

**TRPA
APC
PACKETS**

**JANUARY
1983**

Phil

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

NOTICE IS HEREBY GIVEN that on January 12, 1983 at
9 00 a.m. at the hearing room of the Tahoe
Regional Planning Agency, located at 2155 South Avenue, South
Lake Tahoe, California, the Advisory Planning Commission of
said agency will conduct its regular meeting. The agenda for
said meeting is attached to and made a part of this notice.

Dated: January 3, 1983

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

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

TRPA Office, 2155 South Avenue
South Lake Tahoe, California

January 12, 1983
9:00 a.m.

PRELIMINARY AGENDA

- I. CALL TO ORDER AND DETERMINATION OF QUORUM
- II. APPROVAL OF AGENDA
- III. DISPOSITION OF MINUTES
- IV. ADMINISTRATIVE MATTERS
 - Election of Chairman and Vice Chairman
- V. APPEALS
 - A. Morrison/Martin, Appeal of Staff Rejection of an Application for Replacement of Nonconforming Coverage, Douglas County, APN 07-038-05 and APN 11-070-02, TRPA File #82-1174
 - B. Rogers/Major Engineering, Appeal of Staff Decision Pursuant to the Case-by-Case Lot Review Criteria, Lot 136, Washoe County, APN 126-082-03, TRPA File #82544
- VI. PLANNING MATTERS
 - A. Redesignation Request for Attainment Status Under Federal Clean Air Act
 - B. U.S. Postal Service, Action Plan for Mail Delivery
 - C. Regional Plan Development
- VII. REPORTS
 - A. Status Report on Proposition 4 and Burton-Santini Acquisition Program
 - B. Dillingham Commercial Project and General Plan Amendment, City of South Lake Tahoe
 - C. Annual Report for the Lake Tahoe Basin Air Quality Plan (Federal Clean Air Act)
 - D. Public Interest Comments
 - E. APC Members
- VIII. RESOLUTIONS
 - Resolution for Steve Hallam
- IX. CORRESPONDENCE
- X. PENDING MATTERS
- XI. ADJOURNMENT

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

Round Hill Mall
U.S. Highway 50 and Elks Point Road
Zephyr Cove, Nevada

December 8, 1982
8:45 a.m.

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chairman Mike Harper called the meeting of the Advisory Planning Commission to order at 8:50 a.m.

APC Members Present: Mr. Hallam, Mr. Pyle, Mr. Sullivan, Mr. Smith,
Mr. Sawyer, Mr. Dodgion, Ms. McMorris, Mr. Bidart,
Ms. Shellhammer, Mr. Randolph, Mr. Harper

APC Members Absent: Mr. Renz, Mr. Combs (arrived at 9:20), Ms. Bogush
(arrived at 9:30), Mr. Schlumpf (arrived at 9:20),
Mr. Hansen (arrived at 9:20), Ms. Sparbel

II. APPROVAL OF THE AGENDA

MOTION by Mr. Bidart, with a second by Mr. Sawyer, to approve the agenda as presented. The motion carried unanimously.

III. DISPOSITION OF MINUTES

MOTION by Mr. Smith, with a second by Mr. Dodgion, to approve the November 10, 1982 APC minutes with no corrections. The motion carried unanimously.

IV. APPEAL

- A. Elegant/Buchbinder, Lot 17, Block H, Geraldine Drive, Incline Village Unit #1, Washoe County APN 125-232-16, TRPA File #81-1392

Planning Assistant Nora Shepard, stated this application was received in November, 1981, and the site was field checked in December, 1981. Based upon a preliminary staff review, the project was considered a high risk with regard to land stability and the MsE soil type which is extremely rocky in nature. The cement substratum appeared to be very close to the surface which indicates a lack of infiltration capacity. The fact that the lot has a road cut bank in excess of 15 feet at one point could create severe access difficulties. Because of the lot's high risk classification for land stability and the steepness of the cut bank, problems will occur in providing driveway and utilities access, and in achieving conformance with local requirements for on-site parking.

