

**TRPA  
GOVERNING BOARD  
PACKETS**

**SEPTEMBER  
1980**

Phil O.

September 1980

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

NOTICE IS HEREBY GIVEN that on September 24, 1980, at 9:00 a.m.  
at the California Room of the Cal-Neva Lodge, located in Crystal Bay,  
Nevada, the Governing Body 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: September 12, 1980

By:

  
Philip A. Overeynder, Executive Director  
Tahoe Regional Planning Agency

TAHOE REGIONAL PLANNING AGENCY  
GOVERNING BODY

California Room of the Cal Neva Lodge  
Crystal Bay, Nevada

September 24, 1980 9:00 a.m.  
September 25, 1980 9:00 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 REPORT

Status of Tahoe Regional Planning Compact Amendments

*OPTION to RECLASSIFY PROJECTS (GAD)*  
**PART I. LEGAL IMPL. ON PROJECTS**

VI GENERAL PLAN AMENDMENT

South Shore Marina (Tahoe Keys), General Plan Amendment to Reclassify Four Parcels Totaling 5.67 Acres from High Density Residential to General Commercial, City of South Lake Tahoe

**PART II. EFFECT ON WORK PROGRAMS**  
*↳ (EXEC. DIR. REPT)*

VII PUBLIC WORKS

Incline Village General Improvement District, Water Distribution System Improvements, Water Tank Addition, Washoe County

VIII AGENCY REVIEW

A. Heavenly Valley North Parking Area, Modification of Prior Approval to Permit Bus Parking and Designation as a Local Public Road, Douglas County

*- GUB*

B. Discovery II Jet-Powered Boat, Variance Under Sections 19.00 and 20.00 of the Shorezone Ordinance, Inland Water Speed Record, Douglas County

*GWB*

C. Caesar's Tahoe (Park Tahoe), Finding of Substantial Conformance to Permit Covered Swimming Pool, Douglas County

*GWB*

D. Tahoe Shores, Tentative Map for 186 Condominium Units and an Administrative Permit for a 54 Unit Apartment, Washoe County

*PRO DISPLAY*

E. Village Center Condominiums, Tentative Map for 20 Units, Washoe County

*- OFF*

F. Tahoe Pine Villas, Tentative Map for 8 Condominium Units, Washoe County

*- OFF*

G. Ski Way Villas, Tentative Map for 9 Condominium Units, Washoe County

*- OFF*

H. Southwoods of Tahoe, Tentative Map for 12 Condominium Units, Washoe County

*- OFF*

- I. Hansen & Perry Development, Tentative Map for 109 Condominium (Interval Ownership) Units, (Club Tahoe Phase II), Washoe County OFF ~~A~~
- J. James Fernhoff, Variance to Allow Additional Land Coverage, Douglas County GWB
- K. Dan Monen, Replacement of Nonconforming Land Coverage and Variance to Section 9.30 of the Land Use Ordinance to Permit a Division of Land With Nonconforming Land Coverage, Douglas County PAO-DISPLAY
- L. Bitterbrush (Ski Way), Finding of Substantial Conformance to Permit Timesharing Use and Reduction of 41 Units, Washoe County PAO DISPLAY
- M. Pinewood, Show Cause Hearing and Possible Modification to Previous Approval of a 24 Unit Apartment, Washoe County JPD
- N. Mt. Brook Station, Show Cause Hearing and Possible Modification to Previous Approval of 64 Unit Apartment, Washoe County JPD
- O. Sierra Boat Company, Show Cause Hearing and Marina Modifications, Placer County GWB

No Action  
- on Oct  
Agenda?

IX REPORTS

A. Enforcement

- 1. Tahoe City Public Utility District, Star Harbor Athletic Fields, Placer County GWB
- 2. Other

- B. Status of Research on Pending Litigation to Establish Planning Authority for the Tahoe Basin - CONTINUE INDEF. PAO

C. Executive Session

- D. Executive Director Report - I. JPD - ADVANCED TO ASSOC. PLANNER OFF 9/24/80
- E. Legal Counsel Report II. REPORT ON TFCC - THRESHOLD STUDY
- F. Governing Body Members III. REQUESTS FOR ASSISTANCE IN CARRYING OUT COMPACT REQ' TS.
- G. Public Interest Comments IV. AUTHORIZATION TO INITIATE RECRUITMENT & BUDGET MODIFICATIONS

X ORDINANCES

Second Reading of Ordinance Amending the Regional Plan to Reclassify Four Lots Owned by Douglas County from High Density Residential to Recreation

