures for the Hearings Officer.

Staff Recommendation: Staff recommends that the APC conduct the scheduled public hearing on the matter and, based on its outcome, recommend approval of the proposed amendment shown in Exhibit “A” and the proposed Resolution shown in Exhibit “B”.

Background: Currently, Chapter 4, Appendix A requires Governing Board approval for many projects that are often considered routine and non-controversial. These projects are placed on the consent calendar portion of the Governing Board’s monthly agenda and are usually approved without discussion. This process requires a significant amount of staff time to prepare legal notices, write reports and attend meetings. Additional staff time is spent copying reports for inclusion in the monthly packet and mailing reports to applicants and their representatives. As a result, applicants are required to submit higher application fees for projects requiring Governing Board review and sometimes wait longer to receive agency approval.

Discussion: The proposed amendments to Chapter 4 will add provisions to establish a Hearings Officer. In addition, the proposed amendments to Appendix A will reduce the number of projects that require Governing Board approval and will identify projects that are to be reviewed by the Hearings Officer. The Hearings Officer would take final action on certain projects that are currently reviewed by the Governing Board. The intent of the proposed amendments is to streamline the permit process, which will reduce agency staff and Governing Board time spent reviewing routine and non-controversial projects. The staff time saved as a result of these amendments could be better spent reviewing more complex projects or spent reducing the agency project application backlog.

2/2/98

AGENDA ITEM V.F.

Planning for the Protection of our Lake and Land
Memorandum to Advisory Planning Commission
Proposed Amendments to Chapter 4, Project Review and Exempt Activities
Page 2

Currently, all of the local jurisdictions in the Basin use a Zoning Administrator or similar function to approve certain types of administrative projects. In the City of South Lake Tahoe, the Principal Planner serves as the Zoning Administrator while Placer County has designated the Assistant Planning Director to fill the role. The TRPA Hearings Officer will be a designee of the Executive Director such as the Chief of Project Review.

All projects considered by the Hearings Officer will require a public hearing that will be noticed in a newspaper of general circulation in the Basin as well as through direct mailings to all property owners within 300 feet of a project area boundary. This is consistent with the current notice requirements for Governing Board level projects. The public hearings will be tape-recorded and written minutes of all meetings will be kept consistent with the requirements of the Nevada Open Meeting Law. The hearings officer will have the authority to take final action on a project, continue a project or refer a project to the Governing Board if the Hearings Officer identifies significant controversy. All decisions of the Hearings Officer may be appealed in accordance with Article XI of the Rules of Procedure.

Environmental Documentation: Staff has completed an Initial Environmental Checklist (IEC) for the amendments and proposes a Finding of No Significant Effect (FONSE). The proposed amendments will not significantly alter implementation of the Code of Ordinances and are intended to streamline the permitting process.

Required Findings: The following findings must be made prior to adopting the proposed amendment:

A. Chapter 6 Findings:

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

The proposed amendments will not significantly alter implementation of the Regional Plan and are primarily intended to streamline the permitting process. The proposed amendments are consistent with the Goals and Policies and the proposed amendments do not alter any environmental or development standards.

2/2/98

AGENDA ITEM V.F.
2. **The project will not cause the environmental thresholds to be exceeded.**

   The proposed amendments are intended to streamline the permitting process for certain types of projects that are typically considered routine and noncontroversial. The amendment will establish a procedure that will be similar to those of the local jurisdictions in the Basin. No changes to environmental thresholds or standards are proposed.

3. **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(g) of the Compact, the project meets or exceeds such standards.**

   All projects must continue to implement the Regional Plan package, including maintenance of all applicable air and water standards.

4. **The Regional Plan, as amended, achieves and maintains the thresholds.**

   For the reasons stated in Findings 1 and 2 above, the Regional Plan will continue to achieve and maintain the thresholds.

**B. Ordinance 87-8 Findings:** Section 2.40 of the Ordinance 87-8 requires the following findings be made prior to amending the Code. 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.**

   For reasons stated in Findings A.1 and A.2 above, the proposed amendment is consistent with attainment or maintenance of the thresholds.

2. **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.**
The proposed amendment is intended to streamline the permitting process for certain types of projects that are typically considered routine and noncontroversial but still require Governing Board approval. This process requires a significant amount of staff time that could be better spent reviewing more complex projects or reducing the agency project application backlog. A public hearing will still be conducted for these projects but a designee of the Executive Director, rather than the Governing Board, will make the decision. It is anticipated that the proposed amendment will be a better means of implementing the Regional Plan package.

