

**TRPA
GOVERNING BOARD
PACKETS**

**JANUARY
1994**

NOTICE OF MEETINGS
TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

NOTICE IS HEREBY GIVEN that on January 26 and 27, 1994, the Governing Board of the Tahoe Regional Planning Agency will conduct its regular meeting. The January 26 session will commence at 9:30 a.m. at the South Lake Tahoe City Council Chambers, 1900 Lake Tahoe Boulevard, South Lake Tahoe, California. The January 27 session will commence at 8:30 a.m. at the TRPA office, 308 Dorla Court, Elks Point, Nevada. The official agenda is attached hereto and made a part of this notice.

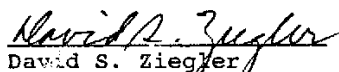
NOTICE IS FURTHER GIVEN that on January 26, 1994, at 8:30 a.m. at the same location, the Finance Committee will discuss the following: 1) receipt of the December financial statement and check register; 2) release of Air Quality Mitigation Funds (\$148,995) to the City of South Lake Tahoe for bus acquisition; 3) increase in outside legal counsel fees; 4) modification of filing fees; 5) quarterly status report on project securities; and 6) revisions to FY 93-94 operating budget. Finance Committee: Klein, Neft, Lau, Kanoff, Chairman Bennett)

NOTICE IS FURTHER GIVEN that on January 26, 1994, at 8:30 a.m. in the same location, the Legal Committee will discuss: 1) settlement of Vennard pier violation, 300 Highway 28, Washoe County APN 123-151-01); 2) performance evaluation of Special Projects Attorney (includes closed session without action); 3) increase in outside legal counsel fees; 4) reallocation of Bitterbrush mitigation fund; 5) Ronning resolution of enforcement, Washoe County APN 125-131-24; and 6) McGirr, resolution of enforcement; Douglas County APN 03-172-04. (Legal Committee: Upton, Westergard, Waldie, Cronk, Chairman DeLanoy)

NOTICE IS FURTHER GIVEN that on January 26, 1994, during the lunch recess, the Rules Committee will meet at Passaretti's Restaurant, 1181 Emerald Bay Road, South Lake Tahoe, to discuss an affirmative action policy and a conflict of interest policy. (Rules Committee: Sevison, DeLanoy, Bradhurst, Lau, Chairman Waldie)

NOTICE IS FURTHER GIVEN that on January 27, 1994, at 9:00 a.m. in the TRPA office, 308 Dorla Court, Elks Point, Nevada, the Capital Financing Committee will meet to discuss: 1) priorities for the capital improvements program; and 2) status report on capital financing plan. (Capital Financing Committee: Bennett, Westergard, Cronk, Waldie, Chairman Upton)

Date: January 18, 1994


David S. Ziegler
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.

This agenda has been posted at the TRPA office and at the following post offices: Zephyr Cove and Stateline, Nevada, and Tahoe Valley and Al Tahoe, California. The agenda has also been posted at the North Tahoe Conference Center in Kings Beach, the Incline Village GID office, and the North Lake Tahoe Chamber of Commerce.

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

South Lake Tahoe City Council Chambers
1900 Lake Tahoe Boulevard
South Lake Tahoe, California

January 26, 1994
9:30 a.m.

TRPA Office, 308 Dorla Court
Elks Point, Nevada

January 27, 1994
8:30 a.m.

All items are action items unless otherwise noted.

OFFICIAL AGENDA

- I. PLEDGE OF ALLEGIANCE
- II. ROLL CALL AND DETERMINATION OF QUORUM
- III. PUBLIC INTEREST COMMENTS (No Action)

Any member of the public wishing to address the Governing Board on any agenda item not listed as a Project Review, Public Hearing, Appeal, or Planning Matter item may do so at this time. However, public comment on Project Review, Public Hearing, Appeal and Planning Matter items will be taken at the time those agenda items are heard.

NOTE: THE GOVERNING BOARD IS PROHIBITED BY LAW FROM TAKING IMMEDIATE ACTION ON, OR DISCUSSING ISSUES RAISED BY THE PUBLIC THAT ARE NOT LISTED ON THIS AGENDA.

- IV. APPROVAL OF MINUTES
- V. APPROVAL OF AGENDA
- VI. CONSENT CALENDAR (see page 3)
- VII. PROJECT REVIEW

- A. Zephyr Point Presbyterian Conference Commission, Special Use Determination, Expansion of Group Recreation Facility Requiring Allocation of PAOTs, 660-670 U.S. 50, Douglas County APN 05-100-01
- B. Lake Tahoe Community College, Phase II North Addition, El Dorado County APNs 025-010-24 and -34, 025-041-10, and 031-011-02, City of South Lake Tahoe, and Discussion on Pertinent Height Regulations
- C. Douglas County, Kahle Park, APNs 07-130-03 and -04 (This item must be acted on after action on agenda item VIII.B.)

56-92

93-108

109-127

VIII. PUBLIC HEARING AND ADOPTION OF ORDINANCES/RESOLUTIONS

- A. Application by Placer County to Amend the Regional Plan Land Capability Overlay Map Pursuant to Man-Modified Determination, Placer County APNs 94-190-22 and -26, Payless Drug Stores Northwest 128-205
- B. Resolution Adopting 1994-1998 List of Additional Public Service Facilities Pursuant to Section 33.7 206-209
- C. Resolution Adopting 1994-1998 List of Additional Recreation Facilities Pursuant to Section 33.6 210-214

IX. APPEALS

- A. Robert Meyers, Appeal of IPES Score, El Dorado County APN 22-221-01 215

X. ADMINISTRATIVE MATTERS

- A. Performance Review of Special Projects Attorney (Including Closed Session Without Action)
- B. Process for Selection of Executive Director; Resolution Establishing Governing Board Committee 216
- C. Resolution Modifying Filing Fee Schedule 217-222
- D. Increase in Outside Agency Counsel Fees -
- E. Status Report on Mitigation Measures in 1991 Threshold Evaluation 223-226

XI. PLANNING MATTERS

- A. Discussion on TRPA/Local Jurisdiction Substitute Sign, Parking, and Design Standards and Guidelines 227
- B. Policy Determination Regarding Modification and Expansion of Existing Shorezone Structures Located in Fish Habitat (Code Section 52.3.G(2)) - Wednesday, 1:30 p.m. 228-260
- C. Presentation of the Team-Recommended Tahoe City Community Plan 261-268
- D. Presentation of the Team-Recommended Stateline/Ski Run Community Plan 269-276
- E. Chapter 97, Employer-Based Trip Reduction Ordinance 277-294
- F. Workshop on Subdivision Provisions (No Action) 295-311

XII. COMMITTEE RECOMMENDATIONS AND BOARD ACTION

- A. Finance Committee
 - 1. Receipt of December Financial Statement and Check Register

- 2. Revisions to FY 93-94 Operating Budget
- B. Legal Committee
 - 1. Vennard, Settlement of Pier Violation, 300 Highway 28, Washoe County APN 123-151-01 312-332
 - 2. Reallocation of Bitterbrush Mitigation Fund 333-334
- C. Rules Committee
 - 1. Affirmative Action Policy
 - 2. Conflict of Interest Policy
- D. Capital Financing Committee
 - 1. Report on Status of Capital Improvements Program 335-336

XIII. REPORTS

- A. Executive Director
 - 1. Status Report on Processed Projects 337-
 - 2. Status Report on IPES and Land Capability Determinations 338
 - 3. Quarterly Status Report on Project Securities 339-
- B. Agency Counsel
- C. Governing Board Members (No Action)

XIV. RESOLUTIONS

- A. In Support of Funding for Tree Removal for Long-Term Fire Hazard Reduction in the Lake Tahoe Basin 340-343

XV. ADJOURNMENT

I. MEETING OF THE REGIONAL TRANSPORTATION PLANNING AGENCY (RTPA)

- A. Amendment of the Regional Transportation Improvement Program (RTIP) Program 344-351

CONSENT CALENDAR

<u>Item</u>	<u>Recommendation</u>	
1. City of South Lake Tahoe, Request for Air Quality Mitigation Funds (\$148,995) for Bus Acquisition	Approval	1
2. Caltrans, Bridge 25-16 Replacement (Taylor Creek), California 89, El Dorado County, TRPA Project Number 520-201-93	Approval of Findings and Conditions	2-15

- 3. Handal, Special Use Determination, Veterinary Hospital, 1030 Emerald Bay Road, City of South Lake Tahoe, El Dorado County APN 23-430-32 Approval of Findings 16-21
- 4. Ronning, Resolution of Enforcement, Washoe County APN 125-131-24 Approval 22-23
- 5. U.S. Forest Service, Special Use Determination, Valhalla Boathouse Conversion, El Dorado County, TRPA Project Number 580-110-91 Approval of Findings 24-32
- 6. McGirr, Resolution of Enforcement, Douglas County APN 03-172-04 Approval 33
- 7. Wayne Prim, Land Capability Challenge, Washoe County APN 126-251-24 Approval 34-55

These consent calendar items are expected to be routine and noncontroversial. They will be acted upon by the Board at one time without discussion. The special use determinations will be removed from the calendar at the request of any member of the public and taken up separately. If any Board member or noticed affected property owner requests that any item be removed from the calendar, it will be taken up separately in 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

308 Dorla Court
Elks Point, Nevada

P.O. Box 1038
Zephyr Cove, Nevada 89448-1038

(702) 588-4547
Fax (702) 588-4527

MEMORANDUM

January 12, 1994

To: TRPA Governing Board

From: TRPA Staff

Subject: Release of Air Quality Mitigation Funds to the City of South Lake Tahoe (\$148,995) for Acquisition of Four New Buses for STAGE

Proposed Action: To approve the release of \$148,995 of Air Quality Mitigation Funds to the City of South Lake Tahoe for the acquisition of four new buses for South Tahoe Area Ground Express (STAGE).

Staff Recommendation: The staff recommends the release of \$148,995 to the City of South Lake Tahoe to provide matching funds for the acquisition of four new buses for the South Tahoe Area Ground Express (STAGE).

Discussion: Section 93.5 of the TRPA Code of Ordinances specifies the manner in which air quality mitigation funds are to be used and distributed. The mitigation fees collected by TRPA are held in a trust account for the jurisdictions within which projects are being completed. TRPA disburses these funds to the jurisdictions upon their request, provided that TRPA finds that the proposed use of the mitigation funds are consistent with TRPA's adopted Regional Transportation Plan - Air Quality Plan for the Lake Tahoe Region.

The City of South Lake Tahoe has requested the release of Air Quality Mitigation funds in the amount of \$148,995. These funds are to be used to provide matching funds for a Federal Transit Administration (FTA) Grant which will be used to purchase four new buses for STAGE. The buses will be arriving mid-February, and the City must have the funds readily available in order to meet the requirements of the federal grant.

Staff has reviewed the City's request for the release of air quality mitigation funds held by TRPA. The proposed use of the funds is consistent with the Regional Transportation Plan - Air Quality Plan for the Lake Tahoe Region.

If there are any questions regarding this agenda item, please contact Bridget Mahern at (702) 588-4547.

/bm

Consent Calender Item 1

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Caltrans Bridge No. 25-16 Replacement and Modification

Application Type: Public Service

Applicant: California Department of Transportation (Caltrans)

Applicant's Representative: Philip Zink, Caltrans

Agency Planner: Kathy Canfield, Associate Planner

Location: California 89 at the Taylor Creek Crossing, El Dorado County

Project Number/File Number: 520-201-93/930435

Staff Recommendation: Staff recommends approval of the subject project, as conditioned. The required actions and recommended conditions are outlined in Section E of this staff summary.

Project Description: The applicant is proposing to replace the existing deteriorating bridge, center pier and abutments at the Taylor Creek crossing and reconstruct a new bridge structure and roadway approach. The replacement includes a single-span precast concrete slab structure with two 12-foot lanes, 4-foot shoulders and safety barrier railing. The applicant had initially proposed to construct a solid concrete bridge railing for the length of the bridge. The existing bridge railing allows views to Taylor Creek which the scenic roadway unit has identified as a scenic resource. The applicant has revised the original submittal to propose a bridge railing that allows views to Taylor Creek. The approach roadway will have two 12-foot lanes and paved shoulders varying from zero to four feet. The bridge reconstruction will change the width of the structure from an existing 24 feet to a proposed 32 feet, and will require additional fill slopes to be constructed at 2:1 or flatter. All slopes within the project area will be revegetated and stabilized as necessary. The project is designed to maintain the existing bridge and roadway alignment, which minimizes the amount of ground disturbance. The proposed bridge replacement at Taylor Creek will constitute an encroachment into the 100-year floodplain, however measures to minimize floodplain impacts have been incorporated into the design of the project, to the extent practicable.

Site Description: Taylor Creek Bridge (#25-16) is located on California 89 at the Taylor Creek crossing in El Dorado County. This two-lane wide, 44-foot-long concrete bridge was built in 1929. The bridge is supported by a reinforced concrete pier and abutments on spread footings which are deteriorating. The bridge railing, transitions, and approach railings are considered functionally obsolete by current Caltrans standards. Repeated flooding has damaged the bridge structure and road approaches.

Issues: The proposed project involves a modification to a Stream Environment Zone (SEZ) and is a special use for the plan area, therefore, requiring Governing Board review in accordance with Chapter 4, Appendix A, of the TRPA Code of Ordinances. The primary project related issues are:

1. Traffic Circulation:

The applicant is proposing to replace a total of five existing bridges (2 Upper Truckee River bridges and Trout Creek, Cascade Creek and Taylor Creek bridges) within El Dorado County and the City of South Lake Tahoe. The Governing Board approved the replacement of the Upper Truckee River bridges, Trout Creek and Cascade Creek bridges at the December, 1993, Governing Board hearing. The work on the Taylor Creek bridge is scheduled to begin August 1, 1994 and to be completed by September 30, 1994. The Upper Truckee River bridges and Trout Creek bridge will also be under construction at the same time.

The applicant has developed a Traffic Management Plan to minimize traffic delays and to provide safety to both the public and construction workers. The plan allows for one-way traffic controls through the project area and pedestrian and bicycle access. Emergency vehicles will be allowed to pass through the project area by having traffic flaggers equipped with hand-held two-way radios. The applicant will prohibit limiting the flow of one way traffic control during weekends and holidays. Changeable message signs will be temporarily installed to alert motorists of construction. The applicant will also release construction information to the media on a weekly basis.

2. Water Quality:

The applicant will be required to install both temporary and permanent Best Management Practices (BMPs). Detailed BMP plans shall be submitted to TRPA for review and approval prior to final acknowledgement of the permit. At a minimum, the applicant will construct coffer dams within the stream channel to allow for the removal of the existing structures and construction of the abutments. All water captured within the coffer dams will be pumped into a settling basin or transported offsite. Temporary erosion control fencing, straw bales, rock-lined channels and sand trap and grease/oil separator drop inlets shall be included as part of the project.

In addition to BMPs, the applicant will also be required to mitigate relocated land coverage within the Stream Environment Zone (SEZ). The TRPA Code of Ordinances requires the applicant to mitigate the relocated land coverage at a rate of 1.5:1. Prior to final acknowledgement of the permit, the applicant will be required to provide SEZ restoration plans.

3. Stream/Fish Habitat:

Taylor Creek is identified as a migratory fish habitat of excellent status. The TRPA Goals and Policies states that development proposals shall evaluate the impacts to fisheries and improve aquatic habitat essential for fish resources in the Lake Tahoe Basin.

The applicant has coordinated with the California Department of Fish and Game to develop an agreement for work within Taylor Creek that is acceptable to both agencies. All work within the stream bed, or directly affecting water quality, shall be limited to the time between August 1 through September 30. All work within the stream bed shall be done by hand tools or the applicant will be required to construct coffer dams. The coffer dams will be placed so as not to impede the movement of fish at any time. Water removed from the coffer dams will be pumped either to settling ponds or transported offsite. Temporary BMPs will be implemented throughout construction to prohibit earthen or man-made materials from entering the creek.

4. Scenic:

This project is located along Scenic Roadway Unit 2, Camp Richardson, which is in attainment. Taylor Creek has been identified as Scenic Resource 2.2 along the roadway unit. The current scenic quality of Taylor Creek has been rated high.

The existing and proposed views of Taylor Creek have been simulated in order for Agency staff to analyze the proposed project. The applicant must demonstrate that the proposed project will not degrade the existing rating of both the roadway unit and the individual resources along the roadway unit. The applicant initially proposed to construct a solid concrete railing across the length of the bridge. The proposed railing would have blocked existing views to Taylor Creek, decreasing the scenic quality of the resource. The applicant has revised the proposed plans to include a Type 9-11 bridge railing which allows views to Taylor Creek. Agency staff has reviewed schematics of the Type 9-11 railing (the same type railing approved for the Cascade Creek crossing) and has determined that this railing will not degrade the scenic roadway unit or the scenic resource.

Staff Analysis:

- A. Environmental Documentation: The applicant has completed an Initial Environmental Checklist (IEC) in order to assess the potential environmental impacts of the project. No significant environmental impacts were identified and staff has concluded that the project, as conditioned, will not have a significant effect on the environment. A copy of the completed IEC will be made available at the Governing Board hearing and at TRPA.
- B. Plan Area Statement: The project is located within Plan Area 128, Baldwin, and Plan Area 129, Fallen Leaf North. The Land Use Classifications for Plan Areas 128 and 129 are Recreation and the Management Strategies are Mitigation. Agency staff has reviewed the subject Plan Areas and has determined that the project is consistent with the applicable planning statements, planning considerations and special policies. The proposed activity (transportation routes) is listed as a special use for both Plan Areas.
- C. Land Coverage:
1. Land Capability District:

The verified land capability district for the project area is class 1b (Stream Environment Zone) which allows for 1% land coverage.
 2. Allowable Land Coverage:

34,368 square feet (project area) x 1% = 343 square feet
 3. Existing Land Coverage:

Soft Coverage: 5,551 square feet
Hard Coverage: 10,858 square feet
Total: 16,409 square feet
 4. Proposed Land Coverage:

Soft Coverage: 1,461 square feet
Hard Coverage: 14,176 square feet
Total: 15,637 square feet
 5. Relocated Land Coverage:

Approximately 2,229 square feet of land coverage will be relocated within the project area.