APC REGULAR MEETING MINUTES DECEMBER 8, 1982

Ms. Shepard further stated that at the appeal hearing the possibility of a zero setback parking pad to provide the two off-street parking places rather than a driveway/garage type structure was discussed. K. B. Foster Engineering did an analysis and determined that a minimum 15 foot cut would be required for a parking pad. Staff felt this was considered excessive excavation and Mr. Overeynder, Executive Director, concurred with the staff determination that this application does not fit within the parameters of case-by-case review and the impacts cannot be minimized to an acceptable level.

Mr. Pyle stated that the Soil Conservation Service (SCS) staff field checked the lot just the day before the APC meeting. SCS staff determined the bank to be about 14 feet high and the length of slope about 30% which is approximately a 2:1 slope. The SCS did not have time to prepare a written report prior to the APC meeting but will submit one for Agency review.

Ms. Shepard pointed out staff's concerns with the large amount of excavation associated with this project; the rocky soil type would probably require some type of blasting on a slope of this size; retention would be difficult; and there is a problem with placement of the excavated material. As the slope's height is increased, the amount of excavation would increase the impacts. Ms. Shepard noted there are other homes built in this vicinity prior to the requirement for Agency review, but no case-by-case reviews have been approved on parcels this critical in nature.

Greg George, Chief of Project Review, suggested the possibility in excavating a cut slope this far of a water table problem and difficulty in stabilizing the slope.

Ms. Leah Kaufman, of K.B. Foster Engineering, representing the applicant, stated that Mr. Buchbinder who lives in Florida could not attend this APC meeting but would be present at the Governing Board meeting in December. Ms. Kaufman further stated the option of possible access from the adjacent property owner's existing driveway had been discussed but had not been pursued by Mr. Buchbinder at this time. Engineer Mike Edwards, of K.B. Foster Engineering, confirmed that the subject property is very close to a 2:1 slope, but disagreed with the rocky description, as the underlying soil 6 to 8 feet in depth could be called rocky, but doubted that blasting would be required. Excavation could be handled so disturbance would be kept to a minimum, and the areas around the parking pad would be stabilized with vertical retaining walls, and materials hauled away. Mr. Edwards stated that percolation tests were performed which found that the soils down to at least 3 feet were very permeable; no ground water seeps were observed. The owner is willing to mitigate and stabilize this project.

Mr. Sawyer asked what problems would be encountered with the direction of drainage from the building site and parking pad, stabilizing the slope, remedial erosion control and revegetation. Mr. Edwards stated the lot slopes gradually 5 to 10 percent towards Geraldine Drive and where the parking pad proposed cannot be stabilized, but vertical retaining walls and rock riprap is proposed. The owner would rather have a covered 20 x 20 paved driveway.

APC REGULAR MEETING MINUTES DECEMBER 8, 1982

Discussion followed pertaining to alternate access. Mr. Hallam expressed his concerns, stating all of the alternatives should be explored. He is not in favor of a parking pad because of snow removal difficulties, and the amount of excavation due to the steepness of the slope. Mr. Sawyer addressed his concerns with problems of further cuts into the over-steepnees of the slope.

Ms. McMorris recommended to continue discussion until staff has reviewed the Soil Service's recommendations.

MOTION by Mr. Hallam, with a second by Mr. Randolph, to recommend to the Governing Board that the appeal be denied. This denial is based on the fact that the applicant has not pursued other alternatives, there are snow removal problems with a parking pad, the slopes are excessive and would require extensive excavation, and drainage problems could occur from the necessary excavation. This motion was made with the understanding that the applicant could pursue other options, including an alternative access to the property. The motion carried on the following vote.

Ayes: Mr. Hallam, Mr. Pyle, Ms. Bogush, Mr. Sullivan, Mr. Smith,
Mr. Sawyer, Mr. Dodgion, Ms. McMorris, Mr. Bidart, Ms.
Shellhammer, Mr. Randolph, Mr. Harper

Nayes: None

Abstain: Mr. Combs, Mr. Schlumpf, Mr. Hansen

Absent: Mr. Renz, Ms. Sparbel

It was noted for the record the abstention votes was due to the APC members late arrival to the meeting.

