

**TRPA
APC
PACKETS**

**MAY
1987**

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MAY 87 Cal APC

lunch
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TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

possibly also
the following?

NOTICE IS HEREBY GIVEN that the Advisory Planning Commission of the Tahoe Regional Planning Agency will conduct its regular meeting at 9:30 a.m. on Wednesday, May 13, 1987, in the TRPA office, 195 U.S. Highway 50, Zephyr Cove, Round Hill, Nevada. The agenda for said meeting is attached hereto and made a part of this notice.

May 4, 1987

By: W.A. Morgan
William A. Morgan
Executive Director
Tahoe Regional Planning Agency

To warehouse

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

TRPA Office, 195 U.S. Highway 50
Zephyr Cove, Round Hill, Nevada

May 13, 1987
9:30 a.m.

MEETING AGENDA

I CALL TO ORDER AND DETERMINATION OF QUORUM

II APPROVAL OF AGENDA

III DISPOSITION OF MINUTES

IV PUBLIC HEARING *<GWB*

- X.* To Consider Amendments to Plan Area Statements (PAS), Including Specifically, But Not Limited To, the Following: PAS 070A, 080, 089A

V PLANNING MATTERS

- 1.* Status of Implementation of Regional Plan Package *<ZP*
- 2.* Discussion on Chapters *7, 15,* and 45 of Code of Ordinances *<GWB/SS*
- 3.* Status Report on Community Planning Process *<GWB*
- 4.* Status Report by Recreation Committee *<Hofer* on Review of Recreation Element
- E. Discussion on Regional Transportation Plan Update *<T-Team*
- 1 pm* *5.* Discussion on Waterborne Feasibility Study *<T-Team*
- G. Report on Activities of the Special Task Force on Rehabilitation Fees and Land Banking Programs *<Continie*

VI REPORTS

- A. Staff
- B. Legal Counsel
- C. Public Interest Comments
- D. APC Members

VII CORRESPONDENCE

VIII PENDING MATTERS

IX ADJOURNMENT

$$\begin{array}{r} 12,500,000 \\ 10,000,000 \\ \hline 2,500,000 \end{array}$$

$$\begin{array}{r} 300,000 \\ 20,000 \\ \hline 6,000,000 \end{array}$$

} \$23.5M

TAHOE REGIONAL PLANNING AGENCY

195 U.S. Highway 50
Round Hill, Zephyr Cove, NV

P.O. Box 1038
Zephyr Cove, Nevada 89448-1038

(702) 588-4547

MEMORANDUM

May 5, 1987

To: The TRPA Governing Board

From: The Staff

Subject: Public Hearing on Plan Area Statements 070A, 080 and 089A

At the April 8 and 9 APC meeting, the following proposed amendments were continued to the May APC meeting. The amendments relate to the Nevada South Stateline area and more specifically to lands owned by the Park Cattle Company. PAS Map H-16, locating the lands in question, is attached. A letter explaining Park Cattle Company's position, written by Park Cattle Company representative Gordon DePaoli, is also attached.

Agency staff will be prepared to discuss each amendment at the APC meeting on May 13. Any recommendations by the APC will be included with the April APC recommendations for the second trailing amendment which will be considered by the TRPA Governing Board at its regular May meeting.

GWB:jf
5/5/87

AGENDA ITEM IV A.

- APC motion covers
- 1. Requested Substantive Change PAS 080: Park's 246 acres does not belong in PAS 080, but parts of it should be included in adjacent Plan Areas 089A - Nevada South Stateline Resort Area, 076 - Kingsbury Commercial and 078 - Middle Kingsbury Residential. (Disagree.)
 - 2. Request Substantive Change PAS 080: Special Designations should be provided to assist in the achievement of environmental improvements. (Disagree.)
 - 3. Request Substantive Change PAS 080: Instead of Special Policy #3 indicating that the lower portions of PAS 080 should be considered in the Community Plan for Stateline and Kingsbury, Park's property should be included in the applicable Plan Areas. (Disagree.)
 - 4. Request Substantive Change PAS 080: Objects to the designation of "scenic view corridor." (Disagree.) APC upheld, Harper motion
 - 5. Request Substantive Change PAS 080: The uses listed as permissible are not reasonable economic uses. (Disagree.)
 - 6. Request Minor Substantive Change PAS 080: The Edgewood Water Company facilities should be an allowed rather than a special use. (Agree.) APC upheld to CWB suggestion added
 - 7. Request Substantive Change PAS 080: Although Special Policy #3 states that a developed campground should be considered, no additional capacity for such a use has been assigned. (True. This is a subject for the APC Committee.)
 - 8. Request Substantive Change PAS 080: Plan Area Statements should not mandate implementation of improvement programs that have not yet been adopted by the Governing Board. (Disagree.) upheld by APC
 - 9. Request Minor Substantive Change PAS 070A: Planning Consideration #2 should be expanded to recognize that for many years there have been numerous ponds on the Edgewood Golf Course which have acted as siltation basins and have assisted in the reduction of pollutants entering Lake Tahoe from Edgewood Creek. (Agree.) upheld by APC
 - 10. Request Minor Substantive Change PAS 070A: Objects to and requests the deletion of Special Policy #1 which suggests that the Edgewood Golf Course be redesigned. (Disagree.) upheld by APC