XI RESOLUTIONS

XII PENDING MATTERS

XIII CORRESPONDENCE

XIV ADJOURNMENT

CONSENT CALENDAR

Item

Recommendation

Fairway Pines, Modification of Condition of Approval, Washoe County

Approval

TAHOE REGIONAL PLANNING AGENCY  
STAFF SUMMARY AND RECOMMENDATION

Fairway Pines  
Modification of a Condition of Approval  
Washoe County

Location and Description

The applicant, Larry Harris, representing Fairway Pines is requesting approval of a modification to one of the conditions of the Governing Body's approval granted March 28, 1979. The 48 unit condominium project is located on the northeast corner of Village Boulevard and Harold Drive in Incline Village, Nevada. The applicant is requesting that condition 13 be modified to allow until March 28, 1982 for completion of the project. Condition 13 currently requires completion of the project by March 28, 1981. The applicant is requesting a one year extension.

Reason for the Request

The submittals accompanying the application state that the principal reason for the request is the time delays in commencing construction resulting from the need to negotiate a new loan after the original lender withdrew financing due to the tightening of credit associated with the increase in interest rates this past year. Alternative financing was arranged by September, 1979. Due to the onset of winter and the financing limitations imposed by the lender, only six units were started in 1979. The lender's continued participation was tied to sales of the units which also were minimal due to economic conditions. In the past few months, sales of the units has increased and the lender has guaranteed continued financing to build out the project.

All required onsite improvements including water, sewer and power have been completed. The access road to all 48 units has been completed. Improvements associated with the individual units have been completed on those units already constructed.

Recommendation

Agency staff recommends the Governing Body find that substantial work has commenced on the project and approve the request for a one year extension of the completion deadline to March 28, 1982.

GWB

TAHOE REGIONAL PLANNING AGENCY  
STAFF SUMMARY AND RECOMMENDATION

South Shore Marina (Tahoe Keys)  
General Plan Amendment  
City of South Lake Tahoe

Amendment Request

The applicant, Ray Carreau, is requesting an amendment to the TRPA Land Use District Map to reclassify four parcels totaling 5.67 acres from High Density Residential (HDR) to General Commercial (GC). The amendment is proposed in order to recognize the existing marina as a conforming use under the TRPA Land Use Ordinance and thus permit the continuation and improvement of the facility.

This application is a conditional requirement of an August 1979 TRPA permit for the unauthorized construction of boat slips and a travel hoist.

Property Location and Description

South Shore Marina is located off Venice Drive in the eastern portion of Tahoe Keys in the City of South Lake Tahoe. The 5.67 acre marina (El Dorado County Assessor Parcel Nos. 22-210-09, -14, -15, and -20) is located on the interior lagoon system of the Tahoe Keys with access to the lake via the east channel. The land-based facilities consist of restaurants, shops, realty office, boat storage and repair facilities, boat launching, 3 apartments, and improved and unimproved parking. The water-based facilities include 257 boat slips of differing sizes which extend beyond the property boundaries.

The site abuts undeveloped fill land on the east and south sides and lagoons on the west and north sides. Across the lagoons to the west are numerous condominium units.

Local Zoning

The City of South Lake Tahoe zoning for the subject site is General Commercial (GC). The TRPA and CTRPA land use classification is High Density Residential (HDR).

Land Capability

The TRPA land capability maps indicate the soils on this property to be man-modified (fill) and are designated 1B, permitting 1% land coverage. Although similar soils in the Tahoe Keys were found to be man-modified and permitted 30% land coverage, the parcels in question were not included in that June, 1980 Governing Body determination.

Since the existing land coverage on the site is 87.7% and the applicant's requirements for the commercial facility far exceed the maximum 30% permitted, the processing of a land capability challenge for a man-modified area would not resolve the land coverage problem. The General Commercial land use district, which the applicant is requesting, permits coverage overrides up to 70% if specifically indicated in the ordinance effecting such reclassification.

Impacts

The proposed reclassification to General Commercial would eliminate residential uses as a permitted use and permit all commercial and tourist residential uses. In the short

term, it would recognize the existing marina and accessory uses as conforming uses and permit substantial modifications to the facility and permit substantial modifications to the facility in the long term, if approved by the Agency. However, the applicant has submitted a master plan map for the site which indicates no substantial modifications are anticipated for the site.

### Analysis

Upon review of this application, Agency staff has identified several concerns as follows:

Conflict With TRPA General Plan and Elements - The TRPA General Plan Map as defined on the 1"=400' scale maps indicates the subject and surrounding properties to be most suitable for high density residential uses. This statement was made in spite of the fact that the marina existed prior to the adoption of the TRPA General Plan in 1972. The later Conservation, Recreation and Open Space Element adopted in 1973, however, recognizes the subject marina as a "major marina". The adopted element further indicates that future expansion of marina services should be at such designated marinas.

