

**TRPA  
APC  
PACKETS**

**JULY  
1988**

JUL 88 APC

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 July 13, 1988, at the Fairway Community Center, 330 Fairway Drive, Tahoe City, California. The agenda for said meeting is attached hereto and made a part of this notice.

NOTICE IS FURTHER GIVEN that the Air Quality/Transportation Subcommittee of the APC will meet at 2:00 p.m. on July 12, 1988 at the TRPA Office, 195 U.S. Highway 50, Round Hill, Zephyr Cove, Nevada. The agenda for said meeting includes Section 91.3 (Combustion Appliances) and Section 91.5 (Stationary Sources) of the TRPA Code of Ordinances.

July 1, 1988

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

TAHOE REGIONAL PLANNING AGENCY  
ADVISORY PLANNING COMMISSION

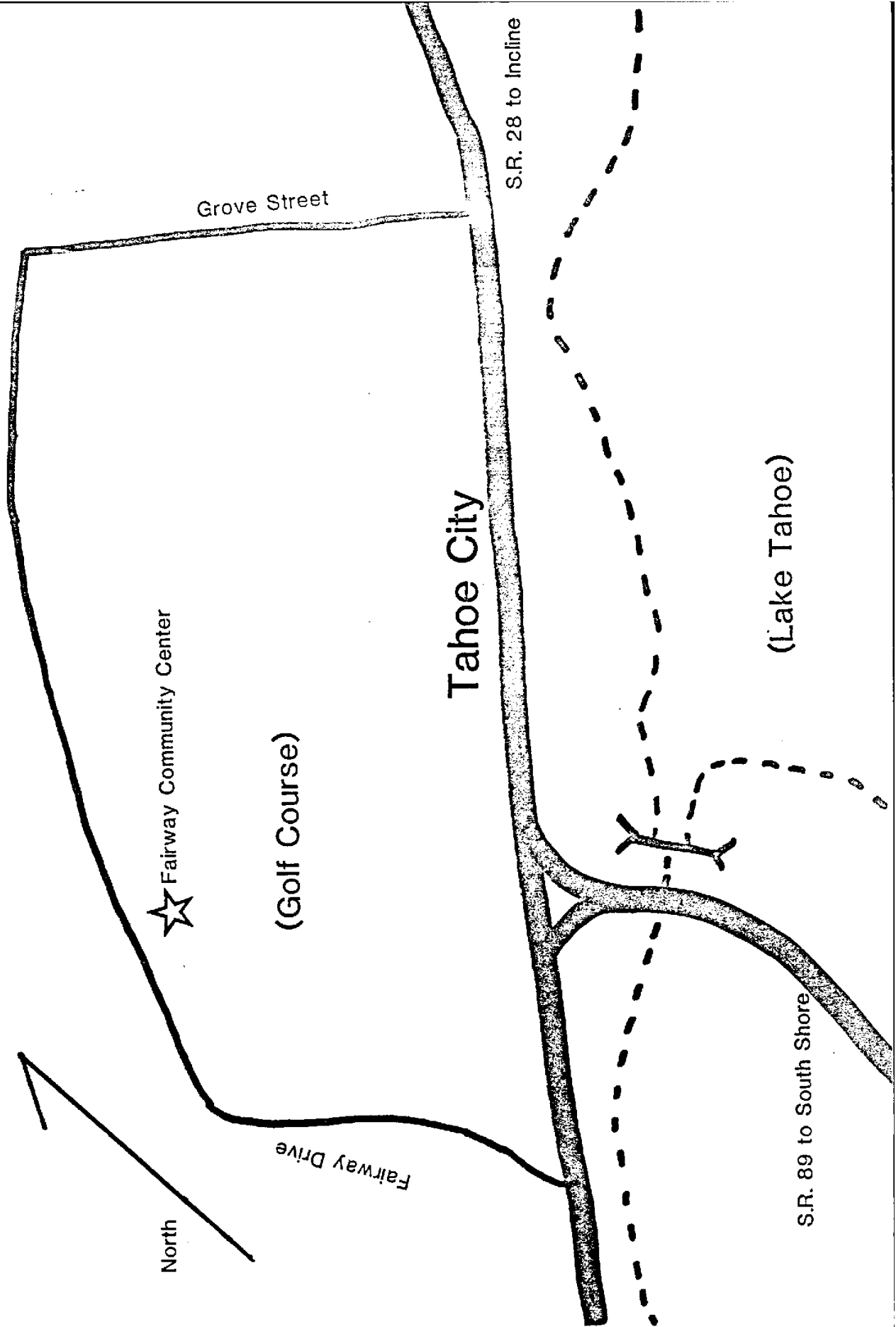
330 Fairway Drive, (Lakeside Room)  
Fairway Community Center  
Tahoe City, California

