

**TRPA
GOVERNING BOARD
PACKETS**

**OCTOBER
1988**

Oct 1988
SB

TAHOE REGIONAL PLANNING AGENCY
NOTICE OF MEETINGS

NOTICE IS HEREBY GIVEN that on October 26, 27, 1988, commencing at 9:30 a.m. on the 26th and at 8:30 a.m. on the 27th, at the TRPA office, 195 U.S. Highway 50, Round Hill, Zephyr Cove, Nevada, the Governing Board of the Tahoe Regional Planning Agency will conduct its regular meeting. The official agenda is attached hereto and made a part of this notice.

NOTICE IS FURTHER GIVEN that on October 26, 1988, at 8:30 a.m., in the same location, the Finance Committee of said agency will meet to discuss the following: 1) receipt of the September financial statement; and 2) release of air quality mitigation funds to the City of South Lake Tahoe for study of a coordinated shuttle service.

NOTICE IS FURTHER GIVEN that on October 26, 1988, during the lunch recess, the Rules Committee will meet to discuss the revision of the Agency's Rules of Procedure relating to environmental documentation.

Date: October 19, 1988

By:

W.A. Morgan
William A. Morgan
Executive Director

NOTE: Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda.

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BODY

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

October 26, 1988 9:30 a.m.
October 27, 1988 8:30 a.m.

OFFICIAL AGENDA

- I PLEDGE OF ALLEGIANCE
- II ROLL CALL AND DETERMINATION OF QUORUM
- III APPROVAL OF MINUTES
- IV APPROVAL OF AGENDA
- V CONSENT CALENDAR (see second to last page)
- VI PROJECT REVIEW
 - A. Holland/Mercurio, Low-Level Boat Lift Addition to an Existing Pier, 3915 Belleview Avenue, Tahoe Pines, APN 85-222-01, Placer County
- VII PUBLIC HEARING, ADOPTION OF ORDINANCES/RESOLUTIONS, AND CERTIFICATION OF ENVIRONMENTAL IMPACT STATEMENTS
 - A. Certification of the EIS for Amendment of the Lake Tahoe Basin Water Quality Management Plan (208 Plan)
 - B. Amendment to the Lake Tahoe Basin Water Quality Management Plan Pursuant to Section 208 of the Federal Clean Water Act
 - C. Adoption of Threshold Indicators, Reasonable Progress Lines, and Related Items for Air Quality, Water Quality and Soil Conservation (Chapter 32 of the Code of Ordinances)
 - D. Amendment of Chapter 20 (Land Coverage Standards) Relating to Excess Coverage Mitigation Fees
 - E. Amendment of Chapter 33 (Allocation of Development) to Extend the December 31, 1988 Deadline for Filing of Complete Applications or Completing a Transfer for Projects in the Tahoe Keys on Parcels Less Than 6,000 Square Feet
 - F. Amendment of Chapter 2 (Definitions) to Define Contiguous, Noncontiguous and Adjacent Parcels
 - G. Amendment of Plan Area Statement 027 (Woodvista) to Add "Snowmobile Courses" as a Special Use
 - H. Amendment of Plan Area Statement 122 (Tahoe Paradise/Mandan) to Add "Snowmobile Courses" as a Special Use

- I. Amendment of Chapter 37 (Individual Parcel Evaluation System) to Allow Alternative Methods to be Considered for Determining Central Tendency (Subsection 37.11.A) and to Change the Number of Points That Must Be Connected By the Coverage Curve (Subsection 37.11.A)

VIII PLANNING MATTERS

- A. Report on Status of Airport Master Plan and Board Action on Setting Time Limits for Determining EIS Preferred Alternative
- B. Status Report and Board Action If Necessary on Action by the California State Lands Commission on Pier Construction and Consideration of Code Interpretation 1988-4
- C. Adoption of Resolution Approving Lake Tahoe Region Transportation Needs 1990-2000 (continued to November 30)