Comment - Except for maintenance dredging problems associated with the sandy shelf of the South Shore; this man-modified area would appear to be an ideal marina area because of its good land access, level backshore, sheltered harbor, substantial improvements; and connection to a water treatment system.

Excessive Land Coverage - The second concern directly relates to the size of the marina. The facility has been allowed to develop to an extent that the parking and boat storage areas are not adequate for the facility even at 87.7% land coverage. The land capability system permits only 1% land coverage and, at best, 30% if a land capability challenge recognizing the area as man-modified is approved.

Comment - If the reclassification to General Commercial is approved, the Land Use Ordinance provides that the allowable land coverage can range from that allowed under the land capability system (1%) to 70%. The Agency's options are 1) to approve the General Plan amendment with nonconforming land coverage; 2) to require the applicant to reduce the scale of the project to achieve more open space; or 3) to require the applicant to include additional undeveloped land as open space to be included in the project area.

Limits of the Project - The applicant has extended boat slips to the north beyond the property boundaries and beyond the limits of the proposed General Commercial zone. Also, the applicant and his customers have continued to use Venice Drive and lands owned by others to the south as boat and trailer storage areas.

Comment - If the applicant intends to use lands other than those included in this request, the application should be so modified as to include those areas.

Conflicts in Permitted Uses - The 3 existing apartment units are at present the only conforming uses. With the proposed General Plan amendment, they and any other residential use (such as boat slips for residential use) will be nonconforming.

Comment - It is staff's intent to pursue the nonconforming use provisions of the TRPA Land Use and Subdivision Ordinances to the fullest extent possible.

#### Recommendation

Agency staff recommends the applicant's request to reclassify the marina from High Density Residential to General Commercial be approved with a 70% land coverage limitation. This recommendation is made only to recognize existing uses as conforming. Any further expansion of the marina would require conformance with the land coverage limitations. Conformance could be achieved by a reduction of land coverage within the site or by acquisition of additional lands recognizing the coverage limitations associated with such property.

#### Advisory Planning Commission Action

At a September 10, 1980 public hearing on the requested reclassification, the APC voted unanimously (with 1 abstention) to approved the change from High Density Residential to General Commercial as recommended by staff. Testimony was heard from representatives of the homeowners in the area who basically did not object to the reclassification but were concerned about hidden costs should the marina wish to expand its operation. The costs cited were maintenance of retaining walls, lagoon walls, and bulkheads. Concern was also expressed about increased pollution of the lagoons from boat-cleaning operations. The homeowners had agreed previously to work with the marina operator to resolve any problems which might arise from future marina expansion. Staff advised that any such expansion would be reviewed by staff keeping in mind these concerns.





JPD

TAHOE REGIONAL PLANNING AGENCY  
STAFF SUMMARY AND RECOMMENDATION

Incline Village General Improvement District  
Water Distribution System Improvements  
Washoe County

Summary

The applicant, the Incline Village General Improvement District (IVGID), is requesting approval to construct an additional 250,000 gallon water storage and distribution tank in Incline Village, Nevada. The new tank is proposed to be located adjacent to an existing water tank on the Ski Incline property which is of equal size and capacity to the proposed tank. The added tank would augment the existing fire protection capacity in the area. The North Lake Tahoe Fire Protection District has indicated that, due to the construction of the Bitterbrush project, inadequate fire protection flow would be available in the area without the new tank. This new tank will provide both domestic and fire protection water flows to Bitterbrush.

Project Description

The new tank will be located adjacent to the existing tank at an elevation of 7370 feet on the Ski Incline ski area property. Water is currently pumped from Incline Creek up to the existing tank through a pump station located adjacent to Ski Way. The new tank will be constructed to the same dimensions as the existing tank and will be located at the same elevation. The new tank will be connected to the existing transmission main and will be interconnected to the existing tank so that water level in the two tanks will always be equal. No additional piping, controls or pumping facilities are anticipated. Access to the site will be over an existing graded road. No improvements or modifications to the existing road are proposed.

Existing Environmental Setting

The proposed tank site is located on the divide between the Incline Creek sub-basin and the Mill Creek sub-basin. Since the tank site is located on the divide between the sub-basins, there is little watershed area tributary to the site and little potential for substantial concentration of surface runoff. The tank site is not within a stream environment zone.

The proposed tank site is presently vacant with a scattered stand of Ponderosa pines with a diameter ranging from 6" to 36". The limited understory vegetation is primarily grasses, probably induced by the existing water tank. The land surrounding the project contains limited facilities associated with the ski area. The development of the ski area has resulted in the clearing of trees and understory vegetation for ski lifts and runs.