6. Land Coverage Mitigation:

Based on the above figures, the project area has approximately 16,066 square feet of excess land coverage. Subsection 20.5.B(5) exempts the repair of linear public service facilities from excess land coverage mitigation.

Relocated land coverage within SEZs requires a 1.5:1 SEZ restoration. The applicant is proposing to relocate 2,229 square feet of land coverage. The applicant will be required to restore 3,344 square feet of SEZ land.

D. Required Findings: The following is a list of the required findings as set forth in Chapters 6, 18, 20 and 28 of the TRPA Code of Ordinances. Following each finding, Agency staff has briefly summarized the evidence on which the finding can be made.

1. 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.
 - a. Land Use: The project is the replacement of an existing bridge with no change in use. Both temporary and permanent BMPs will be applied to the project area. Transportation routes are a special use for the plan area.
 - b. Transportation: Replacement of an existing bridge will not increase additional daily vehicle trips. Temporary impacts to transportation during construction are addressed in the Caltrans Traffic Management Plan. Mitigation measures to the temporary construction activity include providing one lane of controlled traffic during construction, limiting lane closures to weekdays and non-peak hours only, keeping existing bike path open, and providing construction signs and media notification.
 - c. Conservation: This project is located along Scenic Roadway Unit 2, and Taylor Creek is identified as Scenic Resource 2.2 which has a high scenic rating. The applicant has submitted scenic simulations that demonstrate that the proposed project, as conditioned, will not degrade the existing scenic roadway unit and resource ratings. The applicant is proposing to improve stream habitat by removing existing supports within the creek and replacing the bridge with a span over the creek. As part of the revegetation and slope stabilization, the applicant will include wildlife and fish habitat improvements as

conditioned in the permit. There are no known TRPA special interest species, sensitive or uncommon plants or cultural resources within the project area.

- d. Recreation: This project does not involve any recreation facilities or uses. The existing bike path located adjacent to the project area will be available for use throughout the construction period.
 - e. Public Service and Facilities: The proposed project will replace an existing deteriorating bridge. The project is not required to be included on the TRPA Public Service List in accordance with Chapter 33 of the TRPA Code of Ordinances.
 - f. Implementation: This project does not require any allocations of development.
2. The project will not cause the environmental threshold carrying capacities to be exceeded.

The basis for this finding is provided on the checklist entitled "Project Review Conformance Checklist and Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA.

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

(Refer to paragraph 2, above.)

4. The project, to which the use pertains, is of such a nature, scale, density, intensity and type to be an appropriate use for the parcel on which, and surrounding area in which, it will be located.

The project proposes to replace an existing bridge structure. This bridge is a major transportation route between the City of South Lake Tahoe and Tahoe City.

5. The project, to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water and air resources of both the applicant's property and that of surrounding property owners.

The applicant is proposing to replace an existing bridge structure. The existing bridge has concrete deterioration that could pose safety problems in the future if not corrected. The applicant will apply both temporary and permanent BMPs within the project area.

6. The project, to which the use pertains, will not change the character of the neighborhood, detrimentally affect or alter the purpose of the applicable planning area statement, community plan and specific or master plan, as the case may be.

The bridge replacement, though wider, will be constructed on the same alignment at the existing bridge and the existing transportation route. The proposed bridge will not increase the amount of traffic currently using the bridge. The project is consistent with TRPA planning documents.

7. Existing land coverage may be relocated within the same project area if the relocation is to an equal or superior portion of the parcel or project area.

The relocated land coverage will be added to the overall bridge and bridge approach widths. The majority of the relocated land coverage will be converted from soft coverage to hard coverage.

8. Existing land coverage may be relocated within the same project area if the area from which the land coverage was removed for relocation is restored in accordance with Subsection 20.4.C of the TRPA Code of Ordinances.

The applicant will be required to restore 1.5:1 SEZ land (3,344 square feet). Prior to final acknowledgment of the permit, the applicant will be required to submit detailed SEZ restoration plans.

9. Existing land coverage may be relocated within the same project area if the relocation is not to Land Capability Districts 1a, 1b, 1c, 2, or 3, from any higher numbered land capability district.

Land coverage will be relocated within the same land capability district, land class 1b (SEZ). The applicant will be required to mitigate the relocated land coverage in accordance with Chapter 20 of the TRPA Code of Ordinances.

10. Existing land coverage may be relocated within the same project area if the relocation is from one portion of a stream environment zone to another portion, there is a net environmental benefit to the stream environment zone.

The relocation of land coverage will require restoration of 3,344 square feet of SEZ land.

11. The project is necessary for public health, safety, or environmental protection.

The applicant is replacing an existing deteriorating bridge structure that could pose safety problems in the future if not replaced.

12. There is no reasonable alternative, including spans, which avoids or reduces the extent of encroachment in a flood plain.

The applicant has proposed to remove the existing bridge structures within the stream bed. The proposed replacement bridge will span Taylor Creek.

13. The impacts of the flood plain are minimized.

The applicant has proposed to remove existing structures within the stream bed and proposes to replace the bridge with a span across Taylor Creek. The applicant will also develop a debris removal schedule for the Caltrans right-of-way easement.

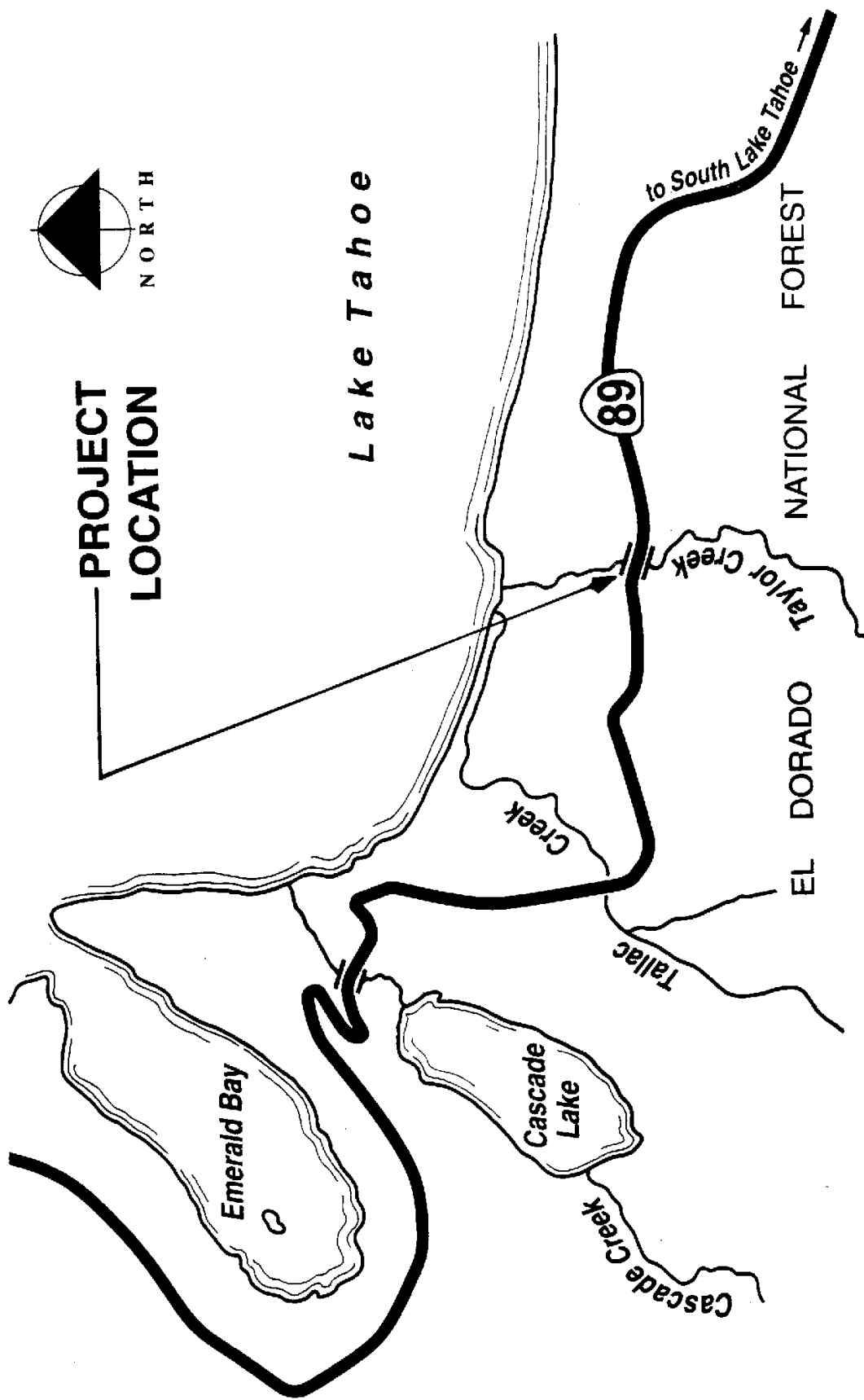
- E. Required Actions: Agency staff recommends that the Governing Board approve the project by making the following motions based on this staff summary and the evidence contained in the record:

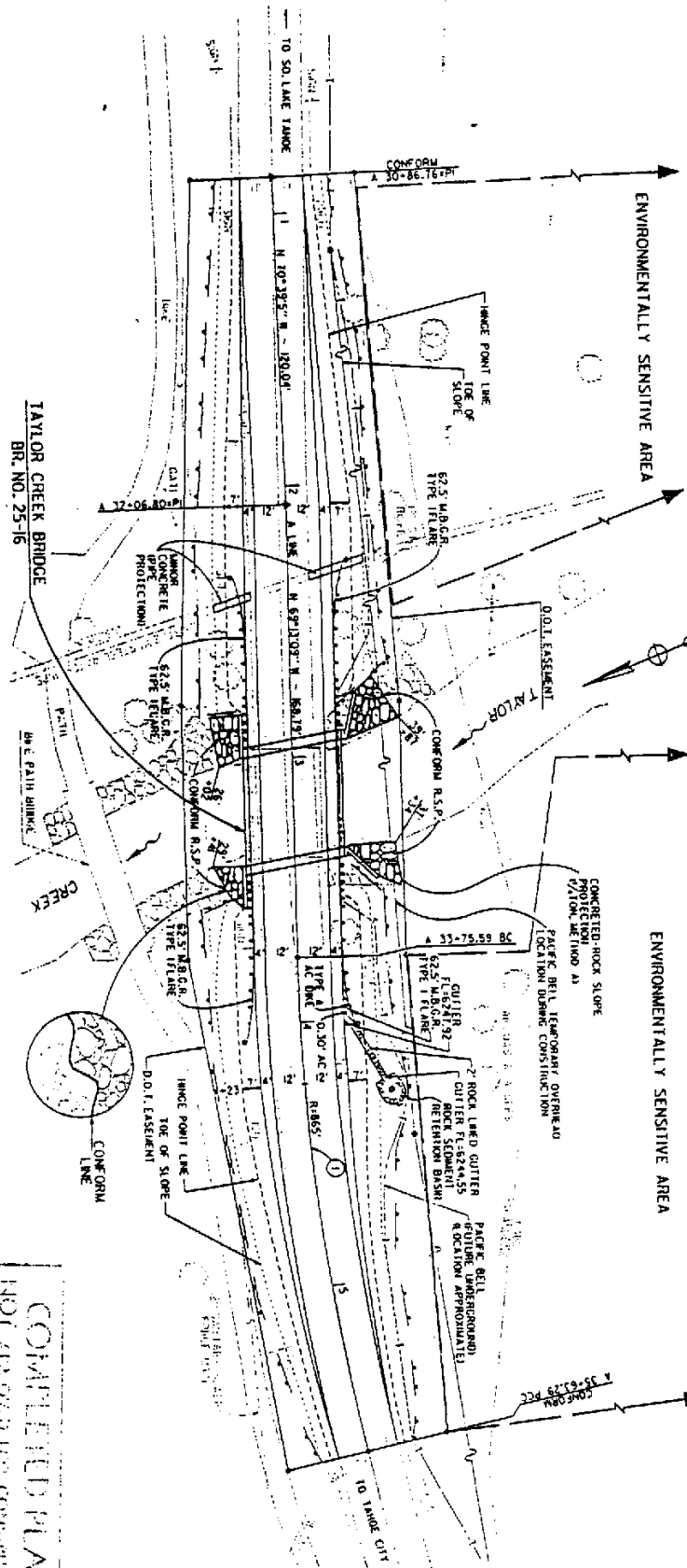
- I. A motion based on this staff summary, for the findings contained in Section D above, and a finding of no significant environmental effect.
- II. A motion to approve the project, based on the staff summary, subject to the following conditions:
- A. The Standard Conditions of Approval listed in Attachment Q.

- B. Prior to final acknowledgement of the permit, the following special conditions of approval must be satisfied:
1. The site plan shall be revised to include:
 - a. A note and detail of the Type 9-11 bridge railing. The permittee shall install the Type 9-11 bridge railing, or equivalent, subject to TRPA staff review and approval.
 - b. Guard rails approaching the bridge. The location and design of the guard rails shall be included on the submitted plans to be reviewed and approved by TRPA staff. The permittee shall demonstrate that the proposed length of the guard rails are the minimum necessary for the project. The design of the guard rails shall incorporate the design of the bridge railings. No trees shall be removed to construct guard rails unless approved by TRPA staff.
 - c. Proposed trees to be removed, if any. All tree removal shall be reviewed and approved by TRPA staff.
 - d. Location of proposed access to Taylor Creek and any vegetation removal. Vegetation protection fencing shall be installed in the remaining portion of the project area.
 2. The permittee shall submit a detailed restoration plan for TRPA review and approval. The permittee shall demonstrate that a minimum of 3,344 square feet of SEZ land shall be restored. A schedule of the restoration shall be included in the plan.
 3. The permittee shall submit a detailed temporary Best Management Practices (BMPs) plan. At a minimum, the plan shall include a BMP installation schedule, locations of temporary BMPs, and details of all work to be performed within Taylor Creek and the BMPs associated with that work.
 4. The permittee shall submit a detailed permanent Best Management Practices (BMPs) plan. At a minimum, this plan shall include sand/grease/oil separators, infiltration and treatment basins, storm water conveyance structures, a maintenance schedule, and engineered calculations demonstrating infiltration and treatment of all storm runoff for a 20 year - 1 hour storm event. The

calculations shall address runoff within the project area and any runoff entering the project area from Caltrans easements or right-of-way. If infiltration is not feasible, the permittee shall develop a monitoring plan demonstrating compliance with surface discharge to surface water limits as outlined in Chapter 81 of the TRPA Code of Ordinances. This plan shall be reviewed and approved by TRPA.

5. The permittee shall submit a site plan of the proposed construction staging area for TRPA review and approval.
 6. The permittee shall submit a construction schedule for the project.
 7. The permittee shall submit a slope stabilization plan for all slopes within the project area for TRPA review and approval. All cut and fill slopes greater than 2:1 shall be stabilized with methods consistent with the TRPA Handbook of Best Management Practices. All denuded areas, including slopes less than 2:1 shall be vegetated with approved species listed in the TRPA Handbook of Best Management Practices. Wildlife and stream habitat improvement shall be incorporated into any revegetation and/or slope stabilization plans.
 8. The permittee shall submit a sign plan for the project area. The permittee shall demonstrate that the proposed signs conform to Subsection 30.13.C(2) of the TRPA Code of Ordinances.
 9. The permittee shall develop a debris removal schedule for Taylor Creek and its banks within the Caltrans right-of-way/easement for TRPA review and approval.
 10. The permittee shall submit three sets of final construction drawings and site plans to TRPA.
- C. All existing overhead utilities within or along the project area shall be placed underground. All utility poles shall be removed.





CLUMP DATA

NO.	R	A	L
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			487.10

SYMBOLS:
 ENVIRONMENTALLY SENSITIVE AREA
 ASPHALT / CONCRETE INTERSECTIONS AREA

NOTES:
 COORDINATE SYSTEM ARE ON THE GRID OF THE CALIFORNIA STATE COORDINATE SYSTEM, ZONE 2. GRID DISTANCES AND GRID BEARINGS SHOWN TO OBTAIN GRID COORDINATES. GRID DISTANCES BY 0.99982. FOR COMPLETE RIGHT OF WAY DATA, SEE RIGHT OF WAY RECORD MAPS AT DISTRICT OFFICE.