LUNCH - work
or this → GNB's things adopted

Request Substantive Change

~~11.~~ PAS 070A: The facilities of the Edgewood Water Company should clearly be allowed uses. (Agree.) *upheld on res #6*

Request Substantive Change

*Pro-Shop (S) } Gordon's proposal
Bar - Part (A) }*

~~12.~~ PAS 070A: Eating and drinking places should be an allowed use to make it clear that the bar and restaurant facilities at the golf course are allowed as a primary use. (Disagree.)

Request Substantive Change

~~13.~~ PAS 070A: Water intake lines should be an allowed accessory structure. (Agree.) *upheld*

Request Substantive Change

~~14.~~ PAS 070A: Some additional outdoor recreation development should be allocated to this Plan Area due to its location adjacent to a major tourist center. (Disagree.) *Continued to a later date*

Request Minor Substantive Change

~~15.~~ PAS 089A: The Planning Statement should expressly state that structures housing gaming under a non-restrictive license are permitted and conforming use. (Agree.) *upheld*

Request Substantive Change

~~16.~~ PAS 089A: Special Policy #1 should be revised so as not to expand the 1973 requirement that the Park Tahoe not exceed 50% total land coverage. The language requiring that the land be maintained as a "scenic view corridor" and a "historical site" should be removed. (Disagree.)

Request Substantive Change

~~17.~~ PAS 089A: Multiple family residential should be added as a permissible use. (Disagree.) *upheld by APC, but staff agrees to look at definition in Chap 19*

Request Substantive Change

~~18.~~ PAS 089A: Vehicle storage and parking should be an allowed, rather than special use. (Agree.) *upheld*

Request Substantive Change

~~19.~~ PAS 089A: Sport assembly should be an added as a permitted use, or the definition of privately owned assembly and entertainment facilities should be expanded to include sport assembly. (Sport assembly already is listed as a special use.)

