

**TRPA
APC
PACKETS**

**OCTOBER
1991**

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 October 9, 1991, at the TRPA Office, 195 U.S. Highway 50, Zephyr Cove, Nevada. The agenda for said meeting is attached hereto and made a part of this notice.

September 30, 1991



David S. Ziegler
Executive Director

This agenda has been posted at the TRPA office and at the following post offices: Zephyr Cove and Stateline, Nevada, and Al Tahoe, Tahoe Valley, and Tahoe City, California.

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

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

October 9, 1991
9:30 a.m.

All items on this agenda are action items unless otherwise noted.

AGENDA

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- I CALL TO ORDER AND DETERMINATION OF QUORUM
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TAHOE REGIONAL PLANNING AGENCY

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MEMORANDUM

October 1, 1991

To: Advisory Planning Commission

From: TRPA Staff

Subject: Technical Adequacy and Certification of the Final
EIR/EIS for the South Lake Tahoe Loop Road Project

Proposed Action: The City of South Lake Tahoe is requesting the Advisory Planning Commission to find the Final EIR/EIS for the South Lake Tahoe Loop Road Project technically adequate and direct staff to forward a recommendation to the Governing Board for certification.

Recommendation: TRPA staff is recommending that the APC conduct a public hearing on the South Tahoe Loop Road Project Final EIR/EIS and, based on the outcome of the hearing, find the document technically adequate and recommend certification of the environmental document to the Governing Board.

Discussion: The South Lake Tahoe Loop Road Project EIR/EIS documents the analysis of environmental effects associated with implementation of the preliminary design (the preferred action) and four alternatives. This EIR/EIS is tiered from the Redevelopment Plan EIR/EIS.

The Draft EIR/EIS was circulated for comments over a sixty-day period beginning on December 17, 1990, and concluding on February 19, 1991. Copies of the Draft EIR/EIS were provided to the members of the APC at that time.

A summary of the South Lake Tahoe Loop Road Project Final EIR/EIS will be presented by staff at the October 9 meeting of the APC.

If you have any questions in regard to this agenda item, please contact Leif Anderson at (702) 588-6782.

LA:jf
10/1/91

AGENDA ITEM IV A.

TAHOE REGIONAL PLANNING AGENCY

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MEMORANDUM

October 1, 1991

To: Advisory Planning Commission

From: Agency Staff

Subject: Report on 1991 Evaluation of the Environmental Threshold
Carrying Capacities and the Regional Plan Package

Proposed Action: The Governing Board will issue the report on the 1991 Evaluation when they have determined that the document is complete and the public has had adequate time to review and comment on the document.

Staff Recommendation: The staff recommends that the APC review the September 24 draft of the evaluation report (provided with your APC packet), make comments and ask questions of staff, and conduct a public hearing on the document. The APC may wish to provide additional direction to staff, or make a recommendation to the Governing Board, upon completion of the public hearing.

Discussion: The draft evaluation report dated September 24, 1991, is essentially complete. Other than minor corrections and additions to be made to the main body of the report, the main deficiencies at this time are:

- Appendix B -- Threshold Indicators and Performance Targets. TRPA staff is preparing updated documentation of threshold indicators and performance targets pursuant to Chapter 32 of the Code of Ordinances. Staff will provide a handout at the APC meeting and make a brief oral presentation on this topic.

- Appendix C -- Cumulative Accounts. TRPA staff is preparing documentation of cumulative accounts of activities permitted under the Regional Plan, pursuant to Chapter 32 of the Code of Ordinances. The accounts of concern include: land coverage, SEZ disturbance, vehicle trips, VMT, PAOTs, and allocations of residential, commercial, and tourist units of use. Staff will provide a handout at the APC meeting and make a brief oral presentation on this topic.

DZ:mmi
10-1-91

Agenda Item IV.B

Memorandum
Report on the 1991 Evaluation
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- Appendix D -- Work Program. This appendix, to be added to the evaluation report, will document the recommendations of the 1991 Evaluation in the form of a work program, which will identify a completion date for each of the numerous recommendations made within the report itself.

