

**TRPA
GOVERNING BOARD
PACKETS**

**SEPTEMBER
1979**

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Sept '79

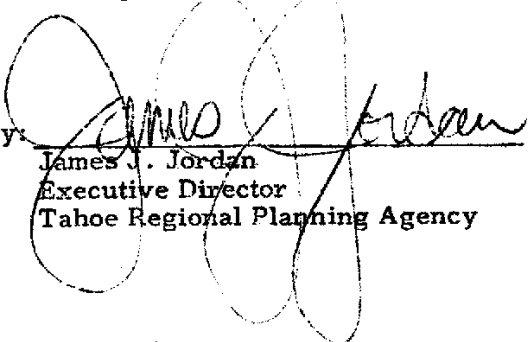
NOTICE OF MEETING OF THE
GOVERNING BODY OF THE
TAHOE REGIONAL PLANNING AGENCY

NOTICE IS HEREBY GIVEN that on September 26, 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.

NOTICE IS FURTHER GIVEN that the Governing Body of the Tahoe Regional Planning Agency at said regular meeting will conduct a public hearing to consider amendments to the Rules and Regulations of Practice and Procedure of said agency. The amendments to be considered are attached to and made a part of this notice.

ALL INTERESTED PERSONS are invited to attend said meeting and present evidence concerning these items. Information may be obtained from the office of the Tahoe Regional Planning Agency, 2155 South Avenue, P. O. Box 8896, So. Lake Tahoe, CA 95731, telephone (916) 541-0246.

Dated: September 14, 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

September 26, 1979 10:00 a.m.
September 27, 1979 9:00 a.m.

It is advisable that a representative familiar with each application on this agenda be present.

PRELIMINARY AGENDA

- I CALL TO ORDER AND DETERMINATION OF QUORUM
- II APPROVAL OF AGENDA
- III DISPOSITION OF MINUTES
- IV CONSENT CALENDAR
- V SPECIAL STATUS REPORT

Western Federal Regional Council
Tahoe Basin Environmental Assessment
B. David Clark, Project Leader

- VI FINANCE COMMITTEE REPORT
- VII AGENCY REVIEW

- A. Mein Subdivision, Tentative Map for 5 Single Family Lots, Placer County
- B. Cal-Neva Lodge, Administrative Permit for the Replacement of Nonconforming Land Coverage, Washoe County
- C. Manzanita Heights, Tentative Map for a 15 Unit Condominium, Douglas County
- D. Cave Rock Estates Unit 1, Lot 1, Determination of Allowable Land Coverage, Douglas County REMOVED TIL OCT.
- E. Mt. Brook Station, Satisfaction of a Condition of Approval, Washoe County
- F. Aneita Man, Variance to Allow a 4 Unit Condominium in Incline Village Unit 4, Washoe County
- G. Jack Gray, Tentative Map for 4 Condominium Units, Washoe County
- H. Slain/Erickson, Variance to Construct Multiple Residential Units in a Stream Environment Zone, Washoe County
- I. Hansen Hilltop Estates, Tentative Map for 8 Lots, Douglas County
- J. RAISLER

VIII CLEARINGHOUSE

U.S. Forest Service, Lake Tahoe Basin Management Unit,
Draft EIS Land Management Plan, Part 2

IX AGENCY ADMINISTRATION

- A. Public Hearing - September 26, 3:00 p.m., Resolution Amending the Agency's Rules and Regulations of Practice and Procedure Concerning Shorezone Review
- B. Emergency Ordinances or Regular Ordinances Amending the Agency's Land Use, Shorezone, Grading and Subdivision Ordinances Concerning Project Review
- C. Advisory Planning Commission Functions and Consideration of General Plan Amendments

X PLANNING MATTERS

- A. Discussion and Resolution on Highway 50 Corridor Study
- B. Status Report on the Shorezone Ordinance

XI REPORTS

- A. Appeals of Staff Decisions
 - 1. Ken Jones, Zephyr Cove, Nevada
Section 9.30, Creation of Lots or Parcels
- B. Executive Session
- C. Field Enforcement Report
- D. Business Manager Report
- E. Executive Director Report
- F. Legal Counsel Report
- G. Governing Body Members
 - 1. Resolution by Board Member Tom Stewart Calling for a Congressional Hearing on Lake Tahoe
- H. Public Interest Comments