C. Environmental Finding: Due to the procedural amendment and Resolution, staff recommends a finding of no significant effect.

Request Actions:

To recommend adoption of the proposed amendment and Resolution, the Advisory Planning Commission should take the following actions:

1. Hold a public hearing.

2. Make a motion recommending that the Governing Board adopt the amendment in Exhibit “A” and the Resolution in Exhibit “B”.

If there are any questions regarding this agenda item, please contact Paul Nielsen, Associate Planner or Jim Lawrence, Senior Planner, at (702) 588-4547.

Attachments
EXHIBIT "A"

TAHOE REGIONAL PLANNING AGENCY
ORDINANCE NO. 98-

AN ORDINANCE AMENDING ORDINANCE NO. 87-9 AS AMENDED, OF THE TAHOE REGIONAL PLANNING AGENCY; AMENDING CHAPTER 4 OF THE CODE OF ORDINANCES RELATING TO THE ESTABLISHMENT OF A HEARINGS OFFICER

The Governing Board of the Tahoe Regional Planning Agency does ordain as follows:

Section 1.00   Findings

1.10 It is necessary and desirable to amend TRPA Ordinance No. 87-9, as amended, by amending Chapter 4, of the Code of Ordinances relating to the establishment of a hearings officer, in order to further implement the Regional Plan and Article VI(a) and other applicable provisions of the Tahoe Regional Planning Compact.

1.20 The Advisory Planning Commission ("APC") conducted a public hearing and recommended adoption of the amendments. The Governing Board has also conducted a noticed public hearing on the amendments. Oral testimony and documentary evidence were received and considered.

1.30 The provisions of this ordinance have been found not to have a significant environmental effect on the environment, and thus are exempt from the requirement of an environmental impact statement pursuant to Article VII of the Compact.

1.40 The Governing Board finds that, prior to the adoption of this ordinance, the Board made the findings required by Section 6.5 of the Code of Ordinances and Article V(g) of the Compact, and the findings required by Section 2.40 of Ordinance 87-8. As to the Ordinance 87-8 findings, the Board finds that those findings were supported by a preponderance of the evidence in the record.

1.50 The amendments adopted hereby continue to implement the Regional Plan, as amended, in a manner that achieves and maintains the adopted environmental thresholds as required by Article V(c) of the Compact.

1.60 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.00   Amendment of Chapter 4 of the Code

Subsection 4.7.B is hereby amended with added language underlined as follows:

4.7.B Governing Board and Hearings Officer Action: Categories of projects and matters listed in Appendix A or as otherwise required by law shall require Governing Board or Hearings Officer approval. The Governing Board hereby delegates to the Executive Director review and final action on the projects and matters not listed in Appendix A requiring Governing Board approval.
Appendix A is hereby amended with added language underlined and deleted language shown with an over-strike as follows:

CHAPTER 4
APPENDIX A

PROJECTS AND MATTERS TO BE APPROVED BY
GOVERNING BOARD OR HEARINGS OFFICER

I. GENERAL

Governing Board Review

1. Project for which an EIS was prepared and EIS certification (Chapter 5)
2. Plan amendments, ordinances and resolutions
3. Special uses, including changes, expansions or intensifications of existing uses (Chapter 18)
4. Community Plans, including preliminary plan or work program, redevelopment, master or special plans
5. Problem assessments and remedial action plans, excluding voluntary problem assessments and remedial action plans (Chapter 9)
6. Land capability challenges and man-modified challenges, except land capability challenges pursuant to Subsection 20.2.D submitted under the special provisions for designated land banks (Chapters 20 and 53).
7. Additional coverage in excess of 1000 square feet in land capability districts 1-3.
8. Increase in supply of land coverage (Chapter 20)
9. Memoranda of Understanding
10. Substantial harvest or tree removal plans (71.2.B and 71.3.I)
11. Modifications to SEZs, excluding modifications for residential projects in accordance with Subsection 20.4.B(1) and involving erosion control and other environmentally oriented projects and facilities in accordance with Subsection 20.4.B(4)
12. Spill contingency plans (Chapter 81)
13. Mitigation fund expenditures and projects (Chapter 82 and 93)
14. Permit revocation (Chapter 8)
15. Designated historic resource determinations (Chapter 29)
16. Additions, reconstruction, or demolition of historic resources (Chapter 29)
17. List of approved multi-use commercial centers (Chapter 93)
18. Additional height for structures, in excess of that provide for in Table A (Chapter 22)
19. Projects with five or more multi-residential bonus units (Chapter 35)
20. Projects resulting in significant increases in traffic (Chapter 93)
21. Allocation systems (Chapter 33)
22. Recreation and Public Service 5-year Lists (Chapter 33)
23. Establishing the level defining the top ranked parcels pursuant to Subsection 37.8.B, lowering the line defining the top ranked parcels pursuant to Subsection 37.8.C and determining allowable base land coverage pursuant to Subsection 37.11.A.
24. Finding of the demonstration of commitment for affordable housing pursuant to Subsection 43.4.F.
Hearings Officer

