

**TRPA
APC
PACKETS**

**APRIL
1988**

April 1988

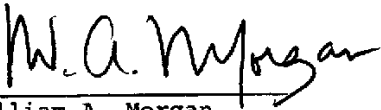
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TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

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 April 13, 1988, at 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.

April 1, 1988

By: _____


William A. Morgan
Executive Director
Tahoe Regional Planning Agency

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

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

April 13, 1988
9:30 a.m.

AGENDA

- I CALL TO ORDER AND DETERMINATION OF QUORUM
- II APPROVAL OF AGENDA
- III DISPOSITION OF MINUTES
- IV PUBLIC HEARING AND RECOMMENDATION
 - A. Amendment of Appendix A of Chapter 4 (Project Review and Exempt Activities)
 - B. Chapter 15 (Redevelopment), Chapter 15 EIS, and City of South Lake Tahoe Redevelopment Plan and EIR/EIS
 - C. Amendments to Chapter 34 (Transfer of Development) and Related Amendment of Chapter 2 (Definitions)
- V PLANNING MATTERS
 - A. Status Report on the Scenic Package
- VI REPORTS
 - A. Executive Director
 - B. Legal Counsel
 - C. APC Members
 - D. Public Interest Comments
- VII CORRESPONDENCE
- VIII PENDING MATTERS
- IX ADJOURNMENT

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

April 5, 1988

To: Advisory Planning Commission
From: TRPA Staff
Subject: Amendments To Chapter 4

The following amendments are being proposed to Chapter 4 to allow staff to take action on certain projects that currently must be acted upon by the Governing Board.

Problem Identification: Appendix A to Chapter 4 identifies categories of projects and matters that the Governing Board must review and take final action on. The Executive Director may review and take final action on projects and matters not listed in Appendix A.

Since this list was adopted in the summer of 1987, staff has identified some categories of projects in Appendix A that should be deleted or changed, because in practice, they do not meet the criteria for being on the list.

Discussion: The criteria for placing a category on Appendix A is not identified in Chapter 4, however, in drafting the original list staff utilized the following criteria:

- To be approved, the projects required special findings in addition to those required by Chapter 6. Typically, these findings were not technical in nature .
- There was a requirement for a public hearing.
- The projects were considered to be major projects or of such a sensitive nature they required Governing Board review.

Staff is proposing to remove certain categories of projects from Appendix A for two basic reasons: (1) in practice, the required findings have been shown to be technical in nature and very specific and explicit; and (2) these projects, although not of major significance, are experiencing substantial delays in processing. Items I (4), I (32), II (4), II (5), V (3), VI (2), VI (3) and VIII (2) are being proposed to be deleted because they are covered elsewhere in Appendix A.

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Environmental Documentation: Staff considers these amendments to be technical and administrative in nature and do have a significant environmental effect.

Recommended Amendments: See Attachment 1 for the staff recommended amendments to Appendix A, Chapter 4.

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NOTE: Delete all dashed-out language and add all underlined language.