V. RESOLUTIONS - None

VI. CORRESPONDENCE - None

VII. PENDING MATTERS - None

Mr. Hallam announced that he has accepted a planning position in Salinas and would be leaving the El Dorado County Planning Department on December 14, 1982.

MOTION by Mr. Harper, with a second by Mr. Hansen, directing staff to prepare a resolution for Mr. Hallam. The motion carried unanimously.

VIII ADJOURNMENT

The APC meeting adjourned at 9:35 a.m.

Respectfully submitted,

Mary Dailey

Mary Dailey
Secretary II

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Morrison/Martin, Appeal of Staff Rejection of an Application for Replacement of Nonconforming Coverage, Douglas County, APN 07-038-05 and APN 11-070-02, TRPA File #82-1174

Applicant: Walter Morrison/Gary Schnakenberg

Project Description: The applicant proposes to construct a one story single family dwelling and a separate guest house/garage structure. The dwelling is to be placed at the top of a rocky knoll with a garage structure at a distance of approximately 600 horizontal feet, at the base of the hill. The elevation difference between the proposed garage and dwelling is approximately 200 feet. A "tram" is proposed to be used as the access from the garage to the dwelling.

Project Location: North Benjamin Drive, Kingsbury Grade.

Site Description: The applicant owns two adjacent parcels, one 16.8 acres and the other 4.2 acres, totally 21 acres. There are a number of existing dirt roads on the property. There is a stream environment zone adjacent to the parcels, but it is well away from the proposed building sites. A majority of the parcel is very steep terrain, and there is some rock outcrop. The primary building site is in the saddle of a rocky knoll. The garage/guest house is adjacent to a road which traverses the 16.8 acre parcel. Because of unauthorized off-road vehicle use, there are a number of disturbed areas.

Review Per Section: Section 9.21 of the Nevada Side Land Use Ordinance

Land Use District: General Forest (GF)

Land Capability Classification:

CaE, Land Capability Classification 2	80,000 sq. ft.
CaF, Land Capability Classification 1A	611,600 sq. ft.
RtF, Land Capability Classification 1A	224,000 sq. ft.

Land Coverage:

Lot Area:	915,600 sq. ft.	<u>Proposed Coverage:</u>	
Allowable Coverage (1%):	9,156 sq. ft.	House	3,212 sq. ft.
Existing Coverage:	34,250 sq. ft.	Garage/Guest House	1,690 sq. ft.
Proposed New Coverage:	4,954 sq. ft.	Road & Drive	10,560 sq. ft.
Required Reduction:	7,463 sq. ft.	Tramway	342 sq. ft.
		Total Proposed:	15,804 sq. ft.
Permitted Coverage	34,250 sq. ft.		
	- 7,463 sq. ft.		
After Reduction	26,787 sq. ft.		

Project History: The subject application was received by the Agency on August 13, 1982. The proposal was preliminarily reviewed in the field by Agency staff in October of 1982. Based upon this review, Agency staff determined that the necessary findings for approval of replacement of nonconforming coverage could not be made with regard to the specific proposal and the application was, therefore, rejected. The applicant met with Agency staff on November 11, 1982 and expressed a desire to appeal this determination to the Advisory Planning Commission and Governing Body.

Impact Analysis and Mitigation Measures: The applicant is proposing to create new coverage on the subject parcel and remove existing coverage elsewhere on the parcel. The new coverage consists of a new single family dwelling in the saddle of a rocky knoll, while the existing coverage to be removed consists of the overwidened portions of dirt roads. In order to permit new coverage in this situation, the following findings must be made:

1. The applicant demonstrates beyond any reasonable doubt that the relocation to the alternative site will protect and enhance the natural environment of the parcel and surrounding lands to a substantially better extent than replacement on the original site.
2. The total nonconforming land coverage that exists on the parcel before the replacement will be reduced in amount by at least ten (10) percent, provided, however, that in the case of a replacement to which the provisions of subsection (b)(i) or (b)(ii) apply the reduction must be to ten (10) percent less than would otherwise be required.