July 13, 1988  
9:30 a.m.

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AGENDA

- I CALL TO ORDER AND DETERMINATION OF QUORUM
- II APPROVAL OF AGENDA
- III DISPOSITION OF MINUTES
- IV PLANNING MATTERS
  - A. Status of Community Planning
  - B. Status of Redevelopment Plan for the City of South Lake Tahoe
  - C. Status of Sign Ordinance and Design Review Guidelines
  - D. Report on Processing Land Capability/Man-Modified Amendments
- V PUBLIC HEARING AND RECOMMENDATION
  - A. Amendment of the Regional Plan Land Capability Overlay Maps for Plan Areas 001A (Tahoe City), 002 (Fairway Tract), 174 (64 Acre Tract), and 009A (Lake Forest Commercial)
  - B. Identification of Threshold Indicators, Targets, and Related Matters, Chapter 32 (Regional Plan and Threshold Review)
  - C. Amendment of the Draft Water Quality Management (208) Plan and Related Draft EIS
- VI REPORTS
  - A. Executive Director
  - B. Legal Counsel
  - C. APC Members
  - D. Public Interest Comments
- VII CORRESPONDENCE
- VIII PENDING MATTERS
- IX ADJOURNMENT



Grove Street

★ Fairway Community Center

(Golf Course)

Tahoe City

S.R. 28 to Incline

(Lake Tahoe)

S.R. 89 to South Shore

North

Fairway Drive

# 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

July 5, 1988

To: Advisory Planning Commission

From: TRPA Staff

Subject: Status of Community Planning

At the July 13 meeting, a verbal presentation will be given on the status of Community Planning. If you have any questions or comments on this agenda item prior to the meeting, please contact Gordon Barrett at (702) 588-4547.

*For Harper*  
↓  
*Romney  
Woodbeck;  
Washoe Co.  
interview*

DSZ:rdh.  
7/5/88

AGENDA ITEM IV.A

# 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

July 5, 1988

To: Advisory Planning Commission

From: TRPA Staff

Subject: Status of Redevelopment Plan for the  
City of South Lake Tahoe

At the July 13 meeting, a verbal presentation will be given on the status of the Redevelopment Plan for the City of South Lake Tahoe. If you have any questions or comments on this agenda item prior to the meeting, please contact Gary Midkiff at (702) 588-4547, extension 235.

DSZ:rdh  
7/5/88

AGENDA ITEM IV.B

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

July 5, 1988

To: Advisory Planning Commission  
From: TRPA Staff  
Subject: Status of Sign Ordinance and Design Review Guidelines

*Bow -  
Would like a meeting  
hosted by the chamber(s)  
at which TRPA and the  
committee would present  
their recommendations.  
and state ← Bow would take  
responsibility for  
this.*

At the July 13 meeting, a verbal presentation will be given on the status of the Sign Ordinance and the Design Review Guidelines. If you have any questions or comments on this agenda item prior to the meeting, please contact Andrew Strain at (702) 588-4547.