Based on comments and questions from the APC, and input obtained through the public hearing, the staff will prepare a revised draft evaluation report for inclusion in the Governing Board packet, which will be mailed on October 16, 1991. This draft will contain the complete text with executive summary and all appendices.

If you have any questions or comments on this agenda item, please contact Susan Scholley or Dave Ziegler at (702) 588-4547.

10-1-91

Agenda Item IV.B

TAHOE REGIONAL PLANNING AGENCY

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MEMORANDUM

October 1, 1991

To: TRPA Advisory Planning Commission

From: The Staff

Subject: Amendment of Chapter 4, Project Review and Exempt Activities,
to Adopt Memorandum of Understanding Between TRPA and the
North Tahoe Public Utility District (NTPUD)

Staff proposes an amendment to Chapter 4 of the Code of Ordinances to exempt certain activities of the North Tahoe Public Utility District (NTPUD) from TRPA review.

Description and Discussion

Pursuant to Section 4.8 of the TRPA Code of Ordinances, TRPA may amend Chapter 4 to exempt those activities of public and quasi-public entities as set forth in memoranda of understanding (MOUs) between TRPA and such entities. The format of the MOU is similar to that found in Sections 4.2 and 4.3 of the Code. Activities are separated into categories of exempt and qualified exempt. Those activities are described in the attached MOU. NTPUD may undertake exempt activities without contacting TRPA and may commence activity on qualified exempt activities provided they give written notice five business days prior to the activity commencing. All activities, whether exempt or not, must comply with the TRPA Regional Plan, including the Code of Ordinances and Handbook of Best Management Practices.

The NTPUD has reviewed the proposed MOU and is in agreement with the provisions contained therein.

Environmental Documentation

Staff has completed the Environmental Checklist for the initial determination of environmental impact. Based on the checklist, staff recommends a finding of no significant effect on the environment.

JW:jf
10/1/91

AGENDA ITEM IV C.

Chapter 6 Findings

Section 6.5 of the TRPA Code of Ordinances requires the following four findings be made prior to Code amendments:

- A. The project is consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and maps, the Code, and other TRPA plans and programs;

Section 4.8 of the Code allows for the development and implementation of MOUs to exempt certain activities not otherwise considered exempt or qualified exempt under Chapter 4. The activities described in the proposed MOU are minor in nature and are subject to all the provisions of the Regional Plan. The proposed MOU is consistent with, and will not adversely affect implementation of the Regional Plan.

- B. The project will not cause the environmental thresholds to be exceeded;

Activities undertaken pursuant to this MOU are subject to the provisions of the Regional Plan. The activities are minor in nature, are subject to restrictions, and are geared toward essential activities and maintenance of existing facilities. Therefore, the activities will not cause the environmental thresholds to be exceeded. This finding is also based on the Article V(g) checklist completed for the proposed amendment.

- C. Wherever federal, state, and local air and water quality standards applicable to the region, whichever are stricter, must be attained and maintained pursuant to Article V(d) of the Compact, the project meets or exceeds such standards; and

Activities undertaken pursuant to this MOU are subject to the standards of the Regional Plan and Code. This finding is also based on the Article V(g) checklist completed for the proposed amendment.

- D. The Regional Plan and all of its elements as implemented through the Code, rules and other TRPA plans and programs, as amended, achieves and maintains the thresholds.

As explained under findings A, B, and C, above, the Regional Plan will continue to attain and maintain the thresholds.

10/1/91

AGENDA ITEM IV C.

Memo to the APC
October 1, 1991
Page Three

Article VI(a) Findings

Article VI(a) states,

The Agency shall prescribe by ordinance these activities which it has determined will not have a substantial effect on the land, water, air, space, or any other natural resources in the region and therefore will be exempt from its review and approval.

Section 4.8 of the Code allows for the implementation of MOUs with public entities to exempt activities from TRPA review. The proposed MOU with NTPUD exempts minor activities undertaken by public utility districts charged with providing essential public services. Under the MOU, NTPUD will be able to more effectively and efficiently provide these services. The MOU has no impact on the regulatory structure and does not result in an increase in development. The minor nature of the activities, coupled with the limitations elsewhere in the Code, assures the MOU will not have a substantial effect on the land, water, air, space, or other natural resources in the Region.

