TRPA
APC
PACKETS

OCTOBER
1995

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION
NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the **Advisory Planning Commission** of the Tahoe Regional Planning Agency will conduct its regular meeting at 9:30 a.m. on **Wednesday, October 11, 1995**, at the North Tahoe Conference Center, 8318 North Lake Boulevard, Kings Beach, California. The agenda for the meeting is attached hereto and made a part of this notice.

October 2, 1995

By: _____
James W. Baetge
Executive Director

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
ADVISORY PLANNING COMMISSION

North Tahoe Conference Center
8318 North Lake Boulevard
Kings Beach, California

October 11, 1995
9:30 a.m.

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

AGENDA

I. CALL TO ORDER AND DETERMINATION OF QUORUM

II. APPROVAL OF AGENDA

III. PUBLIC INTEREST COMMENTS (No Action)

Any member of the public wishing to address the Advisory Planning Commission on an agenda item not listed as a Public Hearing or a Planning Matter item, or on any other issue, may do so at this time. However, public comment on Public Hearing and Planning Matter items will be taken at the time those agenda items are heard.

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

IV. DISPOSITION OF MINUTES

V. PUBLIC HEARING AND RECOMMENDATION TO THE GOVERNING BOARD

A. Amendment of Subsection 4.3.A of Chapter 4, Project Review and Exempt Activities, to Add Salvage Tree Removal on Project Areas of 20 Acres or Less 1-7

B. Amendment of Plan Area Statement 013, Watson Creek (Conservation) to Add Local Public Health and Safety Facilities as a Permissible Use 8-14

C. Amendment of Plan Area Statement Boundaries Between Plan Area 045, Incline Village Commercial (Commercial/Public Service), and Plan Area 046, Incline Village Residential (Residential), to Include Washoe County APN 124-041-87 in Plan Area 046 15-32

D. Update of the Trip Table as Required in Subsection 93.2.H of Chapter 93, Traffic and Air Quality Mitigation Program 33-39

E. Draft Supplement to the South Lake Tahoe Redevelopment Project No. 1 EIS/EIR (Embassy Vacation Resorts) 40

F. Lake Tahoe Shorezone Development Cumulative Impact Analysis, Draft EIS 41

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G. Amendment of Chapter 78, Wildlife Resources, Relative to Goshawk Habitat 42-45

VI. REPORTS

A. Executive Director

1. Notice of Circulation, Bijou/Al Tahoe Community Plan EIR/EIS 46

2. Other

B. Legal Counsel

C. APC Members

VII. ADJOURNMENT

TAHOE REGIONAL PLANNING AGENCY

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MEMORANDUM

October 2, 1995

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Chapter 4, Qualified Exempt Activities, to Add Salvage Tree Removal on Project Areas of 20 Acres or Less

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PROPOSED ACTION: Recommend approval to the Governing Board of the proposed amendment of Chapter 4, Qualified Exempt Activities, to add salvage tree removal on project areas of 20 acres or less provided that certain conditions are complied with.

STAFF RECOMMENDATION: Staff recommends approval of the proposed amendment of Chapter 4 to add salvage tree removal on project areas of 20 acres or less to the list of Qualified Exempt Activities.

BACKGROUND: The Lake Tahoe Basin forest ecosystem has experienced many problems which continue to plague our forests today. Much of Lake Tahoe's forests of mature Sugar, Jeffrey, and Ponderosa Pine were removed for Comstock Lode mining and replaced by even aged stands of Pine and White Fir. In addition, fire exclusion, lack of selective thinning, and above average rainfall, averaged over the past 100 years, produced a forest with a dominance of fir over pine in some areas, and an increased density of trees. This unhealthy combination of circumstances set the stage for our present situation, accentuated by our prolonged drought. Currently, trees in the Lake Tahoe Basin are dying at an alarming rate, primarily from insect attack. Similar to a forest ecosystem, the insects do not respect property lines and have created large areas of tree mortality on public, as well as private lands.

Recently a group representing state and federal forestry agencies, environmental groups, local fire districts, legislators, regulatory agencies and TRPA met to help facilitate the ongoing efforts to enhance fire hazard reduction and forest health issues in the Lake Tahoe Basin. An initial agreement of the partnership was that all actions taken would be consistent with the overall environmental protection that exists for Lake Tahoe.

Early in it's discussions, the group, now called the TAHOE RE-GREEN PROJECT, identified a need to facilitate the removal of dead, dying and diseased trees on small parcels of 20 acres or less to lessen the fuel load to reduce the risk of catastrophic wildfire. A large wildfire could have serious adverse impacts on most environmental thresholds, the most prominent being impacts upon the water quality of Lake Tahoe and its tributaries. The proposed addition of timber harvesting on project areas of 20 acres or less for salvage cuts would facilitate the removal of dead, dying, and diseased trees and promote forest health.

SC:jsd

AGENDA ITEM V.A.