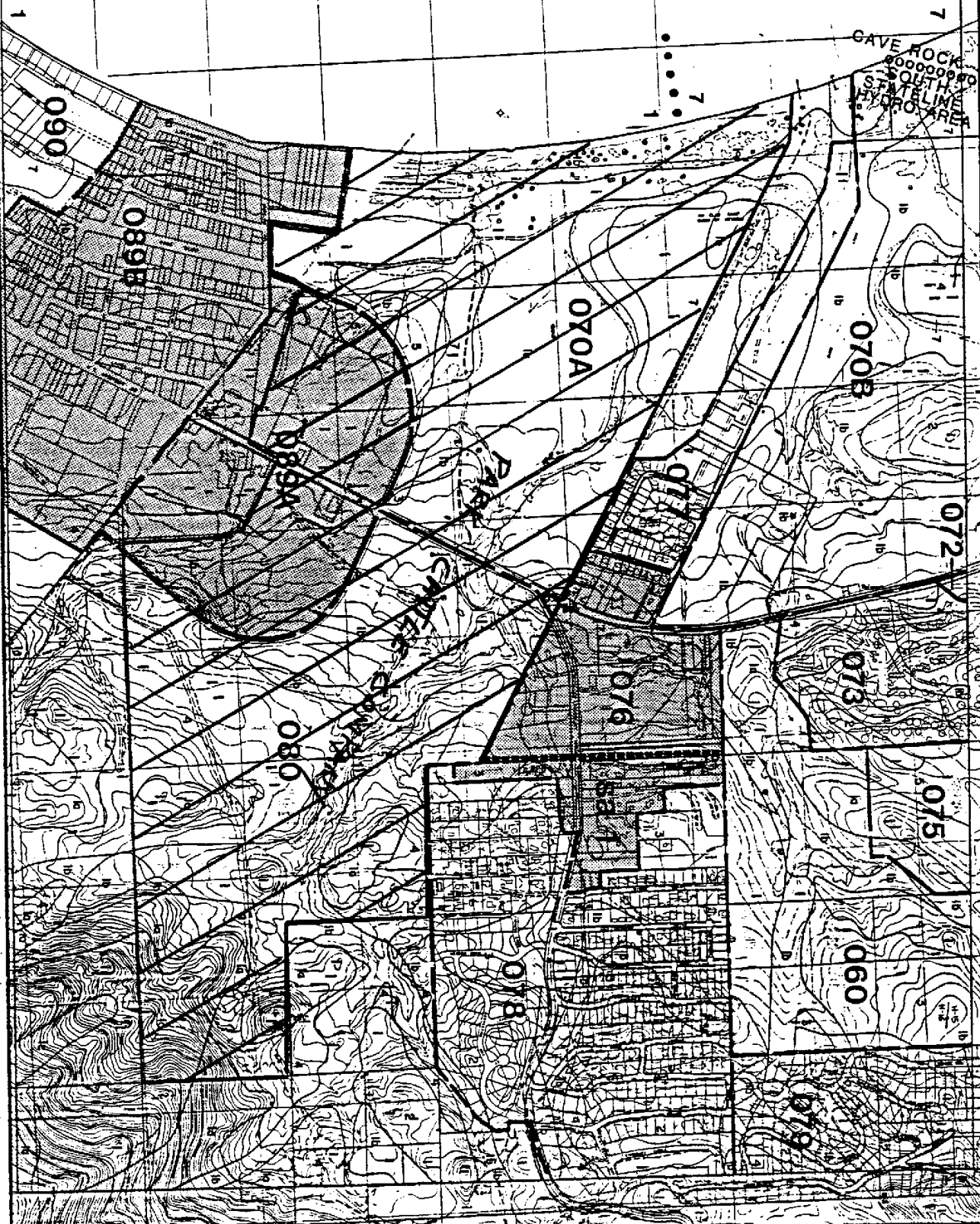
Request Substantive Change

~~20.~~ PAS 089A: Plan Area Statements should not mandate implementation of improvement programs that have not yet been adopted by Governing Board. (Disagree.) *upheld*

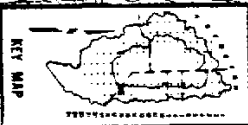
**POOR
QUALITY
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TO FOLLOW**



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



H-16
478-B-380



**LAKE TAHOE REGION
STATELINE
DOUGLAS COUNTY, NEVADA**

THREE REGIONAL PLANNING AGENCY

SCALE: 1" = 400'
CHECKED BY: S.E.H.
DATE: October, 1971

NO.	DATE	DESCRIPTION
4		

File George
0982

WILLIAM K. WOODBURN
VIRGIL H. WEDGE
B. WELLS O'BRIEN
ROGER W. JEPSON
RICHARD O. KWAPIL, JR.
CASEY W. VLAUTIN
ROGER H. ELTON
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(1911-1985)
of counsel
EDWARD G. STEVENSON

April 1, 1987

RECEIVED
BY _____

APR 02 1987

TAHOE REGIONAL
PLANNING AGENCY

Members Tahoe Regional Planning Agency
Advisory Planning Commission
(see attached list)

RE: Park Cattle Co./Amendments To
Plan Area Statements

Dear Members of the Advisory Planning Commission:

Enclosed for each of you is a copy of excerpts from a presentation made by me to the Governing Board of the Tahoe Regional Planning Agency on or about November 24, 1986. These excerpts cover the introduction to that presentation and the Plan Area Statements portion of that presentation. Your packet for last month's meeting at pages 8 - 18 included information presented by me to the Governing Board on January 28, 1987. It is my understanding that your packet will include that information this month as well. Greg George was unable to locate a copy of the enclosed material and therefore I am sending a copy to you directly.

Sincerely yours,

Gordon H. DePaoli
Gordon H. DePaoli

GHD/emr
PARK8 14
Enclosures

APR 02 1987

TAHOE REGIONAL
PLANNING AGENCY

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increase construction costs and the likelihood of persons to invest their money at Tahoe under such circumstances.