CHAPTER 4
APPENDIX A

PROJECTS AND MATTERS TO BE REVIEWED BY GOVERNING BOARD

I. GENERAL

1. Project for which an EIS was prepared and EIS certification (Chapter 5)
2. Plan amendments, ordinances and resolutions
3. ~~Modification-to-nonconforming-use-(18-5)~~
4. Special uses, including changes, expansions or modifications intensifications of existing uses (Chapter 18)
5. Community, including preliminary plan or work program, redevelopment, master or special plan
6. Problem assessments and remedial action plans (Chapter 9)
7. Land capability or man-modified challenge (Chapters 20 and 53)
8. Additional coverage in excess of 100 square feet in land capability districts 1-3, except for relocation of less than 500 square feet of excess land coverage in accordance with Subsection 20.5.C and the creation of less than 500 square feet of additional land coverage pursuant to Subsection 20.4.A(4)
9. Increase in supply of land coverage (Chapter 20)
10. ~~Approval-of-alternative-BMPs-(25-7)~~
11. Memoranda of understanding
12. ~~Exceptions-to-groundwater-interference-prohibition-(64-7)~~
13. ~~Basement-excavations-(64-7)~~
14. New logging roads (71.3.D)
15. Substantial harvest or tree removal plans (71.2.B and 71.3.I)
16. Tree removal for scenic views (71.4.I)
17. New or expanded livestock grazing (Chapter 73)
18. Modifications to SEZs, excluding modifications resulting in less than 500 square feet of additional land coverage in an SEZ for stream crossings for residential projects in accordance with Subsection 20.4.B(1) and erosion control and other environmentally oriented projects and facilities in accordance with Subsection 20.4.B(4)
19. Stream diversions
20. Holding tanks and other no-discharge sewage systems (except temporary) (Chapter 81)
21. Spill contingency plans (Chapter 81)
22. Pesticide, salts and abrasives, and long-term fertilizer use (Chapter 81)
23. Offsite WQ and AQ mitigation in lieu of mitigation fees (Chapters 82 & 93)
24. Mitigation fund expenditures and projects (Chapters 82 and 93)
25. Permit revocation (Chapter 8)
26. Security forfeitures (Chapter 8)
27. ~~Paved-road-waiver-(27-2-A)~~
28. ~~Fire-flow-determinations-or-waivers-(27-3-B)~~ Designated historic resource ~~(Chapter-30)~~ determinations (Chapter 29)
29. Additions, repairs, maintenance, reconstruction, or demolition of historic resources (Chapter 29)

30. List of approved multi-use commercial centers (Chapter 93)
31. Additional height for structures (except for single family home: cross-slope and pitch) (Chapter 22)
32. Transfer of existing development (Chapter 34). ~~except-for-transfer-of residential-allocations~~
33. Projects with multi-residential bonus units (Chapter 35)
34. Projects requiring traffic analyses (Chapter 93)
35. Allocation systems (Chapter 33)
36. Recreation and Public Service 5-Year Lists (Chapter 33)
37. New or modified stationary sources (Chapter 91)
38. ~~Reconstruction-or-repair-of-buildings-destroyed-by-calamity-(Chapter 4)~~
39. Establishing the level defining the top ranked parcels pursuant to Subsection 37.8.B, lowering the line defining the top ranked parcels pursuant to Subsection 37.8.C and determining allowable base land coverage pursuant to Subsection 37.11.A

II. RESIDENTIAL PROJECTS (new, expansion or transfer) INVOLVING:

1. Affordable or employee housing
2. Mobile home developments
3. Multi-residential except for guest houses or secondary residences
4. ~~Transfer-of-development-rights-~~
5. ~~Transfer-of-existing-residence~~

III. TOURIST ACCOMMODATION PROJECTS (new or transfer) INVOLVING:

1. Allocation of units
2. Bed and breakfast
3. Transfer of units

IV. COMMERCIAL PROJECTS (new or transfer) INVOLVING:

1. Allocations of gross floor area
2. Transfer of floor area

V. PUBLIC SERVICE PROJECTS (new or transfer) INVOLVING:

1. New facilities (1,000 ft. floor area or land coverage)
2. Transfers of coverage (over 1,000 sq. ft.) for linear public facilities and hways., streets and roads
3. ~~Coverage-in-IC-1-3~~ (covered in Item I.8)
4. Airport expansion

VI. RECREATION PROJECT (new or transfer) INVOLVING:

1. New facilities (1,000 ft. floor area or land coverage)
2. ~~Coverage-in-IC-1-3~~ (covered in Item I.8)
3. ~~Interim-marina-expansions~~ (covered in Item VIII.8)
4. PAOTs allocation