DISCUSSION: Presently, within the existing language for qualified exempt activities, a property owner may receive a permit from the California Department of Forestry or the Nevada Division of Forestry, through a memorandum of understanding with TRPA, for the cutting of up to 100 live trees on a project area of 20 acres or less. Dead trees do not require a permit for removal. The problem arises when the definition of a dead tree is applied. A dead tree is defined as a tree totally lacking green needles throughout the crown. Dying trees do not fit this definition and are therefore counted against the 100 tree limitation. On a ten acre parcel, with an average insect attack outbreak, the number of dying trees can easily exceed the 100 tree limitation, triggering the requirement of a TRPA permit. This requirement serves as a disincentive to obtaining complete and proper forest health on these affected properties. Present practice is to remove 100 dying trees under the existing exemption, and leave the remaining dying trees standing across the property. This practice leaves large broods of insects in the remaining dying trees and does not address the forest health problem. The proposed Code amendment would provide for proper forest health work within the confines of strict compliance with environmental protections.

A revision to the definition of a dead tree was explored as an alternative to the proposed Code amendment but is not being recommended. The present definition provides a clear and defendable characterization of a dead tree and has not been an obstacle to routine tree removal permitting on single family dwelling parcels.

The proposed Code amendment language (Exhibit A) provides substantial environmental protections and the proposed Tahoe Basin Tree Removal Permit for salvage on 20 acres or less (Exhibit B) provides additional protection. A pre-operations field inspection must be completed by TRPA to insure that operations will proceed in accordance with all applicable provisions of the Code of Ordinances. The operation would still be bound by those Ordinance provisions. The proposed permit would also require substantial improvements in the treatment of slash created by the operation. The Forest Health Consensus Group has reviewed the proposed language and found no substantial problems with it.

FINDINGS: The required findings and brief rationales for making each finding are set forth below:

Chapter 6 Findings:

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.

   Rationale: The proposed Code amendment exempts the activities from TRPA review and approval. Exemption of those activities does not exempt them from applicable provisions of the Code. The proposed language provides for substantial monitoring of the activities by TRPA staff to insure conformance with those applicable provisions of the Code.

2. The project will not cause the environmental thresholds to be exceeded.

   Rationale: The activities utilizing the proposed exemption are required to be in conformance with the Code and will be monitored by TRPA staff.

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

   Rationale: See Rationales 1 and 2 above.

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

   Rationale: See Rationales 1,2, and 3, above.

Ordinance 87-8 Findings:

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

   Rationale: The amendment will provide for more complete forest health management on small project areas, consistent with attainment of the Vegetation Threshold. The activities utilizing the qualified exemption will be in compliance with the Code of Ordinances.

2. One or more of the following:

   a) There is demonstrated conflict between provisions of the Regional Plan Package and the conflict threatens to preclude attainment or maintenance of thresholds;

   b) That legal constraints, such as court orders, decisions or Compact amendments, require amendment of the Goals and Policies or Code;

   c) That technical or scientific information demonstrates the need for modification of a provision of the Goals and Policies or Code;

   d) That the provision to be amended has been shown, through experience and time, to be counter-productive to or ineffective in attainment or maintenance of the thresholds;

   e) That implementation of the provision sought to be amended has been demonstrated to be impracticable or impossible because of one or more of the following reasons:

      (1) The cost of implementation outweighs the environmental gain to be achieved.

(2) Implementation will result in unacceptable impacts on public health and safety; or

(3) Fiscal support for implementation is insufficient and such insufficiency is expected to be a long-term problem.

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

Rationale: Finding (f) is the most appropriate in that the amendment will provide for more complete forest health management on the affected project areas, thereby correcting the counter productive aspects of the present situation.

ENVIRONMENTAL DOCUMENTATION: Based on completion of an Initial Environmental Checklist and the procedural nature of the proposed amendment, staff recommends a finding of no significant environmental effect.

4.3.A Qualified Exempt Activities

(10) Timber harvesting for the removal of dead, dying, and diseased trees (salvage cuts) on parcels of 20 acres or less in size, that are not part of a larger parcel of land in the same ownership:

(a) A Tahoe Basin Tree Removal Permit, that expires twelve months after issuance, has been issued for trees marked pursuant to the memorandum of understanding between the appropriate state forestry agency and TRPA;

(b) Dying trees are defined as those determined to be dead within one year by a qualified forester authorized to issue a Tahoe Basin Tree Removal Permit by the Memoranda of Understanding between TRPA and the Nevada Division of Forestry and the California Department of Forestry and Fire Protection.

(c) A pre-operations field inspection is completed by TRPA which is attended by a representative from the appropriate state forestry agency, RWQCB staff, property owner or authorized representative, and the licensed timber operator;

(d) Grading is not in excess of seven cubic yards for activities occurring between May 1 and October 15, or not in excess of three cubic yards for activities occurring between October 15 and May 1, and is limited to land capability districts 3, 4, 5, 6, 7;

(e) All slash shall be treated by chipping, piling for burning, or hauled away within 15 days following cutting and any burning of piled slash shall be completed within 30 days during permissible burn periods or no later than May 1 of the following year;

(f) Soil erosion protection and stabilization of disturbed areas shall be done concurrently with logging operations, with full completion no later than 48 hours following the end of cutting; and

(g) There are no watercourse or stream environment zone crossings except for existing bridges and culverts.