The Environmental Impact Statement states that "the impact of the proposed action on land values will vary." It seeks to conceal the true impact by suggesting that in any many instances, land values will increase because of IPES. In truth and in fact, the impact of the proposed action on the land values will universally result in substantial decreases in those values. For every new parcel eligible for residential development under the IPES, a parcel eligible today for residential development will be displaced. To suggest that your proposed action will result in anything other than decrease in land values simply ignores the facts.

III. PLAN AREA STATEMENTS FOR THE LAKE TAHOE BASIN.

A. Introduction.

Throughout the planning process, Park has contended that the Plan Area concept is unduly and unnecessarily complex. There is no reason that the Region cannot be planned as a whole or by local government units recognizing of course that zones will be established based upon existing uses and proximity to existing uses. This concept is lost in the Plan Area proposal.

Park's property is included in three separate Plan Areas. A portion is in Plan Area 080 (Kingsbury Drainage), a portion is in Plan Area 070A (Edgewood) and a portion is in Plan Area 089A (Nevada South Stateline Resort Area). Those Plan Areas are shaded in yellow on Exhibit B. Each Plan Area is considered separately below.

B. Park Cattle Co.'s Property And Plan Area Statements.

1. Plan Area 080 - Kingsbury Drainage.

(a) Park's Property Does Not Belong In This Plan Area.

Plan Area 080 has a land use classification of "conservation" and a management strategy of "mitigation." The boundaries for this Plan Area are so gerrymandered that it takes four Plan Area maps to show it. See, Exhibit C. Park has approximately 246 acres of property in this Plan Area. Its property has very little in common with the other land in the Plan Area.

Park's property abuts Highway 50, is located on both sides of the Loop Road and abuts a small portion of Kingsbury Grade. It is sandwiched between the Nevada South Stateline Resort Area (Plan Area 089A), the Kingsbury Commercial Area (Plan Area 076) and the Middle Kingsbury Plan Area (Plan Area 078). Sewer and electrical lines are nearby and in fact cross the property. The Edgewood Water Company provides water to the property and its distribution lines and main storage facility are located on it.

When your Agency planned this property in 1971, it zoned 37 acres conservation reserve, a holding zone. Some 30 acres of Park's land was zoned low density residential; a large portion was zoned tourist commercial. In addition, about 29 acres were zoned high density residential and 26.32 acres were zoned general commercial. See, Exhibit D. That is the present zoning on the property.

The 1971 planners recognized the facts. They considered the location of the property and what was around it. They recognized that major portions of the property were suited for residential uses. They took into account the wisdom of having a high density residential area within walking distance of one of the Region's major employment centers. They recognized that the property was adjacent to tourist and commercial centers and was bounded by major transportation corridors.

Park's property does not belong in a Plan Area that includes for example the Douglas County dump and maintenance yard. The planning statement, planning considerations and special policies further highlight the inappropriateness of including Park's property in this Plan Area. Park's property is not in need of rehabilitation. See, Planning Statement for Plan Area 080. There is no extensive disturbance on Park's land. See, Policy Consideration No. 1. There is no off-road vehicle use and there certainly is no lack of infrastructure and services. See, Policy Considerations No. 2 and No. 3. Park's land is virtually uncovered. It is not in need of land coverage restoration. See, Special Policy No. 1.

Park's property should either be placed into three new Plan Areas or parts of it should be included in Plan Area 089A, the Nevada South Stateline Resort Area, in Plan Area 076, the Kingsbury Commercial Plan Area and in Plan Area 078, the Middle Kingsbury Residential Plan Area.

(b) Application Of The Plan Area
Statement To Park's Property.

(i) Special Designations.

The Goals and Policies have praised the various special incentives which are to be available to land owners willing to take environmentally beneficial measures on their land and elsewhere. This Plan Area has none of those incentives. It is not eligible for a community plan, a transfer of development rights program, the multi-residential incentive program, the bonus tourist unit program or the affordable housing program.

(ii) Planning Considerations.

Planning considerations are to describe both positive and negative issues that require special consideration. First, it should be recognized that such considerations may not apply to all property within a Plan Area as is the case here. Second, planning considerations should state facts only, not unsupported assumptions. Third, they should fairly state the facts. Finally, planning considerations should recognize facts which are positive.

For example, here policy consideration No. 5 states that there "are numerous water filings along Edgewood Creek that could create low flows." The fact is that there are water filings on Edgewood Creek. The extent to which diversions will or will not create low flows remains to be determined. Additional examples are provided with respect to Plan Area 070A infra.