

**TRPA
APC
PACKETS**

**NOVEMBER
1988**

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Nov 9, 1988
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 November 9, 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.

November 1, 1988

By: *W.A. Morgan*
William A. Morgan
Executive Director

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

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

November 9, 1988
9:30 a.m.

AGENDA

- I CALL TO ORDER AND DETERMINATION OF QUORUM
- II APPROVAL OF AGENDA
- III DISPOSITION OF MINUTES
- IV PLANNING MATTER
 - A. Recommendation on Interpretation of Chapter 20, Subsection 20.2.F Regarding Man-Modified Determination and Amendments to the Land Capability Overlay Maps (to be continued to December 14)
- V PUBLIC HEARING AND RECOMMENDATION
 - A. Amendment of Regional Plan Land Capability Overlay Maps Pursuant to Man-modified Determination, Buehler, APN 07-180-05, Douglas County (to be continued to December 14)
 - B. Amendment of Regional Plan Land Capability Overlay Maps for Plan Areas 001A (Tahoe City), 002 (Fairway Tract), 174 (64 Acre Tract), and 009A (Lake Forest Commercial) (to be continued to December 14)
 - C. Amendment of Plan Area Statement Maps to Adjust Boundary Between PAS 043 (Chateau/Country Club) and PAS 030 (Mount Rose) to Include Washoe County APN 126-243-03 in PAS 093; Owner: Terrace Land Company, Location: Between Champagne Road and Burgundy Lane, Incline Village
 - D. Amendment of Plan Area Statement 102 (Tahoe Keys) to Add "Financial Services," "Local Post Office," and "Government Offices" as Special Uses in Special Area #1; to Delete Planning Consideration #2; to Modify the Description of the Existing Environment; and to Amend Special Policies 2, 6, and 8 to Refer to TRPA/Dillingham Settlement Agreement
 - E. Amendment of Chapter 20 to Modify Method for Calculating Mitigation Fees for Multiple Users of Rights-Of-Way
- VI ADDITIONAL PLANNING MATTERS
 - A. Discussion and Recommendation on Adoption of Redevelopment Plan for the City of South Lake Tahoe and Amendment to Regional Plan Overlay Maps and Plan Area Statements

B. Consideration of and Recommendation for Certification of the Final Environmental Impact Statement for the Redevelopment Plan for the City of South Lake Tahoe

C. Update and Recommendation, If Necessary, on 208 Plan Amendments

VII REPORTS

A. Executive Director

B. Legal Counsel

C. APC Members

D. Public Interest Comments

VIII RESOLUTIONS

A. For Former APC Members John Glab and Mike Van Wagenen

IX CORRESPONDENCE

X PENDING MATTERS

XI ADJOURNMENT

TAHOE REGIONAL PLANNING AGENCY

195 U.S. Highway 50
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MEMORANDUM

November 1, 1988

To: Advisory Planning Commission

From: Staff

Subject: Proposed "Clean-up" Amendments to Plan Area Statements
102, 043, and 030 (continued from the October APC meeting)

Purpose

Since adoption of the TRPA Plan Area Statements and Plan Area Maps in August, 1987, some minor omissions and inconsistencies have been discovered in the Plan Area Statement document. These omissions and inconsistencies are with respect to such items as the identification of uses as special or allowed, the setting of maximum densities, and the location of Plan Area boundaries.

(This report addresses two specific amendments previously continued by the APC.) These amendments are necessary to correct oversights and make the Plan Area Statements and Maps consistent with the Goals and Policies.

General Impact Analysis: The development potential created by these amendments is well within the description of the proposed action as set forth in the EIS for the plan area statements and implementing ordinances and, therefore, is within the scope of the impact analysis contained in that EIS. In addition, specific factors have been identified for each amendment on which to base a finding of no significant effect.