The second finding can be satisfied by the applicant. Agency staff finds however, that the first finding is not satisfied by the proposal under review. The proposal will result in revegetation and stabilization of portions of an existing steep dirt road where erosion is evident. This road cannot be completely removed, however, as the U.S. Forest Service wishes to retain it as fire access. The road proceeds up the hill at a slope in excess of 30%.

The applicant is willing to use whatever construction techniques become necessary to minimize disturbance. He has contacted a helicopter service and has proposed using helicopters to transport building materials to the building site. Agency staff contends, however, that construction on top is not the most appropriate building site and will result in excessive disturbance. Some specific areas of concern include:

1. New Coverage: The proposed building site is in an area which is currently undisturbed. Construction will avoid the major rock outcrops on the knoll, but the general character of the area is very rocky (RtF soil type). The dwelling construction will cause a great deal of disturbance. There is an existing disturbed area adjacent to the lower portion of the road, which staff has suggested as a more suitable building site meeting the requirements of finding #1 above. The proposed new coverage encroaches into an area which is entirely undisturbed. Agency staff contends that the new development should occur on areas already disturbed.

2. Proposed Tramway: The applicant proposes to use a tramway to access the dwelling. Only 342 square feet of coverage is being claimed for this structure. Based upon the preliminary plans submitted it appears as though construction of the tram will cause a great deal of disturbance. The structure is to be approximately 600 feet in length. It appears as though abutments will be required every 6 to 8 feet. Installation of these concrete abutments will be difficult to achieve without excessive site disturbance on a steep and rocky hillslope. It is evident from the existing erosion on site that this hillslope has a high erosion potential if vegetation is removed.
3. Utilities: Agency staff also questions the ability of the applicant to provide utilities to the primary building site without it causing excessive land disturbance. The building site is at least 900 feet from the existing utilities. Trenching up the steep slopes would result in erosion and soil loss.

Consistency with Applicable Plans, Ordinances, Regulations and Standards: Prior to approval of this project, the Governing Body must make written findings pursuant to Article VI(b) of the Compact regarding consistency with applicable plans, ordinances, regulations and standards of federal, state and regional agencies. The staff has analyzed applicable elements for consistency and has made the following findings:

<u>Applicable Elements</u>	<u>Findings</u>
Nevada Side Land Use Ordinance	Inconsistent*
Nevada Side General Plan and Sub-Elements	Inconsistent*
TRPA 208 Water Quality Plan	Consistent
Nevada Division of Environmental Protection	
Air Quality Plan	Consistent
Federal Air Quality Standards	Consistent

*Based on Section 9.21 of the Nevada Side Land Use Ordinance and the fact that there are reasonable doubts regarding whether the proposed siting of the structure would best protect the environment as compared to other available locations for the dwelling.

Project Analysis and Issues for Discussion: If the applicant were willing to modify the application and construct the principal residence in the approximate location of the proposed guest house/garage, staff would reevaluate the application and could probably make the necessary findings. The current proposal, however, results in excessive land disturbance in a highly critical area. The required finding states that the Agency must find, beyond any reasonable doubt that the coverage relocation protects, and in fact enhances the natural environment of the parcel and surrounding lands to a substantially better extent than replacement on the original site. Although some erosion and slope stabilization problems will be solved, staff feels that the impacts resulting from the current proposal would be greater than the existing situation. There is an alternative site, however, for which the necessary finding could be made. The required findings of Section 9.21 of the TRPA Land Use Ordinance are not satisfied in the staff's opinion, and the current application has been rejected at a staff level.



DATE 11-16-81 JOB NO. 3925 SHEET

Loc. West Meadows

BUILDING SITE TARD 21 A.S.P. M. ...