IX ADMINISTRATIVE MATTERS

- A. Appointment of Nevada Lay Member to the APC
- B. Assignment of Board Members to the Legal, Rules, Finance and Retirement Committees

X REPORTS

- A. Finance Committee Report and Board Action on Recommendations
 1. Receipt of the September Financial Statement
- B. Executive Director
 1. Status Report on Projects Reviewed at Staff Level and on Emergency Permits Issued by Executive Director
 2. Status Report on Code Interpretations Made by Executive Director
 3. Status Report on Study of Shorezone Fish Habitat
 4. Other
- C. Agency Counsel
- D. Governing Board Members

XI PUBLIC INTEREST COMMENTS

XII ADJOURNMENT

CONSENT CALENDAR

<u>Item</u>	<u>Recommended Action</u>
1. Laughlin, Shoreline Protective Structure, APN 122-181-62, Washoe County	(continue to the November 30 meeting)
2. Hancock, New Pier, APN 17-021-18, El Dorado County	Approval With Findings And Conditions
3. Release of Air Quality Mitigation Funds (\$2,000) to the City of South Lake Tahoe for Study of Coordinated Shuttle Service	Approval
4. Lane, Resolution of Tree Cutting Violation, APN 85-343-04, Placer County	Approval
5. Jimsair Aviation, FBO/GA Terminal, Sole Source Determination on Consultant for EIS Preparation	Approval
Successful Land Capability Challenges:	Approval With Findings
6. Carrillo, APN 123-161-01, Crystal Bay, Washoe County	
7. Perini, APN 001-222-02, Glenbrook Unit No. 3, Douglas County	

These consent calendar items are expected to be routine and noncontroversial. They will be acted upon by the Governing Board at one time without discussion. If any Governing Board member or noticed affected property owner requests that an item be removed from the consent calendar, it will be taken up separately under the appropriate agenda category.

Four of the members of the governing body from each State constitute a quorum for the transaction of the business of the agency. The voting procedure shall be as follows:

(1) For adopting, amending or repealing environmental threshold carrying capacities, the regional plan, and ordinances, rules and regulations, and for granting variances from the ordinances, rules and regulations, the vote of at least four of the members of each State agreeing with the vote of at least four members of the other State shall be required to take action. If there is no vote of at least four of the members from one State agreeing with the vote of at least four of the members of the other State on the actions specified in this paragraph, an action of rejection shall be deemed to have been taken.

(2) For approving a project, the affirmative vote of at least five members from the State in which the project is located and the affirmative vote of at least nine members of the governing body are required. If at least five members of the governing body from the State in which the project is located and at least nine members of the entire governing body do not vote in favor of the project, upon a motion for approval, an action of rejection shall be deemed to have been taken. A decision by the agency to approve a project shall be supported by a statement of findings, adopted by the agency, which indicates that the project complies with the regional plan and with applicable ordinances, rules and regulations of the agency.

(3) For routine business and for directing the agency's staff on litigation and enforcement actions, at least eight members of the governing body must agree to take action. If at least eight votes in favor of such action are not cast, an action of rejection shall be deemed to have been taken.

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

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

September 28, 1988

REGULAR MEETING MINUTES

I PLEDGE OF ALLEGIANCE

Chairman Chester Gibbs called the September 28 regular meeting of the Tahoe Regional Planning Agency Governing Board to order at 9:43 a.m. and asked Mr. Pruett to lead in the Pledge of Allegiance to the Flag.

II ROLL CALL AND DETERMINATION OF QUORUM

Mr. Gibbs announced that Mike Rody, Carson City Assistant Manager, was sitting in for Dr. Gene Scrivner; Neil Brooks was sitting in for Dianne Cornwall of Washoe County.