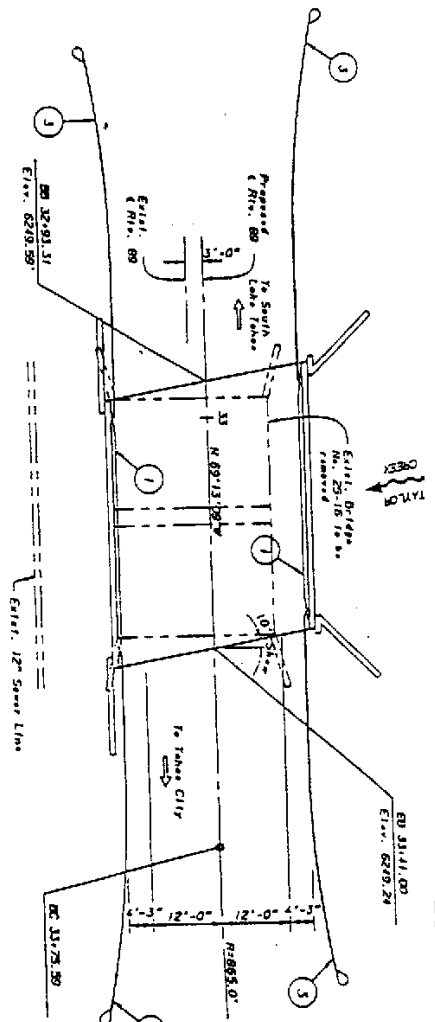
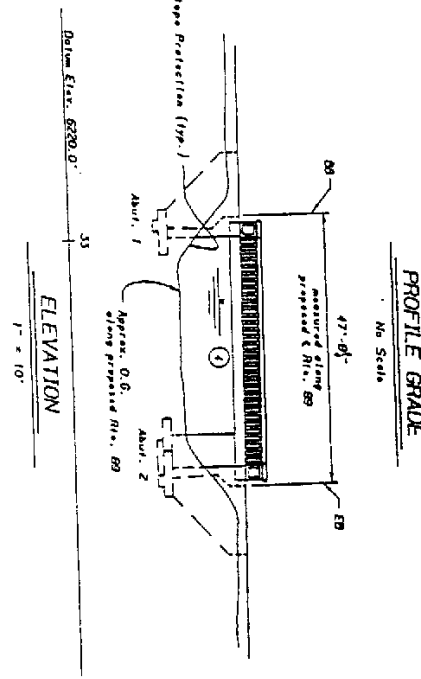
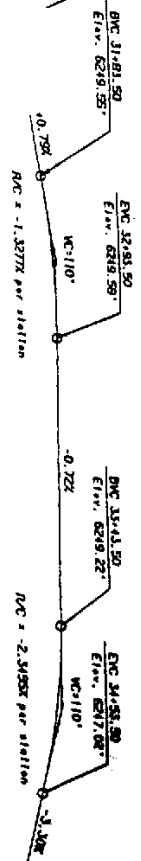
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REGISTERED CIVIL ENGINEER
 Andrew Brandt
 State of California
 License No. 41584
 Exp. 12/31/97

COMPLETED PLAN
 NOT APPROVED FOR CONSTRUCTION

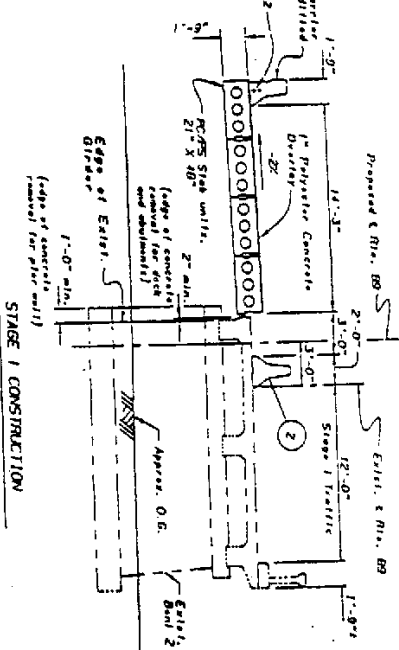
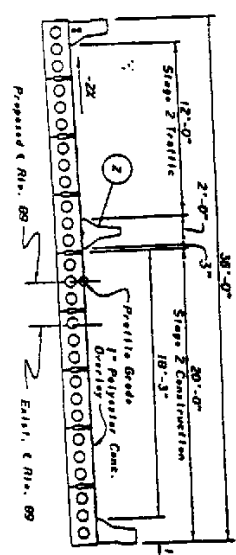
PLAN
 SCALE 1"=20'

LAYOUT
 SCALE AS SHOWN
 L-1



INCOMPLETE PLAN
FOR DESIGN STUDY
PRINTED
DEC 30 1952
Office of Structure Design
STATE OF CALIFORNIA

- Notes:
- 1) Point TRM NO. 25-16" and TAYLOR CREEK BRIDGE"
 - 2) Temporary railing, Type "W". See "Road Plans". See "MISCELLANEOUS DETAILS" Sheet
 - 3) U&R. See "Road Plans".
 - 4) For Hydrological Summary, See "FLOOD CONTROL PLAN" Sheet
 - 5) For Index of Plans, Standard Plans List, "DESIGN CONFERENCE SHEET"



PLAN
CHECKED
DETAILS

NOTE: CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND FIELD DIMENSIONS BEFORE ORDERING OR FABRICATING ANY MATERIAL.

TYPICAL SECTION
1" = 1'-0"

DESIGNER	DATE	PROJECT	NO.	SCALE
L. A. SHERMAN	12-30-52	TAYLOR CREEK BRIDGE (REPLACE)	1	1" = 1'-0"
CHECKED	DATE	PROJECT	NO.	SCALE
L. A. SHERMAN	12-30-52	TAYLOR CREEK BRIDGE (REPLACE)	1	1" = 1'-0"
APPROVED	DATE	PROJECT	NO.	SCALE
L. A. SHERMAN	12-30-52	TAYLOR CREEK BRIDGE (REPLACE)	1	1" = 1'-0"
STATE OF CALIFORNIA	DIVISION OF STRUCTURES			
DEPARTMENT OF TRANSPORTATION	STRUCTURE DESIGN 14			
PROJECT NO.	CA 314911	DATE	12-30-52	SCALE
PROJECT NO.	CA 314911	DATE	12-30-52	SCALE

REGISTERED ENGINEER - CIVIL
L. A. SHERMAN
12-30-52
1" = 1'-0"

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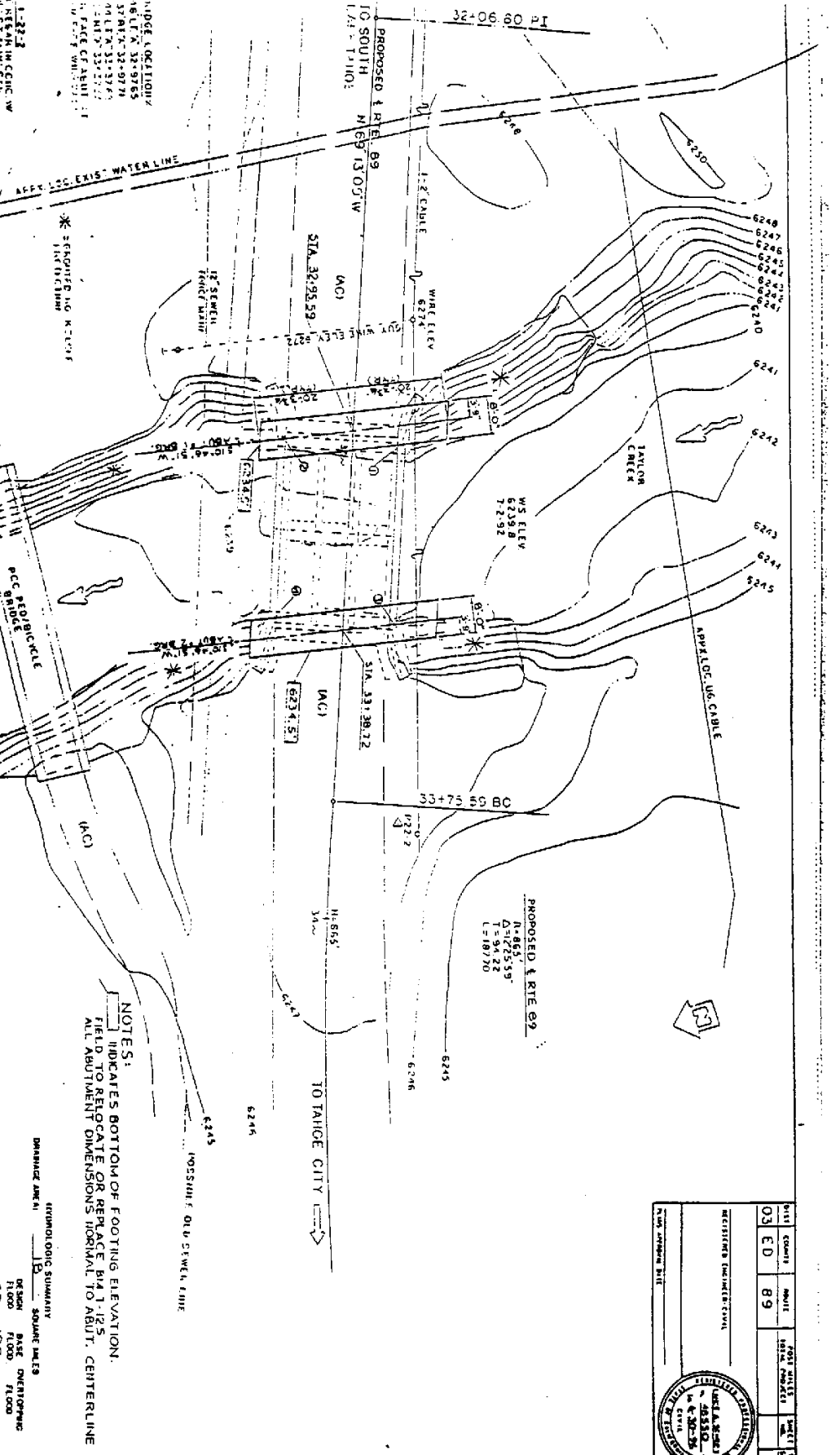
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NOTE 5:
 INDICATES BOTTOM OF FOOTING ELEVATION.
 FIELD TO RELOCATE OR REPLACE BID 1-125
 ALL ABUTMENT DIMENSIONS NORMAL TO ABUT. CENTERLINE

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 200 250
 500 625
 1000 1250
 2000 2500
 4000 5000
 8000 10000

PRELIMINARY INVESTIGATION SECTION DRAWN BY: [Name] DATE: [Date] CHECKED BY: [Name] DATE: [Date]	
STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION DIVISION OF STRUCTURES STRUCTURE DESIGN 14	
TAYLOR CREEK BRIDGE FOUNDATION PLAN (PLACE)	
PROJECT NO. [Number] SHEET NO. [Number] OF [Number]	

15

11

11

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Handal Veterinary Facility

Application Type: Commercial, Special Use Determination

Applicant: Patricia Handal, D.V.M.

Applicant's Representative: Gary Schnakenberg, GS Concepts

Agency Planner: Kathy Canfield, Associate Planner

Location: 1030 Emerald Bay Road, South "Y" Center, City of South Lake Tahoe

Assessor's Parcel Number: APN 23-430-32

Staff Recommendation: Staff recommends the Governing Board make the special use findings as outlined in Section D of this staff summary.

Project Description: The applicant is proposing to operate a veterinary facility in a retail shopping center. The proposed facility will be located along the rear of the shopping center, adjacent to one other retail occupant. The applicant is proposing to operate between the hours of 9:00 a.m. to 5:00 p.m., Monday through Friday, with special appointments for emergencies. The practice would be primarily limited to birds, dogs and cats. No boarding or grooming facilities are proposed. Interior remodelling is proposed, but no changes to the amount of commercial floor area will occur.

Site Description: The project is located within the South "Y" Center at the southwest corner of Lake Tahoe Boulevard and U.S. 50. The applicant is proposing to occupy the retail space of a former fireplace store located at the northwest corner of the center. The project site is currently under a TRPA schedule for installation of all Best Management Practices (BMPs). The applicant is not proposing any external changes to the project site.

Issues: The proposed project involves a special use and, therefore, requires Governing Board review in accordance with Chapter 4, Appendix A, of the TRPA Code of Ordinances. There are no primary project related issues.

Staff Analysis:

- A. Environmental Documentation: The applicant has completed an Initial Environmental Checklist (IEC) in order to assess the potential environmental impacts of the project. No significant environmental impacts were identified and staff has concluded that the project will not have a significant effect on the environment. A copy of the completed IEC will be made available at the Governing Board hearing and at TRPA.

- B. Plan Area Statement: The project is located within Plan Area 110, South "Y". The Land Use Classification is Commercial/Public Service and the Management Strategy is Redirection. Agency staff has reviewed the subject Plan Area and has determined that the project is consistent with the applicable planning statement, planning considerations and special policies. The proposed activity (animal husbandry) is listed as a special use.
- C. Required Findings: The following is a list of the required special use findings set forth in Chapter 18 of the TRPA Code of Ordinances. Following each finding, Agency staff has briefly summarized the evidence on which the finding can be made.

1. The project, to which the use pertains, is of such a nature, scale, density, intensity and type to be an appropriate use for the parcel on which, and surrounding area in which, it will be located.

The proposed project will be located within an existing commercial center. The proposed veterinary use will be located along the rear of the commercial center adjacent to a laundromat. No boarding or grooming of animals is proposed. No outdoor facilities are proposed.

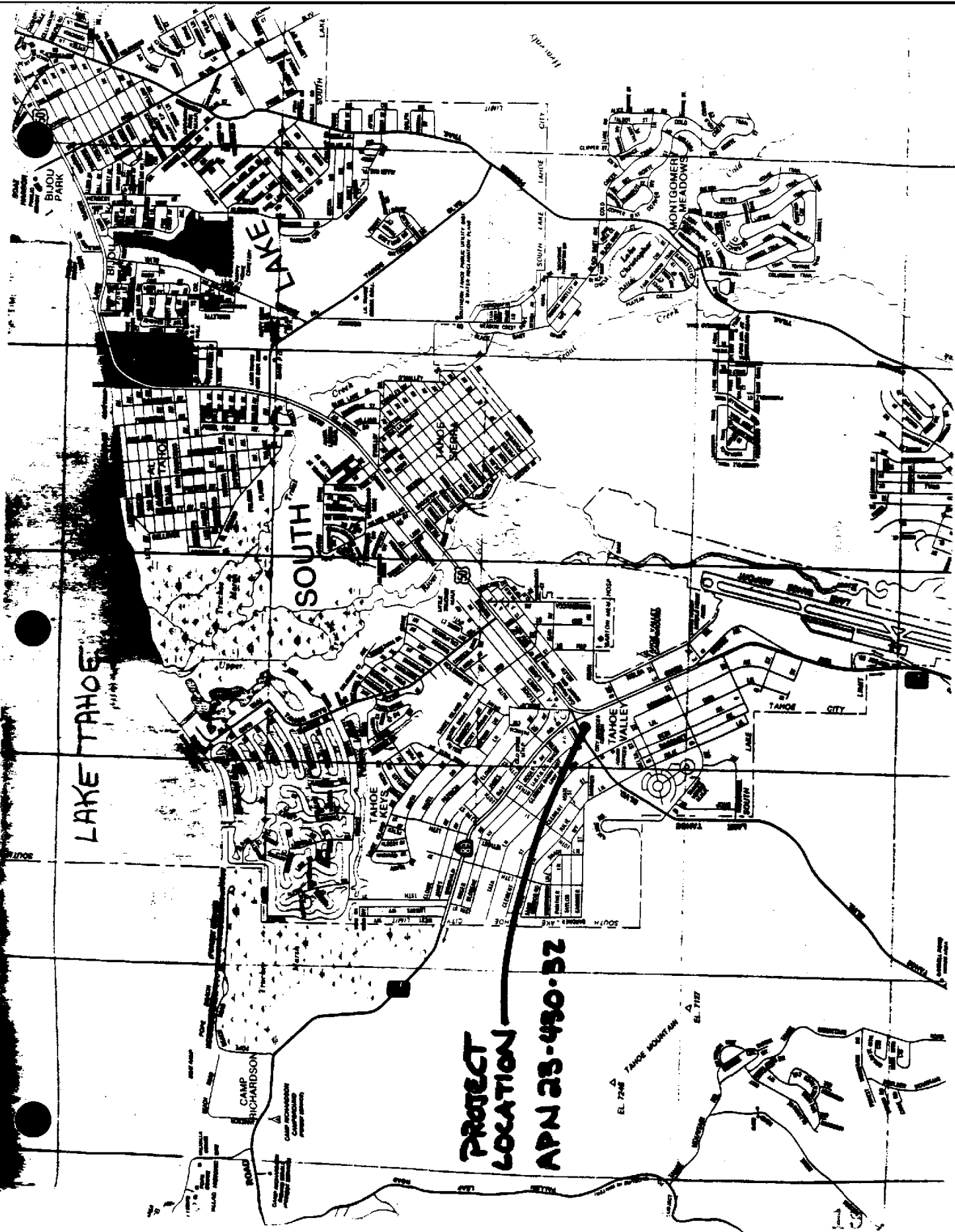
2. The project, to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water and air resources of both the applicant's property and that of surrounding property owners.

The proposed project will be located at the rear of an existing shopping center. Surrounding land uses include a laundromat to the south and east and driveways/parking areas to the north and west. The project area is currently under a TRPA BMP installation schedule. The daily vehicle trips associated with the veterinary practice are less than the daily vehicle trips generated by the previous retail business.