Ordinance 87-8 Findings

Section 2.5 of Ordinance 87-8 provides that findings under Section 2.40 are not needed to add policies of ordinances designed to make existing policies and ordinances more effective. The proposed MOU with NTPUD will implement Section 4.8 of the Code which allows amendments to exempt certain activities of public and quasi-public entities.

Staff Recommendation

Staff recommends that the APC make a recommendation to the Governing Board to approve the attached MOU and adopt the amending ordinance.

Please contact Jerry Wells, Deputy Director, at (702) 588-4547 if you have any comments or questions on this agenda item.

10/1/91

AGENDA ITEM IV C.

MEMORANDUM OF UNDERSTANDING BETWEEN
TAHOE REGIONAL PLANNING AGENCY AND
NORTH TAHOE PUBLIC UTILITY DISTRICT

October 1991

This Memorandum of Understanding is entered into this _____ day of October, 1991, by and between the TAHOE REGIONAL PLANNING AGENCY (TRPA), through its Executive Director as authorized by the Governing Board, and the NORTH TAHOE PUBLIC UTILITY DISTRICT (NTPUD), by and through its General Manager.

All activities described in this Memorandum of Understanding (MOU) shall be in accordance with the Regional Plan package of TRPA as adopted by Ordinance No. 87-9, as amended from time to time. Activities exempt under this MOU shall not result in the creation of additional land coverage, relocation of existing coverage, or an increase in vehicle trips in excess of that otherwise exempt pursuant to Subsection 4.3.B of the TRPA Code. All activities undertaken by the NTPUD pursuant to this MOU shall comply with applicable Best Management Practices (BMPs), and all provisions of the TRPA Code of Ordinances (Code), as it may be amended from time to time, except for the procedural provisions replaced by this MOU, and such guidelines as may be adopted by TRPA.

I. EXEMPT ACTIVITIES

The following activities of NTPUD, in addition to those exempt pursuant to Section 4.2. of the TRPA Code, are not subject to review and approval by TRPA provided any related excavation or backfilling work does not exceed 10 cubic yards (unless modified below), occurs during the grading season (May 1 to October 15) in land capability districts 4 through 7 and/or within an existing paved area or compacted road shoulder, and the site is stabilized and/or revegetated within 72 hours to prevent erosion.

A. WATER SUPPLY ACTIVITIES

1. Repair and replacement of existing waterworks equipment such as pumps, valves, motors, compressors, generators, electrical systems, control systems, alarm systems, fire hydrants, pipes, screens, wells, water meters, service connections, service boxes, water tanks, and treatment facilities provided there is no increase in capacity and the replacement facilities are similar in type and function.
2. Install new service connections for TRPA-approved projects.
3. Prune vegetation around water facilities and within easement areas provided no vegetation is removed.
4. Install new valves and fire hydrants along existing water lines within existing roadways and easements provided there is no increase in capacity.
5. Locate existing underground lines and appurtenances.
6. Install observation wells for groundwater monitoring, soil investigation, or pilot hole investigation.

B. WASTEWATER COLLECTION ACTIVITIES

1. Repair and replace wastewater collection system related equipment such as pumps, valves, motors, compressors, generators, electrical systems, control systems, alarm systems, pipes, service connections, odor control facilities, pumping stations, meters, and wet wells provided there is no increase in capacity and replacement facilities are similar in type and function.
2. Grouting, sealing and pressure testing of sewer lines, service laterals, and appurtenances.
3. Prune vegetation around existing sewer facilities and within easement areas involving no removal of vegetation.
4. Locate underground lines and manholes.
5. Install new service connections for TRPA-approved projects.

C. RECREATION ACTIVITIES

1. Repair and replace existing accessory structures associated with public recreation facilities such as parks and campgrounds such as picnic tables, playground equipment, barbeques, bicycle trail auto barriers and bollards.
2. Clean existing bicycle trails and related drainage facilities.
3. Repair, restore and maintain existing dirt in-fields.
4. Landscape and revegetate with TRPA-approved species including installation, repair and replacement of irrigation systems.
5. Annual replacement of sand in existing playground areas.
6. Pruning of vegetation to maintain adequate site distance, removal of hazardous limbs, and maintaining two foot shoulder clearance on bike trails.
7. Grooming of crosscountry and snowmobile trails provided there is no soil contact and there is a minimum of 6 inches of compacted snow cover.