It was also announced that Ms. Connie Sparbel would not be able to sit on the TRPA Board as the Nevada at-large member because of a conflict of interest. Expanding on this, Mr. Pruett explained that Ms. Sparbel was under contract to the NTRPA as its Executive Director, and it was for this reason that the Nevada Attorney General had found she could not serve on the TRPA Board.

Members Present: Mr. Cefalu, Mr. Pruett, Ms Del Papa (present at 10:00 a.m.),
Mr. Henrikson, Mr. Woods, Mr. Rody, Mr. Cronk, Mr. Westergard,
Mr. Houghteling, Mr. Brooks, Mr. Deaner, Mr. Gibbs

Members Absent: Mr. Henrikson, Mr. Reed, Mr. Hime

III APPROVAL OF MINUTES

MOTION by Mr. Houghteling to approve the July 27, 1988 regular meeting minutes. The motion carried unanimously

With regard to the August 24, 25 minutes, Mr. Houghteling asked that the last sentence on page 15 be amended to read, "Because the EIS should address only what TRPA had in its Regional Plan, it was not ~~was~~ justified in addressing the long term assumptions."

MOTION by Mr. Westergard to approve the August 24, 25 regular meeting minutes as corrected. The motion carried unanimously.

IV APPROVAL OF AGENDA

Agency Executive Director Bill Morgan announced that consent calendar item 12 (land capability challenge for Ross, APN 32-181-01) was to be continued to the November Board meeting. The Laughlin shoreline protective structure (consent calendar item 5) was to be continued to the October meeting. The order of the first two project review items was to be reversed and the Van Wagenen/Marsh commercial foundation taken up prior to the Al Tahoe child care center

TRPA REGULAR MEETING MINUTES SEPTEMBER 28, 1988

expansion. One of the child care proponents was driving up to Tahoe from Sacramento and could not be present until later in the morning.

V CONSENT CALENDAR

Chairman Gibbs asked if anyone in the audience was interested in any of the consent calendar items. There was no one.

MOTION by Mr. Cefalu to approve the consent calendar (with the exception of items 12 and 5). The motion carried unanimously.

(These items included the following: Snook Residential Pier and Boathouse Repair and Reconstruction, Placer County; Tahoe City Cemetery District, Cemetery Expansion, Placer County; Harry/Mashbir, New Residential Multiple-Use Pier, El Dorado County; Placer County, Release of Water Quality and Air Quality Mitigation Funds; Resolution Approving Inclusion of a Portion of Cold Creek Trail Into the Federal-Aid Urban System (approved through adoption of Resolution No. 88-21); and Successful Land Capability Challenges for the following:

Sharp, APN 05-220-02 and -03,
Round Hill, Douglas County

Robbins, APN 32-291-28,
El Dorado County

Sederquist, APN 125-163-25,
Incline Village, Washoe County

Craig, APN 14-324-04, Westlake
Village, El Dorado County

Benka, APN 125-162-14, Incline
Village, Washoe County

Kaufman, APN 131-234-26,
Incline Village, Washoe County

Oman, APN 125-153-01, Incline
Village, Washoe County

Mitchell, APN 005-341-14,
Round Hill, Nevada

Ramsey, APN 125-421-02, Incline
Village, Washoe County)

MOTION by Mr. Westergard to approve the agenda as modified. The motion carried unanimously.

VI PROJECT REVIEW

- B. Van Wagenen/Marsh, Commercial Foundation, Determination of Eligibility and Plan Modifications, APN 117-150-34 and -35, Placer County

(Agency legal counsel Susan Scholley advised that Board members who were members of the California Automobile Association could act on the application; Triple A was to occupy the building proposed to be constructed on the subject parcels.)

Mr. Jerry Wells, Chief of Project Review, presented the staff's summary of the proposal to construct a 1-story, 3,312 square foot professional office building on a site which currently had an existing foundation. Although this foundation would be removed, the new foundation would be built in approximately the same location but with a different configuration. Mr. Wells presented additional information on the site, existing and proposed coverage and parking, the plan

area statement, coverage reductions, the history of the project, and the findings and conditions.