XII ORDINANCES

First Reading of Ordinance Amending the Sign Ordinance to Permit Political Signs and to Establish Height Limitations

- XIII RESOLUTIONS
- XIV PENDING MATTERS
- XV CORRESPONDENCE
- XVI OTHER BUSINESS
- XVII ADJOURNMENT

CONSENT CALENDAR
September 26, 27, 1979

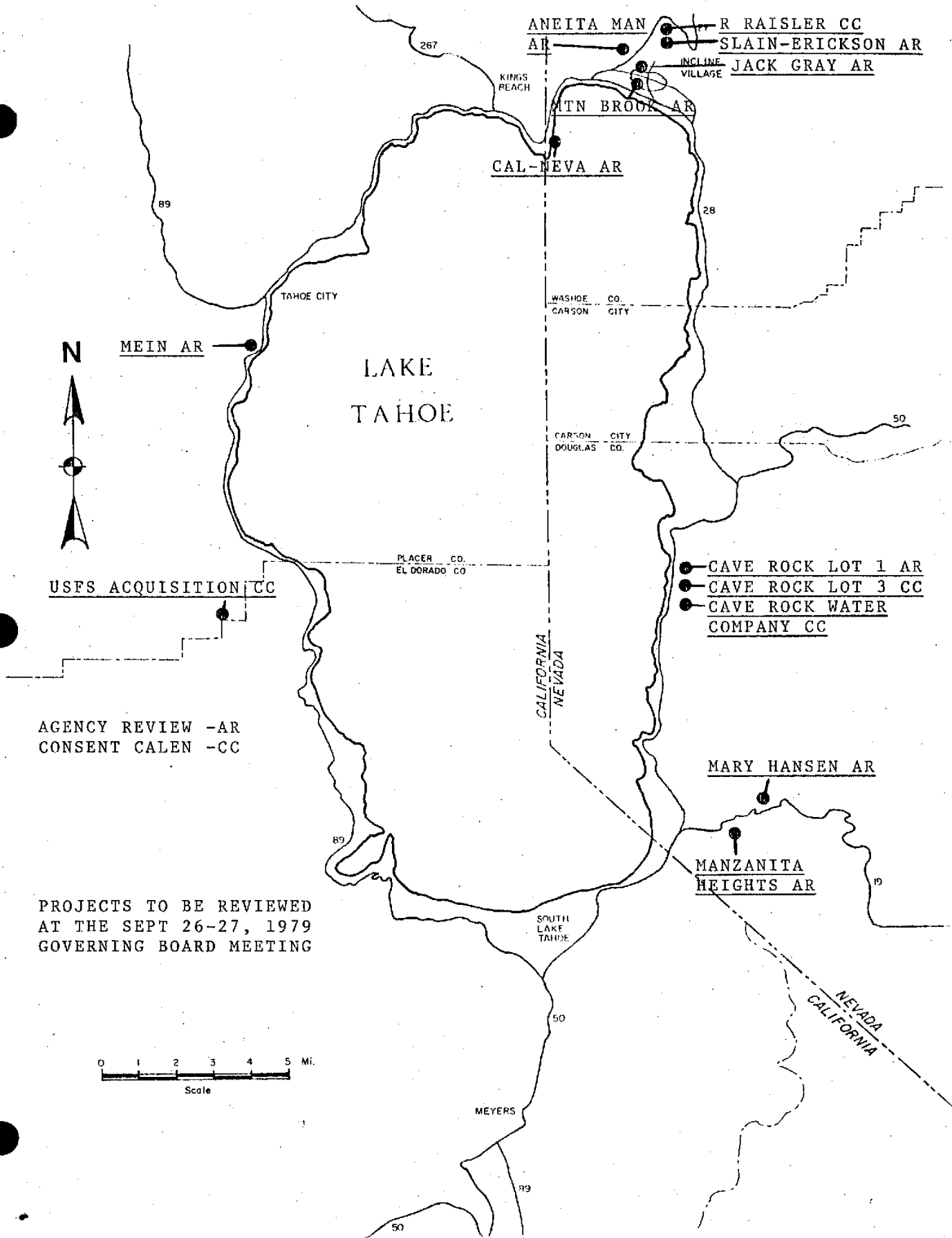
<u>Item</u>	<u>Recommendation</u>
Agency Review	
Cave Rock Estates Unit 1, Lot 3 (Cave Rock Villas), Modification of a Condition of Approval, Douglas County	Approval MOVED TO ITEM D AGENCY REVIEW
Richard Raisler, Variance to Construct a Triplex in a Stream Environment Zone, Washoe County	Approval MOVED TO AGENCY REVIEW
Clearinghouse - U.S. Forest Service	
Acquisition of 22.73 Acres from Emmeline Gray, 5 Miles West of Tahoma, El Dorado County	Support
Public Works	
Cave Rock Water Company, Installation of 1,268 Feet of Water Line, Douglas County	Approval