D. SIGNS

1. Installation of roadside warning signs related to construction/maintenance activities or needed for safety purposes, provided signs are removed within 10 business days following completion of the activities, or within 10 business days of the removal of the safety hazard.

E. STRUCTURES

1. Demolition of structures provided the structure is not designated, or pending designation on the TRPA Historic Resource Map, as amended from time to time.
2. Structural repair or remodeling less than \$5,000 per year which does not result in an increase in the dimensions of a structure (including height), a change of use, an increase in commercial floor area, or an increase in density.

F. EROSION CONTROL AND RESTORATION ACTIVITIES

1. Installation of erosion control devices such as:
 - a. Sediment basins not exceeding 150 square feet in size.
 - b. Swales
 - c. Rock slope protection not visible from any TRPA-designated scenic roadway or shorezone unit, class I bike paths, or recreation area.
 - d. Rock-lined ditches.
 - e. Willow wattling.
 - f. Access barriers, i.e., bollards and split-rail fencing.
2. Restoration of disturbed areas of one acre or less provided scarification does not exceed 6" in depth and excavation and filling does not exceed 20 cubic yards.

G. BOAT LAUNCHING FACILITIES

1. Repair and replace existing pier decking, railings and steps provided no increase in height, width or length.
2. Annual boatramp maintenance consisting of concrete crack repairs and removal of obstructions providing no dredging occurs.

H. MISCELLANEOUS ACTIVITIES

1. Land surveys, corner recovery, remonumentation and land-line posting.
2. Use of portable instruments for research and monitoring of sewer and water systems, and park visitor use.
3. Replace, patch, seal, overlay and stripe existing paved surfaces.

II. QUALIFIED EXEMPT ACTIVITIES

The following activities of NTPUD are not subject to review and approval by TRPA, provided NTPUD certifies, on a form provided by TRPA, that the activity does not result in the creation of additional land coverage or relocation of land coverage, excavation and backfilling does not exceed 25 cubic yards (unless modified below), occurs during the grading season (May 1 to October 15) in land capability districts 4-7 and/or within an existing paved area or compacted road shoulder, the site is stabilized and/or revegetated within 72 hours to prevent erosion, and the activity is in conformance with the applicable provisions of the TRPA Code. The statement shall be filed with TRPA at least five working days before the activity commences. For those activities involving in excess of 25 cubic yards of excavation (as provided below), NTPUD shall submit the statement to TRPA at least 30 days before the activity commences. The following activities are in addition to those activities deemed "Qualified Exempt" pursuant to Section 4.3 of the TRPA Code.

A. WATER SUPPLY ACTIVITIES

1. Replace existing water lines and service connections for a distance of not more than 2,000 lineal feet, provided all excavation is within an existing road right-of-way or easement, there is no increase in capacity (except when required to meet minimum fire safety standards and/or California Waterworks standards and documentation of the required standards is provided), there is no relocation of main lines outside of existing paved areas, compacted road shoulders, or land capability districts 4-7, the amount of excavation is the minimum necessary, and all stockpiling of spoil material is accomplished in accordance with TRPA BMPs.
2. Repair or replace existing water intake lines, vertical wells, horizontal wells, and infiltration galleries with facilities of similar type and function, and no increase in capacity (except when required to meet minimum fire safety standards and documentation from the applicable fire district is provided).
3. Install new water lines for a distance of not more than 750 lineal feet to intertie existing facilities or extend service to TRPA-approved projects provided all excavation is within an existing road right-of-way or easement, there is no increase in capacity (except when required to meet minimum fire safety standards and/or California Waterworks standards and documentation of the required standards is provided), the amount of excavation is the minimum necessary, and all stockpiling of spoil material is accomplished in accordance with TRPA BMPs.