VII. RESOURCE MANAGEMENT PROJECTS INVOLVING

1. Substantial tree removal

VIII. SHOREZONE PROJECTS INVOLVING

1. Expansion of existing structures except conforming structures.
(Chapter 52)
2. ~~Major-structural-repair-to-existing-structures-that-do-not-comply
with-development-standards-(52-3-6)~~
3. New structures, including mooring buoy fields, boat ramps, break-
waters and jetties, fences below highwater, floating docks and
platforms, piers, shoreline protective structures, and water intake
lines
4. Tour boat operations (new or expansion)
5. Salvage operations (new or expansion)
6. Waterborne transit (new or expansion)
7. Seaplane operation (new or expansion)
8. Marinas (new or expansion)
9. Changes in use except allowed uses
10. Recognition of multiple-use facilities (Chapter 54)
11. ~~Creation-of-additional-land-coverage-in-backshore-(Chapter-55)~~

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195 U.S. Highway 50
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(702) 588-4547

MEMORANDUM

April 4, 1988

To: The Advisory Planning Commission
From: The Staff
Subject: Chapter 15, Chapter 15 EIS and City of
South Lake Tahoe Redevelopment Plan and EIR/EIS

I Chapter 15

Chapter 15 is intended to serve two purposes: 1) provide general provisions which will apply to redevelopment anywhere in the Basin; and 2) provide specific provisions for what is called the South Lake Tahoe Demonstration Redevelopment Plan.

A. General Provisions

To qualify for redevelopment, an area must have an adopted community plan, be predominantly urbanized, blighted, and designated in the plan area statement for a redevelopment plan. Redevelopment is expected to provide greater reductions in coverage and to meet targets for transportation, air quality, water quality, scenic, stream zone restoration, recreation, and noise. The coverage reduction requirements are greater than for community plans or other development. This expectation is based on the concept that redevelopment is a public/private partnership and that in exchange for public participation in funding and land acquisition the private sector should be expected to provide public benefits.

Chapter 15 specifies the relationship of redevelopment to community plans, plan area statements, the Goals and Policies and the Code; sets special requirements for redevelopment with regard to providing affordable housing, prohibits any net increase in land coverage within the redevelopment plan boundaries, and provides a coverage reduction formula based on existing coverage.

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Other specific provisions of Chapter 15 include:

- a modification to coverage and density rules to permit them to be calculated based on inclusion of noncontiguous parcels which are involved in a project as the "project area";
- a modification of grading standards for redevelopment to permit basements if TRPA finds that there will be no interference with groundwater;
- an exception to the requirements of Chapter 34 to provide that relocation of development rights within the redevelopment project area is not considered to be a transfer of development rights pursuant to Chapter 34;
- the establishment of the processes for identifying a redevelopment plan area, and preparing and getting approval of a preliminary and final redevelopment plan;
- the establishment of required findings for adoption of redevelopment plans by TRPA; and,
- requirements that a security be posted to ensure that redevelopment projects which rely on a bonus, benefit, or mitigation measure adequately guarantee implementation of such measures.

B. South Lake Tahoe Demonstration Redevelopment Plan

Due to the nature of the City's redevelopment plan as a demonstration project, the chapter includes this section to provide, among other things, the following:

- That TRPA may adopt a redevelopment plan for the Stateline to Ski Run areas of South Lake Tahoe prior to adoption of a community plan for the area. Redevelopment projects relying on incentives in this chapter but not relying on community plan incentives may be approved prior to the adoption of the community plan;
- The area eligible for inclusion in the demonstration plan;
- A special process for the demonstration plan which includes adoption of Chapter 3 of the City's redevelopment plan EIS as the preliminary plan;

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- An 18-month period for the City to complete a community plan for the demonstration area and surrounding areas; and,
- A requirement for specific findings which must be made for the City's demonstration redevelopment plan prior to approval of additional building height.