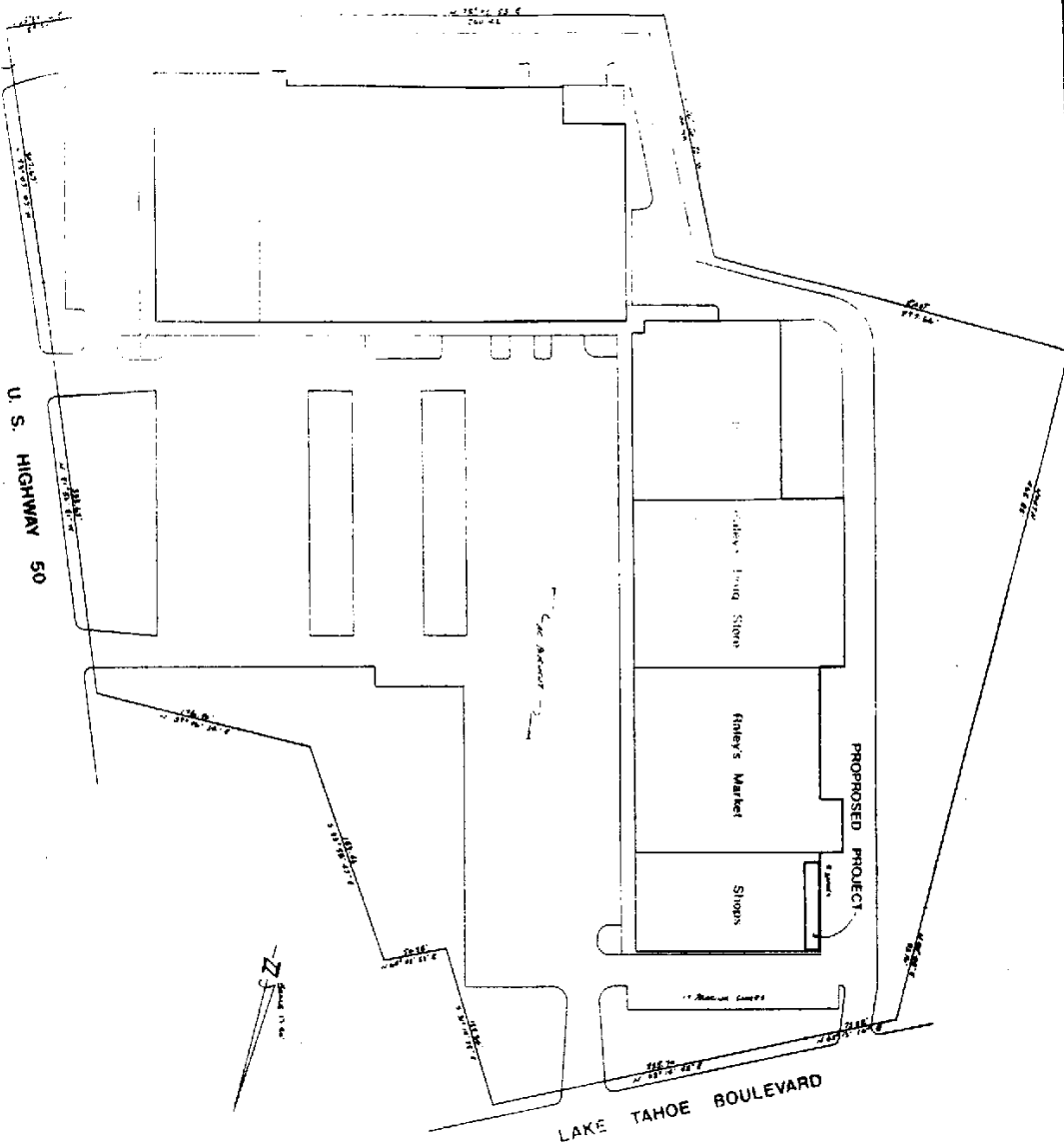
3. The project, to which the use pertains, will not change the character of the neighborhood, detrimentally affect or alter the purpose of the applicable planning area statement, community plan and specific or master plan, as the case may be.

The proposed project will be located within an existing commercial center. The project is not within an approved community, specific or master plan. The project is consistent with the planning considerations and special policies of the plan area.

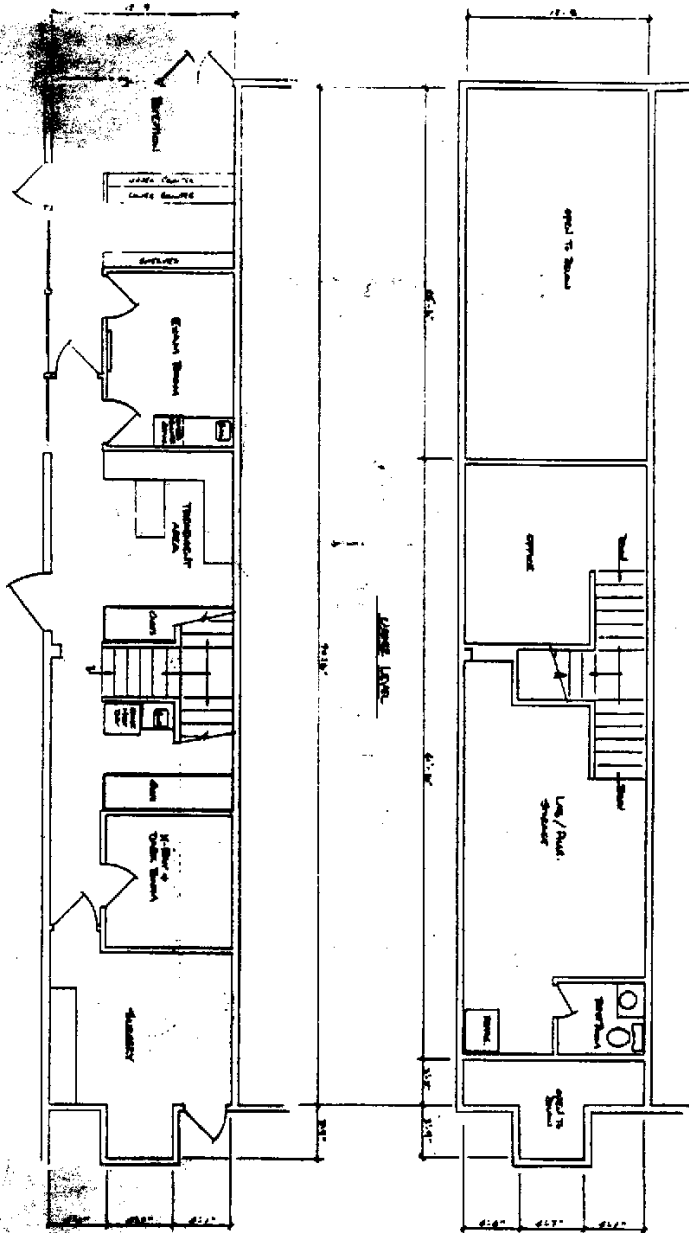
- D. Required Actions: Agency staff recommends that the Governing Board make the following motions based on this staff summary and the evidence contained in the record:
- I. A motion based on this staff summary, for the findings contained in Section C above, and a finding of no significant environmental effect.
 - II. A motion to direct staff to complete review of the project, and if appropriate, approve the project.



**PROTECT
LOCATION
APN 28-430-52**



LAKE TAHOE BOULEVARD



Scale: 1/4" = 1'-0"
 Lower Level: 1/4" = 1'-0"
 Upper Level: 1/4" = 1'-0"
 1/4" = 1'-0"

Dotted lines
 indicate
 areas
 to be
 removed

TAHOE REGIONAL PLANNING AGENCY

308 Dorla Court
Elks Point, Nevada

P.O. Box 1038
Zephyr Cove, Nevada 89448-1038

(702) 588-4547
Fax (702) 588-4527

MEMORANDUM

January 7, 1994

To: TRPA Governing Board

From: TRPA Staff

Subject: Ronning Residence, Resolution of Enforcement Action, 730 Tyner Way, Incline Village, Washoe County, Nevada, APN 125-131-24

Based upon this staff summary, TRPA staff recommends the Governing Board accept a negotiated settlement between Grable B. Ronning (hereinafter Ronning) and the Tahoe Regional Planning Agency (hereinafter TRPA).

The proposed settlement represents full and complete settlement of the violation alleged by TRPA as briefly described below:

A 230 square foot addition was constructed in excess of the maximum allowable land coverage and without permits on the property located at 730 Tyner Way in Incline Village, Assessors Parcel Number 125-131-24, Washoe County, Nevada. This prohibited activity took place during the summer of 1991. TRPA staff posted a Cease and Desist Order at the site on September 18, 1991, to halt the construction activity. Neither TRPA nor the Washoe County Building Department issued permits to construct the addition.

During the 25 months since discovery of the addition, Ronning and TRPA staff explored all possible resolution options within the framework of the Code of Ordinances in lieu of removing the addition. TRPA staff inspected the property and verified the land capability to calculate an updated maximum allowable coverage for the parcel; this showed that the parcel was still overcovered. Ronning looked into the possibility of legally annexing a portion of adjacent vacant property to increase the size and allowable coverage on the parcel. The Incline Village General Improvement District (IVGID) owns the vacant property and the IVGID Board formally denied Ronning's request. TRPA staff then informed Ronning that the only way to keep the addition would be to remove coverage from elsewhere on the parcel. Ronning and TRPA staff agreed that the coverage could be removed from an onsite parking area to accommodate the addition and the driveway would still meet the TRPA standards.

During the settlement negotiations, Ronning agreed to the following:

1. To pay a lump sum penalty of \$2,500 to TRPA on or before February 1, 1994.
2. To obtain a TRPA permit for the addition, in accordance with all applicable rules that would condition the removal and revegetation of 230 square feet of onsite coverage.

1/07/94
DFS:jsd

CONSENT CALENDAR ITEM 4

22

Memorandum to TRPA Governing Board
January 7, 1994
Page Two

TRPA staff has received a complete application and plans for the addition. A preliminary review of the plans indicates that the proposal is in conformance with applicable TRPA Ordinances.

TRPA staff believes the proposed penalty is consistent with similar past settlements and Agency staff recommends the Governing Board accept this negotiated settlement.

1/07/94
DFS:jsd

CONSENT CALENDAR ITEM 4

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Valhalla Boathouse/Community Theater

Application Type: Public Service, Special Use Determination

Applicant: U.S. Forest Service

Applicant's Representative: Jackie Faike, U.S. Forest Service

Agency Planner: Jim Lawrence, Associate Planner

Location: Valhalla Boathouse, Tallac Historic Site, El Dorado County

Assessor's Parcel Number/Project Number: APN 580-110-91

Staff Recommendation: Staff recommends that the Governing Board make the special use findings as outlined in Section C of this staff summary.

Project Description: The applicant is proposing to convert the existing Valhalla Boathouse to a 217 seat community theater. The majority of the improvements will take place within the building. These improvements include restroom facilities, seating, stairways, and stage. External improvements will be limited to a deck and handicap access. The project also includes a large window and shutter. The shutter will be open during events so that the lake will be visible. The shutters will be closed during non-event periods so that there will not be any scenic impacts. The Forest Service is working with the California State Historic Preservation Officer to insure that all improvements will be in accordance with historic preservation standards and Chapter 29 (Historic Resource Protection) of the TRPA Code of Ordinances.

Site Description: The project area is the Tallac Historic Site, which includes the Baldwin, Pope and Heller Estates. The project area includes a number of cabins, boathouses, and outbuildings, many of which are considered historic. The project area also includes bike paths, roads, and parking areas by the Forest Service. Existing uses include museums, the Valhalla Music Festival, the Great Gatsby Festival and the Valhalla Main House. The Main House may be rented by groups for events and parties. The land capability district is primarily class 5, except for the backshore area which is considered 1b. Adjacent uses are primarily public beach areas and open space.

Issue: The proposed project involves a community theater, which is local assembly and entertainment in the TRPA Code of Ordinances. Local assembly and entertainment is listed as a special use in the applicable plan area statement and, therefore, requires Governing Board review in accordance with Chapter 4, Appendix A, of the TRPA Code of Ordinances.

/JL
1/7/94

CONSENT CALENDAR ITEM 5.

Staff Analysis:

- A. Environmental Documentation: The applicant has completed an Initial Environmental Checklist (IEC) in order to assess the potential environmental impacts of the project. No significant environmental impacts were identified and staff has concluded that the project will not have a significant effect on the environment. A copy of the completed IEC will be made available at the Governing Board hearing and at TRPA. The Forest Service is also preparing an Environmental Impact Statement (EIS) for the entire project site. The Draft EIS was used as supplemental information by TRPA staff in evaluating the impacts of the proposal.
- B. Plan Area Statement: The project is located within Plan Area Statement 127 (Camp Richardson). The Land Use Classification is Recreation and the Management Strategy is Mitigation. TRPA staff has reviewed the subject Plan Area and has determined that the project is consistent with the applicable planning statement, planning considerations and special policies. Special policy #1 states that "Restoration of the historical structures in the area should be encouraged". The project involves restoration of the boathouse. All improvements will be consistent with standards set forth by the California State Historic Preservation Office. Special Policy #2 states that "Future development should be in conformance with a TRPA/USFS approved master plan". The Forest Service is presently preparing an EIS for a Tallac Historic Site master plan. The Valhalla Boathouse Community Theater is included in the master plan and the proposed project is also consistent with the plan.
- C. Required Findings: The following is a list of the required findings as set forth in Chapter 18 of the TRPA Code of Ordinances. Following each finding, Agency staff has briefly summarized the evidence on which the finding can be made.
1. The project, to which the use pertains, is of such a nature, scale, density, intensity and type to be an appropriate use for the parcel on which, and surrounding area in which, it will be located.

The project area is the Tallac Historic Site. Existing uses on the site include historic structures and museums (which are open to the public), the Valhalla Music Festival, the Great Gatsby Festival, bike trails, hiking trails, and the Valhalla Main House. The Valhalla Main House may be rented by groups for events and parties. The proposed community theater is compatible with events already taking place within the project area. The Draft EIS prepared by the Forest Service indicates that the community theater will result in an increase of 175 daily vehicle trip ends (DVTE). This is defined as a minor increase in the TRPA Code. The DEIS also identifies measures to mitigate traffic and parking. If the project is approved, the TRPA permit will ensure that these measures are incorporated.

2. The project, to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water and air resources of both the applicant's property and that of surrounding property owners.

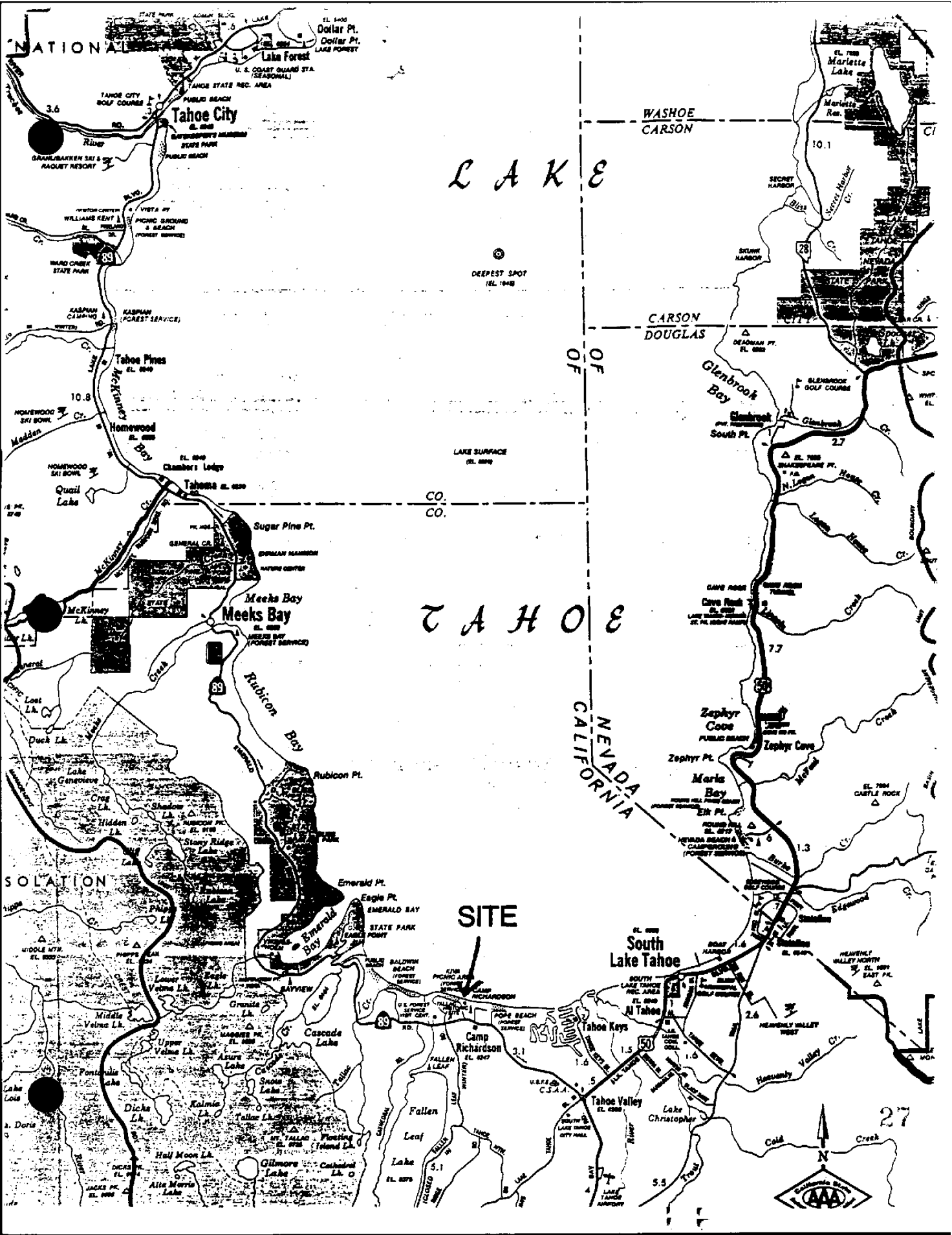
The applicant shall be required to install Best Management Practices (BMPs) within the project area to protect the land, water, and air resources of both the project area and the surrounding area. There is no evidence that the proposed use will be injurious or disturbing to the health, safety, enjoyment of property, or the general welfare of persons or property in the neighborhood or region.