1. Special uses, including changes, expansions or intensifications of existing uses (Chapter 18)
2. Additional height for structures, in excess of that provided for in Table A (Chapter 22)
3. Additions, reconstruction, or demolition of historic resources (Chapter 29)

II. RESIDENTIAL PROJECTS (new, expansion or transfer) INVOLVING:

Governing Board Review

1. Affordable or employee housing greater than four units
2. Mobile home developments
3. Multi-residential greater than four units

Hearings Officer

1. Multi-residential greater than four units
2. Special use projects (except those identified for Governing Board review) involving changes, expansions or intensifications of existing uses

III. TOURIST ACCOMMODATION PROJECTS (new or transfer) INVOLVING:

Governing Board Review

1. Allocation of units, Projects generating more than 200 daily vehicle trips
2. Transfer of units, Special use projects generating more than 100 daily vehicle trips
3. Special project allocations

Hearings Officer:

1. Special use projects (except those identified for Governing Board review) involving changes, expansions or intensifications of existing uses
IV. COMMERCIAL PROJECTS (new or transfer) INVOLVING:

Governing Board Review

1. Allocations of floor area Allocations or transfer of floor area greater than 2,500 square feet
2. Transfer of floor area Projects generating more than 200 daily vehicle trips
3. Special use projects generating more than 100 daily vehicle trips
4. Special project allocations

Hearings Officer

1. Allocations or transfer of floor area less than 2,500 square feet
2. Special use projects (except those identified for Governing Board review) involving changes, expansions or intensifications of existing uses

V. PUBLIC SERVICE PROJECTS (new or transfer) INVOLVING:

Governing Board Review

1. New facilities and/or additions involving over 4,000 2,000 sq. ft. of floor area or 3,000 sq. ft. of new land coverage
2. Airport expansion

Hearings Officer

1. Special use projects (except those identified for Governing Board review) involving changes, expansions or intensifications of existing uses

VI. RECREATION PROJECTS (new or transfer) INVOLVING:

Governing Board Review

1. New facilities or additions involving over 4,000 2,000 sq. ft. of floor area or 3,000 sq. ft. of new land coverage
2. PAOTs-allocation Projects Projects requiring an allocation of PAOTs from the overnight pool of 1,000 PAOTs

Hearings Officer

1. Special use projects (except those identified for Governing Board review) involving changes, expansions or intensifications of existing uses
VII. SHOREZONE PROJECTS INVOLVING

**Governing Board Review**

1. Expansion of existing nonconforming structures, except low level boatlift additions and reconfigurations of existing structures to increase conformance (Chapter 52)
2. New structures, including mooring buoy fields, boat ramps, breakwaters and jetties, fences below highwater, floating docks and platforms, piers and shoreline protective structures.
13. Tour boat operations (new or expansion)
24. Waterborne transit (new or expansion)
35. Seaplane operation (new or expansion)
46. Marinas (new or expansion)
57. Recognition of multiple-use facilities (Chapter 54)
7. Expansions requiring a deviation of development standards, except low level boatlift additions and reconfigurations of existing structures to increase conformance

**Hearings Officer**

1. Special use projects (except those identified for Governing Board review) involving changes, expansions or intensifications of existing uses
2. New structures (except those identified for Governing Board review)

**Section 3.00 Interpretation and Severability**

The provisions of this ordinance and the amendments to the Code adopted hereby shall be liberally construed to effect their purposes. If any section, clause, provision or portion of this ordinance or the amendments adopted hereby is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance or the amendments shall not be affected. For this purpose, the provisions of this ordinance and the amendments are hereby declared respectively severable.

