

**TRPA
APC
PACKETS**

**MARCH
1980**

Phil

March 1980

NOTICE OF MEETING OF THE
ADVISORY PLANNING COMMISSION OF THE
TAHOE REGIONAL PLANNING AGENCY

NOTICE IS HEREBY GIVEN that on March 12, 1980, at 10:00 a.m.
at the Crystal Bay Club, Crystal Bay, Nevada, the Advisory Planning
Commission of the Tahoe Regional Planning Agency will conduct its
regular meeting. The agenda for said meeting is attached to and
made a part of this notice.

Dated: March 3, 1980

Philip A. Overeynder

By: Philip A. Overeynder
Executive Director
Tahoe Regional Planning Agency

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

Crystal Bay Club
Crystal Bay, Nevada

March 12, 1980
10:00 a.m.

PRELIMINARY AGENDA

I CALL TO ORDER AND DETERMINATION OF QUORUM

II APPROVAL OF AGENDA

III DISPOSITION OF MINUTES

IV PUBLIC HEARING - General Plan Amendments

- A. Douglas County, 4 Lots Fronting Laura Drive, Douglas County, from High Density Residential to Recreation **GWB**
- B. 9.91 Acres Owned by the Bliss Family, Located on Pray Meadow Road, North of Glenbrook Unit 2, Douglas County, from Conservation Reserve to Rural Estates; and Specific Plan for 3 Single Family Dwellings **JPD**
- C. 2.9 Acres Owned by Cecelia Clements, 1/4 Mile East of the Intersection of U.S. Highway 50 and Kingsbury Grade, Across from the Chart House, Douglas County, from Medium Density Residential, General Commercial, and Low Density Residential to Tourist Commercial **GWB**
- D. Incline Village General Improvement District, 20.6 Acres Bordered by Tahoe Boulevard, Southwood Boulevard and Incline Way, Washoe County from Tourist Commercial to Recreation; and 6 Adjacent Acres to be Deeded to the Washoe County School District, from Tourist Commercial to Public Service **PAO DORADO**
- E. ^{SH} 10 Acres Leased by the Tahoe City Public Utility District from the California Department of Parks and Recreation, Placer County, 2 Miles East of Tahoe City at State Highway 28 and Lake Forest Road in Star Harbor, from Rural Estates to Recreation **GWB**

V PUBLIC WORKS

- A. Incline Village/Crystal Bay Visitor and Convention Bureau, Incline Village Community Center and Pool Complex, Building Height Variance and Variance to Grade in a Stream Environment Zone, Washoe County **JPD**
- B. Incline Village General Improvement District, Height Variance for Light Standards and Modification of Prior Approval for Incline Park Athletic Fields, Washoe County **PAO**
- C. Caltrans, Luther Pass Chain On/Off Road Improvement, El Dorado County **PAO**

VI CLEARINGHOUSE

Douglas County Engineering, Marla Bay/Zephyr Heights Resource Conservation and Development Project, Erosion Control Improvements

PAO

VII PLANNING MATTERS

A. Reports from the Following Entities on the Status of Traffic, Water Supply, and Sewage Capacity in Incline Village, Washoe County

1:30

TIME SPEC.

- Nevada Division of Water Resources
- Nevada Division of Environmental Protection
- Nevada Department of Highways
- Washoe County Manager's Office
- Washoe County Regional Planning Commission
- Incline Village General Improvement District
- Douglas County Planning Department

B. State of California, State Water Resources Control Board, Draft Water Quality Plan: Lake Tahoe Basin

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C. Land Use Ordinance and Subdivision Ordinance Amendments Relating to a High Density Apartment Land Use District, Timesharing, and Condominium Conversions

VIII REPORTS

A. Status Report on the Soil Conservation Service Activities in the Lake Tahoe Basin

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B. Public Interest Comments

C. APC Members

IX RESOLUTIONS

X CORRESPONDENCE

XI PENDING MATTERS

XII ADJOURNMENT

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

TRPA Office, 2155 South Avenue
South Lake Tahoe, California

February 13, 1980
10:00 a.m.