*Hanger  
look at APA/PAS  
articles re investigation  
w. case brought and  
recent court decision.*

*Grant -  
Yes - now we are  
in the "public review"  
stage. Enforcement is  
difficult; an investigation.*

*Brent -  
Mentioned development  
of service committee in  
the sign ordinance  
this winter?  
What  
is this?*

*Mike -  
Presentation should be  
more than oral; also  
need having all  
participants.*

DSZ:rdh  
7/5/88

AGENDA ITEM IV.C

TAHOE REGIONAL PLANNING AGENCY

P.O. Box 1038

Zephyr Cove, Nevada 89448-1038

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

(702) 588-4547

MEMORANDUM

July 5, 1988

To: Advisory Planning Commission  
From: TRPA Staff  
Subject: Report on Processing Land  
Capability/Man-Modified Amendments

*Ben - concerned that  
revisions of LC should address not  
only soils but also man's use of  
them; i.e., when a piece of  
property is developed, that should  
be considered in revising LC*

Chapter 20 of the Code of Ordinances sets forth the regulations regarding processing of Regional Plan amendments related to land capability challenges of greater than five acres and man-modified determinations (copy attached). However, TRPA staff has identified a need for additional guidance on these procedures to supply to TRPA contractors, or applicants who may be working on such Regional Plan amendments.

The attached draft report is a product of internal staff discussions and a series of meetings with the IPES Technical Committee and the technical teams who have been assisting the TRPA, primarily Davis Consulting Earth Scientists and Resources Concepts, Inc. The draft report is provided for your information. If you would like to make comments on the draft report, there will be an opportunity at the July 13 meeting, or contact Jerry Budy at (702) 588-4547.

*Glenn - brought up idea of  
utilizing low-capability lands  
as a means of  
stabilizing  
building on  
Called limitations in Bailey  
and Chap 20 "arbitrary"*

*Larry H. - what is  
the purpose of this  
report? Not sure  
that this matches the  
Code*

DSZ:rdh  
7/5/88

AGENDA ITEM IV.D



LAND CAPABILITY/MAN-MODIFIED AMENDMENT PROCESS

The following process is based on the provisions of Section 20.2 in Chapter 20, Land Coverage Standards of the TRPA Code of Ordinances. This process has been developed by staff in consultation with the IPES Technical Team and two TRPA contract soil scientists. The purpose of this document is to provide guidelines and methodology for the processing of land capability challenges and man-modified determinations which require amendments to the Regional Plan Overlay Maps.

Land Capability Process Overview

The provisions to determine land capability districts of a parcel are set forth in Section 20.2 of the Code (copy attached). After determining the mapped land capability districts on the official TRPA maps, the process is as follows:

Field Verification (Subsection 20.2.C): Mapped land capability is subject to field verification by TRPA staff which includes a site visit and a written report. TRPA staff may verify the parcel is:

- Accurately classified as mapped, or
  - Make minor district boundary line adjustments within the parcel;
  - Determine the boundary of SEZs;
  - Reclassify based on slope with the assumption that the soil is accurately mapped.
  
- Not accurately classified based on
  - Natural characteristics;
  - Altered characteristics and requires further review (e.g. land capability challenge) prior to any project approval.

Land Capability Challenge (Subsection 20.2.D): In the event that a parcel is not verified based on "natural characteristics", a land capability challenge is required prior to any project approval. A team of experts retained by TRPA (discussed in the Code and generally includes a soil scientist at a minimum) prepares a land capability report.

*Check - is this correct? accurate?; discuss w/ staff*

This involves soil mapping based on standard Soil Conservation Service soil taxonomy criteria at a parcel mapping level which is similar to the level of detail in the IPES program. Also included in the evaluation, are SEZ and geomorphic characteristics.

According to the Code, TRPA may approve the challenge if it finds "The land due to natural characteristics specifically identified belongs in a land capability district other than that in which it is presently classified."

The recommendation of the new capability called for in the report is to be determined within the context of the Bailey System (Land Capability Classifications of the Lake Tahoe Basin, Bailey R. G., 1974) and the 208 stream zone mapping criteria (Chapter 3, Volume II Handbook of Best Management Practices) as adopted by TRPA. The team of experts make a recommendation for new capability districts based on the following characteristics.

