

**TRPA
GOVERNING BOARD
PACKETS**

**NOVEMBER
1979**

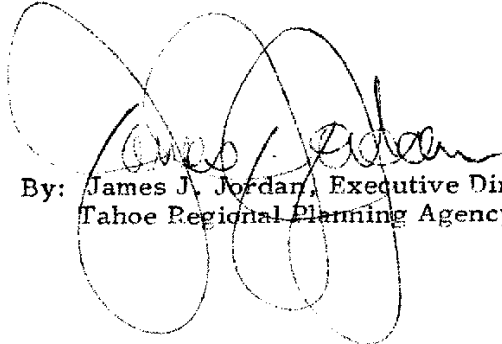
November 1979

Jordan

NOTICE OF MEETING OF THE
GOVERNING BODY OF THE
TAHOE REGIONAL PLANNING AGENCY

NOTICE IS HEREBY GIVEN that on November 28, 1979 at
10:00 a.m. at the hearing room of the Tahoe
Regional Planning Agency, located at 2155 South Avenue, South
Lake Tahoe, California, the Governing Body of said agency will
conduct its regular meeting. The agenda for said meeting is
attached to and made a part of this notice.

Dated: November 16, 1979



By: James J. Jordan, Executive Director
Tahoe Regional Planning Agency

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BODY

TRPA Office, 2155 South Avenue
South Lake Tahoe, California

November 28, 1979
10:00 a.m.

It is advisable that the applicant for each agenda item be present at the meeting.

PRELIMINARY AGENDA

- I CALL TO ORDER AND DETERMINATION OF QUORUM
- II APPROVAL OF AGENDA
- III DISPOSITION OF MINUTES
- IV CONSENT CALENDAR
- V SPECIAL PLANNING MATTERS
 - A. Land Use Ordinance Amendment to Recognize Man-Modified Areas
 - B. Advisory Planning Commission Referral - Incline Village Status Report on Sewage Capacity, Water Availability, and Traffic
- VI GENERAL PLAN AMENDMENT
 - Property Owned by Edgar Scharruhn, 0.66 Acre Portion of a 1.08 Acre Parcel, from General Commercial to Medium Density Residential, 1.3 Miles East of the Intersection of Kingsbury Grade and U.S. Highway 50, Douglas County
- VII AGENCY REVIEW
 - Village Center Condominiums, Tentative Map for 20 Units, Washoe County
- VIII REPORTS
 - A. Appeals of Staff Decisions
 - B. Executive Session
 - C. Field Enforcement Report
 - 1. Harvey's Inn, Compliance With Open Space Requirements
 - 2. Ski Run Marina, Compliance With Relocation of Buoys
 - D. Business Manager Report
 - E. Executive Director Report
 - F. Legal Counsel Report

G. Governing Body Members

H. Public Interest Comments

IX WORKSHOP SESSION

California Senate Bill 82 - Proposed Revisions to the TRPA Compact

X ORDINANCES - First Readings

- A. Ordinance Amending the Regional Plan to Reclassify the Edgeking Venture Property to Rural Estates and General Forest, Douglas County
- B. Ordinance Amending the Regional Plan to Reclassify the Edgar Scharruhn Property (Agenda Item VI) from General Commercial to Medium Density Residential, Douglas County
- C. Ordinance Amending the Land Use Ordinance to Establish a Land Capability Classification for Man-Modified Areas
- D. Ordinance Amending Section 7.110 of the Land Use Ordinance to Clarify Level of Detail Necessary for a "Conceptual Plan" Submittal

XI RESOLUTIONS

XII PENDING MATTERS

XIII CORRESPONDENCE

XIV OTHER BUSINESS

XV ADJOURNMENT

CONSENT CALENDAR

<u>Item</u>	<u>Recommendation</u>
Caltrans, Highway 89 Improvements, Sunnyside, Placer County	Approval

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Public Works
Caltrans
Improvements on Highway 89 Near Sunnyside
Placer County

Summary

Caltrans proposes to improve approximately 2200 lineal feet of State Highway 89 in the Sunnyside area of Placer County. The project is proposed in order to eliminate existing operational deficiencies including sight distance, superelevation, turning movements and roadside drainage. The area has been identified as a highway safety problem area with an accident rate higher than the State average or contiguous sections of Highway 89.