PUBLIC HEARING TO CONSIDER AMENDMENTS
TO THE RULES AND REGULATIONS OF
PRACTICE AND PROCEDURE OF THE
TAHOE REGIONAL PLANNING AGENCY

The Governing Body of the Tahoe Regional Planning Agency at its regular meeting on September 26, 1979 commencing at 10:00 a.m. in the meeting room of said agency located at 2155 South Avenue, South Lake Tahoe, California, will consider the following amendments to its Rules and Regulations of Practice and Procedure:

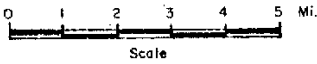
- A. To simplify Shorezone Ordinance permit application and other procedures and expedite the processing of shorezone permits, including, but not limited to:
 - 1. The elimination of the formal Shorezone Review Committee requirement and requirements related thereto;
 - 2. The elimination of the requirement of hearing before the Agency's Executive Officer and requirements related thereto;
 - 3. The elimination of particular requirements of notice to adjacent property owners and requirements related thereto;
 - 4. The elimination of or amendment thereto of provisions of said rules and regulations in order to facilitate staff issuance under the Shorezone Ordinance of most shorezone permits, with appeal to the Governing Body; and
 - 5. The elimination or amendment to other provisions of said rules and regulations in order to simplify said procedure and expedite the processing of said permits.
- B. To provide notice and opportunity to be heard with respect to Agency permits significantly or substantially affecting rights of others.

TAHOE REGIONAL PLANNING AGENCY



AGENCY REVIEW -AR
CONSENT CALEN -CC

PROJECTS TO BE REVIEWED
AT THE SEPT 26-27, 1979
GOVERNING BOARD MEETING



APPROVED
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

7 - 2 STORY
15 - 3 STORY
35 - FEET

Cave Rock Estates Unit 1
Lot 3, Cave Rock Villas
Modification of a Condition of Approval
Douglas County

Agency Action Required By: November 9, 1979

Summary

The applicant, Cave Rock Villas, represented by Creegan & D'Angelo, is requesting approval of a modification to increase the land coverage above that approved by the Governing Board on June 24, 1976. The project is on Lot 3 of Cave Rock Estates Unit 1 in Douglas County. The applicant is requesting approval for 48.44% land coverage; the Board previously approved 45% land coverage.

Project History

This 22 unit condominium project was originally approved on December 18, 1974. The applicant did not have the final map recorded within the required 18 months. The Board on June 24, 1976 reapproved the project. The project as constructed contained more coverage than was approved. The Agency Investigator upon site inspection identified the presence of this land coverage. It was agreed by the involved parties that the project would be allowed to continue construction as long as the developers submitted new site plans for Governing Board approval. Mr. North Swanson, the project's agent, was further advised that continued construction was at the developer's risk as the project was in violation of the approved plans.

Land Use and Land Capability

The soils on the property are identified as MsG, Meeks very stony loamy coarse sand, 30 to 60% slopes, land capability classification Ia. The site has been used as a borrow pit and has been substantially modified by past grading activities. The project site is under 2 acres in size, classified High Density Residential and under Section 9.23 is allowed up to 50% land coverage. The applicant is requesting approval of 48.44% land coverage.