Description of Amendments and Impact Identification and Assessment:

1. Plan Area Statement (PAS) 102 (Tahoe Keys): Add "financial services", "local post offices", and "government offices" as special uses in Special Area #1, delete Planning Consideration #2, and amend Special Policies #2, #6, and #8 to change the reference to the settlement agreement from Dillingham/CTRPA/California Settlement Agreement to TRPA/Dillingham Settlement Agreement. Add to Special Policy #8 Special uses permissible in the Tahoe Keys Convenience Center shall be found to be neighborhood serving uses consistent with the project EIS traffic analysis. Attachment A is a copy of PAS 102.

GWB:rdh
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AGENDA ITEMS V.C & D

Reason: In accordance with the Partial Settlement Agreement entered into between TRPA and Dillingham Development Company in 1982, TRPA agreed that a neighborhood convenience shopping center could be developed at the corner of Tahoe Keys Boulevard and Venice Drive and that the shopping center could contain specified uses described in the Environmental Impact Report for the project. The proposed amendments to the uses permitted in Special Area #1 are necessary to comply with the terms of the settlement agreement. Planning Consideration #2, which reads, "A 26 lot subdivision has been approved in this area as part of a litigation settlement, subject to reasonable conditions upon the development which are consistent with the goals and policies of the Regional Plan" is no longer necessary, and could be misleading, since the property on which the 26 lot subdivision was approved has been purchased by the State of California. The change in the reference to the settlement agreement is proposed to refer to the correct agreement.

Impact Identification and Assessment: The EIS for the neighborhood convenience shopping center, which was certified by TRPA, identified and assessed impacts based on specific commercial uses occupying the shopping center that were identified in the EIS as neighborhood convenience oriented. The EIS established that, provided the uses in the shopping center were limited to the types assessed in the EIS, the project included mitigation measures to reduce adverse impacts to a less than significant level. Adding "financial services," "local post offices," and "government offices" as special uses in Special Area #1 will allow the specific uses assessed in the project EIS to be proposed in the shopping center. A trip distribution analysis is performed when changes in use are proposed to assure that the proposed use is indeed neighborhood convenience oriented. Based on the EIS prepared for the project and the permit process described above, this proposed amendment will have no significant impact on the environment.

The other amendments being proposed under this item are simply editorial changes necessary to make Plan Area 102 technically correct, and, therefore, will also have no effect on the environment.

2. Adjust the boundary between PA 043 (Chateau/Country Club) and PA 030 (Mount Rose): Include Washoe County APN 126-243-03 in PA 043 (see Attachment B).

Reason: PAS 030 has a land use classification of Conservation (Attachment C is a copy of PAS 030), with the majority of the parcels within the plan area either being owned by the government or having no access to a paved

public right-of-way. The only residential use allowed in PA 030 is "summer homes." The subject parcel was inadvertently included in PA 030 based on a misunderstanding with regard to ownership and an incorrect assumption that the parcel did not abut a paved public right-of-way. The subject parcel is privately owned and does abut a paved public roadway. Therefore, it is more appropriate that the parcel be included in PA 043 (Attachment D is a copy of PAS 043) because this PA has a land use classification of Residential.

Impact Identification and Assessment: This amendment will not have a significant effect on the environment due to the following factors:

Although the amendment would allow TRPA to accept an application for a permit to construct a new single family dwelling on the subject parcel, prior to approving any activity that has the potential to cause a significant effect on the environment, TRPA must establish, based on substantial evidence in the public record, that the project either will not have a significant effect on the environment, or includes mitigation measures to reduce potential impacts to a less than significant level. Also, it adds no more development rights to the inventory. Further, it is subject to IPES and all the safeguards of that system.

Staff Recommendation: Staff recommends that the APC make the following recommendations to the Governing Board:

1. Based on the information and assessment of impacts contained in this memorandum, find that the proposed amendments will not have a significant effect on the environment.
2. Recommend to the TRPA Governing Board that the amendments proposed in this memorandum be approved.