3. The project, to which the use pertains, will not change the character of the neighborhood, detrimentally affect or alter the purpose of the applicable planning area statement, community plan and specific or master plan, as the case may be.

The proposed project involves converting the existing Valhalla Boathouse to a community theater. There are already numerous public events that occur within the project area and the community theater will not alter the character of the area. Community theaters are considered "local public assembly and entertainment" and are listed as a special use within the applicable plan area statement. The project is not within an adopted community, specific or master plan area. However, the Forest Service is in the process of developing a master plan for the Tallac Historic Site. The community theater will be included in the master plan.

- D. Required Actions: TRPA staff recommends that the Governing Board make the following motions based on this staff summary and the evidence contained in the record:

- I. A motion based on this staff summary, for the findings contained in Section C above, and a finding of no significant environmental effect.
- II. A motion to direct staff to complete review of the project, and if appropriate, approve the project.



LAKE

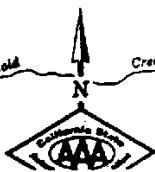
TAHOE

SITE

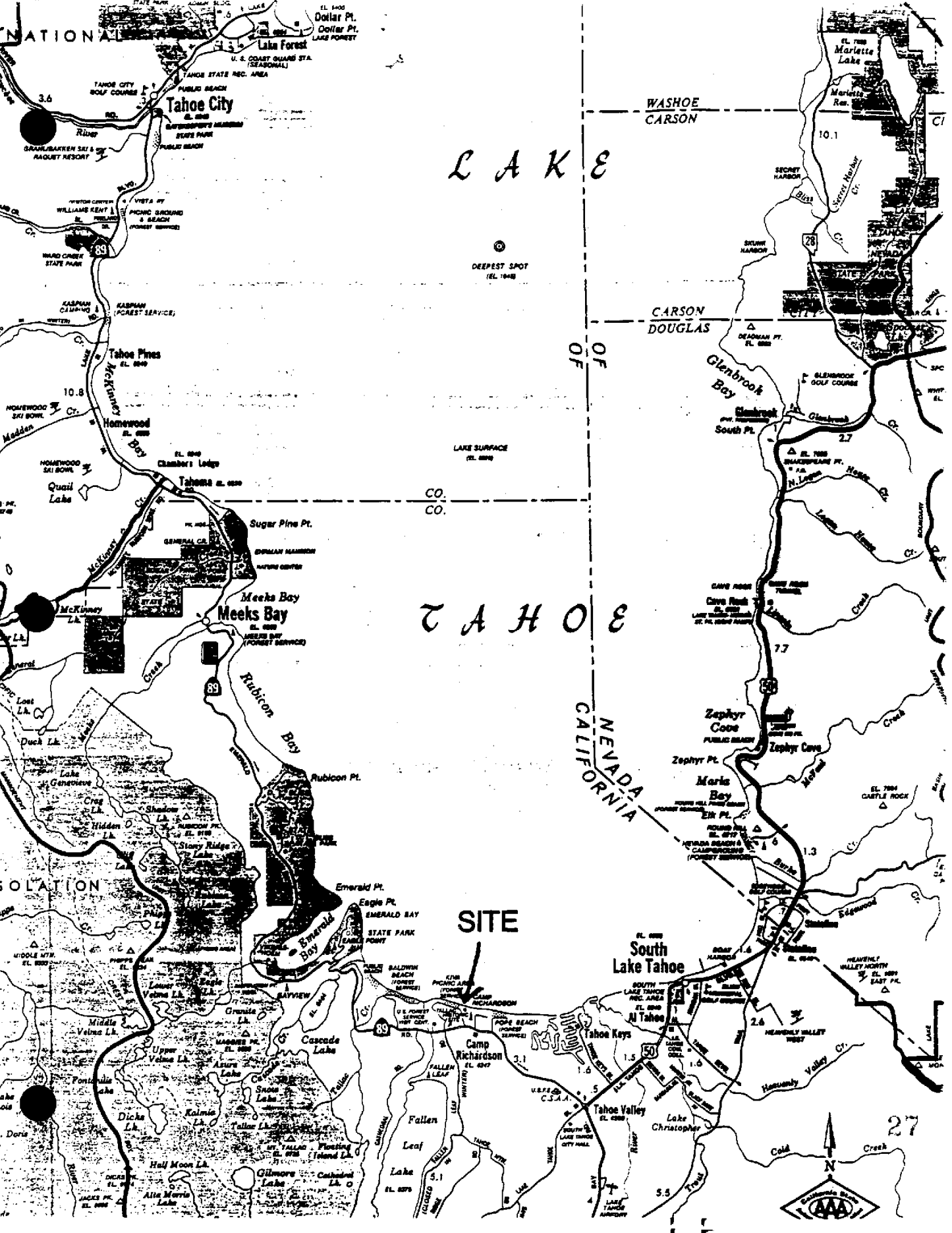
WASHOE
CARSON

CARSON
DOUGLAS

OF
CALIFORNIA
NEVADA



27



LAKE TAHOE

PIER

OMA

POPE BOATHOUSE

POPE ACCESS (IN FUTURE)

OMA

CAMP RICHARDSON

POPE ESTATE COMPOUND

BOATHOUSE THEATER

BIKE PATH

FOOT PATH

UNPAVED

LAWN

VALHALLA

BIKE PATH

OFF

TOWER

BOATHOUSE THEATER WEST PARKING

BOATHOUSE THEATER EAST PARKING

PARKING 45 SPACES

PARKING 26 CARS

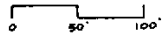
PARKING 11 CARS

BAR

IRVIN HOUSE

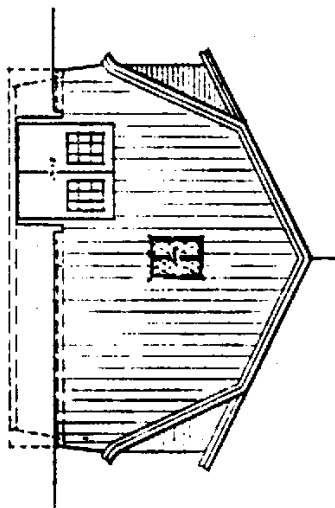
CONCEPT PLAN VALHALLA BOATHOUSE THEATER

TAHOE TALLAC ASSN. & USDA-FOREST SERVICE LTBMU

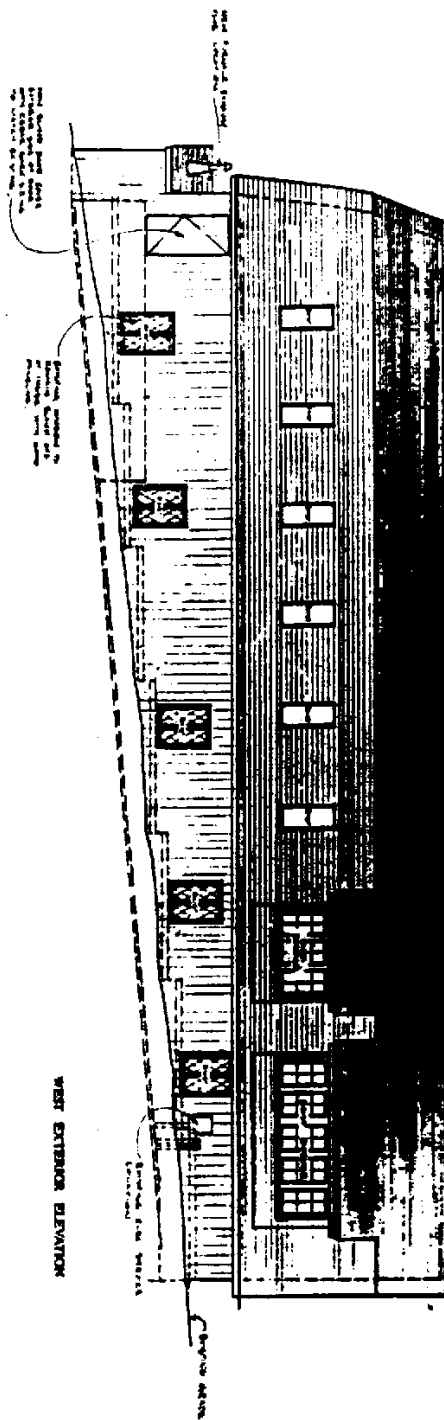


F. MAGARY - USES 11/92

SOUTH EXTERIOR ELEVATION



WEST EXTERIOR ELEVATION



Scale	1/8" = 1'-0"
North Arrow	
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Sheet No.	4
Date	1955
Drawn by	J. H. ...
Checked by	J. H. ...
Approved by	J. H. ...

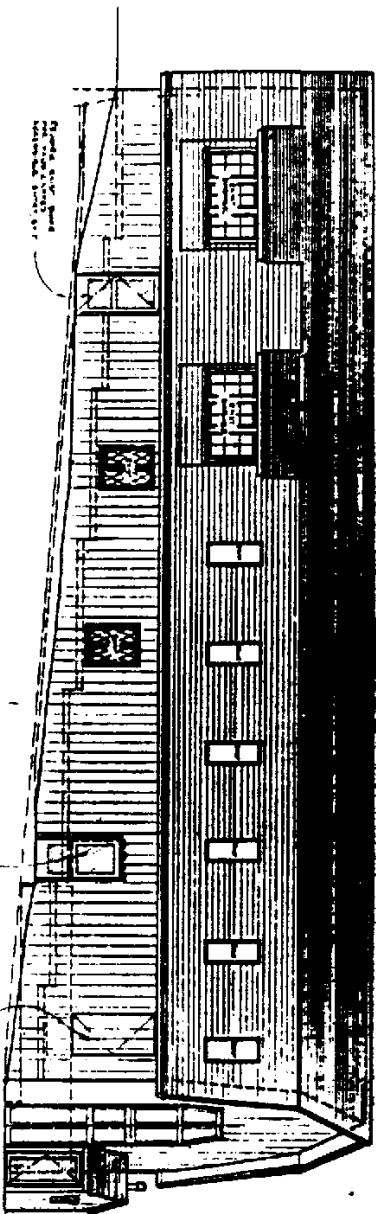
VALHALLA BOATHOUSE THEATER
 •• TALLAC HISTORIC SITE ••
 SOUTH LAKE TAHOE, CALIFORNIA

EXTERIOR ELEVATIONS

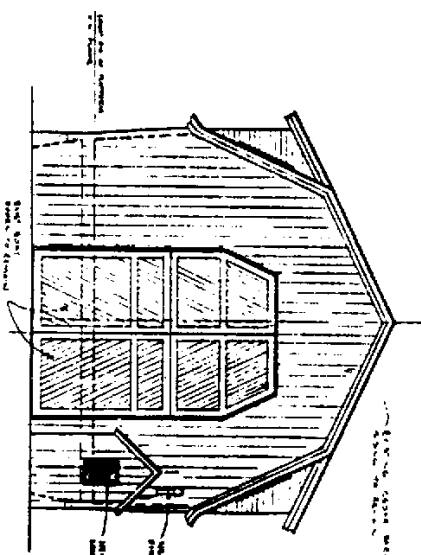
PROPOSED INTERNAL IMPROVEMENTS

Architectural Record
 100-100
 J. H. ...

EAST EXTERIOR ELEVATION



NORTH EXTERIOR ELEVATION



These elevations are based on the existing building and proposed improvements. The existing building is a two-story structure with a gabled roof and wood siding. The proposed improvements include new wood siding, new windows, and a new entrance. The drawings show the proposed exterior elevations from the east and north sides of the building.

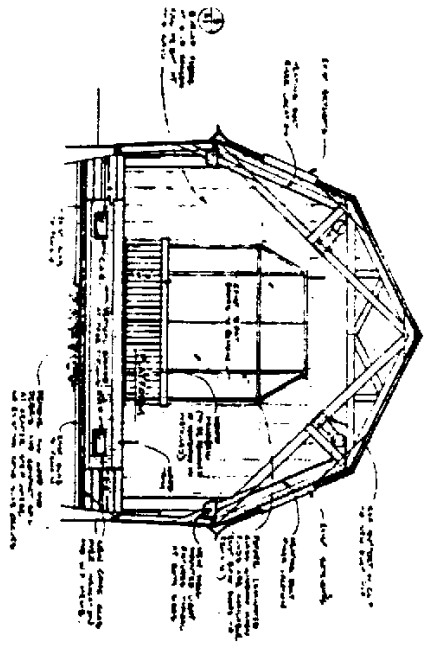
The existing building is located at the Tallac Historic Site in South Lake Tahoe, California. The proposed improvements are part of a larger project to restore and preserve the building for use as a theater.

The drawings show the proposed exterior elevations from the east and north sides of the building. The east elevation shows the main facade of the building, and the north elevation shows the side of the building. The drawings include details of the proposed windows, entrance, and siding.

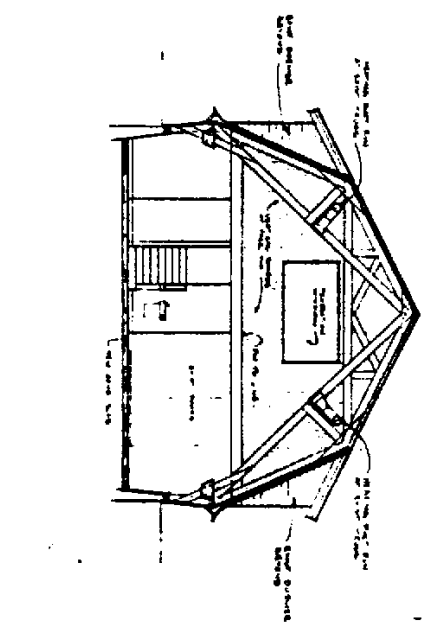
The drawings are prepared in accordance with the standards of the American Institute of Architects. The drawings are intended to provide a clear and accurate representation of the proposed exterior elevations of the building.

VALHALLA BOATHOUSE THEATER ■ ■ TALLAC HISTORIC SITE ■ ■ SOUTH LAKE TAHOE, CALIFORNIA	EXTERIOR ELEVATIONS PROPOSED INTERNAL IMPROVEMENTS	<p>DATE: 12/15/13 DRAWN BY: J.E. CHECKED BY: J.E. SCALE: AS SHOWN</p>
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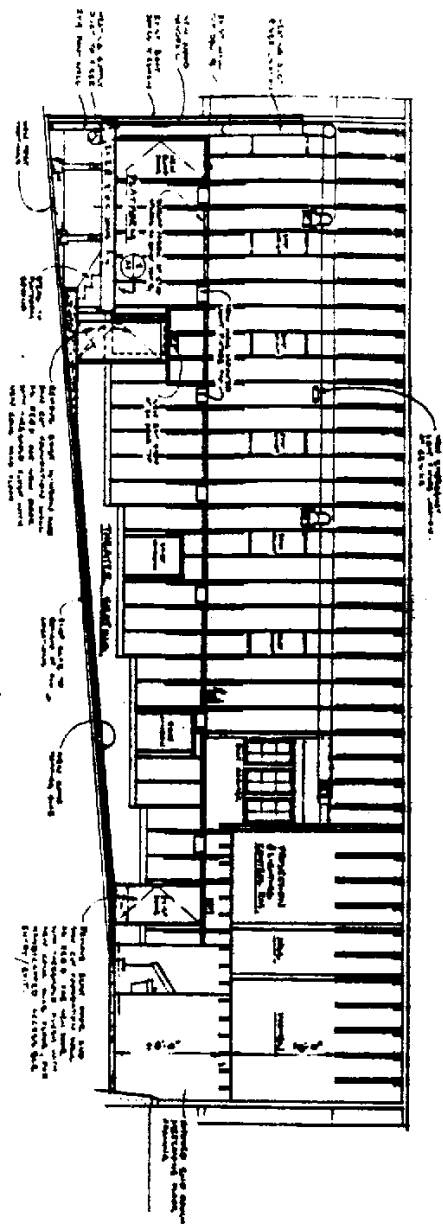
1B SECTION - B (NORTH)



1C SECTION - C (SOUTH)



1A SECTION - A (EAST)