MARTIN ENGINEERING CIVIL ENGINEERING - SURVEYING



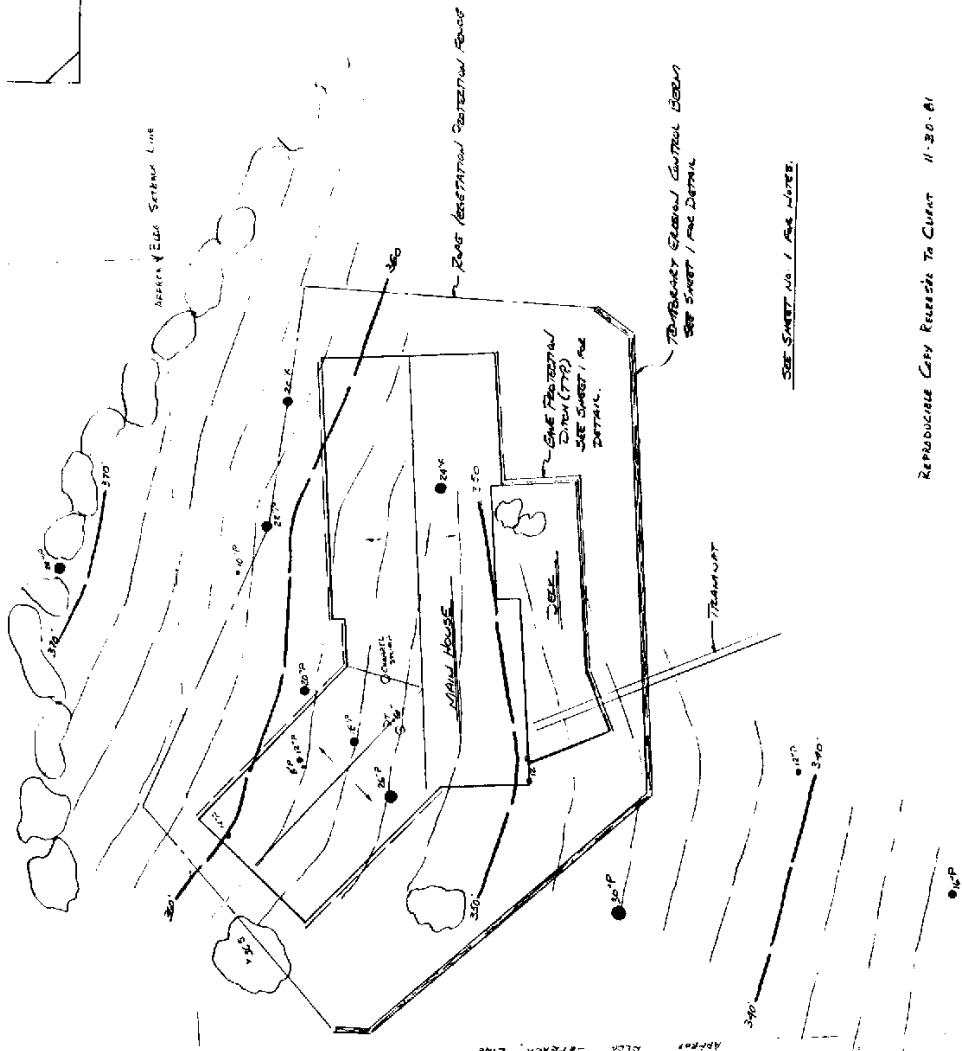
REPRODUCED COPY REVERSE TO CLEAR 11-30-81

SEE SHEET NO. 1 AND NOTES.

TO-BE-BUILT EXISTING CONTROL BEAM SEE SHEET 1 AND DETAIL.

SEE PROVISIONAL DRAWING (P72) SEE SHEET 1 AND DETAIL.