B. WASTE WATER COLLECTION ACTIVITIES

1. Replace existing sewer lines and service connections for a distance of not more than 750 lineal feet, provided all excavation is within an existing road right-of-way or easement, there is no increase in capacity, there is no relocation of main lines outside of paved areas, compacted road shoulders, or land capability districts 4-7, the amount of excavation is the minimum necessary, and all stockpiling of spoil material is accomplished in accordance with TRPA BMPs.
2. Install new sewer lines for a distance of not more than 750 lineal feet to intertie existing facilities or extend service to TRPA-approved projects provided all excavation is within an existing road right-of-way or easement, there is no increase in capacity, the amount of excavation is the minimum necessary, and all stockpiling of spoil material is accomplished in accordance with TRPA BMPs.

C. RECREATION ACTIVITIES

1. Replacement of existing fences, provided there is no increase in height, and the fence is consistent with the TRPA Design Review Guidelines.
2. Tree removal for public health and safety pursuant to Section 71.4.E(2) of the TRPA Code.
3. Install directional and informational signs in NTPUD-operated recreation areas, provided the signs are consistent with Section 26.6.A(2)(a), (b), and (c) of the TRPA Code, and an inventory of existing signage is completed prior to the installation of any new signs.
4. Install bike path signs in accordance with the Caltrans Highway Design Manual (Bikeway Uniform Signs, Markings and Traffic Control Devices, Section 7-1004), provided the signage is the minimum amount required, and an inventory of existing signage is completed prior to the installation of any new signs.

D. ROADS, TRAILS AND PARKING LOTS

1. Reconstruction, resurfacing or overlaying of existing pavement provided that BMPs are in place, including dust control measures.
2. Replacing existing bridge rails provided there is no increase in height, and there is no deterioration of scenic views.
3. Maintenance or repair of existing bridge structures provided there is no change in width or length of the existing structure.

E. EROSION CONTROL AND RESTORATION ACTIVITIES

1. Installation of retaining walls not exceeding 200 feet in length and 2 feet in height, provided that if located within a TRPA-designated scenic roadway or shoreline unit, the wall design is consistent with the TRPA Design Review Guidelines (Chapter 1, Section C(7) and Section 30.13.C(2) of the TRPA Code, and an inventory of existing retaining walls is completed prior to the installation of any new walls.
2. Restoration of disturbed areas not exceeding 2 acres, provided scarification does not exceed 6" in depth.

III. TREATMENT AND ACCOUNTING OF COVERAGE

It is understood by the NTPUD and TRPA that the activities set forth herein may result in a requirement to mitigate existing excess coverage. Further, many of the activities involve removal of existing land coverage or restoration of disturbed lands.

Chapter 38 of the Code provides for the accounting, tracking, and banking of coverage in conjunction with Chapter 20. The NTPUD shall report to the Executive Director of TRPA annually on the status of compliance with all excess coverage mitigation, coverage removal and restoration requirements as related to all activities undertaken pursuant to this MOU.

IV. LOSS OF EXEMPTION

Any exempt activity set forth herein shall be considered a project requiring TRPA review if the Executive Director determines that the activity may have a substantial effect on the land, air, water, space, or any other natural resource in the Region.

V. TERMINATION

This MOU may be terminated by either party upon sixty (60) days notice in writing.

NORTH TAHOE PUBLIC UTILITY DISTRICT

DATED: _____

John C. Hassenplug
General Manager/Treasurer

TAHOE REGIONAL PLANNING AGENCY

DATED: _____

David S. Ziegler
Executive Director

TAHOE REGIONAL PLANNING AGENCY

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MEMORANDUM

September 27, 1991

To: Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Plan Area Boundary Between
Plan Area 045 (Incline Village Commercial)
and 046 (Incline Village Residential)

Proposed Action: Amend the plan area boundary between Plan Area 045 and 046 to include a commercial office building project into Plan Area 045.

Recommendation: Staff recommends that the APC conduct a public hearing and based on its outcome, recommend that the Governing Board adopt the proposed plan area boundary amendment.

Background: According to TRPA and Washoe County files, a project involving a professional office building complex was approved in 1982. The complex is now built and is located at 800 Southwood Boulevard in Incline Village. Please see attached vicinity map.