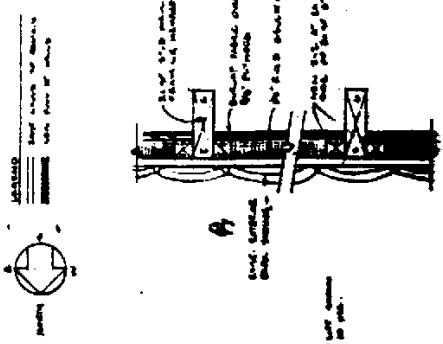
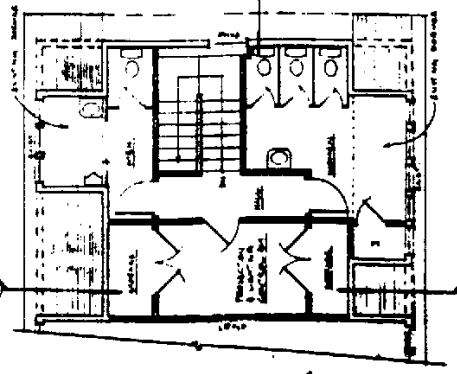
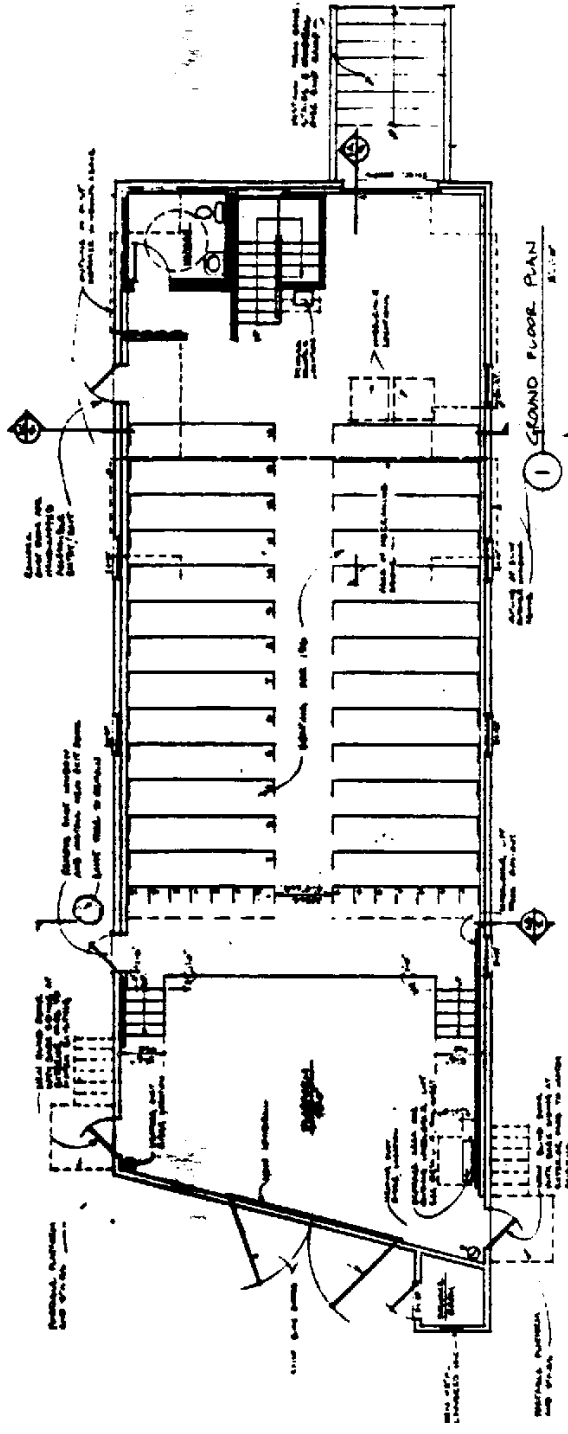


Scale	1/4" = 1'-0"
Sheet No.	2
Project No.	
Client	
Architect	
Engineer	
Contractor	

VALHALLA BOATHOUSE THEATER
 ■ ■ TALLAC HISTORIC SITE ■ ■
 SOUTH LAKE TAHOE, CALIFORNIA

SECTIONS
 PROPOSED INTERNAL
 IMPROVEMENTS

Architect and Designer
 [Faint text and logo]



1
 2
 5
 4

TAHOE REGIONAL PLANNING AGENCY

308 Dorla Court
Elks Point, Nevada

P.O. Box 1038
Zephyr Cove, Nevada 89448-1038

(702) 588-4547
Fax (702) 588-4527

MEMORANDUM

January 7, 1994

To: TRPA Governing Board

From: TRPA Staff

Subject: McGirr, Resolution of Enforcement Action, 213 Cedar Ridge,
Douglas County, APN 03-172-04

Based upon this staff summary, TRPA staff recommends the Governing Board accept a negotiated settlement between Paul and Carol McGirr (hereinafter McGirr) and the Tahoe Regional Planning Agency (hereinafter TRPA).

The proposed settlement represents full and complete settlement of the violation alleged by TRPA as briefly described below:

Four live Jeffrey Pine trees, with diameters of 24 inches, 16 inches, 16 inches and 12 inches at breast height, had live limbs removed from within the upper two-thirds of each tree for view enhancement purposes. The limbed trees are located at or about Assessors Parcel Number 03-172-04, 213 Cedar Ridge, Douglas County, Nevada, the property adjacent to the McGirr's home at 214 Cedar Ridge. No permits were issued by either TRPA or the Nevada Division of Forestry (NDF) to limb the four trees within their upper two-thirds.

Removal of live limbs within the upper two-thirds is within the definition of material damage and requires approval by NDF through the memorandum of understanding they have with TRPA.

TRPA staff first inspected the site on August 18, 1993, after the Douglas County Sheriff's department informed TRPA about the alleged tree limbing violation that had occurred a few weeks prior. During the six months from that first site inspection, TRPA staff conducted a thorough investigation of the allegations and talked with several eye witnesses who claim the tree limbing occurred during the summer of 1993 and was performed by McGirr for view enhancement purposes.

TRPA issued a Cease and Desist Order to McGirr on December 27, 1993, for the unauthorized limbing activities. McGirr has complied with all conditions of that Cease and Desist Order and has admitted to performing the tree limbing to enhance their view of Lake Tahoe from their residence at 214 Cedar Ridge. However, TRPA inspections of the site determined that the McGirr's view of Lake Tahoe has not been enhanced by the limbing activity.

During the settlement negotiations, McGirr agreed to pay a lump sum penalty of \$2,000 to TRPA on or before February 1, 1994.

TRPA staff believes the proposed penalty is consistent with past settlements and Agency staff recommends the Governing Board accept this negotiated settlement.

1/07/94
DFS:jsd

CONSENT CALENDAR ITEM 6

TAHOE REGIONAL PLANNING AGENCY

308 Dorla Court
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Zephyr Cove, Nevada 89448-1038

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MEMORANDUM

January 12, 1994

To: TRPA Governing Board

From: TRPA Staff

Subject: Land Capability Challenge; Wayne Prim Jr.; APN 126-251-02
647 Alpine View Drive, Washoe County, Nevada

Proposed Action: Approval of the land capability challenge and the attached map delineating the land capability classes.

Staff Recommendation:

The staff recommends that the Governing Board approve the land capability challenge changing the land capability on a portion of this parcel from class 1a, 1b, and 1c to 4, 2, 1b, and 1c. A map showing the boundaries of the land capability classes is included with this staff summary.

Background:

The subject parcel is shown as Land Capability Class 1a on the TRPA Land Capability Overlay maps. The Soil Survey for the Lake Tahoe Basin Area places this parcel within the MsE (Meeks very stony loamy coarse sand, 15 to 30 percent slopes) soil map unit. This parcel was evaluated under IPES and was given a score of 728 and 17 percent allowable coverage on the one-third acre building site. A determination of allowable coverage was also done on this parcel to determine the area that was similar and contiguous to the one-third acre evaluated under IPES. An area of 200,200 square feet was determined to be similar and contiguous to the one-third acre and to which the 17 percent IPES coverage could be applied. The remaining 130,000 square feet was determined to be in land capability classes 1a, 1b, and 1c. These classes were associated with the MsE (Meeks very stony loamy coarse sand, 15 to 30 percent slopes) map unit, Stream Environment Zone (SEZ), and Rx (Rock outcrop and Rubble land), respectively. All of these classes receive 1 percent allowable coverage. No land capability verification was completed on this parcel. A land capability challenge was filed to determine if portions of the parcel designated as low capability land could be placed into a higher land capability class after the completion of the soils investigation.

This is an undeveloped parcel approximately 7.48 acres in size and is located in the Scotchwood Subdivision in Incline Village, Washoe County, Nevada.

/jfp
1/12/94

CONSENT CALENDAR ITEM 7

34

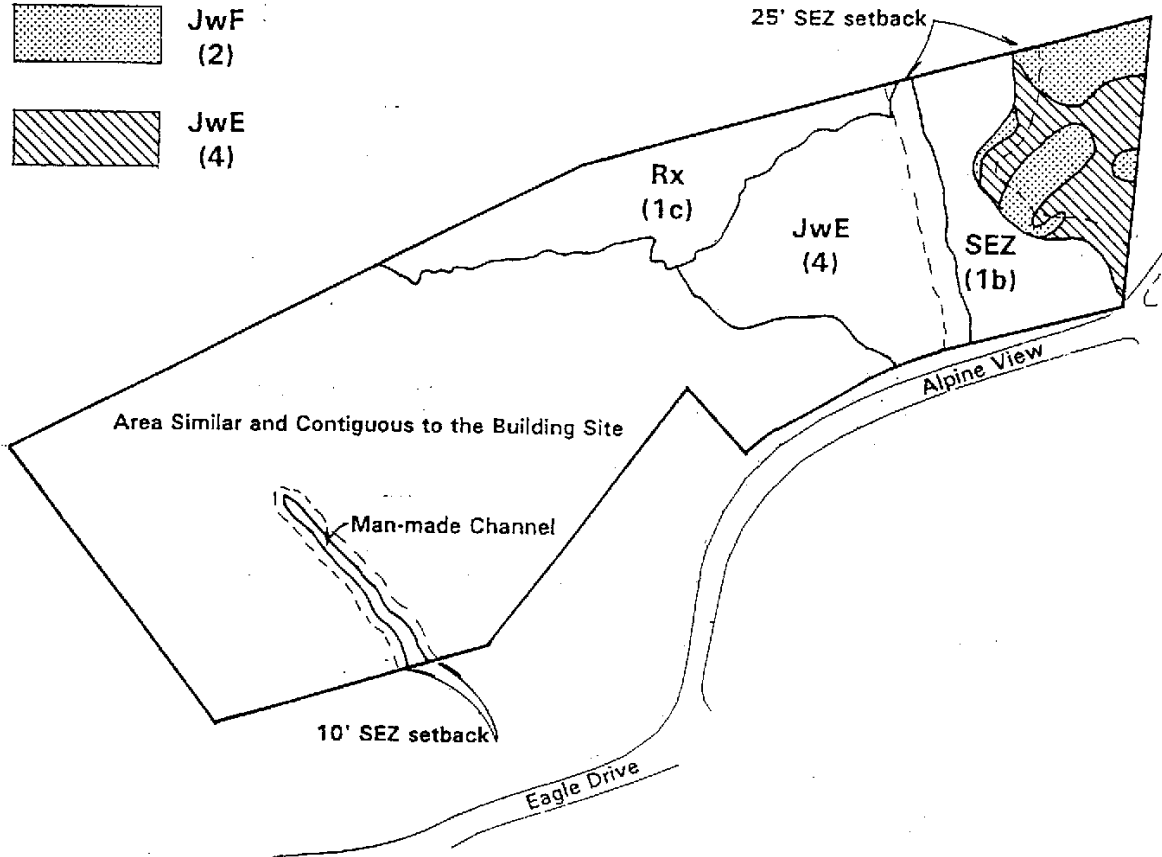
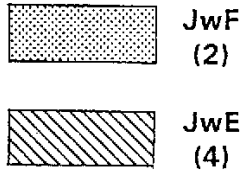
Findings

This parcel is mapped within geomorphic unit E-1 (Moraine Land Undifferentiated, moderate hazard lands) on the TRPA Bailey Geomorphic Analysis Map of the Lake Tahoe Basin.

The soils investigation was completed by Joseph Pepi, Certified Professional Soil Scientist, and a report was prepared. A soils report (attached) was completed by Sid Davis, Certified Professional Soil Scientist and a hydrologic investigation was done by Dr. Jerry Budy on behalf of Mr. Prim. Based on two soil pits, one representative soil profile was described (see attached Soils Investigation). The soils were found to have physical characteristics most similar to the Jorge soil series. Two map units of the Jorge series, JwE (Jorge-Tahoma very stony sandy loams, 15 to 30 percent slopes) and JwF (Jorge-Tahoma very stony sandy loams, 30 to 50 percent slopes) were identified on the parcel. The JwE map unit is in land capability class 4 and the JwF is in class 2. Staff determined that the portion of the parcel previously designated as land capability class 1c, associated with the Rx map unit, should remain in this land capability class.

The SEZ delineation previously completed was also found to be accurate, except for the identification of the SEZ setback width on a portion of the perennial stream channel. A setback of 60 feet was determined for a portion of the stream based on previous work, but was amended to 25 feet after further review by TRPA staff hydrologist Kevin Hill. This change was made after a determination that the slope condition on this segment of the stream was good instead of poor, as had been previously determined.

If you have any questions on this agenda item, please contact Joe Pepi, at (702) 588-4547.



Land Capability Classes
as
Identified by TRPA

Basin Strategies

Planning and Consulting Services
P. O. Box 11945, Zephyr Cove, NV 89448
(702) 588-8722 (Fax) 588-8689

APN 126-251-24

674 Alpine View

Prepared By: VEB
Date: 1/18/94

TAHOE REGIONAL PLANNING AGENCY

308 Dorla Court
Elks Point, Nevada

P.O. Box 1038
Zephyr Cove, Nevada 89448-1038

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January 12, 1994

SOIL INVESTIGATION FOR WASHOE COUNTY APN 126-251-24 647 ALPINE VIEW ROAD

INTRODUCTION

A soil investigation was conducted on APN 126-251-24, Washoe County, on October 29, 1993. This is an undeveloped parcel, approximately 7.48 acres in size, and is located in the Scotchwood Subdivision in Incline Village. This parcel was evaluated under IPES and was given a score of 728 and 17 percent allowable coverage on the one-third acre building site. A determination of allowable coverage was also done on this parcel to determine the area that was similar and contiguous to the one-third acre evaluated under IPES. An area of 200,200 square feet was determined to be similar and contiguous to the one-third acre and to which the 17 percent IPES coverage could be applied. The remaining 130,000 square feet was determined to be in land capability classes 1a, 1b, and 1c. These classes were associated with the MsE (Meeks very stony loamy coarse sand, 15 to 30 percent slopes) map unit, Stream Environment Zone (SEZ), and Rx (Rock outcrop and Rubble land), respectively. All of these classes receive 1 percent allowable coverage. No land capability verification was completed on this parcel.

A land capability challenge was filed to determine if portions of the parcel designated as low capability land could be placed into a higher land capability class after the completion of the soils investigation.

ENVIRONMENTAL SETTING

This parcel is shown as land capability class 1a on the TRPA Land Capability Overlay Maps. The Soil Conservation Service Soil Survey for the Lake Tahoe Basin places this parcel within the MsE (Meeks very stony loamy coarse sand, 15 to 30 percent slopes) map unit. The parcel is mapped within Geomorphic Unit E-1 (Moraine Land Undifferentiated, moderate hazard lands) on the TRPA Geomorphic Analysis Map of the Lake Tahoe Basin. The MsE soil map unit is consistent with this geomorphic unit classification. The Meeks soil formed in glacial material derived from granitic bedrock and is on mountain sideslopes.

This parcel is on a southwest facing slope. The natural slope is 20 to 35 percent. The natural vegetation is Jeffrey pine, incense cedar, white fir, manzanita, squaw carpet, and whitethorn.

/j/p

1/12/94

PROCEDURES

Two soil pits were dug on this parcel using hand tools. After examination of these pits, one was chosen as representative of the soils on the parcel. The soils in this pit were examined and described in detail. A copy of this description is included in this report. The portion of the parcel designated as Rx and land capability class 1c and the portion determined as stream environment zone (SEZ) and 1b were reexamined by TRPA staff. Slopes were measured with a clinometer.

FINDINGS

One soil series and four soil map units were identified on the portion of the parcel determined to be outside the area that was similar and contiguous to the IPES building site. The soil in the excavation pit was deep and well drained. It is characterized as having a dark brown and dark grayish brown very stony sandy loam and very stony light clay loam surface layer over a dark brown, grayish brown, and pale brown very stony clay loam and very gravelly loam subsoil. These soils have a moderately low runoff potential and the surface soils have a moderate relative erosion hazard.

This soil is representative of the Jorge soil series. There are two soil map units of the Jorge Series on this parcel, the JwE (Jorge-Tahoma very stony sandy loam, 15 to 30 percent slopes), and JwF (Jorge-Tahoma very stony sandy loam, 30 to 50 percent slopes) map units. The JwE and JwF map units are identified in the Soil Survey for the Lake Tahoe Basin. These map units are in land capability class 4 and 2, respectively.

Based on field work completed by TRPA staff, it was determined that the portion of the parcel previously designated as land capability class 1c, associated with the Rx map unit, should remain in this land capability class. The SEZ delineation previously completed was also found to be accurate, except for the identification of the SEZ setback width on a portion of the perennial stream channel. A setback of 60 feet was determined for a portion of the stream based on previous work, but was amended to 25 feet after further review by TRPA staff hydrologist Kevin Hill. This change was made after a determination that the slope condition on this segment of the stream was good instead of poor, as had been previously determined.

A soils report (copy attached) completed by Mr. Sid Davis of Davis² Consultants was submitted with this challenge request. The staff is in agreement with Mr. Davis that the portions designated under the determination of allowable coverage to fit map units of the Meeks series, are more accurately placed in Jorge series. However, the staff does not agree with the consultants determination that a portion of the parcel was improperly placed in the Rx map unit. The area in question is totally covered with cobble, stone, and boulder size rock fragments, and fits the description of the Rx map unit very well.

A hydrologic investigation report done by Dr. Jerry Budy was also submitted

with this application (copy attached). Mr. Budy questioned the SEZ delineation completed by staff including the SEZ setbacks. After reviewing this report and additional field work, the staff determined that the original SEZ delineation was correct, with the exception of the SEZ setback width on a portion of the stream channel.

CONCLUSION

The soils on the portion of APN 126-251-24 outside of the area determined to be similar and contiguous to the IPES building site, were determined to be consistent with land capability classes 4, 2, 1b, and 1c, in accordance with the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974). These findings are based on the physical characteristics of the the soils being most similar to the JwE (Jorge-Tahoma very stony sandy loam, 15 to 30 percent slopes), the JwF (Jorge-Tahoma very stony sandy loam, 30 to 50 percent slopes) map unit, the Rx (Rock outcrop and Rubbleland) map unit, and SEZ.