II South Lake Tahoe Redevelopment Plan - Draft EIR/EIS

As noted in the previous discussion on Chapter 15, redevelopment may include a number of special elements not generally permitted outside of redevelopment. The City of South Lake Tahoe Demonstration Redevelopment Plan includes two specific projects which rely on many of these special provisions. These projects are described in detail in Chapter 3 of the EIS/EIR. (All APC members received copies of this EIS/EIR along with their packet; copies are available for review at the public libraries around the Basin, at the TRPA counter, and at the City.)

The public benefits contained in the demonstration project include:

- a dramatically revised transportation/circulation system in the Stateline to Ski Run area with attendant improvements to air quality;
- drainage improvements, 4+ acres of SEZ restoration, and artificial wetlands;
- 10+ acres of open space
- a 2,000 foot linear park/pedestrian/bike trail;
- a 400 foot wide view corridor from Highway 50 to Lake Tahoe;
- 10,000 square feet of public beach/lake access with restrooms and picnic tables;
- an enlarged marina providing public access to the lake.

The private projects (which are also detailed in Chapter 3) are briefly described below:

- The Stateline site adjacent to Harrah's on the south side of Highway 50 in California is proposed to be redeveloped as an Embassy Suites Hotel with 400 suites and parking beneath the structure. The key issues regarding this project include:

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- density which, if calculated for the site alone, would be approximately 100 units/acre;
- height which is proposed to be 95 feet;
- basement excavation which is proposed for two levels of parking below grade;
- scenic issues associated with the height, bulk, and mass of the structure and potential effects on viewshed and scenic ratings;
- air quality effects of the transportation circulation alternatives and the progress, or lack thereof, toward threshold attainment.

The Ski Run site includes the northeast, northwest, and southwest corners of the Ski Run/Highway 50 intersection. The primary development here would include a 200-suite, 100-room hotel on the northeast corner of the Ski Run/Highway 50 intersection.

Also included on the Ski Run site would be 15,000 square feet of conference space, an expanded marina, 2 restaurants and a chandlery, a redeveloped McDonald's, approximately 38,000 square feet of retail space, and parking for the marina.

Major issues on the Ski Run site include:

- basement excavation for 1 level of parking beneath the hotel and effects on groundwater;
- 75 foot height of the hotel and related scenic impacts on views from the Lake and Highway 50;
- relocation of coverage in a mapped SEZ;
- coverage and density transfers.

It would be on the Ski Run site that most of the public benefits of the demonstration project would occur. These benefits will include 4 to 5 acres of open space, over 4 acres of SEZ restoration or wetlands construction, beach access, a public marina, and a view corridor over 400 feet wide.

Additional public benefits not on the Ski Run site include major changes in transportation/circulation of the Stateline area with construction of an extension of Montreal Road to Pioneer Trail at Needle Peak, major revisions of the Loop Road and reduction of lanes on Highway 50 through the Stateline area to one lane each way and a middle turn lane, and related air quality improvements.

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Recommended Action

No action is expected in April. However, staff of the Agency and the City will make a presentation, as will representatives of the two project proponents. It is staff's desire to have the APC discuss the issues raised in this memo, in Chapter 15 and in the two EISs and advise staff of any areas which require further analysis or work.

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(702) 588-4547

MEMORANDUM

April 4, 1988

To: Advisory Planning Commission

From: TRPA Staff

Subject: Amendments to Chapter 34

The following amendments are being proposed to Chapter 34 to allow development rights to be transferred to parcels for the purpose of constructing a "secondary residence."

Problem Identification: The Code requires a development right to be transferred to construct a secondary residence. However, currently the Code allows development rights to be transferred only to parcels in a plan area or community plan designated as a receiving area for multi-residential units. Under these provisions a development right cannot be transferred to many parcels that would otherwise be permitted a secondary residence because the parcel is not located in a plan area or community plan designated as eligible for multi-residential units.

Discussion: In the process of developing the Code, the specific provision requiring a development right to be transferred for a secondary residence was incorporated into the Code subsequent to the general provisions regulating transfers. This process resulted in the inadvertent omission of a provision allowing a development right to be transferred specifically for a secondary residence.