Mr. Westergard asked that, in addition to the findings outlined by staff, there be a specific finding that the project was compatible with Chapter 11 (Foundation Ordinance); he wanted to ensure that the findings to approve the proposed modifications to the original plans could be made.

Ms. Scholley responded that Section 11.11.C.2(c) of the ordinance provided that "modifications to original plans may be permitted ... if the project, as modified, will not result in an increase in the amount of commercial floor area or number of residential units over the original project unless the appropriate allocation is obtained pursuant to Chapter 33 and further provided that: i) TRPA makes the findings set forth in subparagraphs (3) through (10), inclusive, in Subsection 11.11.B and finds that the component of the project to be modified results in a net improvement in the environment with respect to that component; or (ii) except for the allocation requirements of Chapter 33, TRPA finds that the modified project complies with all provisions of the Regional Plan Package, including the Code." Ms. Scholley advised that if the project complied completely with the new Code, there was much wider latitude to redesign and modify it. If it had certain aspects which were not in compliance with the Code, then there needed to be an additional finding that the component being modified resulted in a net environmental benefit. In her mind, there was no doubt that the Board's action on Chapter 11 reflected the prerogative of changing the foundation, as proposed in this case. The square footage proposed by this project would not be charged against the 10-year commercial allocation outlined in the Regional Plan.

Mr. Houghteling questioned the reference in the staff's summary to the fact that there was nothing in the project file advising the permittee of the importance of due diligence in pursuit of project construction. Did due diligence come into the picture only if the staff sent a letter?

Ms. Scholley responded that the exemption in Chapter 11 did not apply to foundations whose owners were advised by TRPA prior to expiration of the permit that diligent pursuit required substantial construction each building season once construction had commenced. The statement was made in order to be clear on the record that this was not an excluded project. It applied only narrowly to this sort of project.

(Ms. Del Papa came into the meeting at 10:00 a.m. during the discussion.)

Mr. Houghteling questioned the effect of the staff summary and references to vested rights in a future court case should the Board not approve the project. The summary stated the permittee had shown that he had a reasonable possibility of prevailing on a vested rights claim.

Ms. Scholley responded that the finding that the permittee would have a chance of success in court was not something the court would hold against TRPA and did not show that the project, as a matter of law, did have a vested right. This was a disputed claim, and the language indicated there was a good faith dispute - not that the Board was finding there was a vested right.

Mr. Larry Hoffman, on behalf of the applicant, commented on the fact that five of the seven California members were present at the meeting. He wanted to ensure that all questions were answered because the project would need all five California votes to be approved. The Board could be assured that every finding had been carefully studied. The building was being reduced in height and set back further. Square footage was being reduced, and overall there was a net environmental improvement. There was testimony in the record with regard to due diligence.

No one else in the audience wished to comment on the project.

MOTION by Mr. Cefalu that, with regard to the Van Wagenen/Marsh application, the Board make a finding of no significant environmental effect and for the findings contained in Section F of the staff's summary. The Board also finds that the project is consistent with Chapter 11. The motion carried unanimously.

MOTION by Mr. Cefalu to approve the Van Wagenen/Marsh application with conditions as outlined in the staff's summary. The motion carried unanimously.

C. South Tahoe Public Utility District, Relocation of a Portion of Trout Creek, Erosion Control, APN 26-200-01, El Dorado County

Ms. Cindy Whitby, Assistant Planner, presented the staff's summary of the South Tahoe Public Utility District's (STPUD) proposal to relocate approximately 520 feet of Trout Creek to eliminate the scouring and undermining which had threatened to expose a sanitary sewer line and two manholes in the Truckee Marsh on the west side of the Al Tahoe Subdivision. Changes proposed to be made to the engineering report included: 1) revegetation, instead of riprapping, of the southwest bank of the channel (a handout was presented showing the modification); and 2) a proposal by STPUD to include surface checks along the backfilled section in lieu of providing rock checks through the channel section. Staff was recommending that STPUD construct the rock checks as proposed in the engineering report.