Proposed Improvements

The proposed improvements include widening the roadway for a distance of 900 feet to provide for a left-turn lane, regrading to eliminate the existing verticle curve and to provide for proper superelevation and improved roadside drainage. A sedimentation basin is to be provided at the outfall end of new cross drains to be installed as part of the project. This will reduce the impact of the discharge of highway drainage into the adjacent stream environment zone. Approximately 24 trees would be removed as a result of the construction.

Recommendation

Agency staff recommends approval of the proposed modifications.

Advisory Planning Commission Action

On November 14, 1979, the APC voted unanimously to approve the project.

11/7/79

TAHOE REGIONAL PLANNING AGENCY

MEMORANDUM

DATE: November 21, 1979

TO: The TRPA Governing Body

FROM: The Staff

SUBJECT: Land Capability Classification of
Substantially Man-Modified Areas

Board Direction

In considering the requested General Plan amendment for the Tahoe Keys Property Owners regarding the land capability classification for that area, the Governing Body directed the staff to prepare the necessary documentation to recognize man-modified areas within the land capability classification system. The Governing Board has requested that an ordinance amendment effectuating such an addition to the land capability classification system be considered at the November meeting.

Background

Agency staff has met with representatives of the Tahoe Keys Property Owners Association (TKPOA) to discuss their concerns regarding the application of the current land capability classification of the Tahoe Keys area. As a result of these meetings, Agency staff and representatives of the TKPOA have reached a general agreement upon the elements of an ordinance modification which would address their concerns while maintaining the integrity of the land capability system. Those elements are outlined in this memorandum.

As a result of those discussions, representatives of TKPOA have proposed a draft ordinance amendment which was presented for discussion purposes with the Agency staff and legal counsel. Agency legal counsel has evaluated the draft ordinance amendments as presented by TKPOA and is concerned that the proposal is broader than is necessary to satisfy the concerns of TKPOA. Legal counsel has therefore prepared a draft ordinance which is designated to satisfy the concerns of TKPOA as well as to ensure the integrity of the land capability system and the Agency's ordinances. An additional meeting with the representatives of the TKPOA will be conducted prior to the Governing Board meeting to more fully inform them of legal counsel's intent.

Elements of the Proposed Modifications

The basic elements of the proposed ordinance amendment are as follows:

1. The area in question must have been modified prior to the adoption of the Agency's Land Use Ordinance (February 10, 1972). Any modifications subsequent to that date would contravene the intention of the Agency's ordinances.
2. Recognition of such man-modified areas does not constitute Agency endorsement of artificial manipulation of natural environmental features such as drainage or stream environment zones as a means to modify land capability in the future. Rather, it is a recognition of past actions which were taken without regard to the environmental limitations of an area and have resulted in artificially created environments.
3. In order to be considered as a man-modified area, the modifications to the area must have taken place prior to February 10, 1972, which resulted in the substantial alteration of one or more of the following characteristics of the area in question:
 - Soil Characteristics
 - erosion hazard
 - runoff potential
 - vegetation associations
 - Geomorphic Hazard
 - alluvial characteristics
 - oversteepened slopes
 - poor natural drainage
 - Stream Environment Zone
 - depth to groundwater
 - vegetation associations
 - flooding potential
 - surface/groundwater interchange
 - water quality
4. In evaluating a man-modified area, the extent of modification of the above factors would be weighed in determining the allowable land coverage on that portion of the site which has been modified. For instance, where the geomorphic hazard and stream environment zone characteristics have been substantially altered as a result of man's activities and mitigation measures are provided to offset these factors, the site would be evaluated based on its remaining characteristics. Such areas would be designated as man-modified areas and would be further classified within the land capability system with a suffix "/x" (e.g. "1b/x"). The characteristics of the affected portion of the site would be fully described within the administrative permit which recognizes each area so modified, along with the allowable

land coverage applicable to that area. The allowable land coverage would be based on lands with similar characteristics considering the extent of modification.

Mechanism to Further Classify Land Capability

It should be noted that the modifications as outlined above result in a further classification of the land capability of a specific site which has been subject to modification in the past. In order to accomplish this, a specific mechanism must be established. It is recommended that the following mechanism be utilized:

1. An administrative permit is approved by the local permit-issuing authority subject to approval by the Governing Board.
2. The administrative permit serves as a further classification of land capability for a specified area and is subject to any conditions of approval and periodic review by the local government and the Governing Board.