102 -- TAHOE KEYS

PLAN DESIGNATION:

Land Use Classification

RESIDENTIAL

Management Strategy

MITIGATION

Special Designation

TDR RECEIVING AREA FOR:

1. Multi-Residential Units
2. Existing Development

DESCRIPTION:

Location: This Plan Area is the manmade lagoon adjacent to Lake Tahoe, two miles north of the South Tahoe "Y". The area is located on TRPA maps F-17, F-18, G-17 and G-18.

Existing Uses: Uses predominantly consist of a 1,607 member common interest development, the Tahoe Keys Property Owners Association (planned development, encompassing single family residences; townhouses; a four-plex; recreation facilities including private beaches, clubhouse, pools, tennis courts, navigable waterways, boat docks, piers, and parklands; and public service facilities including administrative offices, maintenance areas, a water company, and a water circulation facility. This common interest development is 75 percent built out. Uses also consist of a retail shopping center and a commercial marina/office area.

Existing Environment: The area consists of fill land of which the Tahoe Keys Property Owners Association (TKPOA) land has been classified as man-modified and is considered as land capability 6 for purposes of assigning land coverage. In addition, approximately 13 additional acres, known as "parcels 2 and 3," along Venice Drive East have been designated "man-modified class 1b lands" pursuant to Resolution No. 82-11 of the California Regional Water Quality Control Board - Lahontan Region. In separate actions, pursuant to a litigation settlement, specific coverage allowances have been identified for parcels 2 and 3 and for parcel 4, which is also known as Cove East. No determination of man-modified status has been made for the marina parcel or Cove East. The lagoon waterways are treated by the TKPOA water treatment facility. The shorezone tolerance district is 1. The land coverage is 20 percent plus an additional 20 percent disturbed.

PLANNING STATEMENT: This area should continue to maintain the existing residential and commercial character of the neighborhood.

PLANNING CONSIDERATIONS:

1. Many of the undeveloped single family lots and portions of the Cove East parcel have been disturbed as a result of unauthorized activities. These disturbed areas and several common area parklands are in need of revegetation. There may be the potential for SEZ restoration within this Plan Area; however, specific areas for restoration have not been identified.
2. A 26 lot subdivision has been approved in this area as part of a litigation settlement, subject to reasonable conditions upon the development which are consistent with the goals and policies of the Regional Plan.

3. Over coverage is a problem in this Plan Area, especially at the marina site.
4. There is need for additional public parking in the marina area.

SPECIAL POLICIES:

1. Uses and expansion of the marina shall be in conformance with a specific plan to be prepared in accordance with the procedures set forth in Chapter 16 of the Code and approved by the Agency. Such plan shall give priority to uses which are water or marina dependent.
2. Except as otherwise provided by the Dillingham/CTRPA/California Settlement Agreement, new development will be subject to a special water quality mitigation fee designed to offset the filled area's adverse impacts on water quality consistent with the Agency's recognition of portions of the SEZ as man-modified.
3. Land coverage limitations for areas not covered by the Tahoe Keys Property Owners Association approval of man-modification shall be subject to the TRPA/Dillingham litigation settlement or further determinations on man-modification.
4. Based on a determination by the Agency that the TKPOA regulations for pier installation and maintenance are consistent with the Regional Plan for the Lake Tahoe Basin, Goals and Policies and the shorezone provisions of the Code of Ordinances, construction and repair of piers within the Tahoe Key lagoons shall be reviewed pursuant to a Memorandum of Understanding with the TKPOA.
6. Consistent with the provisions of the Dillingham/CTRPA/California Settlement Agreement and limitations on public access due to TKPOA ownership of certain lands, parking facilities for public use of the Upper Truckee River and adjacent land areas and temporary boat trailer parking should be encouraged in the vicinity of the marina.
7. Duplex dwellings may be allowed with TDR on the nine remaining undeveloped lots in the area bounded by Venice Drive, Tahoe Keys Boulevard, Monterey Drive, and Danube Way.
8. All ordinance standards, Design Review Criteria, New Development Limitations, and other regulations of the Agency shall apply to this Plan Area except as otherwise exempted by the Dillingham/CTRPA/California Settlement Agreement.