Proposed Modifications

The applicant retained Creegan & D'Angelo to conduct a field survey to accurately record the land coverage existing on the site. The recorded modifications relate to the size and configuration of the units, driveways, parking areas, and stabilized slopes. All the modifications are within the area of proposed disturbance and do not result in creation of noncontiguous land coverage. Buildings 16 - 22 have all been increased in size. The parking areas and driveways have been revised. The total amount of increased land coverage is 2,701 square feet.

9/18/79

Slope Stabilization and Drainage

The project has also modified the approved drainage plan and eliminated one of the required rock-lined channels. Agency staff has requested verification from the developer that the revised drainage facilities can provide capacity to detain the flows generated by a 2 year-6 hour storm on site.

The revegetation and slope stabilization methods proposed in the original approval are continuing. No modifications are proposed.

Recommendation

Agency staff recommends that the Governing Board conditionally approve the subject application and establish the total amount of allowable land coverage at 48.44%. The recommended conditions of approval are:

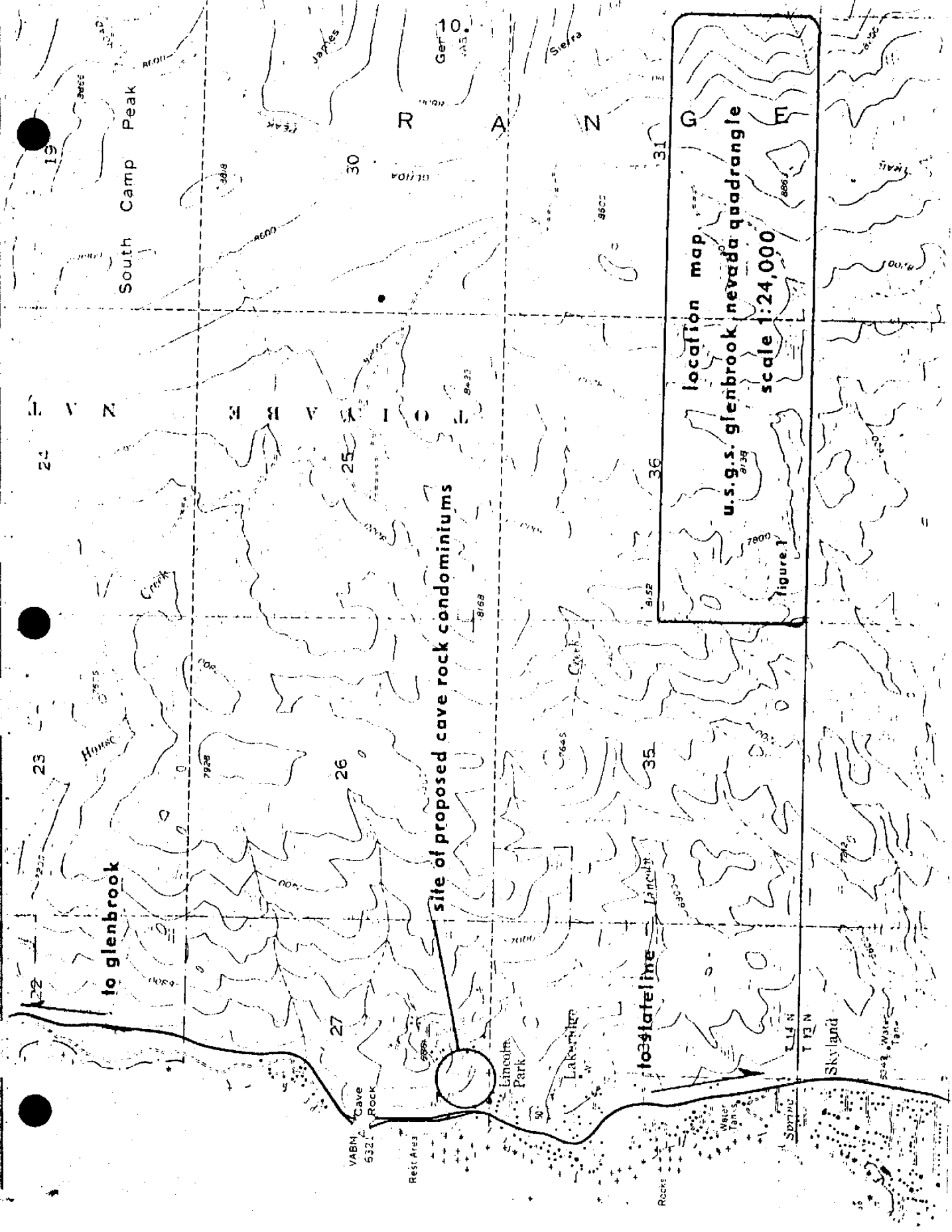
1. The applicant shall submit a modified site plan identifying all proposed land coverage. This site plan shall not exceed the amount of coverage specified in this staff summary and recommendation.
2. Calculations showing that the proposed drainage facilities will retain a 2 year-6 hour storm on site. Such calculations shall be prepared by a qualified civil engineer and shall be submitted to Agency staff.
3. Compliance with all requirements and conditions of the Agency's previous approvals.
4. The maximum land coverage on the site after completion of the project shall not exceed 32,407 square feet.