REGULAR MEETING MINUTES

I CALL TO ORDER AND DETERMINATION OF QUORUM

The meeting was called to order by Second Vice Chairman Dean Prigmore at 10:20 a.m. A letter from Neil Eskind resigning his citizen membership on the APC was read into the record, along with letters designating Glenn Smith to sit in this meeting for Jon Hoefer and Bill Combs to replace Dean Prigmore at future APC meetings. Larry Wahrenbrock was sitting in for Bob Hadfield as the Douglas County Health Officer; John Hoole was introduced as the new Carson City Planning Director; and it was noted that Bill Curtis would be sitting in this meeting instead of citizen member Maurice Bidart.

APC Members Present: Mr. Milam, Mr. Bradhurst, Mr. Scribner, Mr. Hoole,
Mr. Minedew, Mr. Rosse, Ms. Unsicker, Mr. Curtis,
Mr. Hansen, Mr. Wahrenbrock, Mr. Pyle, Mr. Prigmore

APC Members Absent: Mr. Walton, Mr. Burnham, Mr. Duncan, Mr. Smith,
Mr. Koch, Placer County Citizen Member (position vacant)

II APPROVAL OF AGENDA

MOTION by Mr. Milam with a second by Mr. Scribner to approve the agenda as presented. The motion carried unanimously.

III DISPOSITION OF MINUTES

MOTION by Mr. Scribner to approve the January 9, 1980 APC minutes as presented. Second by Mr. Rosse. The motion carried unanimously.

IV CLEARINGHOUSE

U.S. Environmental Protection Agency, Draft Environmental Impact Statement, Proposed Wastewater Treatment Facilities, South Shore, Lake Tahoe Basin

Agency Manager Phil Overeynder presented the staff's summary and recommendation on the DEIS prepared by EPA. The DEIS deals totally with offsite impacts such as growth inducing impacts which could be accommodated by the upgraded facilities at the South Tahoe Public Utility District and the Douglas County Sewer Improvement District. A meeting of the APC was held on January 16 to discuss the mitigation measures outlined in the DEIS, and the results of that discussion are set forth in the draft letter to Paul DeFalco, Region IX of EPA. The City of South Lake Tahoe, El Dorado County and the South Tahoe PUD have formed a mitigation measures committee which is working out a memorandum of understanding committing each respective entity to implementation of specific mitigation measures, and the Douglas County Commissioners are working with the Douglas County SID to respond with comments on the EIS for that county's facility.

APC REGULAR MEETING MINUTES FEBRUARY 13, 1980

With regard to the proposed comments to be forwarded to EPA, it is generally agreed by both entities that the expansion and upgrading of both facilities is a necessity and is consistent with TRPA plans from a local and a regional standpoint. TRPA took the approach that the impact analysis was really an assessment of the Agency's General Plan. The impacts of the no action alternative, in TRPA's opinion, were not adequately analyzed in the DEIS and any direct adverse impacts from a failure to provide for improved wastewater treatment facilities were not included in the analysis of alternatives.

Phil briefly outlined the various proposed mitigation measures, the responsible entities, and possible TRPA comments and explained that the memorandum of understanding basically follows the same format, i.e. giving existing authorities and what is already on the books in terms of capabilities of these entities to offset the various identified impacts. The memorandum of understanding outlines various measures and commits the involved entities to pursuing certain programs. These relate to future action on a Tahoe Basin County at South Shore, traffic and transit improvements, preservation of environmentally sensitive areas, and air quality programs.

Ken Milam informed the APC that the memorandum of understanding had not been formally adopted by the El Dorado County Supervisors and several APC members indicated they were not ready to tie in TRPA's comments on the DEIS with the memorandum of understanding between El Dorado County and the City of South Lake Tahoe. At some point in the future TRPA and the local entity efforts can be coordinated.

Ms. Lorrene Kashuba, Director of the South Tahoe PUD, explained that the memorandum of understanding was developed because the District is responsible for obtaining commitments from all the agencies responsible for the mitigation measures to offset any expansion or change in the facility. Larry Wahrenbrock pointed out that Douglas County disagrees with the EPA mandate designating the Districts as the lead agencies responsible for coordinating all the issues addressed in the EIS.

Jim Scribner objected that the five growth scenarios in the DEIS appear to be established alternatives, when in fact TRPA never took official action on its General Plan Update material which outlined these various growth alternatives. EPA's document tends to view these growth patterns as TRPA accepted possibilities.

