

**TRPA  
APC  
PACKETS**

**JULY  
1993**

TAHOE REGIONAL PLANNING AGENCY  
ADVISORY PLANNING COMMISSION  
NOTICE OF MEETING

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 Wednesday, July 14, 1993, at the Tahoe Sands Inn Convention Center, 3600 U.S. 50, South Lake Tahoe, California. The agenda for said meeting is attached hereto and made a part of this notice.

July 1, 1993

By: David S. Ziegler  
David S. Ziegler  
Executive Director

TAHOE REGIONAL PLANNING AGENCY  
ADVISORY PLANNING COMMISSION

Tahoe Sands Inn Convention Center  
3600 U.S. 50, South Lake Tahoe,  
California

July 14, 1993  
9:30 a.m.

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

AGENDA

I. CALL TO ORDER AND DETERMINATION OF QUORUM

II. APPROVAL OF AGENDA

III. DISPOSITION OF MINUTES

IV. PUBLIC HEARING AND RECOMMENDATIONS

A. Amendment of Chapter 30, Design Standards; Chapter 12, Regional Plan Maps; and Chapter 32, Regional Plan and Threshold Review, to Implement Scenic Resource Thresholds For Views From Public Recreation Areas 1

B. Amendment of Regional Plan Land Capability Overlay Map Pursuant to Man-Modified Determination, Tahoe Paradise Chevron, El Dorado County APN 34-671-03 2-8

C. Amendment of Plan Area Boundary Between PAS 028, Kings Beach Residential; PAS 029, Kings Beach Commercial; and PAS 031, Brockway Residential, to Add a Block of Parcels Located in PAS 029, Which Are Generally Located on Highway 28 Between Beaver Street and Chipmunk Street, to PAS 028, and to Make Tourist Accommodation Uses a Special Use in PAS 028 9-14

D. Amendment of PAS 043, Chateau/Country Club, and PAS 030, Mount Rose, to Include Washoe County APN 126-243-03 in PAS 043 15-18

E. Amendment of Prime Fish Habitat Map for Area East of Second Creek in Incline Village, Nevada 19

V. PLANNING MATTERS

A. Discussion on Employee Trip Reduction Program and Parking Ordinance 20-35

B. Other

VI. ADMINISTRATIVE MATTER

A. Review and Discussion of Five-Year Strategy (July 1993-June 1998) and Program of Work for FY 93-94 36-104

B. Other

VII. REPORTS

- A. Executive Director
- B. Legal Counsel
- C. APC Members
- D. Public Interest Comments

VIII. PENDING MATTERS

IX. RESOLUTIONS

X. ADJOURNMENT

# TAHOE REGIONAL PLANNING AGENCY

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## MEMORANDUM

July 5, 1993

**To:** Advisory Planning Commission

**From:** TRPA Staff

**Subject:** Amendment Of Chapter 30, Design Standards, Chapter 12, Regional Plan Maps; And Chapter 32, Regional Plan And Threshold Review, To Implement Scenic Resource Thresholds For Views From Public Recreation Areas

Proposed Action: Staff proposes to amend Chapter 30 of the Code to implement scenic quality thresholds from public outdoor recreation areas as called for in the 1991 Evaluation of Environmental Threshold Carrying Capacities and the Regional Plan. Related minor amendments to Chapter 12, Regional Plan Maps (the scenic overlay map), and Chapter 32, Regional Plan and Threshold Review are also proposed to complete implementation.

This matter is a B-List item (second highest priority) from the 91 Evaluation's schedule of implementation. As a B-List item it was targeted to be considered for adoption by June, 1993.

At the May, 1993 APC meeting, this matter was the subject of a public hearing. The APC took testimony at the public hearing which was subsequently continued. APC directed staff to contact recreation providers potentially affected by the amendments to provide an opportunity to update the inventories and recommendations. Staff has contacted them and provided copies of each area's resource evaluation. Those contacted were generally supportive of the amendments because they would help to preserve a high quality recreation experience.