9/18/79

**POOR
QUALITY
ORIGINAL (S)
TO FOLLOW**



**HIGH DESERT MICROIMAGING, INC.
1225 FINANCIAL BLVD
RENO, NV 89502
(775) 359-6980**



to glenbrook

South Camp Peak

site of proposed cave rock condominiums

location map
 u.s.g.s. glenbrook nevada quadrangle
 scale 1:24,000

VABM Cave
 532 Rock

Rest Area

Lincoln Park

Lanarkidge

1034 state line

Lanarkidge

Water Tanks

Spring

SKYLAND

Water Tanks

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Figure 1

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Water Tanks

Water Tanks

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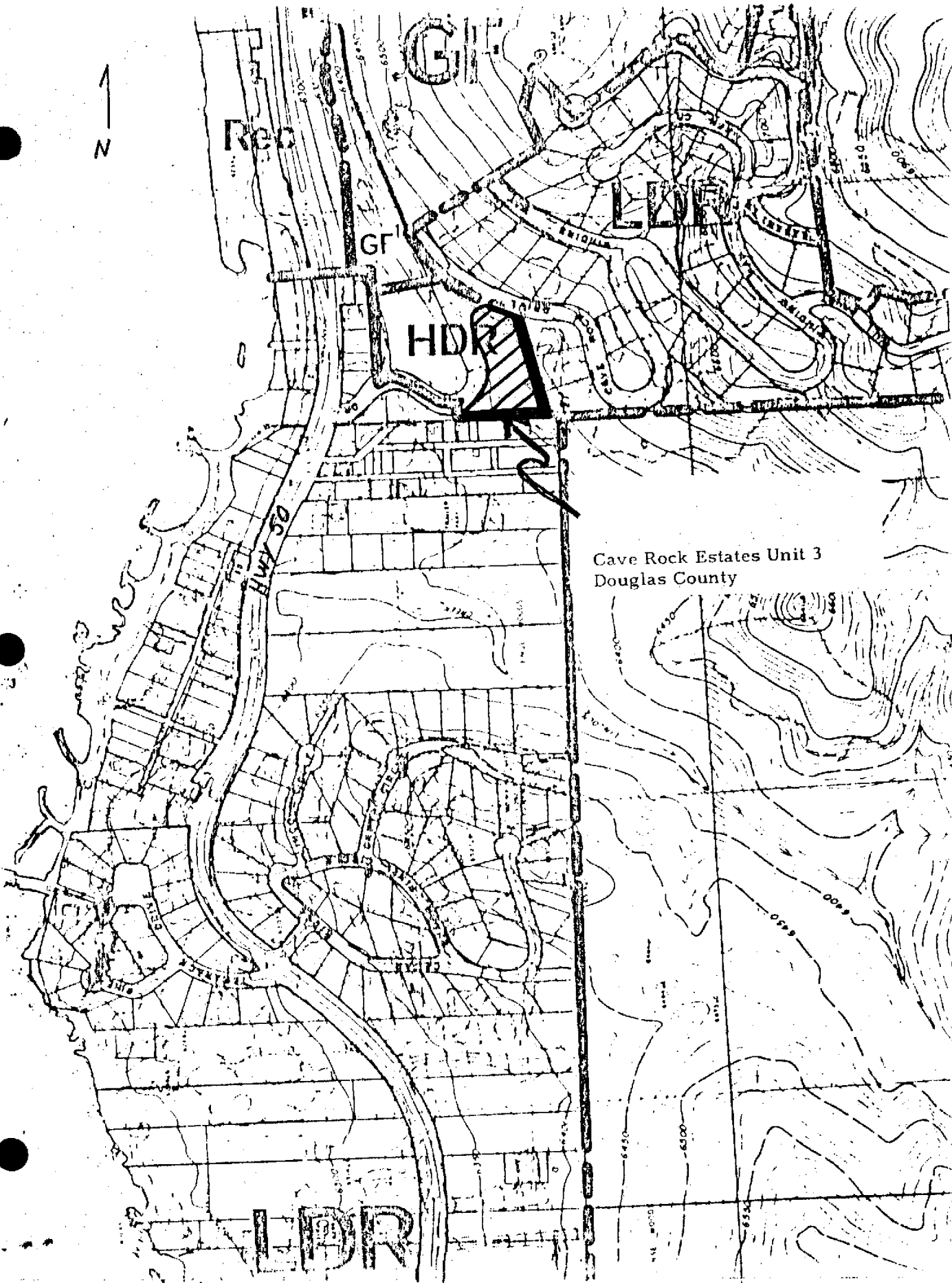
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Cave Rock Estates Unit 3
Douglas County