Additional information was presented on the plan area statement, the special use findings, and special conditions. Ms. Whitby asked that three additional conditions, not included in the staff report, be added to the staff's summary; these were: 8) The security required pursuant to standard condition 1.2 of Attachment Q shall be \$10,000. 9) One year from the date of project completion, TRPA shall inspect the new channel and prior to release of the security confirm that the channel has been stabilized. In the event that the revegetation has not been adequately established, TRPA may require the applicant to mechanically stabilize the channel with rock riprap. 10) The applicant shall install the rock checks and surface checks as recommended in the engineering report for the Trout Creek erosion control project and the final plans shall reflect this construction.

Mr. Woods questioned the requirement for the \$10,000 security to be paid by a public entity performing an erosion control project. This was a ludicrous amount. Mr. Morgan responded that the engineering report supplied by the applicant recommended full rock riprapping of the channel as being the most reliable method to get the job done. The project proponents felt, however, that to save money some of the rock riprapping requirement should be eliminated in favor of a different method. TRPA was agreeable to that but felt the different

method was more risky than the one set forth in the engineering report. To assure success, TRPA felt there needed to be a strong security established. In the past, TRPA had quite often not required securities of the City and Counties on erosion control projects. TRPA did require securities from virtually every other entity - quasi-public or otherwise.

Mr. Westergard questioned whether the Corps of Engineers had attempted to exert jurisdiction over the project. Mr. Gary Schnakenberg, representing STPUD, explained that the Corps had not looked at the project specifically. The District was doing a good deal of work with the Corps of Engineers in Alpine County and had had discussions on defining wetlands and the requirement for Corps jurisdiction. The Corps representative in Alpine County had indicated this project was not of concern to the Corps. He did not, however, have a letter to that effect. The District looked at this as an emergency project, and the Corps could be of the opinion that it would take too long to get an application through the review process. There was a fine line between what was and what was not a wetland. Both Lahontan and the California Department of Fish and Game had approved the project. While it did not bear on TRPA's action, Mr. Westergard asked Mr. Schnakenberg to advise him if there were any problems with the Corps and its jurisdiction.

Mr. Schnakenberg clarified that the project stream was not Trout Creek but rather a small tributary off of Trout Creek. The full flow of Trout Creek was not a part of the project.

Mr. Art Griffiths, an Al Tahoe resident whose home was within 400 feet of the affected stream, spoke in favor of the benefits of the erosion control features of the project.

MOTION by Mr. Woods, based on the staff summary of the STPUD erosion control project, to make a finding of no significant environmental effect with direction to staff to prepare the necessary certification documents to be included with the permit and for the findings contained in Section D of the staff summary. The motion carried unanimously.

MOTION by Mr. Woods to approve the STPUD erosion control project based on the staff summary and subject to the conditions in the staff summary plus the three additional conditions outlined by staff.

AMENDMENT proposed by Mr. Pruett to delete the new condition #8 (requiring the \$10,000 security) and to renumber conditions #9 and #10.

Mr. Pruett explained that condition #9 requiring mechanical stabilization should revegetation not succeed provided adequate assurance of stabilization, particularly if there were to be periodic inspections of the project.

Mr. Woods agreed to accept the amendment into his motion.

Mr. Houghteling advised that he would not vote for the project without the \$10,000 security.

Mr. Pruett withdrew the amendment.

The motion to approve the project with conditions as set forth in the staff summary and with the added three conditions carried unanimously.

TRPA REGULAR MEETING MINUTES SEPTEMBER 28, 1988

Mr. Woods expressed concern that the full California delegation was not present from California. Not having a full Board put applicants in a real bind.