The updating of the inventories and recommendations is still in progress. In August, a complete, revised package will be brought back to the APC for consideration.

AS/rd  
7/5/93

AGENDA ITEM IV.A.

# TAHOE REGIONAL PLANNING AGENCY

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## MEMORANDUM

July 1, 1993

**To:** Advisory Planning Commission

**From:** TRPA Staff

**Subject:** Amendment of Regional Plan Land Capability Overlay Map Pursuant to Man-Modified Determination, Daum, Tahoe Paradise Chevron; APN 34-671-03, 2986 U.S. Highway 50, El Dorado County

**Proposed Action:** To amend the Land Capability Overlay Map (F-21) to indicate a determination of man-modified on El Dorado County APN 34-671-03, Tahoe Paradise Chevron.

**Staff Recommendation:** Staff recommends that the Advisory Planning Commission recommend approval of the plan amendment which changes the land capability of the parcel from land capability class 1b to land capability class 5, with the following conditions:

1. A schedule for the installation of standard BMPs be completed by the owner and a security deposit be posted prior to the acknowledgement of any permits on this parcel. All BMPs must be installed prior to October 15, 1997. Implementation of BMP's relating to, but not limited to, rip-ping of compacted areas, revegetation, and stabilization of fill side-slopes, shall be required as part of onsite mitigation. The owner shall post a security equal to 110 percent of the project cost as determined by a licensed Civil Engineer or equivalent, to ensure completion of the necessary BMPs on the parcel.
2. Prior to the acknowledgement of a permit for a new project on this parcel which relies on the increase in the allowable land coverage associated with this man-modified determination, the owner shall restore 19,720 square feet of stream environment zone (SEZ). A funded and TRPA approved plan for the restoration of the SEZ area shall be completed by the applicant prior to acknowledgement of any permits. The restoration of SEZ shall occur on parcel APN 34-671-04, or on other parcels which have been designated as SEZ restoration sites within the Meyers Community Plan area.

JP/rd  
7/1/93

AGENDA ITEM IV.B.

**Background:** The Daum property is a 19,720 square foot parcel located at 2986 U.S. Highway 50, Meyers, California (see map, Exhibit 1). The field work for a man-modified determination was conducted in May, 1993 by a team of TRPA experts. At the time the man-modified determination request was filed in April 1993, a soils investigation report prepared by Porter Geotechnical was submitted to TRPA. A TRPA team of experts conducted their field investigation in May, 1993. The soils investigations were conducted by Joseph Pepi, TRPA's Certified Professional Soil Scientist, and the hydrologic evaluations and other field investigations were conducted by other TRPA staff.

A soils report was prepared and concluded the soils located on this parcel consisted of 2 to 6 feet of imported fill material placed over the native soils. This information is based on soil borings taken in close proximity to the soil boring locations completed by Porter Geotechnical. These reports support the conclusion that this parcel has been modified by the placement of fill material to the extent that the land capability has been significantly altered.

Chapter 20, Subsection 20.2.F of the TRPA Code of Ordinances, sets forth the standards for processing man-modified determinations. A man-modified determination is appropriate when land has been altered such that it no longer exhibits the characteristics of the original mapped land capability.

**Analysis:** The following analyses are provided to complete the man-modified report:

- (a) Geomorphic characteristics - The Geomorphic Analysis of the Lake Tahoe Basin (Bailey, 1974) maps this area within geomorphic units, E-3 (Alluvial lands, high hazard lands). The soils mapped on the parcel (see item c) are consistent with the mapped geomorphic hazard rating. Due to placement of fill material, the geomorphic unit for this parcel has been changed to E2 (Outwash, till, and lake deposits, low hazard lands).
- (b) Surface and subsurface hydrology - There is no evidence of near surface groundwater.
- (c) Physical/chemical soil characteristics - TRPA Land Capability Map F-21 shows this parcel in one land capability district and soil map unit. The land capability is Class 1b - Stream Environment Zone (SEZ) associated with the Lo (Loamy alluvial land) map unit. This parcel is mapped within one Geomorphic Unit, E-3 (Alluvial lands, high hazard lands) in the Bailey Geomorphic Analysis of the Lake Tahoe Basin. There is little or no native vegetation on the parcel, the majority of which is under asphalt pavement.