The complex property is currently within Plan Area 046 (Incline Village Residential), which is a high density residential plan area. It is adjacent to Plan Area 045 (Incline Village Commercial), which is a commercial and service plan area. The office building complex is classified as a commercial use and is compatible with the existing character of Plan Area 045.

When the plan area boundaries were approved in 1987, the office building project had already been approved by TRPA and Washoe County and was apparently inadvertently included in the residential plan area which does not allow commercial uses.

DS/rd
9/27/91

AGENDA ITEM IV D.

The proposed amendment would include the office building complex in Plan Area 045 (Incline Village Commercial). The property would be classified as Special Area #1 to allow the existing health care service uses in the complex to continue. The office building complex with its associated uses should help to serve the commercial and service needs of the Incline Village area.

Findings: Prior to amending the Code, TRPA must make certain findings.

Chapter 6 Findings

1. Finding: The project is consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and Maps, the Code, and other TRPA plans and programs.

Rationale: The historical use of the professional office building complex property is commercial and is adjacent to a commercial area. The parcel has been developed in accordance with the applicable provisions of the Regional Plan and will be consistent with the Plan Area Statements and Maps with this proposed amendment.
2. Finding: The project will not cause the environmental thresholds to be exceeded.

Rationale: Development of the professional office building complex complied with applicable Code requirements. Staff has determined that the proposed plan area boundary amendment will not cause the environmental thresholds to be exceeded.
3. Finding: Wherever federal, state, and local air and water quality standards applicable to the Region, whichever are stricter, must be attained and maintained pursuant to Article V(d) of the Compact, the project meets or exceeds such standards.

Rationale: See Findings 1 and 2 above.

Memorandum to Advisory Planning Commission
Amendment of Plan Area Boundary Between Plan Area
045 (Incline Village Commercial) and 046
(Incline Village Residential) -- Page 3

4. Finding The Regional Plan and all its elements, as implemented through the Code, Rules, and other TRPA plans and programs, as amended, achieves and maintains the thresholds.

Rationale: See Findings 1 and 2 above.

Ordinance 87-8: The required Ordinance 87-8 findings and brief rationales are set forth below:

1. That the amendment is consistent with the Compact and with the attainment or maintenance of the thresholds.

Rationale: See Findings 1 and 2 above.

2. One or more of the following:

- a) There is demonstrated conflict between provisions of the Regional Plan Package and the conflict threatens to preclude attainment or maintenance of thresholds;
- b) That legal constraints, such as court orders, decisions or Compact amendments, require amendment of the Goals and Policies or Code;
- c) That technical or scientific information demonstrates the need for modification of a provision of the Goals and Policies or Code;
- d) That the provision to be amended has been shown, through experience and time, to be counter-productive to or ineffective in attainment or maintenance of the thresholds;
- e) That implementation of the provision sought to be amended has been demonstrated to be impracticable or impossible because of one or more of the following reasons:
 - 1) The cost of implementation outweighs the environmental gain to be achieved;
 - 2) Implementation will result in unacceptable impacts on public health and safety; or
 - 3) Fiscal support for implementation is insufficient and such insufficiency is expected to be a long-term problem.

Memorandum to Advisory Planning Commission
Amendment of Plan Area Boundary Between Plan Area
045 (Incline Village Commercial) and 046
(Incline Village Residential) -- Page 4

- f) That the provision to be amended has been shown through experience to be counter-productive or ineffective and the amendment is designed to correct the demonstrated problem and is an equal or better means of implementing the Regional Plan Package and complying with the Compact.