Standards for Approval of Administrative Permits

The required findings for issuance of an administrative permit to further classify a man-modified area are included in the proposed ordinance amendment (attached).

APC Action

Staff presented the elements of the proposed ordinance amendments at the November meeting of the Advisory Planning Commission. Although the APC took no action regarding the proposal due to a lack of a quorum, the recommendations of staff as presented in this memo were generally accepted. Additional discussion focused on the mechanism to recognize man-modified areas, means to ensure that mitigation measures are continued to be applied, and the terminology used in classifying man-modified areas. Although no action was taken due to a lack of a quorum, the following conclusions can be drawn from their discussion:

1. An administrative permit from the local government and the Governing Board should be required in order to recognize modified land capability classifications for man-modified areas.
2. Specific mechanisms should be incorporated into the ordinance amendments to ensure that required mitigation measures are continued to be applied. If such mitigation measures are ceased, the administrative permit should not remain in effect.

3. A distinction was drawn in the terminology used applying an "equivalent land capability classification" and recognizing man-modified areas. It was agreed that the ordinance amendment should recognize such areas by adding an "/x" suffix to the land capability classification of such areas (e.g. 1b/x) to indicate the area has been man-modified. The representatives of TKPOA had recommended that an "equivalent land capability classification" be applied, such that an area which is more like a land capability class 6 would be labeled "/6" (e.g. 1b/6). This would indicate the area closely resembles the characteristics of a land capability class 6 area in terms of its remaining characteristics.

Staff Recommendation

Agency staff recommends the adoption of an amendment to the Land Use Ordinance which would recognize man-modified areas as described in this memo, including the APC recommendations. If the amendment is adopted, it is recommended that the TKPOA submit an application for an administrative permit for consideration under the proposed ordinance amendment.

TAHOE REGIONAL PLANNING AGENCY

MEMORANDUM

DATE: November 21, 1979

TO: The TRPA Governing Board

FROM: The Staff

SUBJECT: Advisory Planning Commission Referral -
Incline Village Status Report on
Water Availability, Sewage Treatment and Traffic

Background

In considering recent projects in the Incline Village area, the Washoe County Board of Commissioners deferred action for a period of time in order to gain additional information related to water availability, sewer capacities and traffic levels experienced in the area. In order to gain the benefit of the most recent information available regarding these subjects, representatives of various entities were invited to make presentations at the November 14, 1979 meeting of the Advisory Planning Commission. This memo serves to summarize those presentations and the findings of the APC and staff regarding each area of concern.

Water Supply Considerations

Regional Planning Commission (RPC)

Steve Bradhurst, representing the Regional Planning Commission of Washoe County, presented the data prepared by the RPC on the availability of water supply. A report previously prepared by RPC had indicated that as few as 286 additional units could be served by the existing water system. The RPC has revised this estimate to reflect data provided by the Incline Village General Improvement District (IVGID) and estimates that as of July 1, 1979 2,004 additional units could be served within the existing water supply. The RPC had established a procedure to keep a current accounting of available capacity which reflected projects proposed for Washoe County approval. However, the 2,004 units available for connection did not include current commitments for existing subdivisions. The staff of Washoe County RPC may have revised its position regarding the four projects (consisting of 474 units) recently considered and approved by Washoe County if it had understood that single family lots were not accounted for in the 2,004 units which could be connected.

Incline Village General Improvement District (IVGID)

The presentation made by Kermit McMillin representing IVGID is summarized in the attached letter. It was concluded that there is sufficient capacity to service 2,004 units not existing as of June 30, 1979. There have been no provisions made to "reserve" water for lots in existing subdivisions which will require water in addition to the currently available supply. At ultimate buildout of Incline Village, IVGID estimates that there will be a shortfall of approximately 1,500 Acre Feet based on currently permitted water rights. IVGID has made application for additional water rights to make up the projected 1,500 Acre Feet shortfall.