The soils on the parcel consist of coarse textured fill material placed over the native soils. The soils report prepared by Joseph Pepi is on file. One soil map unit was found on this parcel. Although the soils found on this parcel are not currently recognized in the Lake Tahoe Basin

Soil Survey (Rodgers, 1974), they are most similar to the MkB (Meeks gravelly loamy coarse sand, 0 to 5 percent slopes) map unit, which is in land capability class 5.

- (d) Erosion hazard - The slope on this parcel is flat and the majority of the parcel is paved. The soils on this site have low runoff potential and a slight relative erosion hazard.
- (e) Vegetation - There is little native vegetation on this parcel and the vegetation on the unpaved disturbed areas is sparse.
- (f) Land capability district - There was one land capability class found in this detailed soil investigation. This is land capability class 5 associated with MkB (Meeks gravelly loamy coarse sand, 0 to 5 percent slopes) map unit, as identified in the Soil Survey for the Lake Tahoe Basin and the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974)

Required Findings: The following is a list of required findings as set forth in Chapters 6 and 20 of the TRPA Code of Ordinances. Following each finding, TRPA staff has briefly summarized the evidence on which the required finding may be made.

A. 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 proposed amendment of the Regional Plan to amend TRPA land Capability Overlay Map F-21 is consistent with the procedures set forth in Chapter of the Code. No significant impacts on the Regional Plan, Goals and Policies, Plan Area Statements, the Code and other TRPA plans and programs are anticipated.

2. Finding: That the project will not cause the environmental thresholds to be exceeded.

Rationale: The amendment is consistent with the Regional Plan and will help attain the environmental thresholds.

3. Finding: Wherever federal, state and local air and water quality standards applicable for the Region, whichever are strictest, 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.

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: For the reasons stated in support of findings 1, 2, and 3 above, the proposed amendment will result in the Regional Plan Package continuing to achieve and maintain thresholds.

B. Section 20.2.F. Findings

Finding: The land was modified prior to February 10, 1972.

Rationale: The fill material was placed on the parcel in the mid-1960s prior to the 1972 cutoff date [Code of Ordinances Section 20.2.F(3)(a)]. Documentation of this is contained in the administrative record.

Finding: 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.

Rationale: Development of the graded area will not increase runoff or erosion provided all new development is completed with properly designed and installed BMPs which are properly maintained. Revegetation of the graded areas not utilized for development would enhance nutrient uptake and minimize surface erosion potential. There is no evidence of near surface groundwater and further development would not interfere with groundwater.

Finding: The land no longer exhibits the characteristics of land bearing the original land capability classification.

Rationale: The land capability of the parcel was mapped class 1b, based on the soil survey completed in 1972. The placement of fill material has raised the surface of the parcel so that no groundwater is encountered within 5 feet. Before the fill was placed, the parcel had native soils in which a seasonal high water table was found at a depth of 12 to 24 inches. Due to the change in ground surface level by placement of fill, the soils now exhibit the characteristics of a land capability class 5.

Finding: Restoration of the land in question is infeasible because of factors such as the cost thereof, a more positive cost-benefit ration would be achieved by off-site restoration, onsite restoration would cause environmental harm, restoration onsite would interfere with an existing legal use and the land is not identified for restoration by any TRPA program.

Rationale: Onsite restoration of the parcel to the original land form and corresponding slope gradient would require removal of an existing gasoline service station and up to 6 feet of fill material to recreate the original land surface. Restoration of the parcel to the original land surface level would severely impact the existing legal use of the parcel. There are no current TRPA plans for restoration of this parcel. The parcel is within the area designated by the Draft Meyers Community Plan for concentrated commercial development.