**Section 4.00 Effective Date**

This ordinance shall become effective 60 days after the date of its adoption.

PASSED and ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held February 25, 1998, by the following vote:

Ayes:

Nays:
Abstentions:

Absent:

Drake S. DeLaney, Chairman
Tahoe Regional Planning Agency
WHEREAS, Subsection 4.7 of the TRPA Code of Ordinances, prior to adoption of this Resolution, has been amended to establish a Hearings Officer;

WHEREAS, TRPA Rules of Procedure supplement, interpret and implement both the Tahoe Regional Planning Compact, as amended, and the Tahoe Regional Planning Agency (TRPA) Regional Plan and Code of Ordinances; and

WHEREAS, the Rules of Procedure do not address procedures for a Hearings Officer; and

WHEREAS, the establishment of rules and procedures for a Hearings Officer is necessary and desirable to promote, and is reasonably related to the public health, safety and general welfare of the Tahoe Region; and

WHEREAS, the proposed Article complies in all respects, procedural and substantive, with the Tahoe Regional Planning Compact, the Regional Plan, ordinances and rules of TRPA, and is necessary to effectuate and implement same; and

WHEREAS, the proposed Article is fiscal or procedural in nature and will not have a significant effect upon the environment and therefore does not require the preparation of an environmental impact statement; and

WHEREAS, prior to adoption of this Resolution, the Governing Board made the findings required by Chapters 5 and 6 of the Code of Ordinances;

NOW, THEREFORE, BE IT RESOLVED THAT:

(1) The Governing Board of the Tahoe Regional Planning Agency resolves that the Tahoe Regional Planning Agency shall implement the Hearings Officer in accordance with Article XIV (attached) of the Rules of Procedure.

(2) This Resolution shall take effect upon the effective date of the Ordinance adopting TRPA Code Subsection 4.7.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at its regular meeting held on this __________, February 1998, by the following votes:
Ayes:

Nays:

Abstain:

Absent:

Drake DeLany, Chairman
Tahoe Regional Planning Agency
ARTICLE XIV – HEARINGS OFFICER

14.1 General: This article sets forth the procedures for the Hearings Officer. The position of Hearings Officer shall be appointed by the Executive Director. The purpose of the Hearings Officer shall be to determine project application compliance with applicable provisions of the Compact, Goals and Policies, Code, other TRPA plans, maps and programs, and Rules for projects identified in Chapter 4, Appendix A as requiring review by the Hearings Officer. For the purposes of these Rules, the Goals and Policies, Code, other TRPA plans, maps and programs, and Rules shall be referred to collectively as the “Regional Plan Package.” The scope of review shall be that deemed necessary by TRPA for accurate determination of compliance.

14.2 Actions: The Hearings Officer shall consider each matter submitted for conformity with the Regional Plan Package and shall make a final decision accordingly. The decision shall be either for project approval, project denial, continuance or referral to the TRPA Governing Board.

14.3 Procedures: The Hearings Officer shall be governed by these Rules and Regulation of Practice and Procedure. To the extent practical, the rules provided herein for Project Review and Notices shall apply to the Hearings Officer. Projects reviewed by the Hearings Officer shall be done so through a public hearing and, as such, the hearings shall be subject to rules and requirements as set forth in the Nevada Open Meeting Law.

14.4 Notice: All projects or matters scheduled to be heard by the Hearings Officer shall require notice to affected property owners. The proponent of the project or matter shall submit a list to TRPA of the names and addresses of the persons who own property, or a portion thereof, within 300 feet of the project area boundaries. The list shall be compiled from the current county assessor’s rolls and shall be verified by the applicant. The proponent also shall provide addressed envelopes and postage prepaid to the persons listed. Notice shall be given to such persons by TRPA. The notice shall be given no later than fourteen calendar days before the hearing, shall state the date, time and place of the hearing and the opportunity to be heard.

14.4 Continuance: The Hearings Officer may continue to a specific date any matter for good cause. The Hearings Officer may also defer any item to the TRPA Governing Board.