Environmental Documentation: The issue of transfer development rights was covered in the environmental documentation for adoption of the Code in 1987. This amendment is considered a technical adjustment having no significant impact.

Recommended Amendments: To correct this oversight the following amendments are being proposed to Chapter 34.

a. Amend Subsection 34.2.C. as follows:

34.2.C Designated Receiving Area: The parcel receiving the development right shall be is in a plan area or community plan area-designated-as-a-receiving-area-for-multi-residential-units where residential uses are permissible and shall meet the following criteria:

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- (1) Parcels Eligible To Receive One Or More Development Rights: Parcels located in a plan area or community plan designated as a receiving area for multi-residential units shall be eligible to receive one or more development rights, or

- (2) Parcels Eligible To Receive One Development Right For A Secondary Residence: One development right may be transferred to a parcel for the purpose of constructing a secondary residence, provided the building site for the secondary residence is in Land Capability Districts 4, 5, 6 or 7.

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(702) 588-4547

MEMORANDUM

April 4, 1988

To: Advisory Planning Commission
From: TRPA Staff
Subject: Status Report on Scenic Package and Discussion

The Scenic Advisory Committee has been meeting since late last year on the scenic package. The proposed package consists of:

1. Scenic Highway Corridors regulations (amendments to Chapter 30);
2. Scenic Quality Improvement Program;
3. Design Review Guidelines;
4. Outdoor Advertising ordinance; and,
5. Scenic Quality Thresholds from Public Recreation Areas.

To this point, the Committee has prepared a final draft of item #1, and is reviewing a final draft of item #2. Significant elements of each of the first two items are listed below.

1. Scenic Corridors

The purpose of this is to provide a better means of protecting the scenic quality of roadways where thresholds have been established.

- a. All state and federal highways in the Region would be designated as scenic corridors.
- b. Corridor widths and design standards are defined and based on visual environment type (i.e. urban scenic corridors are narrowest and have fewest design standards, rural scenic corridors are widest and have most design standards.
- c. Visibility is a key characteristic in determining whether or not you're in a scenic corridor.

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AGENDA ITEM V.A

2. Scenic Quality Improvement Program

The purpose of this program is scenic quality threshold attainment. To this point it focuses solely on those travel units which do not meet the travel route rating threshold. Significant elements include:

- a. Identification of specific visual quality problems.
- b. Responsibility for solving visual quality problems.
- c. What design standards will be applied in correcting visual quality problems (cross-referenced to Design Review Guidelines, visual environment types, and, local design standards).
- d. Funding sources for financial assistance in solving visual quality problems.
- e. Timing/prioritization goals for implementing visual quality improvements.

Discussion

An important concept which the Committee has recommended is the recognition that three basic types of visual environments can be identified in the Region:

Urban - places where man and the built environment create the dominant visual interest and sense of place. Mostly commercial and public service land uses.

Rural transition - areas of visual transition between urban and rural areas, where man-made development is in balance with the natural landscape. Mostly residential and recreational land uses.

Rural - places where the natural landscape elements are the dominant visual features. Mostly conservation and recreation land uses.

This concept is proposed to be integrated into each piece of the scenic package.

I Scenic Package Completion

At this point the Committee is ready to complete its recommendations on scenic package elements. TRPA staff is proposing that two subcommittees be formed to complete the work. The Signs subcommittee will focus exclusively on drafting model sign regulations for use by TRPA or local jurisdictions. The Design Review subcommittee will draft design review guidelines (including a methodology to apply the travel route rating threshold), and review the Scenic Quality Threshold from Public Recreation Areas. TRPA has retained a visual resource management consultant to review the program elements and prepare environmental documentation necessary for adoption. The staff hopes to have the package adopted in September, 1988 by the Governing Board. Please call Andrew Strain at (702) 588-4547 if you have any questions regarding this item.

4/4/88

AGENDA ITEM V.A.