PERMISSIBLE USES: Pursuant to Chapter 18 PERMISSIBLE USES and if applicable, Chapter 51 PERMISSIBLE USES AND ACCESSORY STRUCTURES IN THE SHOREZONE AND LAKEZONE, the following primary uses may be permitted within all or a portion of the Plan Area. The list indicates if the use is allowed (A) or must be considered under the provisions for a special use (S). Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited within this Plan Area.

General List: The following list of permissible uses is applicable throughout the Plan Area (except as noted in Special Areas #1 and #2).

Residential	Single family dwelling (A).
Public Service	Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), churches (S), schools - kindergarten through secondary (S), and social service organization (S).

Recreation Participant sports facilities (S), day use areas (A), riding and hiking trails (S), and beach recreation (A).

Resource Management Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

Special Area #1: Only the following list of permissible uses is applicable in Special Area #1.

Commercial Eating and drinking places (A), food and beverage retail sales (A), general merchandise stores (S), health care services (S), personal services (S), professional offices (S), and repair services (S).

Recreation Marina (A), and outdoor recreation concessions (A).

Public Service Those uses listed on the General List for this Plan Area.

Resource Management Those uses listed on the General List for this Plan Area.

Special Area #2: The following list of permissible uses is applicable in Special Area #2.

All the uses listed on the General List plus the following additions:

Residential Multiple family dwellings (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 1

Primary Uses Beach recreation (Special Area #2 only) (A), safety and navigational devices (A), and salvage operations (A).

Accessory Structures Breakwaters or jetties (S), fences (S), and water intake lines (S). Floating docks and platforms (A), and piers (A) only in Special Area #1 and only in the lagoons in this Plan Area. Shoreline protective structures (S) only in Special Area #2.

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

USE

MAXIMUM DENSITY

Residential

Single Family Dwelling

1 unit per parcel

Multiple Family Dwellings

15 units per acre

RESIDENTIAL BONUS UNITS: Pursuant to Chapter 35, the maximum number of residential bonus units which may be permitted for this Plan Area is 10 units.