To a question regarding the likelihood of EPA funding for the Districts in light of the Fazio National Scenic Area bill, staff pointed out that the funding decision is up to the EPA Regional Administrator and must be in accord with the State's 208 Plan. That plan calls for a different type of facility than what is proposed by the South Tahoe PUD.

Dick Pyle commented that the DEIS did not adequately address the no action alternative and because of this deficiency the report is not following the established NEPA guidelines. Larry Wahrenbrock commented that the mitigation measures are not correlated to the various growth scenarios nor does the report outline at what level of completion the various measures will be acceptable. At what point in the process does the funding for the plants become available? Jim Jones, a member of the STPUD Board, indicated that whether or not the funding is to come locally or from the Federal Government, everything is currently at a standstill and this in itself is strong incentive for EPA to look closer at the no growth alternative.

MOTION by Mr. Minedew to send the EPA draft letter on to the Governing Board as presented by the staff with a request for a specific response from EPA on the lack of a no growth alternative.
Second by Mr. Rosse.

APC REGULAR MEETING MINUTES FEBRUARY 13, 1980

Larry Wahrenbrock raised other items of concern, namely that the DEIS in addressing the air quality and social impacts of spillover of residents into the Carson Valley did not speak to the increased pressure from spillover occurring as well from Carson City and Reno; there is no indication whether or not one district will be permitted to proceed if its mitigation measures are adequate and the other district's are not, i.e. the scenarios are not broken down for each facility. Ms. Kashuba commented that EPA would handle the programs separately. The EIS also asks for commitments to implement mitigation measures before the final draft document is prepared and the legality of this procedure is open to question. Additionally there is no guarantee that if the commitments are given the funding will be forthcoming.

Mr. Minedew asked that Mr. Wahrenbrock's concerns be included in his motion. Mr. Rosse agreed.

Ms. Unsicker commented that the Lahontan Regional Water Quality Control Board had agreed that the document did not adequately address a no growth alternative or the alternative of funding expansion only to existing commitments. Comment is necessary on the effects of spillover especially in Alpine County and the health effects of alternative means of sewage disposal. If the State of California's 208 Plan goes into effect, more stringent measures relating to protection of high hazard lands and stream environment zones will be necessary than what is currently available. Mr. Pyle commented that the State's 208 Plan is still at the hearing stage.

Mr. Minedew's motion carried unanimously.

V PLANNING MATTERS

A. Land Use Ordinance Amendments - High Density Apartment
Land Use District and Standards for Timesharing, Interval
Ownership Condominiums

Senior Planner Gordon Barrett explained the proposed amendment which would provide for an apartment only zone. APC member Bill Curtis questioned the practicality of such a land use district in view of the high cost of land in the Basin. Staff pointed out that additional areas will be considered for the new HDA zone than those outlined in the APC packet. Mr. Curtis suggested that a density override should be considered as an incentive for apartment development. Dean Prigmore pointed out that even though it may not now be financially feasible for apartments to be developed in these HDA zones a time will come when these areas will be needed for such uses; this zone would "bank" these areas.

MOTION by Mr. Curtis to accept the staff-proposed amendment and to further amend the ordinance to provide overrides for density, height and coverage in this new HDA zone. Second by Mr. Hoole. The motion carried on the following vote:

Ayes:	Mr. Milam, Mr. Bradhurst, Mr. Scribner, Mr. Hoole, Mr. Curtis, Mr. Hansen, Mr. Wahrenbrock
Nays:	Mr. Minedew, Mr. Rosse, Ms. Unsicker, Mr. Pyle, Mr. Prigmore
Abstain:	None
Absent:	Mr. Walton, Mr. Burnham, Mr. Duncan, Mr. Smith, Mr. Koch

APC REGULAR MEETING MINUTES FEBRUARY 13, 1980

Mr. Barrett summarized the timesharing issue which originally came to the Agency as a request for clarification from Washoe County. The Board was concerned about the apparent use pattern which was developing with these projects and wanted to assure that they remain in commercial land use districts and not in residential neighborhoods.

Mr. Ray Nuttall, from the audience, distributed a letter he had written on January 14 asking that timesharing projects be allowed 18 units per acre and 50% land coverage.