#### Soils Characteristics

- Erosion potential
- Runoff potential
- Drainage
- Rockiness

#### Stream Environment Zone Characteristics

- Wet soil
- Riparian vegetation
- 100-Year Flood Plain
- Buffer strip

#### Geomorphic Unit Characteristics

Land Capability Amendments (Subsection 20.2.E): For challenges based on "natural characteristics", in areas greater than five acres, TRPA may amend the land capability overlay. This map amendment process generally follows the land capability challenge process except that a plan amendment to the Land Capability Overlay Map is involved.

It is recommended that the soil mapping criteria again be based on SCS soil taxonomy criteria and the level of accuracy be better than the original SCS mapping. *per Pyle, "level of detail shall be higher than"* If the survey is at the original SCS level of accuracy, the five acre minimum district rule should apply. If the survey is at a higher level, then the minimum size of a district should be adjusted down based on the recommendation of the team. It is recommended that these new districts, mapped at 400 scale (400' = 1"), be subject to field verification process when dealing with individual parcels.

Man-Modified Amendments (Subparagraph 20.2.F): In the event that the land has been "altered" from its natural state, a man-modified designation may be pursued. This designation requires an amendment to the Land Capability Overlay Map.

As set forth in the ordinance, a team of experts retained by TRPA (generally includes a soil scientist and hydrologist at a minimum) conducts an on-site evaluation and prepares a man-modified report.

The report shall identify lands "...modified by man's placement of fill, dredging or grading, in so substantial a fashion as to generally exhibit the characteristics of a land capability district other than the one depicted for said lands on the TRPA Land Capability Overlays." Until findings are made, these lands are referred to as "altered lands".

*Larry does not feel that  
this is consistent to process set  
forth in 20.2.F*

This report should involve soil mapping and analysis based on standard SCS soil taxonomy criteria at a mapping level greater than the accuracy of the original soil survey. Also included in the evaluation are analysis of geomorphic characteristics, subsurface and surface hydrology, erosion, physical and chemical soil characteristics, and vegetation.

Most important in the report is a statement identifying the land capability characteristics resulting from the modification and an opinion by the team identifying the land capability district generally exhibiting those characteristics.

*Larry -  
we need more  
criteria on  
what  
constitutes  
a man-  
modified  
site.*

In order to qualify as man-modified, a series of findings must be made. The first five findings are a test of eligibility in regards to (1) when disturbed, (2) degree of disturbance, (3) feasibility of restoration, and (4) mitigation of further development impact. The last finding is application of mitigation to offset the losses caused by the change. (For exact wording of findings, see the following "Determination of Land Capability Under Man-Modified").

The Code is silent as to altered lands which do not qualify as man-modified. Without a man-modified determination or a successful challenge, such lands would remain as mapped.

Identification of Altered Lands

The IPES Team and the TRPA consultants developed the following criteria in order to identify "altered lands". It was the group's opinion that professional judgement of altered is required to evaluate the lands based in indicators listed below:

- Altered Vegetation: A change in vegetative types.
- Cuts: Removal or change in the "A" horizon of the soil.
- Fills: Amounts established in SCS taxonomy, i.e. 20" of fill on soils 60" deep.
- Compacted: TRPA criteria for soft coverage.
- Change in Hydrology: Change in water table; change in drainage location, slope, channel, shape, or structures; or a change in volume of discharge.
- Coverage and Improvements: Under Bailey, development, e.g., impervious surface, generally does not alter capability of the lands below. It is not a factor unless the Bailey values/criteria of the land as whole have been changed.

*What  
is  
this  
really??  
|  
What  
does it  
mean?*

Mapping and Recording of Man-Modified Amendment

The required plan amendment is to the Land Capability Overlay Map. The preferred method is to amend the mapped district lines, however, there are provisions to use symbols.