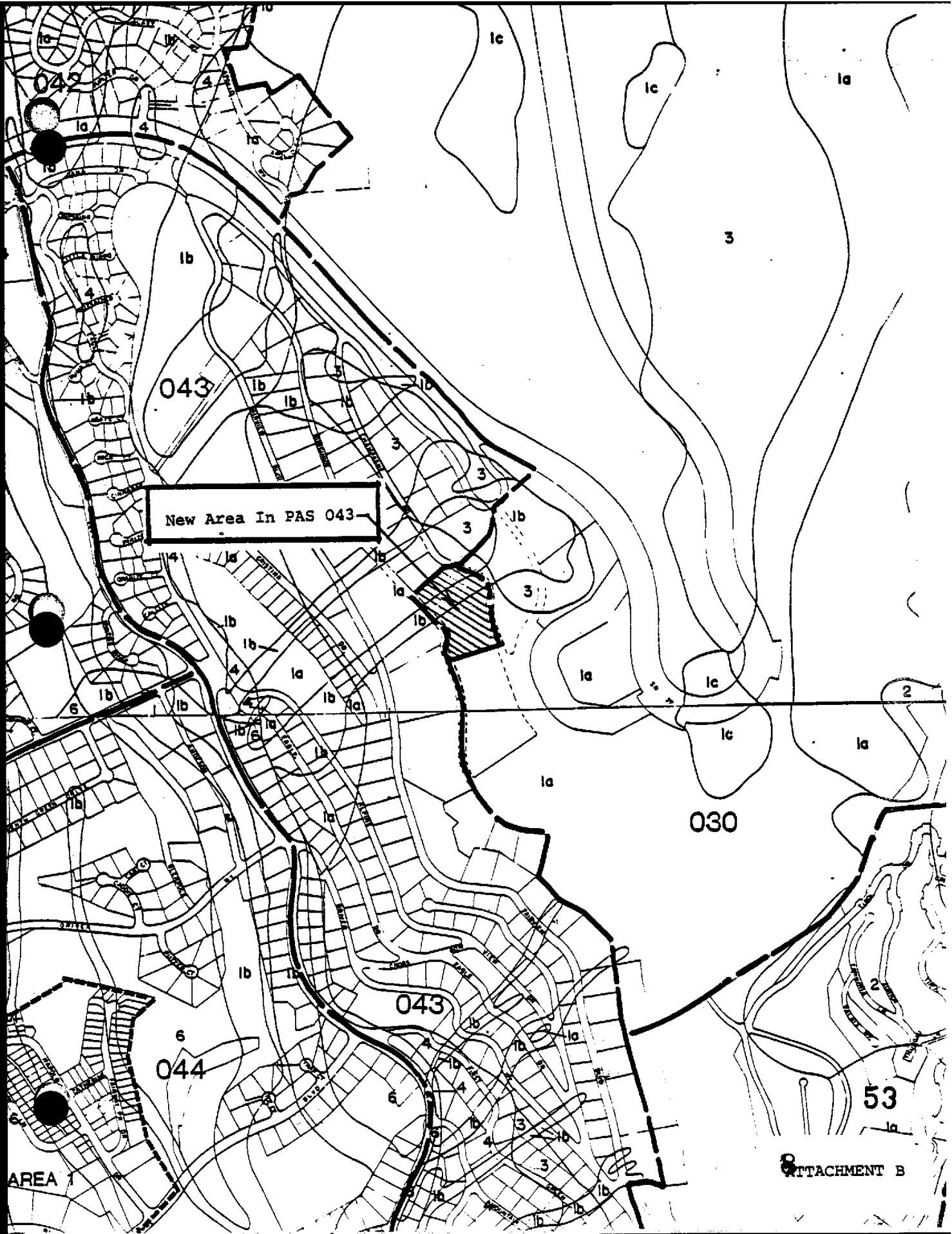
MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 55 CNEL.

ADDITIONAL DEVELOPED OUTDOOR RECREATION: The following are the targets and limits for additional developed outdoor recreation facilities specified in Chapter 13 to be located within this Plan Area. Specific projects and their timing are addressed in the TRPA Five-Year Recreation Program pursuant to Chapter 33 Allocation of Development. The following additional capacities allowed are measured in persons at one time:

SUMMER DAY USES 200 PAOT WINTER DAY USE 0 PAOT OVERNIGHT USES 0 PAOT

IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan for this area shall be implemented. The improvements include, but are not limited to, the following:

1. Improvements required by the Surface Water Management Plan as shown on Figure VIII-1 through 18 of Volume I of the 208 Water Quality Plan.
2. The highway and transit improvements indicated in the Transportation Element of the Regional Goals and Policies Plan.
3. Stream zone restoration as indicated in the Stream Environment Zone Restoration Program. (To be completed.)



New Area In PAS 043

043

030

044

043

53

ATTACHMENT B

AREA

030 -- MOUNT ROSE

PLAN DESIGNATION:

Land Use Classification	CONSERVATION
Management Strategy	MITIGATION
Special Designation	NONE

DESCRIPTION:

Location: This area is the backdrop country behind Incline Village and is located on the following Agency maps: F-3; F-4; G-2; G-3; H-1; H-2; H-3; Mt. Rose Quadrangle; and Martis Peak Quadrangle.