A. Al Tahoe School-Age Child Care Center Expansion, Continuing Development Incorporated, APN 26-050-04, 02, El Dorado County

Assistant Planner Cindy Whitby presented the staff's summary of the proposal to install a 960 square foot relocatable classroom, to construct walkways and fence, and to eliminate a mini-park. The number of children served would increase from 32 to 60 in grades K-12. Ms. Whitby provided information on the plan area, the proposed uses, the required findings, land coverage, height, parking, and project requirements resulting from the noise analysis (removal of a fenced play area and installation of landscaping). Staff recommended approval of findings and conditions. Condition 2c., requiring payment of a \$575 water quality mitigation fee, was to be eliminated because the project was not creating new coverage.

Mr. Houghteling questioned the condition requiring the applicant to be responsible for Best Management Practices (BMPs) on the entire 55 acres when his project covered only a portion of that acreage. This appeared to be a large burden on the applicant. The City of South Lake Tahoe should be a joint applicant on this, or it should be clear what portion of the work was to be handled by the applicant. The applicant did not have control over the entire 55 acres. Ms. Whitby explained that the City proposed to be responsible for BMPs on the remaining 55 acres.

Ms. Mary Kay Henninger, Associate Planner with the City of South Lake Tahoe, explained the City would coordinate the project so that, in lieu of the applicant absorbing all the fees, Mr. Gottschalk, the City's Community Development Director, would work with the applicant. The applicant would not be responsible for the entire 55 acres. Mr. Woods agreed that the intent was not to make the applicant responsible for the whole 55 acres.

Mr. Vernon Plaskett, for Continuing Development Incorporated, explained he could not pay the \$4,000 security required in condition 2e.; he could not guarantee the City's performance. He accepted all other conditions and the requirement that he complete the share of BMPs on his acreage.

Mr. Morgan explained the project area retrofitting requirement; in this case the whole project area (55 acres) had to be addressed by necessity in order to get the coverage needed for the project.

Ms. Henninger explained that, when the project was reviewed at the City, it was clear in the lease agreement that the applicant was to pay for the direct costs; the City was not to absorb costs related to the project. In the lease agreement, the applicant was to pay for those improvements related to the actual on-site improvements associated with the relocatable building. The City was not to absorb any security deposit costs.

Mr. Morgan suggested that condition 3. be modified to read, in part, "The applicant, in cooperation with the City, shall submit plans, schedules... fenceline and associated parking), shall be installed prior to project completion. The applicant shall provide evidence that the City, in cooperation with the applicant, shall install all required BMPs ..."

TRPA REGULAR MEETING MINUTES SEPTEMBER 28, 1988

Ms. Whitby explained that the \$4,125 security was based on all required BMPs, including those outside of the construction site boundary, up to a maximum 5% of the estimated construction cost of the project. Mr. Plaskett advised he would post the security for the improvements he would actually have to make.

Mr. Morgan suggested condition 2e. be reworded, "The security required under Standard Condition I.2. of Attachment Q shall be based on the estimate provided by the applicant for the BMPs required of the construction site. Please see Attachment J, Security Procedures." Mr. Plaskett agreed to accept the condition.

No one else in the audience wished to comment on the project.

MOTION by Mr. Deaner, based on the staff summary for the Al Tahoe School Age Child Care Center Expansion, to make a finding of no significant environmental effect with direction to staff to prepare the necessary certification documents to be included with the permit and for the findings contained in the staff summary. The motion carried unanimously.

MOTION by Mr. Deaner to approve the project based on the staff summary and subject to staff's conditions, as modified. (Delete condition 2c. and modify conditions 2e. and 3. The motion carried unanimously.

(At this point, the Board took a recess and had cake and coffee in honor of Norm Woods and his 10 years of service on the Board. This was Norm's last meeting.)