The mapping of soil units is relative to scale of the mapping and the number of test pits. The TRPA Land Capability Overlay Maps are blow-ups of the SCS Quad Maps and, therefore, do not have the number of test pits that SCS would require for 400 scale mapping. The mapping should be based on accuracy between the original SCS mapping (done at Quad scale, five acre minimum districts) and the TRPA 400 scale maps (minimum 10,000 square feet districts).

Minimum mapping districts are based on ability to graphically represent the limits (1/4" by 1/4") of the districts on the overlay map. Any smaller mapped area will require symbols with reference to project files.

The closer the mapping and analysis is to the original SCS mapping scale the more will be the need for field verifications and land capability district adjustments later on.

#### Determination of Preliminary New Land Capability

The opinion regarding the "new" capability called for in the report is to be determined within the context of the Bailey System and the 208 mapping system as discussed under Land Capability Challenge. The team of experts are to make a recommendation of the new capability of the lands in question based on the same criteria listed in that section.

#### Determination of Land Capability Under Man-Modified Findings

Once the lands are determined to be altered and a preliminary opinion established as to their new capability, the challenge is subject to meeting the test of the following findings as set forth in the Code:

- The land was modified prior to February 10, 1972;
- Further development will not exacerbate the problems resulting from the modification of the land and will not adversely impact sensitive lands adjacent to or nearby the man-modified area;
- The land no longer exhibits the characteristics of land bearing the same original land capability classification;
- Restoration of the land is infeasible because of factors such as the cost thereof, a more positive cost-benefit ratio would be achieved by off-site restoration, on-site restoration would cause environmental harm, restoration on-site would interfere with an existing legal use, and the land is not identified for restoration by any TRPA program;
- Further development can be mitigated off-site; and
- Mitigation to off-set the losses caused by modification of the land and pertinent land capability district, shall be as follows:
  - On-site and off-site mitigation;
  - Pursuant to a maintenance program, including a schedule of maintenance proposed by the owner and approved by TRPA; and
  - Collection of a security, if deemed necessary by TRPA, to guarantee mitigation.

If the lands in question can pass the test above, TRPA may approve a reclassification based on the characteristics of the mitigated "altered" land. It is recommended that TRPA, and not the consultant, evaluate the amendment against the findings.

If the altered lands fail to meet the test of the findings, the TRPA may chose to:

- Recognize the original mapped capability, or
- Require restoration to pre-altered state.

## CHAPTER 20

### LAND COVERAGE STANDARDS

#### Chapter Contents

- 20.0 Purpose
- 20.1 Applicability
- 20.2 Land Capability System
- 20.3 Land Coverage Limitations
- 20.4 Prohibition Of Additional Land Coverage In Land Capability Districts 1a, 1c, 2, And 3 And 1b (Stream Environment Zones)
- 20.5 Excess Land Coverage Mitigation Program
- 20.6 Land Coverage Requirements For Redevelopment Projects
- 
- 20.0 Purpose: This chapter sets forth regulations for the permissible amount of land coverage in the Region. It implements provisions of the Goals and Policies concerning the land capability system, land capability districts, prohibition of additional land coverage in certain land capability districts, and transfer and mitigation of land coverage.
- 20.1 Applicability: All land coverage shall be regulated pursuant to the provisions of this chapter.
- 20.2 Land Capability System: The land coverage limitations set forth in this chapter are based on the land capability system established in the report entitled, Land Capability Classifications of the Lake Tahoe Basin, Bailey, R. G., 1974.
- 20.2.A Implementation Of Land Capability System: The land capability system is implemented through land capability districts depicted on land capability overlay maps referred to in Subsection 20.2.B. The accuracy of the land capability districts is subject to field verification pursuant to Subsection 20.2.C. A land capability challenge pursuant to Subsection 20.2.D may be initiated to reclassify lands inaccurately mapped. The land capability overlay maps may also be amended by an amendment of the Regional Plan pursuant to Subsection 20.2.E or by demonstration pursuant to Subsection 20.2.F that the land has been man-modified.
- 20.2.B Establishment Of Districts: The land capability districts and the geomorphic groups established by the report referred to in Section 20.2 are made part of this ordinance. For purposes of this land capability system, stream environment zones, as defined in Chapter 2, are treated as Land Capability District 1b. The boundaries of each land capability district are established as depicted on the TRPA Land Capability Overlays, (January, 1987), as amended, at 1" equals 400' and 1" equals 2000' scale. Subject to the provisions of Subsections 20.2.C, 20.2.D, 20.2.E and 20.2.F, all land is classified as to land capability in accordance with the land capability districts depicted on the overlays.