Land Capability

The land capability designation is CaF, Cagwin rock outcrop, 30-50% slopes, land capability level 1, allowable land coverage 1%. The proposed tank site is relatively flat. There are no geologic fault zones identified in the area. The amount of land coverage associated with this project is within that allowed on the ski area property.

## IVGID

### Water Distribution System Improvements

Page Two

#### Slope Stabilization

The applicant has submitted a permanent slope stabilization plan to the Agency. Areas disturbed by the construction activity will be revegetated. All cut and fill slopes will be rock riprapped at a 2:1 ratio. Graded areas forming the tank apron will be rock-surfaced and graded to connect with the proposed drainage system. The plan includes stabilization for both tanks.

#### Drainage

The drainage plan submitted proposes placement of an infiltration trench around the perimeter of the new tank. Overflow from this trench will be directed through the rock apron into a drainage swale and into another set of infiltration trenches. Drainage devices have also been included for the existing tank.

#### Incline Creek Diversion

Water for the two tanks will be diverted from Incline Creek. The allowable diversion rate according to the IVGID water report is 2 cfs (cubic feet per second). Assuming a continuous diversion rate year round, the maximum diversion would be 1,440 acre feet per year. The calculated maximum diversion is not practically achievable due to seasonal alterations in the stream. IVGID estimates that the practical maximum diversion is 1,000 acre feet (AF) annually. The estimated diversion for the calendar year 1978 from Incline Creek was 240 million gallons, or 736 AF. Assuming a continuous diversion, the rate is approximately 1.02 cfs. A 250,000 gallon tank has storage capacity of .765 AF. Increased diversion rates could have an effect on fish migration and spawning patterns all along Incline Creek. The placement of this tank will not substantially increase the existing quantity of water diverted.

Due to the problems of high and low stream flow and turbidity, diversions from Incline Creek are irregular with the diversions being periodically discontinued. IVGID has proposed to make a thorough study of methods to upgrade the existing diversion and treatment facilities to cover all flows. The District also proposes the placement of a permanent Parshall flume structure for measuring year round stream flows. Agency staff would recommend that the proposed study for Incline Creek be undertaken immediately and that all proposed improvements be reviewed by the Nevada Department of Fish and Game.

#### Advisory Planning Commission Action

On September 10, 1980, the APC approved the project with two modifications to the staff recommended conditions of approval. These revised conditions are recommended conditions numbers 1 and 2.

#### Recommendation

Agency staff recommends approval of the subject project subject to the following conditions:

1. The Incline Village General Improvement District, in conjunction with the Nevada Department of Fish and Game, shall conduct a study of minimum flow rates necessary in Incline Creek for maintenance of fishery and wildlife habitats and

9/12/80

the resulting minimum flows shall be met by IVGID at all times in the future. The study report shall be completed and submitted to the Agency by October 1, 1981.

2. IVGID shall, through ordinance or other means, require that Ski Incline not be allowed to encroach into fire flow storage for the process of snowmaking.
3. Each of the following conditions shall be completely performed prior to the issuance of any building or grading permits:
  - a. The final revegetation, slope stabilization, and drainage plans shall be submitted to and approved by the Agency staff. These plans shall clearly depict: 1) slope stabilization methods to be performed to stabilize all existing and proposed cut and fill slopes and areas denuded of vegetation; 2) areas to be revegetated, including complete specifications for such revegetation; 3) fencing for vegetation protection; 4) temporary and permanent erosion control devices; 5) measures to be taken for dust control; and 6) all drainage facilities.

Calculations and other necessary analyses demonstrating that the design of the surface water runoff control system will meet the requirements for surface and/or subsurface discharge as established in the Uniform Regional Runoff Quality Guidelines as well as other requirements set forth in the Lake Tahoe Basin Water Quality Management Plan. Such calculations and analyses shall be prepared by a qualified civil engineer and submitted to the Agency for staff review and approval.

4. Upon the issuance of building and grading permits, construction shall proceed in the following sequence:
  - a. Such trees as TRPA has authorized shall be removed and the initial phase of the vegetation preservation and protection plan shall be completed.
  - b. Installation of fencing for vegetation protection.
  - c. Installation of temporary erosion protection devices.
  - d. Prior to the removal of spoil material from the construction site, a separate grading permit shall be obtained from the permit-issuing authority for offsite disposal of spoil materials.
  - e. Installation of utilities including water mains and fire hydrants required by the fire department.
  - f. Completion of rough grading including installation of mechanical stabilization devices.
  - g. Completion of structure foundations.
  - h. Final grading and installation of base for paved areas.