Finding: Further development can be mitigated offsite.

Rationale: The major impact related to the change in land capability of this parcel would be related to increased allowed land coverage. This loss of SEZ could be mitigated by offsite restoration of SEZ within the Meyers Community Plan Area. All new land coverage would be subject to the standard TRPA water quality mitigation fees.

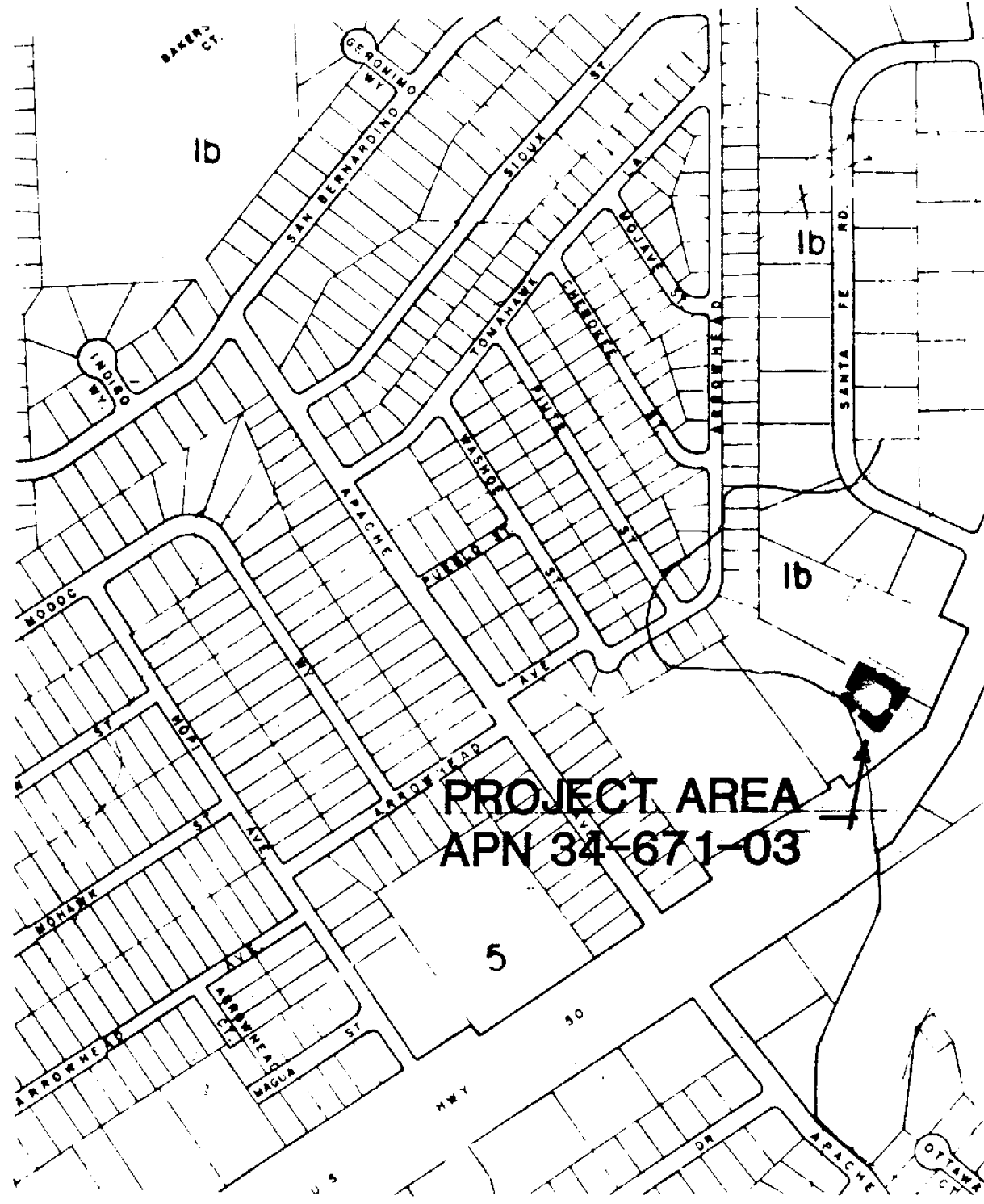
Finding: Mitigation to offset the losses caused by the modification of the land and pertinent land capability district shall be as follows: (i) onsite and offsite mitigation, (ii) pursuant to a maintenance program, including a schedule of maintenance proposed by the owner and approved by TRPA, and (iii) collection of a security, if deemed necessary by TRPA, to guarantee mitigation.