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Richard Raisler
Variance to Construct a Triplex
in a Stream Environment Zone
Washoe County

Agency Action Required By: November 10, 1979

Background

The applicant, represented by Jim Johnson, received the staff's approval on July 23, 1979 to record a final map for 3 condominium units in Incline Village Unit 3. Agency review of the proposed condominium was not required since the units were included in the "grandfathered" finding which the Governing Board made on March 29, 1979, with regard to Incline Village Unit 3. In approving the tentative map to be recorded as a condominium, it was staff's intent to indicate that the project conformed to land coverage and height constraints and included site controls which would minimize impacts. The project was not checked for its location within a stream environment zone (SEZ) by the Agency staff, however.

Based upon the Agency staff's approval of the tentative map, indicating that all requirements of the Agency had been met, the applicant proceeded with work on the triplex units. Upon a site inspection of the proposed Slain/Erickson fourplex units, which are located in the vicinity of the project, it was discovered that the construction of the Raisler units was clearly being carried out within the SEZ of a tributary of Third Creek. Washoe County was requested by Agency staff to post a stop work order on the project. After the stop work order was posted, it was learned that the tentative map had been approved for recordation by Agency staff at the location within the SEZ. Upon discussing the matter with Agency legal counsel, it was concluded that the applicant had clearly been misled to believe that all of the requirements of the Agency had been met prior to initiating construction. Agency legal counsel therefore recommended that the stop work order be lifted and that the applicant file an application for a variance to construct the units within the SEZ and that the filing fee for the variance be waived.

Prior to lifting the stop work order, Agency staff met with the applicant's representative to discuss mitigation measures for construction within the SEZ. The applicant agreed to modifications which would minimize the impact of construction. The stop work order was then suspended by Washoe County.

Project Description

The proposed project consists of a triplex on Lot 10, Block D, Incline Village Unit 3, located on a tributary to the west fork of Third Creek on Titlist Drive adjacent to Incline Green Golf Course. The stream was apparently channelized upon construction of the subdivision or the golf course and is contained within a rock-lined channel approximately 15 feet in width. Construction has already been initiated and the bulk of riparian type of vegetation has been removed as a result of grading, with the exception of vegetation immediately adjacent to the stream banks. The nearest structure is located approximately 10 feet from the stream channel banks.