20.2.C Field Verification: Field verifications shall be conducted and regulated as follows:

- (1) Classifications Subject To Field Verification: Land capability classifications established pursuant to Subsection 20.2.B are subject to field verification by TRPA.
- (2) Procedure For Site Visit: At the request, or with the permission, of the owner, TRPA shall inspect the pertinent parcel.
- (3) Report: Upon completion of the inspection, TRPA shall prepare a report setting forth the observed slopes of the parcel, the field-located boundary of any stream environment zone thereon and any other information pertinent to the proper land capability classification of the parcel.
- (4) Results Of Field Verification: As a result of the report prescribed by Subparagraph 20.2.C(3), TRPA may take one or more of the following actions:
  - (a) Verify that the parcel is accurately classified pursuant to Subsection 20.2.B.
  - (b) Make a minor boundary line adjustment of land capability districts within the parcel.
  - (c) Determine the boundary of a stream environment zone within the parcel, whether previously mapped or not.
  - (d) Reclassify all or part of the parcel to a different land capability district, if the reclassification can be based solely upon percentage of slope.
  - (e) Determine that the land capability district cannot be verified, in which event TRPA shall complete a land capability challenge pursuant to Subsection 20.2.D prior to the approval of any project on the parcel.
- (5) Supersession Of Actions Under Subparagraph 20.2.C(4): Any of the actions authorized by Subparagraph 20.2.C(4) may be superseded by an action pursuant to Subsections 20.2.D, 20.2.E, or 20.2.F. Any action by TRPA pursuant to Subparagraph 20.2.C(4) shall not commit, or be construed as committing, TRPA to approve any project on the pertinent parcel.
- (6) Procedure After Verification: Once TRPA has completed its action under Subparagraph 20.2.C(4), it shall:
  - (a) Give written notification to the owner of the parcel of the action taken;

- (b) Include the information set forth in the report prepared pursuant to Subparagraph 20.2.C(3) and the action pursuant to Subparagraph 20.2.C(4) in TRPA's data base for purposes of Chapter 38;
- (c) Recognize the action pursuant to Subparagraph 20.2.C(4) as superseding the TRPA Land Capability Overlays with respect to the pertinent parcel; and
- (d) Affix a symbol to the land capability overlays denoting the action pursuant to Subparagraph 20.2.C(4) as applicable to the pertinent parcel.

20.2.D Land Capability Challenge: In the event TRPA or the owner of a parcel is of the opinion it is not properly classified pursuant to Subsection 20.2.B, either may initiate a land capability challenge with respect to such parcel. The person or entity initiating the challenge shall bear the cost thereof. For parcels one acre or less in size, the cost to be charged an owner initiating the challenge shall not exceed an amount prescribed by resolution of the Governing Board.

- (1) Team Of Experts: A team of experts retained by TRPA shall evaluate the land capability challenge. Depending on the nature of the challenge, the team may include, but need not be limited to, a geomorphologist, soil scientist, geologist and hydrologist, selected by TRPA. Such persons shall be recognized as possessing special qualifications to evaluate soils, landforms, hydrology and other characteristics of land in the Tahoe Region. TRPA shall consider data provided by experts retained by the owner, and TRPA's team of experts shall comment on the accuracy of the owner's data. No expert retained by the owner shall be a member of TRPA's team.
- (2) Land Capability Report: TRPA's team of experts shall prepare a land capability report analyzing the land capability challenge. The report shall include:
  - (a) A description of the parcel;
  - (b) Identification of the soil series, geomorphic unit, slopes and any SEZ found on the parcel;
  - (c) A soil profile description of the site, based on a test pit, auger hole or cut bank;
  - (d) A contour map prepared by a registered surveyor or engineer on sites with complex topography if necessary to determine land capability; and

(e) A recommendation and map of the proper land capability for the parcel.