The JwE and JwF map units are within geomorphic unit D-1 (Toe Slope lands, low hazard lands). The JwE map unit is in land capability class 4, and JwF is in land capability class 2. Rx is in land capability class 1c, and SEZ is in 1b. A map showing the land capability class boundaries is on file at TRPA.

Joseph Pepi

Joseph Pepi
Certified Professional Soil Scientist
ARCPACS No. 2372

JP

Enclosure

Representative Soil Profile:

Soil Classification: loamy-skeletal, mixed, frigid, Mollic Haploxeralf

Soil Series: Jorge, taxadjunct

- Oi-- 3 to 0 inches; Jeffrey pine & white fir needles; abrupt smooth boundary.
- A1- 0 to 7 inches; dark yellowish brown (10YR 3/3) very stony sandy loam, very dark brown (10YR 3/2) moist; moderate fine subangular blocky parting to moderate fine granular structure; soft, very friable, nonsticky and nonplastic; common very fine and fine and few medium roots; many very fine and fine interstitial pores; 25 percent gravel, 10 percent cobble, and 5 percent stones; medium acid; clear smooth boundary.
- A2- 7 to 15 inches; dark grayish brown (10YR 4/2) very stony light clay loam; very dark brown (10YR 2/2) moist; moderate fine subangular blocky structure; slightly hard, friable, slightly sticky and slightly plastic; common very fine and fine, common medium, and few coarse roots; many very fine and fine interstitial pores; 30 percent gravel, 15 percent cobble, and 10 percent stones; medium acid; clear wavy boundary.
- Bt1- 15 to 31 inches; dark brown (10YR 4/3) very stony clay loam; brown (10YR 3/2) moist; moderate medium subangular blocky structure; slightly hard, friable, nonsticky and plastic; common very fine and fine and few medium and coarse roots; many very fine and fine interstitial pores; 35 percent gravel, 15 percent cobble, and 10 percent stones; medium acid; clear wavy boundary.
- Bt2- 31 to 43 inches; grayish brown (10YR 5/2) very stony light clay loam; grayish brown (10YR 4/3) moist; few thin clay films on ped faces and pores; moderate medium subangular blocky structure; soft, very friable, nonsticky and nonplastic; common very medium and few coarse roots; many very fine and fine interstitial pores; 35 percent gravel, 15 percent cobble, and 10 percent stones; medium acid; clear wavy boundary.
- IIBt3 43 to 60 inches; pale brown (10YR 6/3) very gravelly loam; dark brown (10YR 4/3) moist; many medium prominent brownish yellow (10YR 6/8) mottles; thin clay films on ped faces and pores; strong medium subangular blocky structure; hard, firm, slightly sticky and nonplastic; many very fine and fine coarse roots; many very fine and fine interstitial pores; 45 percent gravel, 10 percent cobble; medium acid. (Soil is strongly cemented in places).

DAVIS²
CONSULTING EARTH SCIENTISTS

P. O. Box 734 • Georgetown, California 95634 • (916) 333-1405; FAX (916) 333-1009

June 11, 1993

Soil Investigation
for
Prim Property
Incline Village, Washoe County, Nevada
(A.P.N. 126-251-24)

Introduction:

A soil investigation was conducted on the Prim property on May 12, 1993. The objective of the study was to evaluate soils and other features on the site and relate them to Land Capability and IPES procedures, as utilized by the Tahoe Regional Planning Agency (TRPA).

This subject property is a large parcel, approximately 7.48 acres in size, and is situated above Alpine View Drive, in Incline Village, Nevada. Earlier work by IPES teams (JP, GS, 11/9/89) found instead of MsE (Meeks stony loamy sand, 15 to 30 percent slope) that soils were more reflective of JwE (Jorge - Tahoma stony sandy loams, 15 to 30 percent slope). It appears that only one portion of the site was delineated as JwE, and the remainder was left as MsE, with the exception of some stony areas, which were shown as Rx (Rock outcrop) as a result of TRPA staff assessment. A fairly large area was delineated as SEZ on the eastern quarter of the parcel.

The proposed building site has changed since the initial IPES scoring was done, and new areas were examined, which will be detailed in this report. This work was done at the request of Mr. Paul Kaleta of Basin Strategies, as agent for the owner, Mr. Wayne Prim.

SEZ areas are being studied by Dr. Jerry Budy, hydrologist, and his analysis will be forwarded separately from this report.

Soil information contained in this report is for the strict use of Land Capability, IPES analysis, and groundwater determinations, as they pertain to TRPA's Code of Ordinances. This information should not be utilized for design of building foundations or for slope stability considerations.

Environmental Setting:

The Prim parcel is located above Alpine View Drive, north of its intersection with Eagle Drive, Incline Village, Washoe County, Nevada (A.P.N. 126-252-24). As mentioned earlier, this is a 7.48 acre parcel, with approximately one third fronting Alpine View Drive. It is surrounded, above and below, with residential homes on roughly 0.5 acre lots.

TRPA map sheets H-2 and H-3 show the Prim parcel in MsE (Meeks very stony loamy coarse sand 15 to 30 percent slope). Geology, as characterized by Robert Mathews (1968) shows this parcel near the boundaries of Qm (Glacial deposits); Tv^a (Andesite); and Qal (Recent lake beds). Bailey (1974) shows this parcel

within geomorphic unit D₂ (Headlands - moderate hazard lands).

Vegetation consists of a dominant overstory of White fir, Jeffrey pine and Incense cedar, with an understory of Huckleberry oak and tobacco bush.

There was one man-made, incised drain running roughly from northwest to southeast near the eastern property line.

Procedures:

The parcel was surveyed, as well as areas nearby. A detailed topographic map was available for inspection, slope analysis and ground control while in the field. A backhoe was utilized to excavate and expose the soil profile for detailed study. Detailed soil profile descriptions were made of three representative sites within the building area.

One site (Stop 2) was evaluated for presence of groundwater, only. Detailed soil profile description was not done there.

Personnel involved with this investigation include Mr. John H. Rogers, and Mr. Sidney W. Davis, Certified Professional Soil Scientists.

Findings:

Soils in areas designated as MsE were found to be deep and well drained and heavier textured than the Meeks soil. They are other than the MsE unit as currently mapped.

These soils can be characterized as having a thick dark brown to very dark brown, very stony and very gravelly sandy loam topsoil over a dark grayish brown very stony subsoil to approximately 46 inches depth. Below 46 inches, the subsoil was slightly compact or weakly cemented, in places, but not uniformly. Roots penetrated into this zone in pockets.

Because they are deep and well drained, these soils are members of Hydrologic Group B. Because of surface stoniness, granular structure, and high organic matter content, erodibility is low ($K = 0.10$, or less).

Slopes were measured between 15 and 24 percent over most of the parcel.

There was no active ground water encountered within the upper 5 feet of the soil mantle.

A groundwater observation pit was placed in a proposed swimming pool site (Stop No. 2). Active groundwater was documented at 7' depth, in this year of 140% of normal snow pack for the Lake Tahoe area.

A SEZ, entrenched, crosses the northeastern portion of the

site. Condition of the banks and relative vegetation cover for setback requirements is being evaluated by Dr. Budy.

Conclusions:

Soils on the Prim parcel are other than shown on the Soil Survey of the Lake Tahoe Basin (U.S.D.A. Soil Conservation Service) and on the TRPA Land Capability Map Sheets. Soils examined show similarities to Jorge - Tahoma series soils (rather than the Meek), but are slightly different. The differences are that these soils display developed subsoils (argillic horizons) beneath stony or very stony surfaces. Surface color is darker and thickness of the top soil is also greater than typical for Jorge - Tahoma.

Stop No. 1 expresses characteristics of a Jorge variant, different because of surface stoniness, and a thick, dark topsoil.

Stop No. 2 was characteristic of the Tahoma series, with less than 35 percent coarse fragments, throughout. No detailed description was taken here - this was for groundwater assessment only. Active groundwater was documented at 7 feet depth below the natural ground surface, with no evidence of perched or seasonal groundwater above.

Stop No. 3 displayed a deep and moderately permeable soil beneath an extremely stony surface. Although vegetation was not dense in these stony areas, soils are moderately erodible, and runoff is low to moderately low. These areas were shown as Rx (Rock outcrop), Class 1c by TRPA staff. Due to the deep soil beneath the surface stones, these are not a rock outcrop areas. Surface runoff would be limited by armoring of the surface, in conjunction with a deep moderately permeable soil for moderate relative erosion potential.

Our interpretation of soils representative of this site places areas with slopes between 15 and 30 percent in Land Capability Class 4, with 20 percent Allowable Coverage, under the Bailey Land Classification System. Areas less than 15 percent slope receive Land Capability Class 6 with 30 percent Allowable Coverage. Greater than 30 percent slope areas receive Class 2 and 1 percent Allowable Coverage.

If IPES scoring is utilized, soils should be scored with K value 0.10; Hydrologic Group B, with slope segments 60 feet upslope and downslope from the proposed building site.

Respectfully submitted,



Sidney Davis,
Certified Professional
Soil Scientist No. 1031

Representative Soil Profile Descriptions:

Stop No. 1

0 3 to 0 inches

A11 0 to 7 inches, dark brown (10YR 3/3) very gravelly sandy loam, very dark brown (10YR 3/2) when moist; moderate fine granular structure; soft, very friable, nonsticky and nonplastic; common very fine and fine roots; many very fine and fine interstitial pores; clear smooth boundary.

A12 7 to 17 inches, dark grayish brown (10YR 4/2) very stony sandy loam, near loam, very dark brown (10YR 3/2) when moist; moderate fine granular structure; slightly hard, friable, slightly sticky and nonplastic; many very fine, fine and medium roots; many very fine and fine interstitial and tubular pores; 50 percent stones; clear smooth boundary.

B21t 17 to 34 inches, grayish brown (10YR 5/2) very stony clay loam, very dark brown (10YR 2/2) when moist; moderate medium subangular blocky structure, slightly hard, firm, slightly sticky and slightly plastic; many very fine, fine, medium and coarse roots; many very fine and fine interstitial and tubular pores; few thin clay films on ped faces and lining pores; 50 percent stones.

B22t 34 to 46 inches, light brownish gray (10YR 6/2) very stony clay loam, dark grayish brown (10YR 4/2) when moist; moderate medium subangular blocky structure; hard, friable, slightly sticky and plastic; common fine and medium roots; common very fine and fine interstitial and tubular pores; common thin clay films on ped faces and lining pores; abrupt wavy boundary.

IIBt 46 to 60 plus inches, variegated light yellowish brown (10YR 6/4) and brown (7.5YR 5/4) very gravelly sandy loam (near loam), dark yellowish brown (10YR 4/4) and dark brown (7.5YR 3/4) when moist; moderate medium subangular blocky structure, few fine and medium roots; many moderately thick clay films on ped faces and lining pores.

Notes:

Relict mottles below 46 (old lake sediments). Very porous profile above 46 inches. II Bt is loose and porous in places; other areas are weakly cemented. Hydrologic Group B.

Stop No. 2 (Groundwater observation site, only.)

- Top 0 to 2 feet, grayish brown (10YR 5/2) when moist, stony sandy loam; moderate fine granular structure;
- Sub 2 to 4 feet, brown (10YR 4/3) when moist, gravelly clay loam; moderate medium subangular blocky structure;
- II Sub. 4 to 7 feet, gravelly clay loam; moderate medium subangular blocky structure.
- II Sub. 7 to 8 gravelly clay loam; massive.

Notes:

Groundwater observation pit, no formal description taken. Free water at 7'. No evidence of seasonal perching above 7'. Hydrologic cycle this year is 140 % of normal. Soil similar to Tahoma series.

Stop No. 3

- 0 3 to 0 inches
- A11 0 to 7 inches, brown (10YR 5/3) gravelly coarse sandy loam, dark brown (10YR 3/3) when moist; moderate very fine granular structure; soft, very friable, nonsticky and nonplastic; many very fine and fine roots; many very fine and fine interstitial pores; medium acid; clear smooth boundary.
- A12 7 to 13 inches, pale brown (10YR 6/3) very gravelly coarse sandy loam near loam; dark yellowish brown (10YR 3/4) when moist; moderate fine granular structure, soft, very friable, nonsticky and slightly plastic; many very fine, fine and medium roots; many very fine and fine interstitial pores; medium acid; clear smooth boundary.
- B1t 13 to 22 inches, pale brown (10YR 6/3) very gravelly sandy clay loam; weak dark brown (10YR 4/3) when moist; weak fine granular to weak fine subangular blocky structure, very friable, slightly sticky and slightly plastic; many very fine, fine and medium roots; common very fine and fine interstitial and tubular pores; few thin clay films on ped faces; medium acid; clear smooth boundary.
- II 22 to 45 inches, pale brown (10YR 6/3) gravelly sandy clay
B22t loam; brown (10YR 4/3) when moist; weak fine subangular blocky structure, hard, friable, slightly sticky and slightly plastic; common fine and medium roots; common very fine and fine interstitial and tubular pores; medium thin clay films on ped faces and lining pores; medium acid; clear wavy boundary.

II 45 to 69 inches, light brownish gray (10YR 6/2) and light
Btx gray (10YR 7/2) gravelly sandy clay loam; with many
medium distinct dark grayish brown (10YR 4/2) and
grayish brown (10YR 5/2) mottles when moist; massive;
hard, friable, nonsticky, nonplastic and brittle; few
fine roots; few very fine and fine tubular pores; medium
thin clay films on ped faces and lining pores; slightly
acid.

Notes:

Stony surface. At toe of stony material over deep permeable
soil. Hydrologic Group B. Land Capability Class 4.

**POOR
QUALITY
ORIGINAL (S)
TO FOLLOW**



**HIGH DESERT MICROIMAGING, INC.
1225 FINANCIAL BLVD
RENO, NV 89502
(775) 359-6980**



VARIOUS VIEWS OF PIT #3
FOR DEPTH PERSPECTIVE
AND LOCATION





PIT #2 WITH 5'10" CONSULTANT
SPECIMEN FOR PERSPECTIVE
(above)



PIT #3
(right)



NORTHERLY VIEW OF
TEST PIT #1
(above)

SOUTHERLY VIEW OF
TEST PIT #1
(below)





PIT #1
(left)

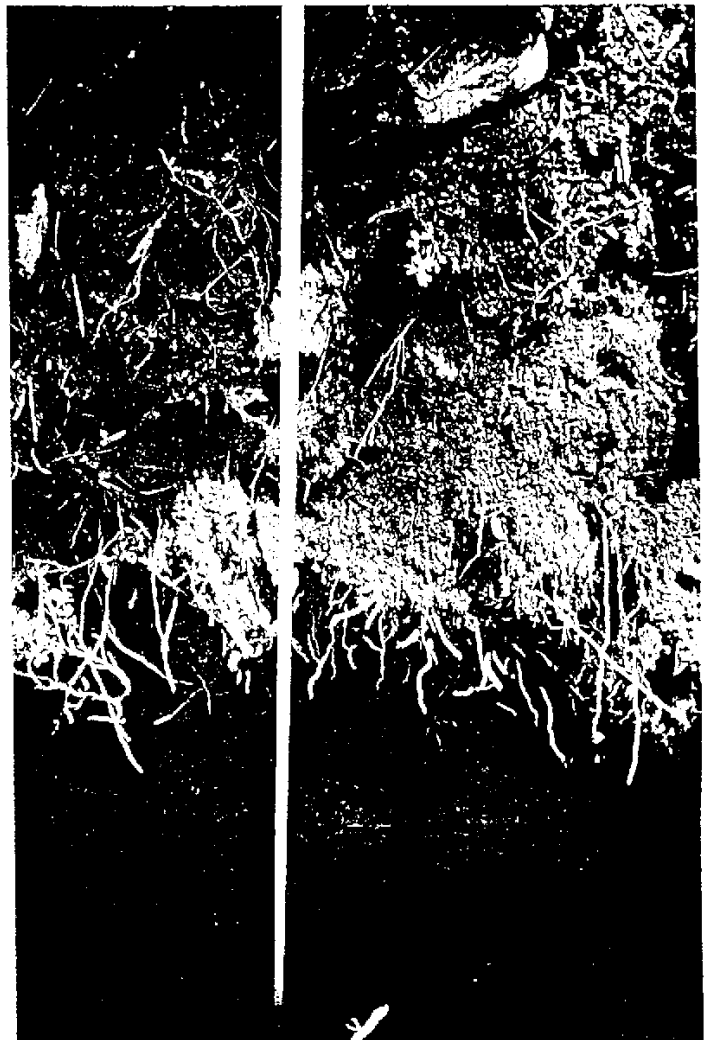
VIEW FROM PIT #1
TOWARDS SEZ TO EAST
(below)





LOCATION OF PIT #2
(above)

TAPE MEASURE TO
NINE FEET IN
PIT #2
(right)



June 16, 1993

Hydrologic Investigation
and SEZ Delineation

for the

Prim Property

Scotchwood Subdivision, Incline Village

Washoe County, Nevada

APN 126-251-24

Basin Strategies

Planning and Consulting Services

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Prepared by:

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INTRODUCTION

A hydrologic investigation was conducted on APN 126-251-24, Washoe County, on June 9, 1993. This large, vacant parcel (7.48 acres) is located in between Christina Drive/Fairview Blvd. and Eagle Drive/Alpine View, just east of Country Club Drive in Incline Village, Nevada. The investigation was initiated at the request of Mr. Paul Kaleta of Basin Strategies, as agent for the owner, Mr. Wayne Prim, Jr. in order to determine if a proposed single family dwelling (SFD) will impact a mapped SEZ and/or conform with TRPA's Code of Ordinances (64.7 Excavation Limitations). A groundwater investigation was conducted in order to determine if any excavation for the proposed swimming pool will interfere with or intercept groundwater. Also, a SEZ evaluation was conducted in order to determine if the mapped SEZ by IPES is correctly delineated according to TRPA's Code of Ordinances (37.3.B SEZ Identification) and if the recently changed SEZ setbacks by TRPA staff are correctly interpreted according the TRPA's Code of Ordinances (37.3.D SEZ Setbacks).