TO-BE-BUILT EXISTING CONTROL BEAM

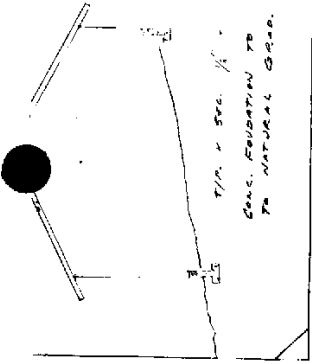


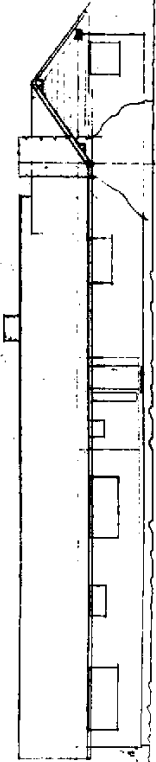
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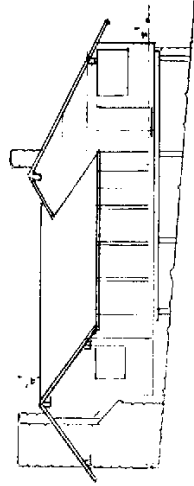
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1/2" x 5/8" N.C. CONC. FOUNDATION TO NATURAL GRD.

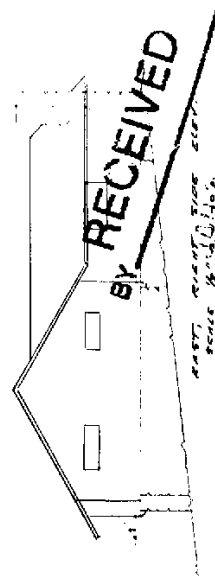




ARCHIT. DRAWING RELEV.
SCALE 1/4" = 1'-0"



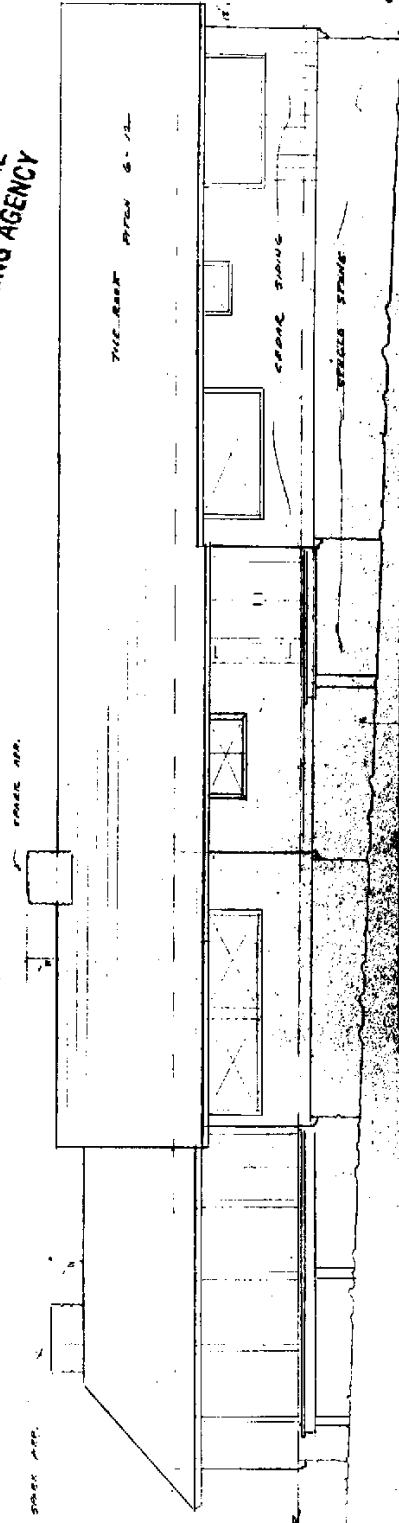
WEST SIDE VIEW
SCALE 1/4" = 1'-0"



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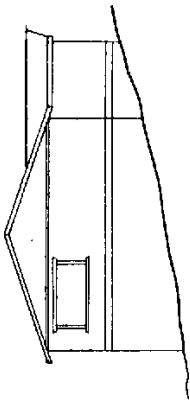
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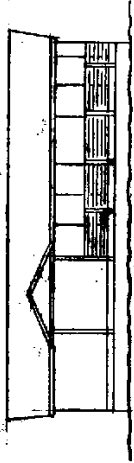
BRICK APP.