14.5 Appeals: Any decision by the Hearings Officer may be appealed as set forth under Article XI - Appeals in the Rules of Procedure.
MEMORANDUM

January, 29, 1998

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Regional Plan Land Capability Overlay Map Pursuant to a Proposed Man-Modified Determination, Morris; APN 07-180-04, 255 Kingsbury Grade, Douglas County, Nevada

Proposed Action: The applicants, Jimmie and Melinda Morris, request that the Advisory Planning Commission, review the proposed man-modified determination and if appropriate recommend approval by the TRPA Governing Board.

Staff Recommendation: Staff recommends that the Advisory Planning Commission review the proposed Man-Modified Determination and recommend approval of the proposed Regional Plan amendment which changes the land capability of a 21,420 square foot portion of the parcel (Exhibit 1) from land capability class 1b to land capability class 7, with the following conditions:

1. A schedule for the installation of standard BMPs be completed by the owner and a security deposit be posted prior to the acknowledgement of any permits on this parcel. All BMPs must be installed prior to October 15, 1998. Implementation of BMPs relating to, but not limited to, ripping of compacted areas, revegetation, and stabilization of fill sideslopes, shall be required as part of onsite mitigation. The owner shall post a security equal to $24,300 or 110 percent of the project cost as determined by a licensed Civil Engineer or equivalent, to ensure completion of the necessary BMPs on the parcel.

2. Prior to the acknowledgement of a permit for a new project on this parcel which relies on the increase in the allowable land coverage associated with this man-modified determination, the owner shall retire 6,212 square feet of land coverage in the same hydrologically related area as the parcel in accordance with Subsection 20.3.C (2) or pay a mitigation fee $31,059 to the TRPA excess coverage mitigation fund. The fee is based on a per square foot value of land coverage at $5.00 per square foot. Either option would result in retirement of potential or existing coverage and shall be required as offsite mitigation.

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1/29/98

AGENDA ITEM V. G.

Planning for the Protection of our Lake and Land

39
Amendment of Regional Plan
Man-Modified Determination, Morris ; APN 07-180-04
Page 2

**Background:** The portion of the property being considered for a man-modified determination is 21,420 square feet in size and is located along Kingsbury Grade near Stateline, Nevada. The area being evaluated has a small commercial building on it and is, flat and sparsely vegetated.

Soil mapping completed in 1991 for the Nevada Stateline Community Plan, placed this portion of the APN 07-180-04 in land capability class 1b associated with the TrE (Toem-Rockoutcrop, 9 to 30 percent slopes) map unit. The slope gradients on this portion of the parcel range from 1 to 3 percent. The site has been extensively filled and graded. Based on evidence of grading, the land capability of the disturbed areas could not be verified without a detailed soils investigation.

An agent for the owner filed a land capability challenge on October 8, 1997. A TRPA team of experts conducted the field investigation in October 1997. The soils investigation was conducted by Joseph Pepi, Certified Professional Soil Scientist. A soils report was prepared and concluded the soils were modified by grading to the extent the land capability of the parcel had been significantly altered from its natural state.

Chapter 20, Subsection 20.2.F of the TRPA Code of Ordinances, sets forth the policy for processing man-modified determinations. A man-modified determination is appropriate when land has been altered such that it no longer exhibits the characteristics of the original mapped land capability.

The soils report prepared by Joseph Pepi, TRPA Soil Scientist, is attached. This report found that parcel 07-180-04 had been modified by grading. The graded area now has soils which are deep coarse and fine sands fill material. These soils are not similar to any of the named soils recognized in the Natural Resource Conservation Service (NRCS) Tahoe Basin Soil Survey (Rodgers, 1974).

**Report:** The following analyses are provided to complete the man-modified report:

(a) **Geomorphic Characteristics** - The Geomorphic Analysis of the Lake Tahoe Basin (Bailey, 1974) maps this area as geomorphic unit E-2 (Outwash, till and lake deposits) and is classified as low hazard lands. The soils identified on the parcel (see item c) are consistent with the mapped geomorphic hazard rating.

(b) **Surface and Subsurface Hydrology** - The parcel has no surface water drainages and there is no evidence of near surface groundwater.

(c) **Physical/Chemical Soil Characteristics** - The parcel is mapped as TrE (Toem-Rockoutcrop, 9 to 30 percent slopes) on TRPA Kingsbury Community Plan Land Capability Map.

1/29/98

AGENDA ITEM V. G
(d) Erosion Hazard - The altered soils have been graded, are deep and would have a low runoff potential. Because of the coarse texture of the surface soils, they have a slight relative erosion hazard.