VII PUBLIC HEARING, ADOPTION OF ORDINANCES, AND
CERTIFICATION OF ENVIRONMENTAL IMPACT STATEMENTS

- A. Certification of the EIS for Chapter 15 (Redevelopment) -
Public Hearing and Certification
- B. Adoption of Chapter 15 (Redevelopment) - Public Hearing and Adoption

Associate Planner Andrew Strain presented an overview of the Chapter 15 EIS, concentrating his remarks on the content of the final EIS, the comments and responses, the tiering of environmental documents, mitigation measures incorporated into Chapter 15, differences between the draft and the final Chapter 15 EIS, and additional environmental documentation required for each project within redevelopment plans. The APC found that the Chapter 15 EIS was technically adequate and recommended Board certification.

Mr. Houghteling spoke in favor of the identification of the sections of previous EISs off of which the Chapter 15 EIS was tiering. He questioned the first sentence in the last paragraph on page II-7 that the recognition of the preferred alternative EIR/EIS for the City was not considered a significant action. Mr. Strain responded that the intent was for the plan to come out of the ordinance. It was no longer included as part of the ordinance.

Mr. Houghteling questioned whether adoption of Chapter 15 was contingent on approval of 208 Plan amendments. Ms. Scholley explained the redevelopment ordinance was not inconsistent with the 208 plan; the community plan rules, however, were. While the community plans had to wait for 208 amendments, the redevelopment ordinance, plans and projects could proceed without them.

TRPA REGULAR MEETING MINUTES SEPTEMBER 28, 1988

Mr. Houghteling asked that staff reanalyze the proposed building heights at Ski Run in conjunction with the consultant's recent scenic report, which suggested that 75 feet was out of scale with surrounding development. Mr. Strain responded that resolution of this would be to make findings (Section 22.7) at the time the redevelopment project was before the Board. Mr. Houghteling commented that Section 22.7 was confusing in its application, and he would like attention given to this matter when the project came in for review. Mr. Morgan explained that specific mitigation measures were being proposed as part of the City's redevelopment project; and having been forewarned now that this might be an issue, it would be appropriate to look at this carefully to ensure all findings could be made.

Mr. Houghteling asked that the first sentence under item b. on page IV-21 be changed to refer to 4(a), not 3(a).

Ms. Scholley pointed out that a requirement had been added for final redevelopment plans (Section 15.10.D of the ordinance) to mitigate possible height impacts.

Chester Gibbs opened the public hearing. No one wished to comment.

Principal Planner Gordon Barrett presented staff's summary on Chapter 15 itself, focusing his remarks on requirements of redevelopment, on redevelopment agencies, coverage requirements, specific findings, density and coverage incentives and calculations, reductions required for coverage, BMP requirements, the City's specific redevelopment plan (special features, incentives, environmental requirements), and findings required to adopt the ordinance. The APC and staff recommended adoption of the ordinance (Appendix B in the EIS) with modifications outlined on page 187 of the packet. (These were explained.) Mr. Barrett asked that an additional sentence be included in Section 15.11.F(3) to read, "If restoration of SEZ or creation of artificial wetlands is not feasible, other equivalent measures shall be required by TRPA." Section 15.11.G(d) on page 15-21 should refer to 70 (not 75) affordable housing units.

Mr. Barrett explained that adoption procedures would include certification of the final EIS, findings outlined on Attachment B in the packet, Chapter 6 findings and adoption of the ordinance (Attachment C).

Mr. Morgan presented a brief summary of the redevelopment process and how the ordinance had evolved to its current form.

Staff responded to Board member questions on the ordinance relative to coverage transfers within the redevelopment area and coverage reductions.

Chairman Gibbs opened the public hearing.

Mr. Stan Diekman, representing the nine homeowners of the Conklin-Fuller Tract on the south side of the Edgewood Golf Course near Stateline Avenue, expressed concern with the flooding that might result from the proposed four acres of wetlands being installed as a part of the City's redevelopment plan. The wetlands were several feet higher than the meadow lands on which the nine homes were built. There was also concern with pollution of well water.