Existing Uses: This area serves as a major point of automobile entry into the Basin via the Mount Rose Highway. The highway corridor leading into Incline Village offers excellent viewing opportunities of the Lake. Road access other than the highway is virtually nonexistent. The steep tree covered slopes provide a distinctive scenic backdrop for Incline Village.

Existing Environment: The vegetation of this area is dominated by mixed conifer and red firs although other important plant communities include lodgepole pine, montane shrub, Basin sagebrush, and deciduous riparian vegetation. A high percentage of the land area also includes rocky outcrops with no vegetation. This area together with Plan Area 053 serves as the headwaters to five streams that flow through Incline Village before entering Lake Tahoe. The area is almost entirely classified as high hazard.

PLANNING STATEMENT: This planning area should remain undeveloped to the extent that its natural features and qualities are protected. Resource management should be low level with maximum emphasis on providing opportunities for dispersed recreation.

PLANNING CONSIDERATIONS:

1. The area is suitable for only the least intensive uses due to the preponderance of high hazard lands and potential for avalanche and ground stability hazards.
2. Access to the area is limited to pull-outs along State Route 431 and to areas immediately adjacent to existing development adjoining this plan area.
3. State Route 431 provides excellent views of the lake and other natural landscapes and is subject to TRPA threshold standards.
4. Scenic Roadway Unit 23 is within this area.
5. The Agency Wildlife Map identifies numerous deer migration corridors throughout this Plan Area.

SPECIAL POLICIES:

1. Forest management practices should be limited to those activities that allow control of insect and disease, watershed protection, recreational enhancement, and wildlife habitat improvement. No new highways or roadways should be built in this area.
2. The area shall be managed primarily for its natural qualities and dispersed recreational opportunities.
3. Developed facilities should be limited to those accessible to State Route 431 and should conform to special design criteria so as not to detract from the high quality views from the roadway.

PERMISSIBLE USES: Pursuant to Chapter 18 PERMISSIBLE USES and if applicable, Chapter 51 PERMISSIBLE USES AND ACCESSORY STRUCTURES IN THE SHOREZONE AND LAKEZONE, the following primary uses may be permitted within all or a portion of the Plan Area. The list indicates if the use is allowed (A) or must be considered under the provisions for a special use (S). Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited within this Plan Area.

General List: The following list of permissible uses is applicable throughout the Plan Area.

Residential	Summer homes (S).
Public Service	Local public health and safety facilities (S), transportation routes (S), pipelines and power transmissions (S), and transmission and receiving facilities (S).
Recreation	Cross country ski courses (S), outdoor recreation concessions (S), and riding and hiking trails (A).
Resource Management	Reforestation (A), sanitation salvage cut (A), selection cut (A), special cut (S), thinning (A), timber stand improvement (A), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (S), structural wildlife habitat management (S), fire detection and suppression (A), fuels treatment (S), insect and disease suppression (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

USE	<u>MAXIMUM DENSITY</u>
Residential	
Summer homes	1 unit per parcel

55

RESIDENTIAL BONUS UNITS: Pursuant to Chapter 35, the maximum number of residential bonus units which may be permitted for this Plan Area is 0 units.

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 40 CNEL. The maximum community noise equivalent level for the State Route 431 is 55 CNEL.

ADDITIONAL DEVELOPED OUTDOOR RECREATION: The following are the targets and limits for additional developed outdoor recreation facilities specified in Chapter 13 to be located within this Plan Area. Specific projects and their timing are addressed in the TRPA Five-Year Recreation Program pursuant to Chapter 33 Allocation of Development. The following additional capacities allowed are measured in persons at one time:

SUMMER DAY USES 0 PAOT WINTER DAY USE 0 PAOT OVERNIGHT USES 0 PAOT

OTHER: Six miles of trail

IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan for this area shall be implemented. The improvements include, but are not limited to, the following:

1. Stream zone restoration as indicated in the Stream Environment Zone Restoration Program.
(To be completed.)