Division of Water Resources

Brian Randall represented the Nevada Division of Water Resources (DWR) and summarized the status of water rights for the Incline Village area. DWR has had an application for the additional rights necessary to service Incline Village since 1969. DWR will not take any action to approve any new permits for water in the Tahoe Basin until the Truckee River Basin Interstate Compact is resolved. Existing permitted rights in the Nevada portion of the Tahoe Basin exceed the 11,000 Acre Feet as proposed in the Interstate Compact by approximately 3,000 Acre Feet.

APC and Staff Analysis

Based on the information presented by the various entities the following conclusions regarding water supply were reached:

1. The existing water supply and water rights of IVGID are not adequate to serve the needs of the area at current levels of approved development. There will be a shortfall of approximately 2,778 approved units which could not be connected to the system without gaining additional water rights.
2. The future prospects of securing additional water rights are uncertain and depend on resolution of the Truckee River Basin Compact.
3. At current rates of construction activity, the existing water rights would be fully utilized in approximately a 2 year period.
4. There are serious questions of governmental responsibility to owners of undeveloped lots in subdivided lands which may not have adequate supplies of water to connect to the system.

Sewage Treatment and Disposal

IVGID

Kermit McMillin represented IVGID regarding the status of the District's plans to upgrade the sewage treatment system to meet more restrictive state and federal standards. The District has prepared a facility plan which outlines five alternatives to meet the upgraded treatment requirements. Four of these alternatives involve various forms of land treatment of effluent in Douglas County. The fifth alternative involves advanced waste treatment of the effluent with discharge to the Carson River. The District favors an alternative known as "wetland enhancement". The District has met with Douglas County to present the facilities plan and attempted to resolve any differences between Douglas County and IVGID.

Douglas County

Bob Hadfield, County Manager, represented Douglas County. The County's position is that any discharge or land treatment of effluent in its jurisdiction must be demonstrated to be beneficial to Douglas County and its residents. The County still has unresolved questions regarding numerous proposals for land disposal of effluent in the Carson Valley. Douglas County has adopted an ordinance regulating the disposal of wastewater within its jurisdiction. Douglas County will continue to oppose additional development in Incline Village area until there is a satisfactory resolution of the question of effluent disposal.

APC and Staff Analysis

The question raised by Douglas County is not one of sewage treatment capacity but one of adequacy of treatment and disposal mechanisms. If Douglas County were to refuse to accept land treatment or effluent disposal within its jurisdiction, this would pose a serious problem with regard to both present and proposed development.

Traffic

Nevada Department of Transportation (NDOT)

Don Pray represented NDOT regarding the status of traffic volumes and capacities in the Incline Village area, referring to a report which he prepared in June, 1979 and which has been presented to the Governing Board in relation to project evaluation. Mr. Pray indicated that additional traffic lanes would need to be provided on State Route 28 through Incline Village in addition to providing public transportation in the area. State Route 28

Memo to the TRPA Governing Board
Incline Village Status Report
November 21, 1979 page four

from Incline Village to North Stateline is projected to exceed its practical capacity but because of severe constraints imposed by the topography of the area, it is probably not expandable. The necessary improvements to provide for a more acceptable level of service on State Route 28 in the two above-mentioned areas are currently low in the State's priority list for capital improvements.

Recent traffic counts in the Incline Village area indicate that peak traffic volumes are occurring as projected in Mr. Pray's report. The trend in traffic patterns in the area is towards longer periods of lower levels of service.

TAHOE REGIONAL PLANNING AGENCY

P.O. Box 8896
South Lake Tahoe, California 95731

2155 South Avenue

(916) 541-0246

November 20, 1979

Mr. Kermit McMillin, Manager
Incline Village General Improvement District
P. O. Drawer P
Incline Village, NV 89450

Subject: Outstanding Water Service Commitments of the
Incline Village General Improvement District (IVGID)

Dear Kermit:

On November 14, 1979, the Advisory Planning Commission (APC) of the TRPA reviewed the available supply of water for the IVGID water service area. Based on your verbal presentation and report dated September 27, 1979, several questions were raised regarding the adequacy of existing supplies and commitments for water service. These questions in turn led to uncertainties regarding the ability of IVGID to provide adequate supplies of water to service projects recently approved by Washoe County and under consideration by the TRPA.