(e) Vegetation - The vegetative cover on the parcel consists of Jeffrey pine, rabbitbrush, bitterbrush, whitethorn and manzanita. The vegetation on the disturbed areas is sparse, since much of it was destroyed as a result of the grading. Natural revegetation of the disturbed area has been slow; this may be due to the soil conditions.

(f) Land Capability District - The graded areas are best classified as land capability class 7. There is approximately 21,420 square feet of area on the parcel identified as class 7 and allowed 30 percent land coverage.

The proposed man-modified determination does not grant a permit for any new construction. This determination solely applies to the classification of the parcel under the Bailey Land Capability Classification System, from which the amount of allowable coverage is determined.

REQUIRED FINDINGS:

The following is a list of required findings as set forth in Chapters 6 and 20 of the TRPA Code of Ordinances. Following each finding, TRPA staff has briefly summarized the evidence on which the required finding may be made.

A. Chapter 6 Findings

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

Rationale and Evidence: The proposed amendment of the Regional Plan to amend TRPA Land Capability Overlay Map H-16 is consistent with the procedures set forth in Chapter 20 of the Code. No significant impacts on the Regional Plan, Goals and Policies, Plan Area Statements, the Code or other TRPA plans and programs are anticipated.

2. The project will not cause the environmental threshold carrying capacities to be exceeded.

Rationale and Evidence: The basis on which this finding can be made is provided in the checklist entitled, "Checklist: Article V (g) Findings", in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained in said checklist indicate compliance with the environmental threshold carrying capacities.

All responses contained in said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist is available at the Governing Board hearing and on file at TRPA.

1/29/98

AGENDA ITEM V. G
3. Wherever Federal, State or 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 TRPA Compact, the project meets or exceeds such standards.

Rationale and Evidence: The basis on which this finding can be made is provided in the checklist entitled, "Checklist: Article V (g) Findings", in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained in said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist is available at TRPA.

4. The Regional Plan, as amended, achieves and maintains the thresholds.

Rationale and Evidence: For the reasons stated in support of Findings 1, 2, and 3 above, the proposed amendment will result in the Regional Plan Package continuing to achieve and maintain thresholds.

Section 20.2.F. Findings

Finding (a): The land was modified prior to February 10, 1972.

The parcel was graded in the late 1960's and so there is evidence that the property was graded prior to the 1972 cutoff date.

Finding (b): Further development will not exacerbate the problems resulting from the modification of the land and will not adversely impact sensitive lands adjacent to or nearby the man-modified area.

Development of the graded area will not increase runoff or erosion provided all new development is completed with properly conceived and designed BMPs which are properly maintained. Revegetation of the graded areas not utilized for development would enhance nutrient uptake and minimize surface erosion potential. There is no evidence of near surface groundwater and further development would not interfere with groundwater.

Finding (c): The land no longer exhibits the characteristics of land bearing the original land capability classification.

The original land capability class of the parcel was 1a. The graded area now has a slope gradient of 1 to 3 percent which is flatter than the natural slope gradients of the surrounding lands. Due to the change in slope, the graded area now exhibits the characteristics of a land capability class 7.

1/29/98

AGENDA ITEM V. G
Finding (d): Restoration of the land in question is infeasible because of factors such as the cost thereof, a more positive cost-benefit ratio would be achieved by offsite restoration. Onsite restoration would cause environmental harm, restoration onsite would interfere with an existing legal use and the land is not identified for restoration by any TRPA program.

Onsite restoration of the graded area to the original land form and corresponding slope gradient would require removal of fill material to reshape the slope contours. Removal of fill material reshaped to the natural contours of 9 percent or greater would increase erosion potential and create large areas of unvegetated, erodible soil. The cost to reestablish the original contours or reshape the graded areas would exceed the costs to revegetate the graded areas to a natural vegetative community. Restoration of the graded areas would severely impact the existing use of the parcel. There are no current TRPA plans for restoration of this parcel.

Finding (e): Further development can be mitigated offsite.

The major impact related to the change in land capability of this parcel would be related to increased allowed land coverage. This increase in allowed land coverage could be mitigated by offsite retirement of potential or existing land coverage within the hydrologic region of the parcel. All new land coverage would be subject to the standard TRPA water quality mitigation fee.