Rationale: The man-modifications of this parcel has resulted in an increased benefit to the owner in that there is an increase in allowed land coverage. The onsite mitigation for development of land coverage would entail runoff control of storm water by infiltration. Revegetation of disturbed areas would reduce runoff and erosion potential onsite. Onsite mitigation measures shall be in compliance with the TRPA BMP Handbook. The owner of the property shall include appropriate onsite mitigation measures with any project proposal submitted to TRPA, for review and approval.

There will be an increase of 4733 square feet in allowable coverage over the allowed land coverage associated with the previous mapped land capability, as a result of the man-modified determination. This increase in land coverage would not have been available to the property owner had the parcel remained in its natural state. This increase in land coverage can be mitigated offsite by restoration of 19,720 square feet of SEZ. The restoration of SEZ within the Meyers Community Plan Area can be accomplished by the owner restoring SEZ area on APN 34-671-04, or other parcels designated for SEZ restoration within the boundaries of the Meyers Community Plan Area.

The owner of the property shall include a program and schedule for maintenance of the required BMP's as a condition of approval by TRPA.

Conclusions: Agency staff has found that the original land surface has been filled to such an extent that it now has characteristics which would place it in a higher land capability class than the present class 1b associated with the Lo map unit. It is infeasible to restore the 1b land capability class.



**PROJECT AREA**  
**APN 34-671-03**

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## MEMORANDUM

July 1, 1993

**To:** Advisory Planning Commission

**From:** TRPA Staff

**Subject:** Amendment Of Plan Area Boundary Between PAS 028, Kings Beach Residential; PAS 029, Kings Beach Commercial; And PAS 031, Brockway Residential, To Add A Block Of Parcels Located In PAS 029 and PAS 031, Which Are Generally Located On Highway 28 Between Beaver Street And Chipmunk Street, To PAS 028, And To Make Tourist Accommodation Uses A Special Use In PAS 028

**Proposed Action:** The proposed action is a plan area boundary amendment and a permissible use amendment in Kings Beach. Specifically, the amendment will relocate a block of 13 parcels (listed below) into Plan Area 028, Kings Beach Residential. Two of the 13 parcels would be moved from Plan Area 031, Brockway Residential, and 11 would be moved from Plan Area 029, Kings Beach Commercial (community plan area). The amendment would also add hotels, motels, and other transient dwelling units to Plan Area 028 as a special use. This item was continued from the June, 1993 APC meeting.

The purpose for the amendment is to facilitate development of an affordable housing residential project, and make adjustments to the Plan Area Statements to reflect existing and proposed uses. Refer to Attachment A, Vicinity Map and Attachment B, Proposed Plan Area Statement Boundaries.

**Recommendation:** Staff recommends the Advisory Planning Commission recommend approval of the amendments to the Governing Board.

**Discussion:** The following 13 parcels are proposed to be relocated into Plan Area 028:

### Parcels Relocated From Plan Area 031 into Plan Area 028

<u>APN</u>	<u>Existing Use</u>	<u>Estimated Size (sq. ft.)</u>
90-222-28*	Single family residential	12,992
90-222-29*	Vacant	+14,732
Total number = 2 parcels		=27,724 sq. ft.
		= 0.63 acres

AS/rd  
7/1/93

AGENDA ITEM IV.C.