Jim Scribner pointed out that, because the timesharing units show a 100% occupancy rate as a rule, the sewage flows and demands on fire protection are higher than they are for motels and hotels. Steve Bradhurst urged that future timesharing projects be kept uniform throughout and that condominiums, apartments, and timesharing units not be mixed in one project.

MOTION by Mr. Milam to recommend that the Governing Board adopt the timesharing amendments as proposed by staff limiting the use to the Tourist Commercial zone. Second by Mr. Bradhurst. The motion carried unanimously.

B. Subdivision Ordinance Amendments Relating to Condominium Conversions

After staff's presentation, concerns were raised regarding stock cooperatives, corporation owned apartments and community apartments. Dean Prigmore suggested that the staff obtain copies for the APC members of the condominium conversion pamphlet prepared by the California Office of Planning and Research.

MOTION by Mr. Milam with a second by Mr. Hansen to continue the discussion on condominium conversion amendments to the Subdivision Ordinance for one month. The motion carried unanimously.

C. Work Program - General Plan Update and Threshold Carrying Capacities

This item is on the agenda because of a request by the Governing Board for the staff to prepare a revised work program to include establishment of threshold limits for the Basin as described in the Western Federal Regional Council (WFRC) environmental assessment. Dean Prigmore commented that since TRPA's adoption of the General Plan in 1971 and Placer County's subsequent adoption of that same plan as a guide in the Tahoe Basin, Placer County has looked to TRPA to provide a higher level of planning than what is provided at the County level and will continue to cooperate in expanding the work program.

When questioned on the practicability of staff extending itself in its current situation to update the General Plan, Phil explained that the Board has directed staff to come up with an amended work program and budget requests for submittal to the states. Because of the federal interest documented in the WFRC report, the recommendation that a threshold carrying capacity analysis be undertaken, and the need to update the General Plan, there may be some federal resources available. Ken Milam suggested that the staff move ahead as quickly as possible to update the General Plan since the state of the art for land capability planning and establishment of environmental thresholds has moved far beyond what it was 10 years ago; a cost-of-services analysis must be done on all infrastructure services.

APC REGULAR MEETING MINUTES FEBRUARY 13, 1980

Dean Prigmore commented that much information to aid in establishing threshold limits has been developed in the last five years at federal, state and local levels along with data which has been compiled by the utilities themselves. With regard to planning in Douglas County, Larry Wahrenbrock indicated that he did not anticipate anything specific for the Lake portion of the County. The Tahoe Basin is so complex that planning needs to be done from an overall perspective, and Douglas County intends to do any future planning for the area in cooperation with all other involved entities. Stan Hansen suggested that a memorandum of understanding be prepared between all parties concerned if TRPA is to take the leadership role. There was general concurrence among the APC members that the General Plan prepared and adopted 10 years ago should certainly be updated.

- D. State of California, State Water Resources Control Board,
Draft Water Quality Plan: Lake Tahoe Basin

Phil Overeynder indicated that California wanted comments on its 208 Plan by April 4 for certification and transmittal on to EPA. The options that are available to TRPA are: 1) to work with the existing TRPA-adopted 208 Plan; 2) to embrace the State's Water Resources Control Board Plan; or 3) to go with something inbetween the two. TRPA is on a tight time schedule to review and comment on the plan and staff intends to schedule the report for a detailed review in March.

Dean Prigmore commented that the State's plan is talking about sums of money so far out of the scope of public financing possibilities that it is mind-boggling. The same problems which were faced when TRPA first put together its plan will once again be resurfacing. Dick Pyle agreed and indicated that the State's plan shows SCS coming up with funds that simply aren't available. Everyone is in favor of implementation and mitigation measures but there are legal questions with committing funds to future programs. No federal agency can commit by law more than it receives in any one year. Jim Scribner pointed out that no credit is given in the State's plan for the erosion control programs which have already been undertaken by the local governments. Better perspective should be given to existing development conditions and to recognizing existing land use patterns.

VI REPORTS

- A. Public Interest Comments - none
- B. APC Members

Steve Bradhurst commented that Washoe County would support updating the TRPA General Plan. The Washoe County Regional Planning Commission is in the process of fine-tuning the Incline Village plan, but attempts to obtain additional staffing have not been successful. TRPA will have to do the planning for this area.