Finding (f): Mitigation to offset the losses caused by the modification of the land and pertinent land capability district shall be as follows: (i) onsite and offsite mitigation, (ii) a maintenance program, including a schedule of maintenance proposed by the owner and approved by TRPA and; (iii) collection of a security, if deemed necessary by TRPA, to guarantee mitigation.

The man-modification of this parcel has resulted in an increased benefit to the owner in that there is an increase in allowed land coverage. The onsite mitigation for development of land coverage would entail runoff control of storm water by infiltration. Revegetation of disturbed areas would reduce runoff and erosion potential onsite. Onsite mitigation measures shall be in compliance with the TRPA BMP Handbook. The owner of the property shall include appropriate onsite mitigation measures with any project proposal submitted to TRPA, as a result of the change in land capability from the man-modified determination, for review and approval.

There will be an increase of 6,212 square feet of allowable land coverage over the allowed land coverage associated with the previous mapped land capability, as a result of the man-modified determination. This increase in allowed coverage would not have been available to the property owner had the parcel remained in its natural state. This increase in land coverage can be mitigated offsite by retirement of either potential land coverage or existing land coverage. The retirement of land coverage in the hydrologic region of the parcel could be accomplished by the owner acquiring other lands offsite and retiring land coverage; or the owner could pay, on a per foot basis, an appropriate mitigation fee to TRPA to be passed through to another entity for retirement of potential land coverage.
Amendment of Regional Plan
Man-Modified Determination, Morris; APN 07-180-04
Page 6

The owner of the property shall include a program and schedule for maintenance of the required BMPs as a condition of approval by TRPA. The owner shall post $24,300 or 110 percent of the project cost as determined by a licensed Civil Engineer as security for completion of the necessary BMPs. The security shall be posted within 90 days of the Governing Board approval of the man-modified determination.

CONCLUSIONS: Agency staff has found that as a result of the man-modifications to the parcel, the graded areas of the parcel exhibit different land capability than what was originally mapped. The impacts of the man-modified determination are predominantly associated with increased allowable land coverage. The erosion and runoff impacts associated with the grading of the parcel can be mitigated through implementation of BMPs onsite and land coverage retirement offsite.

ENVIRONMENTAL DOCUMENTATION: An environmental checklist has been filled out for this project. All responses contained in said checklist indicate compliance with the environmental threshold carrying capacities. Based on this determination, a Finding of No Significant Impact (FONSI) can be made. A copy of the completed checklist is available at TRPA.

If there are any questions related to this matter please contact Joe Pepi at (702) 588-4547.

1/29/98

AGENDA ITEM V. G

A
PROPOSED MAN-MODIFIED AREA
PORTION OF APN 07-180-04

PROPOSED MAN-MODIFIED PARCEL APN 07-180-04

KINGSBURY MEADOWS

Parcel Location
SOIL INVESTIGATION
FOR
PORTION OF APN 07-180-04
255 KINGSBURY GRADE DOUGLAS COUNTY, NEVADA

INTRODUCTION

A soil investigation was conducted on APN 07-180-04, Douglas County Nevada. This parcel is 24,000 square feet in size and is located off Kingsbury Grade on the corner of Market Street, near Stateline, Nevada. This investigation was done to obtain detailed information about the soil map units and Land Capability Classes present on this area, in order to complete a Man-Modified Determination.

ENVIRONMENTAL SETTING

TRPA Land Capability Map for the Kingsbury Community Plan shows this parcel in Land Capability Class 1a. The Soil Conservation Service Soil Survey for the Lake Tahoe Basin places this property within the TR (Toem-Rockoutcrop, 9 to 30 percent slopes) map unit. This parcel is mapped within geomorphic unit E-2 (Outwash, till and lake deposits, low hazard lands) in the Bailey Geomorphic Analysis of the Lake Tahoe Basin.

This parcel is graded and nearly flat and is located in the southwest corner of the parcel. The parcel is mostly unvegetated, except for widely scattered rabbitbrush, bitterbrush, whitethorn, sagebrush and manzanita.

The soils are coarse textured and consist of fill materials placed on the parcel in the late 1960's. They are deep and are somewhat excessively drained.

PROCEDURES

A soil pit was dug on the flat graded area using a backhoe and the soils were examined to determine the soil map unit present. This profile was examined and described in detail. A copy of this soil descriptions is included in this report. Slopes were measured using a clinometer.