9/19/79

Soil Characteristics

The site is classified as Inville stony, 9 to 15% slopes by the Soil Conservation Service soil survey. However, the level of resolution and mapping criteria for soil surveys used by the SCS would not provide any information on groundwater conditions in the Incline area. Excavation on the site has revealed groundwater is present on the site at an approximate depth of two feet. The mottled gray coloring of the soils evidenced the presence of groundwater at very shallow depths. The proposed foundations would constrain groundwater flow patterns.

Land Capability

The Agency's soil classification maps indicate an IsD soil type. Based upon soil classification alone, the land capability would be level 4, moderate hazard land with a 20% allowable land coverage. However, because of the presence of a seasonably high groundwater table and the area's inclusion in the stream environment zone, the more proper land capability classification would be level 1b, high hazard land, allowing only 1% coverage.

Proposed Land Coverage

The proposed land coverage shown on the applicant's plot plan is 4,643 square feet, not including proposed decks. The maximum allowable coverage based on a land capability level 4 at 20% coverage would be 4,123 square feet. The proposed lot coverage differs from that shown on the final map approved by Agency staff on July 23, 1979. Only 3,548 square feet of coverage was shown on the final map approved by the Agency.

However, in determining the impacts of construction within an SEZ, other means to evaluate land capability should be considered. An alternative means of determining allowable land coverage would be to consider the lot as high hazard land because of the presence of the high groundwater and the importance of the groundwater-surface water interchange in the SEZ. Utilizing this approach would allow only 205 square feet impervious surface coverage based on an allowable land coverage of 1%.

The third possible method for determining allowable land coverage would apply the grandfathered coverage amounts which can be applied to condominiums in Incline Village Unit 3. Under this criteria, up to 3,200 square feet of coverage would be allowed. The proposed land coverage, not including proposed decks which were not shown on the applicant's site plan, exceeds the allowable land coverage in any of the three possible methods of computing allowable land coverage.

Land Use Classification

The lot is classified High Density Residential by the Agency, allowing up to 2 dwelling units. However, the lot was designated as a fourplex lot with recordation of the final map of Incline Village Unit 3. The Agency recognized the provision in the Covenants, Codes and Restrictions for Unit 3 which specified that the lots could be further subdivided. In so doing, the Agency recognized the lot as a fourplex lot.

Site Layout

In reviewing proposed construction within an SEZ, the Agency's Handbook of Best Management Practices recommends that each site be analyzed to ensure that the structures are located outside of the stream zone or located so as to minimize the encroachment. With single family residences, even on smaller parcels, it is often possible to site the unit so as to accomplish these objectives. However, in this case, the lot is contained entirely within the stream zone and even the objective of minimizing the encroachment through site design is impractical with a triplex unit on a lot of this size. The nearest structure is approximately 10 feet from the stream channel. The subject stream is a second order stream. The minimum setback from the stream according to the recommendations of the Handbook of Best Management Practices is 50 feet.

Flood Plain Analysis

A flood plain analysis has been performed on the subject stream indicating that the 100 year flood would be contained within the existing channel cross section. The channel banks are located at an elevation higher than the proposed building sites. However, any debris in the channel carried by floodwaters may cause the floodwaters to leave the improved channel, subjecting the building site to minor flooding.

Required Variance Findings

In order to grant a variance under Section 8.0 of the Grading Ordinance, the following findings must be made:

1. Owing to special conditions, a literal enforcement would result in unnecessary hardship;
2. The variance will not be contrary to the public interest nor the purpose of this ordinance; and
3. The variance will not nullify the purpose of the ordinance.

Further elaboration on the criteria for determining the extent of acceptable disturbance is contained in the Grading Ordinance. In granting an administrative permit for a single family dwelling unit, one of the following findings is required to be made under the provisions of Section 7.8 of the Grading Ordinance:

1. The dwelling unit and related land coverage are located outside of the boundary of the SEZ; or
2. Such dwelling unit and related land coverage are located, designed and constructed to minimize encroachment on and disturbance of the stream environment zone where siting outside of the SEZ is impractical.

Section 10.0 of the "208 Ordinance" provides specific objectives for the management of SEZ's as follows:

"10.10 Findings and Development Policies

The Agency hereby finds that high erosion hazard lands and