The September 27, 1979 report which you submitted indicates that, based on revised estimates of consumption rates and taking into account outside uses of water unique to the existing service area (i.e. snowmaking and golf course irrigation), the existing water rights would be adequate to service a total of 7,111 units. Based on your inventory of 5,007 units which existed or were under construction as of June 30, 1979, and utilizing IVGID's per unit consumption rate, you represented that a total of 2,004 additional units could be connected to the system within the District's existing water rights.

TRPA has analyzed the inventory of units which you provided and has updated this inventory to reflect projects approved by TRPA and Washoe County since January 1, 1979 as well as to reflect building activity as of October 31, 1979 (see attachment). This analysis indicates that based on existing projects approved by TRPA and lots in existing subdivisions, a total potential of 9,889 units could presently be constructed in the Incline Village area. This would not include Tourist Commercial and residential land not currently developed or approved by TRPA, which would represent approximately 1,585 additional units assuming residential development at maximum density. Utilizing IVGID's data for available water supply, this would indicate that 2,778 units (9,889-7,111) which currently exist as lots in subdivisions or in the form of approved multiple residential projects could not connect to the system prior to obtaining additional water supplies or otherwise increasing the available water supply.

Kermit McMillin
November 20, 1979
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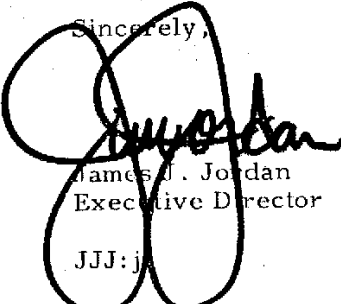
Based on the October 31, 1979 inventory of 5,469 units which are either built or are under construction, a maximum of 1,642 additional units could be connected to the system within the existing available supply. Assuming that the number of building permits issued in 1980-81 levels off at the current level of 800 permits per year, the available water supply would equate to approximately 2 more years of building activity.

The Advisory Planning Commission was extremely concerned with the continued approvals of new projects in the Incline Village area when it was evident that the current supplies of water are not adequate to service existing subdivided lands. Further, the fact that existing supplies or rights to water may be fully depleted within a 2 year period at current rates of construction activity raises serious questions regarding the status of existing single and multiple family lots in existing subdivisions. The basic question is one of responsibility to owners of those existing lots to ensure that adequate supplies of water are available for the buildout of those areas. A more specific question with regard to IVGID pertains to water service commitments, either explicit or implied, which were made for the existing lots of record.

Section 7.1 of the TRPA Subdivision Ordinance requires that no tentative map will be approved without a demonstration that the water supplier has the physical and legal capacity to supply the necessary water and that a commitment to supply such water has been made. In considering the adequacy of water supplies, it is the responsibility of the local government to consider the magnitude of existing commitments. It would appear that, even in the absence of a letter of commitment to subdivisions created prior to TRPA ordinances, an implied commitment to service those areas has been established.

Obviously, the current water supply and water rights situation at Incline Village is a very serious matter, affecting not only projects currently under consideration by TRPA but also single and multiple family lots in existing subdivisions. I would appreciate your comments on our analysis at your earliest possible convenience, particularly with regard to IVGID's commitment to provide water service for existing subdivided lands within its service area and how this could affect future development proposals.

Sincerely,



James J. Jordan
Executive Director

JJJ:j

Attachment

cc: Bill Newman, Nevada State Water Engineer
TRPA Governing Body Members
Washoe County Board of Commissioners
John MacIntyre, Washoe County Manager
Steve Bradhurst, Washoe County Regional Planning Commission