- (3) Review And Approval Of Report: The Executive Director shall review the land capability report and, if it recommends no change in land capability, may deny the land capability challenge, subject to an appeal to the Governing Board. If the report recommends a change in land capability, the change shall be approved or denied by the Governing Board. The challenge may be approved if the Governing Board finds that the pertinent land, due to natural characteristics specifically identified, properly belongs in a land capability district other than that in which it is presently classified.
- (4) Notification Procedure: An appeal of the Executive Director's denial of a land capability challenge and the action by the Governing Board upon a report recommending a change in land capability shall be pursuant to notification to affected property owners in accordance with TRPA's Rules of Procedure.
- (5) Procedure After Action On Land Capability Challenge: Once TRPA has completed its action on the land capability challenge, it shall follow the procedure set forth in Subparagraph 20.2.C(6) as though it applied to a land capability challenge pursuant to Subsection 20.2.D, including, but not limited to, the report prepared for and action on the challenge.

20.2.E Amendment Of Land Capability Overlays By Amendment Of The Regional Plan: The TRPA Land Capability Overlays may be amended through an amendment of the Regional Plan in the manner set forth in Subsection 20.2.E. The amendment may be initiated by TRPA.

- (1) Minimum Area Of Land: An amendment of the Regional Plan pursuant to Subsection 20.2.E shall be limited to an area of land five or more acres in size.
- (2) Team Of Experts: An amendment of the Regional Plan pursuant to Subsection 20.2.E shall be evaluated by the team of experts referred to in Subparagraph 20.2.D(1) under the conditions set forth in that Subparagraph.
- (3) Land Capability Report: The team of experts shall prepare a land capability report analyzing the proposed plan amendment. The report shall contain information concerning the environmental and use capacity of the pertinent land, as well as detailed information concerning topography, soils capabilities and limitations, surface and ground water



conditions, geomorphology, vegetation characteristics and related environmental factors pertinent to the land.

(4) Amendment: An amendment of the Regional Plan pursuant to Subsection 20.2.E shall be processed, both procedurally and substantively, in the manner of amendment to the Regional Plan generally. The amendment may be approved if TRPA finds that the pertinent land, due to natural characteristics specifically identified, properly belongs in a land capability district other than that in which it is presently classified.

(5) Other Matters Considered Plan Amendments: The following actions are considered amendments to the Regional Plan pursuant to Subsection 20.2.E, and applications therefor shall be processed accordingly:

(a) Line Adjustments: Area wide adjustments of land capability district boundaries, other than minor adjustments pursuant to Subsections 20.2.C or 20.2.D, which line adjustments, while not creating new land capability districts, may substantially affect permitted land coverages and apply to more than one parcel; and

(b) Creation Of New Land Capability Districts Or Geomorphic Units: Creation of a new land capability district on the Land Capability Overlays, which new district shall be five contiguous acres or more in area, or creation of a new geomorphic unit, which new unit shall be one square mile or more in area, unless smaller, more precise mapping units are adopted by TRPA, in which event the smaller units may be used.

(6) Procedure After Amendment: Once TRPA has completed its action on an amendment to the Regional Plan pursuant to Subsection 20.2.E, it shall follow the procedure set forth in Subparagraph 20.2.C(6) as though it applied to an amendment to the Regional Plan pursuant to Subsection 20.2.E, including, but not limited to, the report prepared for and action on the amendment.

20.2.F Amendment Of Land Capability Overlays For Man-Modified Areas: The TRPA Land Capability Overlays may be amended for man-modified areas through an amendment of the Regional Plan in the manner set forth in this Subsection. The amendment may be initiated by TRPA or the owner of the pertinent land, provided there is sufficient information demonstrating a reasonable possibility the requirements of this Subsection can be met.