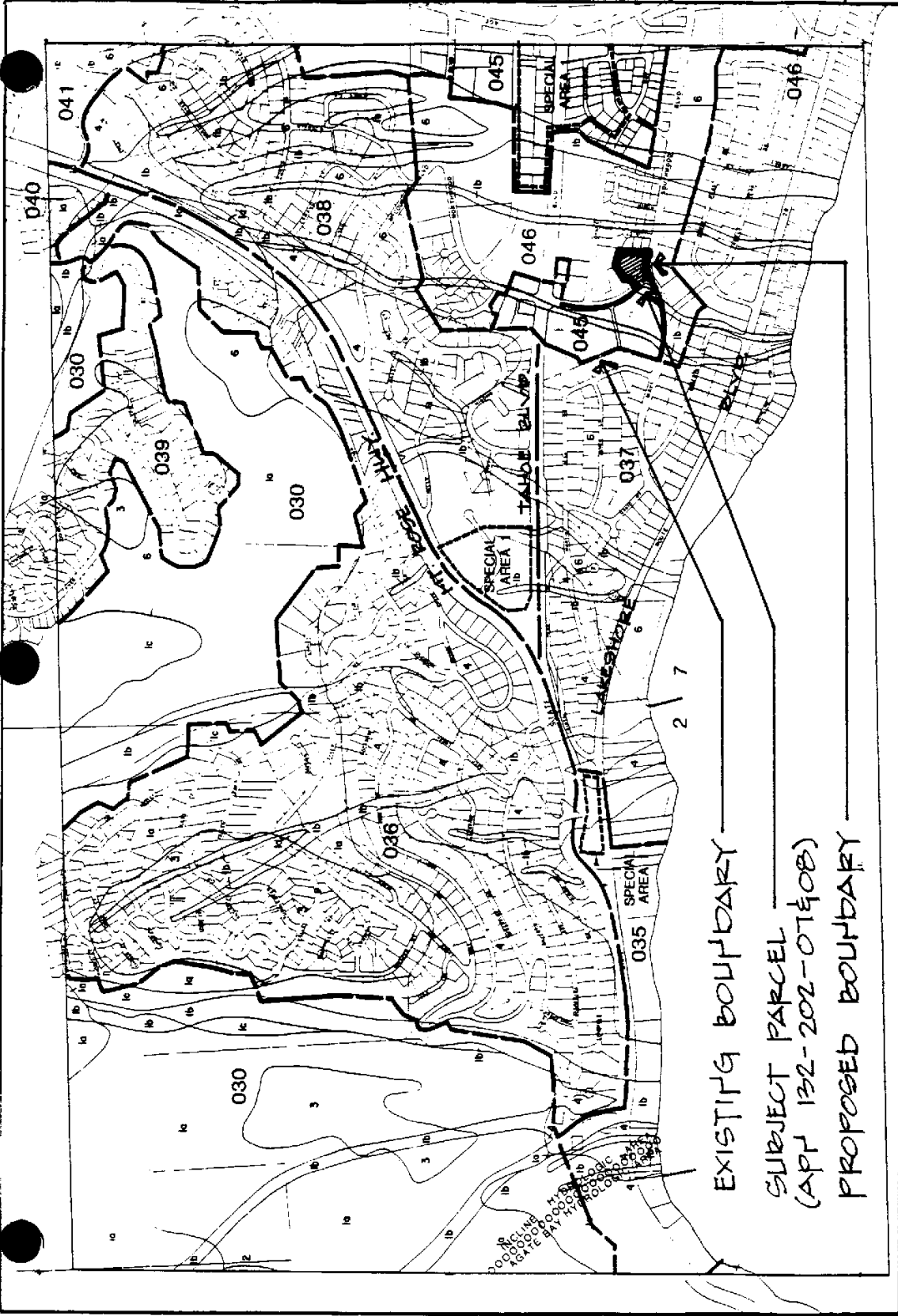
Rationale: Finding (f) is recommended for the reason of correcting the plan area boundary between Plan Area 045 and 046 to include a commercial parcel in Plan Area 045 (Incline Village Commercial). The proposed amendment is consistent with the existing Plan Area Statements and Maps.

Environmental Documentation: Based on the completion of an Initial Environmental Checklist, staff proposes a Finding of No Significant Effect (FONSE) for amending the plan area boundary between Plan Areas 045 and 046. The amendment is consistent with the Regional Plan.

Staff will begin this item with a presentation. Please contact Don Sargent at (702) 588-4547 if you have any questions or comments.

9/27/91

AGENDA ITEM IV D.



TAHOE REGIONAL PLANNING AGENCY