Name & Type	Potential S.F. Units	S.F. Units Built	Potential Mult. Units	Mult. Units Built	Potential Residential Units	Residential Units Built	% Build-out
Alpine Terrace T.H.	--	--	23	23	23	23	100%
Aspen, The Condo	--	--	4	--	4	--	0%
Bitterbrush Condo	--	--	250	47	250	47	19%
Brookside Condo	--	--	10	10	10	10	100%
Brookstone S.F.	--	--	30	30	30	30	100%
Cal-Neva Highlands #1 S.F.	17	2	--	--	17	2	12%
Cal-Neva Highlands #2 S.F.	33	6	--	--	33	6	18%
Cedar Creek Condo	--	--	4	1	4	1	25%
Cedar Crest T.H.	--	--	50	50	50	50	100%
Cedars, The Condo	--	--	30	30	30	30	100%
Chalets, The T.H.	--	--	10	5	10	5	50%
Chateau Acres S.F.	40	15	--	--	40	15	37%
Chateau Apts. Condo	--	--	24	24	24	24	100%
Club Tahoe Condo	--	--	93	33	93	33	35%
Commercial #1 Comm	1	1	--	--	1	1	100%
Condo 11-D-4 Condo	--	--	4	4	4	4	100%
Country Club Ct. Condo	--	--	9	--	9	--	0%
Country Club Homes Mult	--	--	54	30	54	30	56%
Country Club of Inc. S.F.	172	79	--	--	172	79	46%
Coeur du Lac Condo	--	--	59	59	59	59	100%
Creekside Condo	--	--	4	4	4	4	100%
Creekside East Condo	--	--	25	25	25	25	100%
Creekside West Condo	--	--	66	66	66	66	100%
Crystal Bay Cove Condo	--	--	36	36	36	36	100%
Crystal Bay Palisades S.F.	25	1	--	--	25	1	4%
Crystal Bay Palisades W. S.F.	10	--	--	--	10	--	0%
Crystal Bay Park S.F.	213	83	--	--	213	83	39%
Crystal Shores East Condo	--	--	32	32	32	32	100%
Crystal Shores Villas Condo	--	--	22	22	22	22	100%
Crystal Shores West Condo	--	--	44	44	44	44	100%
Crystal Towers Condo	--	--	8	8	8	8	100%
Edgewood Park S.F.	93	58	--	--	93	58	62%
Fairway Estates #1 S.F.	119	63	--	--	119	63	53%

Name & Type		Potential S.F. Units	S.F. Units Built	Potential Mult. Units	Mult. Units Built	Potential Residen- tial Units	Residen- tial Units Built	% Build- out
Fairway Estates #2	S.F.	129	68	--	--	129	68	53%
Fairway Park	S.F.	44	30	--	--	44	30	68%
Fairway Woods	Condo	--	--	4	4	4	4	100%
Forest Pines	Condo	--	--	138	138	138	138	100%
Glenrock	T.H.	58	58	2	2	60	60	100%
Golf Green Court	T.H.	--	--	8	8	8	8	100%
High Sierra	Condo	--	--	41	41	41	41	100%
Incline Beach	S.F.	28	25	--	--	28	25	89%
Incline Crest #1	T.H.	30	30	--	--	30	30	100%
Incline Crest #2	T.H.	32	32	--	--	32	32	100%
Incline Crest #3	T.H.	15	15	10	10	25	25	100%
Incline Manor	Condo	--	--	83	83	83	83	100%
Incline Park	S.F.	26	22	--	--	26	22	84%
Incline Pines	Condo	39	39	--	--	39	39	100%
Incline Pinnate	Condo	--	--	24	24	24	24	100%
Incline Villa	Condo	--	--	20	20	20	20	100%
Incline Village #1	S.F.	275	75	--	--	275	75	27%
Incline Village #1-A	S.F.	160	37	--	--	160	37	23%
Incline Village #1-B	S.F.	32	8	--	--	32	8	25%
Incline Village #2	S.F.	490	139	--	--	490	139	28%
Incline Village #3	S.F. & Mult.	208	71	258	64	466	135	29%
Incline Village #4	S.F. & Mult.	431	96	91	12	522	108	20%
Incline Village #5	S.F.	159	39	--	--	159	39	24%
Industrial #1	Comm	--	--	--	--	--	--	0%
Industrial #2	Comm	--	--	--	--	--	--	0%
Lakehaven #1	Condo	--	--	4	4	4	4	100%
Lakehaven #2	Condo	--	--	8	8	8	8	100%
Lakehaven #3	Condo	--	--	4	4	4	4	100%
Lakeshore Sub.	S.F.	49	34	--	--	49	34	69%
Lakeshore Terrace	Condo	--	--	58	58	58	58	100%
Lakeview Sub.	S.F.	295	215	--	--	295	215	73%
Lakewood Square	Condo	--	--	4	4	4	4	100%
Matt Green	S.F.	20	1	46	--	66	1	2%
Mill Creek	S.F.	275	179	--	--	275	179	63%