APC REGULAR MEETING MINUTES FEBRUARY 13, 1980

Since the APC is currently without a chairman due to the vacancy in the Executive Director position, Ken Milam suggested that a second vice chairman should be elected.

MOTION by Mr. Scribner with a second by Mr. Bradhurst that Ken Milam be elected second vice chairman. (Neal Walton is the first vice chairman.) The motion carried unanimously.

Verne Rosse advised that all data collected in the General Plan update should be checked carefully because some data which is currently available is erroneous.

Dick Pyle asked that the Soil Conservation Service be placed on the March APC agenda to give an update on its existing and future programs in the Tahoe Basin. SCS is currently going through a national hearing process and APC comments are requested on whether or not there should be a conservation program and, if so, at what level. Information will be transmitted on to the staff for the mailing.

Stan Hansen asked that the staff make copies available to the APC members of the Fazio bill which calls for a National Scenic Area at Tahoe.

Staff informed the APC members that the March meeting will be taking place at the Crystal Bay Club in Nevada. Five General Plan amendment public hearings have been scheduled along with an update on the sewage treatment capacity, water and transportation problems in the Incline Village area. The meeting will likely take most of the day and all APC members should plan to attend.

Dean Prigmore asked that all APC members not in attendance be called and advised of the March schedule.

VII RESOLUTIONS - none

VIII CORRESPONDENCE - none

IX PENDING MATTERS - none

X ADJOURNMENT - The meeting adjourned at 3:15 p.m.

This meeting was taped in its entirety. Anyone wishing to listen to the tapes may make an appointment by calling (916) 541-0246.

Respectfully submitted,



Julie D. Frame
Senior Secretary

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

Crystal Bay Club
Crystal Bay, Nevada

March 12, 1980
10:00 a.m.

REGULAR MEETING MINUTES

I CALL TO ORDER AND DETERMINATION OF QUORUM

The meeting was called to order by Chairman Phil Overeynder at 10:10 a.m. The new citizen members to the APC were welcomed (Germaine McMorris for Douglas County and Rick Bailey for Placer County). It was noted that Stan Hansen and Maury Bidart were reappointed to represent the citizens of El Dorado County and Washoe County, respectively. The APC members were informed that Phil Overeynder had been selected by the Governing Board to fill the Executive Director position and thus to serve as the APC chairman.

The meeting was properly noticed as required by the Nevada Open Meeting Law.

APC Members Present: Mr. Combs, Mr. Milam, Mr. Walton, Mr. Bradhurst (present at beginning of discussion on agenda item IV C.), Mr. Scribner, Mr. Duncan, Mr. Hoole, Mr. Hoefler, Mr. Minedew, Mr. Rosse, Mr. Antonucci (present during the discussion on agenda item IV C), Mr. Bidart, Ms. McMorris, Mr. Bailey, Mr. Wahrenbrock (for Mr. Hadfield), Mr. Pyle

APC Members Absent: Mr. Burnham, Mr. Hansen

II APPROVAL OF AGENDA

MOTION by Mr. Pyle to approve the agenda as presented.
Second by Mr. Walton. The motion carried unanimously.

III DISPOSITION OF MINUTES

MOTION by Mr. Scribner with a second by Mr. Milam to approve the February 13, 1980 minutes as presented.
The motion carried unanimously.

IV PUBLIC HEARING - General Plan Amendments

- A. Douglas County, 4 Lots Fronting Laura Drive, Douglas County, from High Density Residential to Recreation

Senior Planner Gordon Barrett presented the staff's summary and recommendation for the reclassification of 4 lots from HDR to Recreation, explaining that the 4 lots in question were deeded by Harvey's Inn to Douglas County as a compromise solution to create the open space necessary on the Harvey's Inn site which is over the permitted coverage due to extensive paving. The Tahoe Regional Planning Agency Board agreed that Douglas County would take over ownership of the lots and develop them into a neighborhood park. Staff is in favor of the amendment and requests assurances from Douglas County

APC REGULAR MEETING MINUTES 3/12/80

that the site will be protected immediately with adequate barriers to prevent vehicle parking, that the site be stabilized as per SCS recommendations before May 1, 1980, and that within one year the site be developed into the community park with a minimal amount of impervious surface. Larry Wahrenbrock, from the Douglas County Planning Department, voiced concern with the request that the County complete the park within one year. The County's budget hearings are almost closed at this point, making it uncertain that the commitments can be made for capital improvements to develop the park. Two to three years would be a more practical timeframe.