PLATE

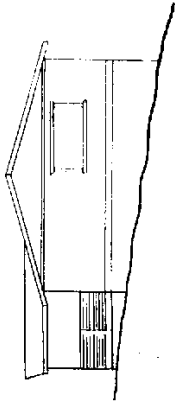
FIGURE



RIGHT SIDE ELEVATION
SCALE: 1/8" = 1'-0"



REAR ELEVATION
SCALE: 1/8" = 1'-0"



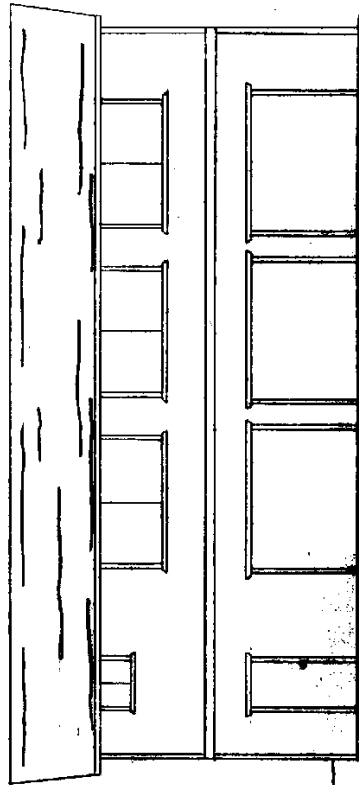
LEFT SIDE ELEVATION
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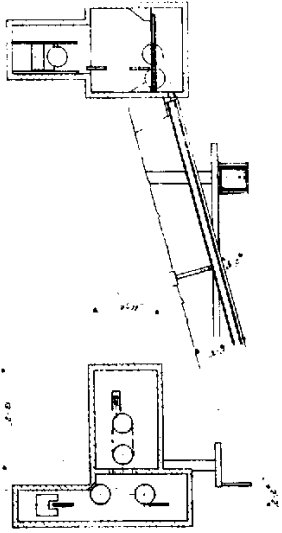
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FRONT ELEVATION
SCALE: 1/8" = 1'-0"

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STAFF SUMMARY

Rogers/Major Engineering, Appeal of Staff Decision Pursuant to the Case-by-Case Lot Review Criteria, Lot 136, Washoe County, APN 126-082-03, TRPA File #82544

Applicant: Jim Rogers/Major Engineering

Project Description: The applicant is proposing to construct a 2 bedroom, Tyrolean style single family dwelling with a one car garage.

Project Location: Lot 136, Tyrolian Village Unit #7.

Site Description: The subject parcel is an uphill lot with a slope of approximately 25% across the building site. There is a road cut which is approximately 8 feet in height. This slope is currently gunned as it is designated by the subdivision map as a building site that must contain a garage. The site is well vegetated with manzanita and pines. The soil is rocky in nature.

Review Per Section: Section 12.20 of TRPA Ordinance 81-5
Article VI(b) of the TRPA Compact

Land Use District: Low Density Residential (LDR)

Land Capability Classification: Level 1A, UmF soil type

Land Coverage:

Total Lot Size:	1,600 sq. ft. (40' x 40' building envelope)
Allowable Coverage:	1,600 sq. ft.
Proposed Coverage:	1,571 sq. ft.

Building Height: Allowable: 35' + 12 ft. cross slope allowance
Proposed: 30'

Project History: The application was received in June, of 1982. The site was field checked in August, 1982. Based upon a preliminary staff review, the project was considered a high risk with regard to land stability. Concern was also raised regarding the runoff potential due to the rocky nature of the soil. This preliminary decision was appealed to Philip Overeynder, Executive Director. He concurred with the staff determination.

At the appeal hearing, staff discussed the off-street parking problem in Tyrolian Village. The applicant has redesigned the plans to utilize a one car garage, thereby reducing excavation. However, staff finds that this revised proposal is a High Risk with regard to Land Stability. The applicant now wishes to appeal this determination.