<u>APN</u>	<u>Existing Use</u>	<u>Estimated Size (sq. ft.)</u>
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Parcels Relocated From Plan Area 029 into Plan Area 028

90-222-07*	Multi-family residential (8 units)	19,786
90-222-08	Vacant	3,412
90-222-09	Vacant	6,953
90-222-10	Vacant	7,087
90-222-12	Foothill Motel (6 units)	11,250
90-222-13	Single family residential	7,525
90-222-15*	Vacant	12,090
90-222-16*	Multi-family residential (4 units)	8,275
90-222-17*	Multi-family residential (2 units)	6,338
90-222-18*	Multi-family residential (3 units)	9,219
90-222-19	Multi-family residential (2 units)	+10,000

Total number = 11 parcels =101,935 sq. ft.

= 2.34 acres

\* Parcels proposed by project applicant for affordable housing project.

As previously discussed with the APC, the project applicant desires to include the two parcels now in Plan Area 031 into the project to make it financially attractive.

The remaining 11 parcels, now in Plan Area 029, should be dealt with as a block to avoid spot zoning or bifurcating the plan area. The same 11 parcels were part of the Kings Beach Community Plan, however, none of the plan's incentives or community design improvements were targeted for them. The majority of existing uses on the parcels is multi-family residential. The Kings Beach Community Plan team concurs that multi-family residential is an appropriate use for the parcels except for the existing Foothill Motel. It will be accommodated by adding hotels, motels, and other transient dwelling units to Plan Area 028 as a special use.

Analysis: There are several older hotels and motels presently in Plan Area 028. They are not an allowed use under the current Regional Plan. Several of them may, in fact, be used as multi-family housing. The amendments will make those used as hotels and motels legal uses. There are no bonus tourist accommodation units assigned to or contemplated for Plan Area 028. Under the amendments, the hotels and motels could expand through transfer of existing units. The election of conversion of use provision in Chapter 33 of TRPA's Code of Ordinances will still be available to qualifying uses regardless of the amendments.

The two parcels presently in Plan Area 031 will have more available uses than are presently allowed if relocated to Plan Area 028. The six parcels presently in Plan Area 029 which are not a part of the proposed affordable housing project will generally be more restricted in terms of permissible uses if relocated to Plan Area 028.

Environmental Analysis: Staff has completed an Initial Environmental Checklist for the proposed action and proposes a finding of no significant effect (FONSE) because the amendments will not increase development potential otherwise permitted by the Regional Plan.

Required Findings: The following findings must be made prior to adopting the proposed amendments:

A. 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 project will not adversely affect implementation of the Regional Plan because it will not produce development greater than otherwise permitted by the Plan. The amendments will facilitate development of additional affordable housing which is advocated by the Regional Plan (Land Use Element, Housing Subelement, Goal #1). The Kings Beach Community Plan Area will be reduced by the amendments, thereby helping to concentrate commercial uses and resultant impacts.

2. Finding: That the project will not cause the environmental thresholds to be exceeded.

Rationale: The proposed action is not expected to cause the environmental thresholds to be exceeded because it approves no development otherwise inconsistent with the environmental threshold carrying capacities.

3. Finding: Wherever federal, state and local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(d) of the Compact, the project meets or exceeds such standards.

Rationale: Not applicable. Project applicants will continue to be subject to the Regional Plan package, including maintenance of applicable air and water quality standards.

4. Finding: The Regional Plan, as amended, achieves and maintains the thresholds.

Rationale: For the reasons stated in Finding 2 above, the Regional Plan will continue to achieve and maintain the thresholds.

Please contact Andrew Strain at (702) 588-4547 if you have any questions or comments regarding this agenda item.