FINDINGS

Two soil map units were found on this parcel. The soil is a light gray coarse sand surface layer over a pale brown coarse sand lower surface layer. The underlying layer is a gray fine sand. The slope on this portion of the parcel is 1 to 3 percent. This soil is not recognized in the Soil Survey for the Lake Tahoe Basin.
The soil on this parcel is classified in the A Hydrologic Group and has a low runoff potential and the soil on the majority of the parcel has a slight relative erosion hazard. The portion of the parcel with slopes greater than 30 percent has a high relative erosion hazard.

CONCLUSIONS

The soil map units and land capability classes found in this detailed soil investigation for 21,420 square feet of APN 07-180-04 is not identified in the Soil Survey for the Lake Tahoe Basin and the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974). However, based on the criteria found on page 20 of the Bailey report, soil with the characteristics found during the soil investigation, and with slopes of less than 5 percent, would best be classified as land capability class 7. The portion of the parcel with slopes over 30 percent would be classified as land capability class 2.

Joseph Pepi
Certified Professional Soil Scientist
ARCPACS No. 2372

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Enclosures
Representative Soil Profile;

Soil Classification: sandy, mixed, frigid, Typic Xeropsamment

Soil Series: Unnamed in the Tahoe Basin (Soil consists of fill material imported onto the site).

Ap1- 0 to 10 inches; light gray (10YR 7/1) coarse sand, light gray (10YR 7/2) moist; massive; soft; nonsticky and nonplastic; few very fine and fine roots; many very fine and fine interstitial pores; 10 percent gravel; medium acid; clear smooth boundary.

Ap2- 10 to 18 inches; pale brown (10YR 6/3) coarse sand, brown (10YR 4/3) moist; massive; soft; nonsticky and nonplastic; many very fine and fine interstitial pores; 10 percent gravel; medium acid; clear wavy boundary.

Ap3- 18 to 38 inches; gray (10YR 6/1) fine sand, black (10YR 2/1) moist; massive; soft; nonsticky and nonplastic; many very fine and fine interstitial pores; 15 percent gravel; medium acid; clear smooth boundary.

Ap4- 38 to 60 inches; gray (10YR 5/1) fine sand, black (10YR 2/1) moist; massive; soft; nonsticky and nonplastic; many very fine and fine interstitial pores; medium acid.
January 29, 1998

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Stateline Casino Core Areawide Drainage Environmental Assessment and Project

Staff Recommendation: There is no action required on this item. Staff is requesting input and comments on the technical adequacy of the Final Environmental Assessment and proposed stormwater project.

Background: In November of 1993 the TRPA Governing Board adopted the Stateline Community Plan and required an Environmental Assessment to evaluate a comprehensive storm drain and water quality project for the Stateline Casino Core project area. The purpose of the project is to improve the quality of the urban runoff from the casino core area before it is discharged to Golf Course Creek, Edgewood Creek, and Lake Tahoe, and thereby improve the quality of the creeks and lake.

The planning for this project began in January 1996 when Douglas County contracted with a private engineering firm to prepare an area wide drainage facilities plan. From that document, TRPA staff prepared an initial environmental scoping criteria for the proposed plan. In late 1996, the environmental criteria outlined in the scoping was then contracted to an independent consultant to evaluate the project alternatives and environmental impacts associated with each alternative. Public scoping of the project alternatives was held at the Tahoe Regional Planning Agency (TRPA) offices in March 1997. The County then prepared an Administrative Draft of the document in November of 1997 which included comments from the public and reviewing agencies. The Final Draft of the environmental document was then completed in December 1997. This Environmental Assessment represents over two years of planning and evaluation from the public, the reviewing agencies, and the Stateline Stormwater Association.

The consultant who prepared the document will be present at the APC meeting and will give a brief summary of the Environmental Assessment and the identified environmental impacts and mitigation measures for the proposed project. If you have any questions concerning this item, please contact Paul Pettersen of the TRPA staff at (702)588-4547.

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1/29/98

AGENDA ITEM VI.A

Planning for the Protection of our Lake and Land
MEMORANDUM

February 3, 1998

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: South Lake Tahoe Redevelopment Project #3
Draft EIS (Project Adjacent to the California/Nevada Stateline)

The TRPA staff, the project proponent, and the consultant will be making a presentation on this item at the APC meeting.