ENVIRONMENTAL SETTING

The site is covered by native soils that support an overstory of Jeffrey pine, white fir and incense cedar trees. There are two man-made drainages on the parcel which support some riparian grasses and scattered patches of willow/alder. This parcel is situated on a south-west facing slope with an average 20 percent slope.

This parcel is mapped as land capability class 1a on the TRPA Land Capability Overlay Map Sheets H-2 (Incline Creek) and H-3 (Incline Village East). The Soil Conservation Service Soil Survey for the Lake Tahoe Basin Area places this parcel within the Meeks series. The K.B. Foster Map Sheet H-2L (Incline Creek) shows the parcel as being within mapped soil unit MsE (Meeks very stony loamy coarse sand, 15 to 30 percent slopes). Two mapped linear SEZs are shown on both the TRPA and the K.B. Foster Map Sheets. The IPES field team identified three soil types on the parcel MsE (as mapped), JwE (Jorge-Tahoma stony sandy loams, 15 to 30 percent slopes), and Rx (Rock outcrop and Rubble land). Davis² (June 11, 1993) found the soils were deeper, well drained, and heavier textured than the mapped soil unit.

PROCEDURES

In order to evaluate the hydrologic conditions, a SEZ evaluation was conducted on June 9, 1993 and groundwater analysis was conducted on May 12, 1993. Three backhoe pits were established on the parcel in order to evaluate the soils and the subsurface conditions (See Davis² Soil Report, 1993). The three soil pits were used to examine the subsurface for any evidence of near surface groundwater and/or a seasonal high water table.

In order to more accurately delineate the extent of the mapped SEZs, the parcels and the U.S. Forest Service property upslope of the subject parcel were surveyed for evidence of a linear SEZ. In order to more accurately delineate the "SEZ" setbacks, the condition of the slopes located adjacent to the man-made channels was evaluated for evidence of surface erosion, mass wasting, and the extent of existing slope protection.

FINDINGS

The results of the SEZ survey of the parcels and the U.S. Forest Service property upslope of the subject parcel clearly indicate that both mapped SEZs are man-made channels. The smaller drainage ditch located in the northern section of the parcel was correctly delineated by the IPES field team and assigned a 10 foot setback. The SEZ delineation and setback of this man-made channel was not changed by TRPA staff. However, the larger drainage ditch located in the southern section of the parcel is not correctly delineated and the recently changed setbacks to 35 feet and 60 feet are incorrect according to TRPA's Code of Ordinances (37.3 D SEZ Setbacks). The survey upslope of the parcel indicates that the adjacent man-made channel is connected to the mapped SEZ on the subject parcel. As the survey showed, this man-made ditch was constructed when the land was subdivided in order to drain seep areas which resulted from the construction of the Mt. Rose Highway (State Highway 27). The best evidence that this is a man-made channel can be found on the upslope parcel between Christina and Fairview Blvd. When the subdivision roads were constructed a culvert was installed in this portion of the man-made drainage. This section shows none of the key indicators associated with a SEZ, past or present.

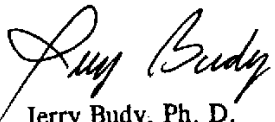
The results of the SEZ setback evaluation indicate that the slopes located adjacent to the drainage ditches are in good slope condition. The slopes show no evidence of surface erosion (sheet, rill, gully) or mass wasting because of the good overstory canopy of trees. The slopes are well covered with duff, down logs, slash, and rock outcrops. The slope gradient is 1 to 2 percent. Since this channel was man-made, it is deeply entrenched with no evidence of any surface erosion entering the channel. Any surface erosion on the adjacent slopes would be carried downslope rather than into the channel. Understory shrubs and forbs are found in some of the forest openings and along the man-made drainage ditches.

CONCLUSIONS

The SEZ survey upslope of the subject parcel indicates that the larger man-made channel extends to the Mt. Rose Highway. Although most of this channel is open, portions are completed underground in culverts. The typical vegetation is upland pine-fir forest. The man-made channel currently supports riparian vegetation. As a result, this man-made drainage ditch with its associated riparian vegetation should be classified according to the TRPA Code as a "man-made channel" with a 10 foot setback from the edge of the channel. The IPES field team correctly delineated the SEZ and established a 10 foot setback on the smaller channel. However, TRPA staff recently re-classified the

larger channel as a perennial stream with portions having setbacks of 35 feet and 60 feet. The condition of the adjacent slopes, however, does not support or justify setbacks of 35 and 60 feet. As in the case of the smaller channel, the larger man-made channel should be assigned a 10 foot setback from the edge of the channel. Thus, the large portion of SEZ mapped south of this channel should be redelineated as non-SEZ land. The scattered willow/alder clumps are not the dominant vegetation and thus, are not primary indicators.

The groundwater investigation indicates that there is no evidence of a seasonal high water table within 7 feet of the natural ground surface. (See Davis² Soil Report, 1993). Any excavation for a proposed single family dwelling or swimming pool on this parcel will not interfere with or intercept groundwater. Thus, the potential excavation for a single family dwelling/swimming pool will conform with TRPA's Code of Ordinances (64.7 Excavation Limitations).



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No. 559

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Zephyr Point Presbyterian Conference Grounds

Application Type: Recreation/Group Facility

Applicant: Lake Tahoe Presbyterian Conference Commission

Applicant's Representative: Loving and Campos, Architects, Inc.

Agency Planner: Mike Thomas, Senior Planner

Location: 660-670 U.S. Highway 50, Douglas County

Assessor's Parcel Number/ Project Number: APN 05-100-01/930750

Staff Recommendation: Staff recommends approval of the project. The required actions and recommended conditions are outlined in Section F of this staff summary.

Project Description: The proposed project is the expansion of an existing group facility and involves the construction of three buildings designed to provide accommodations, dining and meeting facilities for groups attending the facility. The proposed buildings will include 43 rooms for 80 guests, a dining hall and various meeting rooms. The project also involves the relocation of an existing parking lot near the Lake to a location adjacent to the highway. In order to meet Douglas County Fire Protection District requirements regarding road width, slope and turning radii, the project also includes relocation of the existing driveway. To facilitate the new capacity, the applicant is requesting an allocation of 80 PAOTs (persons at one time) from the pool of 1,000 which have been set aside pursuant to Chapter 33 of the Code of Ordinances. The 5.56 acre project area is a portion of the 23 acre parcel owned by the Presbyterian Church. Extensive landscaping, along with the installation of Best Management Practices (BMPs), will also be included as part of the project.

Zephyr Point Presbyterian Conference Center was developed in 1925 and has been used for religious conferences and summer camps since that time. According to the applicant, Zephyr Point "is one of the remaining conference/summer camp sites which dotted the lake in the early twentieth century."

Site Description: The Presbyterian Conference Center is located approximately one half mile south of Zephyr Cove Lodge on U.S. Highway 50. The property is bounded on the east by Highway 50, the west by Lake Tahoe, the north by Zephyr Cove subdivision and the south by Marla Bay subdivision. The access to the property is directly off of Highway 50.

The project area consists of approximately 5.56 acres, which is entirely Class 1a land capability and backshore. Vegetation on the site consists of numerous pine trees, some cedar trees, manzanita and bitterbrush, and various grasses. Numerous non-native species also occur on the site. Slopes on the parcel range from almost flat to seventy percent. Many areas in the project area are disturbed and in need of restoration.

Three lodge buildings and two outbuildings in the project area were demolished last fall due to their poor state of repair. Several small dirt roads, driveways and parking aprons connect to the main access road which forms a loop around the entire property. A lakeside amphitheater, the beach and existing pier, and most of the property is interconnected with a series of foot trails.

Issues: The proposed project requires Governing Board review in accordance with Chapter 4, Appendix A because the project involves a special use determination, PAOT allocation, and an addition to a recreation facility greater than 1,000 square feet. The primary project related issues are:

1. Noise: A noise analysis was prepared to evaluate potential noise impacts due to the vehicular traffic along the new road alignment. The study concluded that traffic associated with the new road alignment will not exceed the maximum community noise equivalent level (CNEL) for this plan area (Exhibit A). The applicant has proposed continuing a seven foot high wood fence along the subject property line as a further noise attenuation.
2. Traffic: According to the traffic analysis prepared for this project, an insignificant increase in daily vehicle trips will occur (Exhibit B). As mitigation, the applicant will be required to pay an air quality mitigation fee of \$2,820. This fee is based on an increase of 141 daily vehicle trip ends (dvte). As further mitigation, the applicant will incorporate a small accessory retail store for the sale of sundry type items in order to reduce the need for users of the facility to travel off of the site.
3. Parking: The parking requirements for the proposed project have been designed to meet Douglas County standards. Also considered in the new parking configuration is the goal of restoring the areas near the Lake to a near natural condition, and reducing the number of vehicle trips inside the site. Based on an improved design of the parking area, the proposed parking will reduce the number of parking spaces by 7 spaces.
4. Road Improvements: The realignment of the existing access road is required by the Douglas County Fire Protection District to meet fire safety standards for slope, width and turning radii. As a result of the new alignment, the land coverage associated with the

road will increase by approximately 5,400 square feet. Land coverage will be relocated from other areas within the project area. In order for the Governing Board to approve the relocation of land coverage, findings 7, 8 and 9 of Section E must be made. Overall, a net reduction in land coverage will occur as a result of the project. With the removal of the parking near the beach, a reduction in the total number of vehicles using the access road is expected. The access road will be used to drop and pick-up guests, deliver supplies to the dining hall and for emergency vehicle access. Persons wishing to use the beach facilities will be required to park in the upper parking areas and walk to the beach. All buildings and amenities in the project area have been designed to be accessible to handicapped persons.

5. Water: The applicant has provided a copy of the "State of Nevada Certificate of Appropriation of Water" issued to the conference facility. According to the engineer working for the applicant, the amount of water available is ample to meet the needs of the proposed facility in accordance with Chapter 27.

6. Land Use: Group facilities are defined as follows: "Establishments which provide overnight accommodations and outdoor recreation to organized groups such as recreational camps, group or organized camps, religious camps." Staff has reviewed this issue and has concluded that the Zephyr Point Conference Center meets the definition of a group facility.

Staff's decision is based on the following considerations:

- A. The attendees of the facility are generally members of organized religious groups (Exhibit C).

 - B. The facility does not pay any transient occupancy tax for revenues which are received.

 - C. There are numerous recreation activities offered on the site such as: fishing, swimming, boating, volleyball and hiking.

 - D. The facility does not post a "vacancy/no vacancy" sign and does not operate in a manner typical of hotel/motel type operations. Furthermore, no advertisements of the facility are posted.
-
7. PAOT Allocation: The applicant is requesting that 80 PAOTs be assigned by the Governing Board to accommodate the additional capacity of the project. Chapter 33 of the Code sets aside a pool of 1,000 PAOTs for "overnight uses" which are on the 5-year additional recreation facilities list and for which there are

either no PAOTs assigned to the Plan Area, or the amounts assigned are inadequate for the project. The project is consistent with the requirements of Chapter 33; however, questions have been raised as to whether or not the project is eligible to receive PAOTs from the pool of 1,000. Chapter 33 states:

"To be eligible for overnight PAOT allocation from the pool, the project area must retain, or be restored to, a near natural state, include outdoor living amenities such as tables and fire pits, and offer access to outdoor recreational opportunities such as hiking trails, public beaches, and fishing."

Staff has determined that Zephyr Point Presbyterian Conference Center is eligible to receive PAOTs from the "pool". Staff's decision is based on the following considerations:

- A. There are no PAOTs assigned to the plan area to accommodate the proposed permissible use.
- B. The site offers access to the beach, fishing and boating. (It should be noted that the general public is permitted access to the beach provided they check-in at the office.) The footpaths throughout the site provide limited hiking for persons visiting the site. Visitors at the center are permitted to sleep outside if they choose.
- C. The applicant has proposed a 3,431 square foot reduction in land coverage in the project area in order to restore the site, to the extent feasible, to a near natural state. The proposed landscaping utilizes native vegetation. Finally, as further restoration, parking near the beach has been relocated to a location near the entrance to the facility.
- D. The Code is silent with respect to what constitutes "a near natural state". By comparison to other overnight recreation uses, such as recreational vehicle parks, which are eligible to receive PAOTs, staff is of the opinion that the proposed activity reasonably meets the requirements of retaining or restoring the site to a near natural state.
- E. As conditioned, if a sale of the facility were to occur, the new owner would be required, by deed restriction, to continue operating the facility as a group facility rather than as a tourist accommodation facility. Such a deed restriction would limit the use to organized groups, prohibit vacancy signs, prohibit "drop-in" advertising and require the new owners to maintain recreational amenities on site.

8. Scenic: In order to address the potential scenic impacts of the project, the applicant prepared visual simulations of the proposed structures. Staff has concluded that the proposed structures will not cause a decrease in the scenic quality rating for this area. The buildings will be well screened by existing vegetation as well as by the new landscaping which is proposed. Also, the buildings have been sited well back from the shoreline.

Staff Analysis:

A. Environmental Documentation: The applicant has completed an Initial Environmental Checklist (IEC) in order to assess the potential environmental impacts of the project. No significant environmental impacts were identified and staff has concluded that the project will not have a significant effect on the environment. A copy of the completed IEC will be made available at the Governing Board hearing and at TRPA.

B. Plan Area Statement: The project is located within Plan Area 067--Marla Bay/Zephyr Heights. The Land Use Classification is Residential and the Management Strategy is Mitigation. Agency staff has reviewed the subject Plan Area and has determined that the project is consistent with the applicable planning statement, planning considerations and special policies. The proposed activity is listed as a special use.

C. Land Coverage:

1. Land Capability District:

The land capability districts of the project area are class 1a and backshore. The total project area is approximately 238,099 square feet.

2. Existing Coverage:

Hard Coverage:	52,551 square feet
Soft Coverage:	<u>12,880 square feet</u>
Total:	65,431 square feet

3. Proposed Coverage:

Hard Coverage:	62,000 square feet
Soft Coverage:	<u>0 square feet</u>
Total:	62,000 square feet

4. Allowed Coverage:

Class 1a Area:	2,374 square feet
Class 1b Area:	<u>7 square feet</u>
Total allowed coverage:	2,381 square feet

5. Coverage Mitigation:

Based on the above coverage figures, the existing project area contains approximately 63,050 square feet of excess land coverage. In order to mitigate the existing excess coverage, the applicant shall be required to either pay a mitigation fee, or reduce existing coverage pursuant to Subsection 20.5 of the TRPA Code of Ordinances. The proposed reduction of 3,431 square feet of land coverage may be credited towards the excess coverage mitigation fee.

D. Building Height: Based on a 26% cross-slope retained across the building site, and a 7:12 roof pitch, the maximum allowed height for the proposed building #1 is 38 feet, 5 inches. The proposed building has a maximum building height of 38 feet, 5 inches. Building site #2 has a cross slope of 22%, and a roof pitch of 7:12. The maximum allowed height is 37 feet, 11 inches. The proposed height for building #2 is 37 feet, 3 inches. Building site #3 has a cross slope of 24% and a roof pitch of 7:12. The maximum allowed height for building #3 is 38 feet, 5 inches. The proposed height of building #3 is 38 feet, 5 inches.

E. Required Findings: The following is a list of the required findings as set forth in Chapters 6, 18, 20, and 22 of the TRPA Code of Ordinances. Following each finding, Agency staff has briefly summarized the evidence on which the finding can be made.

1. 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.

(a) Land Use: The proposed use, group facility, is a permissible use within the plan area. The project area will be fully retrofitted with Best Management Practices (BMPs) upon project completion. The project, as proposed, will include extensive landscaping and coverage removal. Excess land coverage in the project area will be fully mitigated.

(b) Transportation: A traffic analysis prepared for this project concludes that the increase in traffic (95 DVTE) is minor and

will not impact levels of service. The project includes a small accessory retail store providing sundry type items to help reduce vehicle trips.

- (c) Conservation: There are no known special interest species in the project area. The materials and colors selected for the proposed buildings blend into the surrounding landscape. The buildings are screened with vegetation. All disturbed areas in the project area are being restored to protect water quality. A net land coverage reduction of approximately 3,431 square feet will be realized upon project completion.
 - (d) Recreation: The proposed project will increase the capacity at Zephyr Point by 80 people. The existing facilities at Zephyr Point cannot meet the current demand and the expansion will help address that problem.
 - (e) Public Service and Facilities: The proposed project does not require any additional public services or facilities. The applicant has demonstrated that the appropriation of water from the State of Nevada is sufficient to meet the increased use of the facility.
 - (f) Implementation: The project does require allocation of PAOTs to facilitate the expansion. The eligibility of the proposed project to obtain PAOTs is consistent with the Code of Ordinances. Air and water quality impacts will be mitigated in a manner consistent with the Code of Ordinances.
2. The project will not cause the environmental threshold carrying capacities to be exceeded.

The basis for this finding is provided on the checklist entitled "Project Review Conformance Checklist and Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA.

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

(Refer to paragraph 2, above.)