The public hearing was opened for audience comments. Mr. Daniel Folloso, a neighboring property owner to the subject property, submitted a petition signed by 12 nearby residents objecting to the park from a noise nuisance and litter standpoint. With so few children living in the vicinity, the park would likely serve only the patrons of Harvey's Inn as a recreation center. The need for a park in this area is not present, especially with the Forest Service acquisition of the Jennings casino site, an ideal location for a day-use park.

APC member Dick Pyle asked that the staff's recommendation to stabilize the site as per SCS recommendations before May 1, 1980 be amended to June 15 in view of the site's current condition as a snow storage area for Harvey's Inn.

In view of the concern raised by Mr. Folloso, Larry Wahrenbrock suggested that the item be placed on the Douglas County Parks and Recreation Commission agenda for an advisory comment to the Douglas County Commissioners and to obtain more public comment on the intended park. Mr. Wahrenbrock commented that he did not think the Commissioners had specifically approved the site for a park.

MOTION by Mr. Walton to continue the public hearing on the 4 lots fronting Laura Drive for 90 days and to request comment from the Douglas County Parks and Recreation Commission and the County Commission on future plans for the site. Second by Ms. McMorris.

Mr. Barrett explained that the deeding of the lots to Douglas County did not tie down the intended use to a park because of tax purposes. At the time the Board accepted the compromise (the 4 lots for the additional coverage on the Harvey's Inn site), Board member Ken Kjer had the deed in hand and represented to the Agency that the site would be a park. Staff was directed at that point to start the amendment proceedings to reclassify the site to Recreation. Even though a motion is on the floor to continue the item for 90 days, staff requests that SCS continue with its recommendations for site stabilization.

The motion carried unanimously.

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- B. 9.91 Acres Owned by the Bliss Family, Located on Pray Meadow Road North of Glenbrook Unit 2, Douglas County, from Conservation Reserve to Rural Estates; and Specific Plan for 3 Single Family Dwellings

Planning Assistant Jim Dana presented the staff summary and recommendation for approval of the requested amendment and specific development plan for three proposed parcels owned by the Bill Bliss Family. Milt Sharp, on behalf of Mr. Bliss, was present to answer questions and to explain that this proposed amendment would simply acknowledge the existing uses and remove the nonconforming feature of the

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Douglas County
General Plan Amendment
High Density Residential to Recreation
Douglas County

Proposed Amendment

At the direction of the TRPA Governing Board, Agency staff is initiating a change in the land use designation on four lots located in the Oliver Park Subdivision from High Density Residential (HDR) to Recreation (Rec). These lots were deeded to Douglas County to be used as a local park as part of an agreement between the Agency and Harvey's Inn.

Property Location and Description

Lots 9, 10, 11, and 12 are located on Laura Drive across the street from Harvey's Inn. At present, the lots are surrounded by other single family dwellings. The four lots which total .55 acre are unimproved and have been used for parking and the storage of construction material for the last few years.

Analysis

It is staff's interpretation of the agreement that the lots were to be used as a local park and the land coverage permitted was to be severely limited. The TRPA Land Use Ordinance would permit land coverages up to 10,400 square feet (43%) if the properties were classified Recreation. Since General Plan amendments cannot be conditioned, the limitation of land coverage must rest on Douglas County assurances. Also, the site is in a disturbed condition and needs immediate revegetation work, and parking barriers need to be installed and maintained since the site is very susceptible to vehicle parking.

Recommendation

Agency staff recommends approval of the change in land use districts from HDR to Recreation and requests assurances from Douglas County that the site will be protected immediately with adequate barriers to prevent vehicle parking and other such use, that the site be stabilized as per Soil Conservation Service recommendation before ~~May 1~~, 1980, and that within one year the site be developed into a community park with a minimal amount of impervious surface.

June 15, 1980

Staff recommends that an effectuating ordinance be prepared.