TAHOE BASIN TREE REMOVAL PERMIT
FOR SALVAGE ON 20 ACRES OR LESS
Nevada Division of Forestry
California Department of Forestry

PROPERTY OWNER(S) OF RECORD:

Name(s)_____Phone:_____

Mailing Address:_____

Location of Property:_____

Type of logging operation:_____

Only trees marked in paint and approved by a CDF or NDF forester may be cut, and the following **STANDARD CONDITIONS** shall be met during tree removal operations:

1) A pre-operations field inspection must be completed by TRPA which is attended by a representative from CDF or NDF, the appropriate state water quality agency, the property owner or authorized representative, and the licensed timber operator.

2) Grading is not in excess of seven cubic yards for activities occurring between May 1 and October 15, or not in excess of three cubic yards for activities occurring between October 15 and May 1, and is limited to land capability districts 3, 4, 5, 6, and/or 7.

3) Green pine slash must be chipped or piled and covered with clear, 6 mill plastic immediately. All other slash shall be treated by chipping, piling for burning, or hauled away within 15 days following cutting. Burning of piled slash shall be completed within 30 days during permissible burn periods or no later than May 1 of the following year.

4) Soil erosion protection and stabilization of disturbed areas shall be done concurrently with logging operations, with full completion no later than 48 hours following the end of skidding.

5) There are no stream crossings except for existing bridges or culvert crossings.

6) This Tahoe Basin Tree Removal Permit expires 12 months after issuance.

7) Stump height shall be 6" or less.

8) Tops of live stumps shall be covered with borax immediately after felling to retard the spread of root disease.

9) Vehicles will not be permitted to operate when soil moisture conditions are conducive to unacceptable soil compaction or rutting.

10) A map shall be attached to this form, showing the location of the operation and all streams, floodplains and other surface waters.

11) The operation covered by this permit shall be bound by all applicable provisions of the TRPA Code of Ordinances.

12) This form must be provided to TRPA at least five days prior to a scheduled pre-operations meeting.

SPECIAL CONDITIONS:

The Permittee, for himself, his contractors, and employees, agrees to save, indemnify, and hold harmless the authorizing entity or its representative from all liabilities and claims for damages by reason of injury or death to any person or persons, or damage to property from any cause whatsoever while in, upon, or in any way connected with the work covered by this tree cutting permit, and does further agree to defend the entity in any claim arising out of or as a result of the work done under this permit.

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all ordnances and state laws, the TRPA Code of Ordinances and the regulations of the Department of Industrial Relations and Industrial Accident Commission, relating to the character of work, equipment, and labor personnel involved in the project. I also certify that trees being removed are on the property as described above.

Applicant's signature:_____ Date:_____

Mailing Address:_____ Phone:_____

Forester's Authorization:_____

TAHOE REGIONAL PLANNING AGENCY

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MEMORANDUM

October 2, 1995

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Plan Area Statement 013, Watson Creek (Conservation) To Add Local Public Health and Safety Facilities As a Permissible Use

Proposed Action: To amend Plan Area Statement (PAS) 013, Watson Creek by adding Local Public Health and Safety Facilities to the list of Permissible Uses as a Special Use. (See Exhibits A and B).

Staff Recommendation: Staff recommends that the Advisory Planning Commission review and recommend approval of the proposed amendment to the Governing Board.

Background: The applicant proposes to amend PAS 013, Watson Creek, by adding Local Public Health and Safety Facilities as a permissible use. In September 1993 TRPA issued a temporary permit to construct a pump house, required in order to upgrade the existing water system, on Placer County APN 116-040-01. Water tanks, pumps, wells, and related facilities are considered Local Public Health and Safety Facilities as defined in chapter 18 of the TRPA Code of Ordinances.

As a condition of the temporary permit, the permittee was required to obtain a permanent approval for the pump house, which included obtaining a Plan Area Statement amendment.

The land use classification for Plan Area Statement 013 is Conservation and the management strategy is Mitigation. The existing uses on the parcels adjoining APN 116-040-01 are forest conservation to the south, west, and north, with residential uses to the east. Currently the Agate Bay Homeowner's Association maintains tennis courts for its members on the subject parcel.

/cs
10/02/95

Discussion: In evaluating proposed plan area amendments, staff uses a three-step procedure. The first step is to determine whether a mistake was made in mapping the original plan area boundaries and assigning permissible uses to the area. The second step is to determine whether something has changed in terms of character at this location or pattern of land use to warrant amending the list of permissible uses. The third step is to determine whether the amendment to the plan area would change land use patterns such that attainment and maintenance of environmental thresholds is improved or enhanced.

Of the 15 plan areas whose land use classification is Conservation, only 6 (including Watson Creek) do not allow Local Public Health and Safety Facilities as a Permissible Use. Staff has concluded that within this particular plan area, not including Local Public Health and Safety Facilities as a Special Use was an oversight. Currently the only local public health and safety facilities permissible in the plan area are transmission receiving facilities and pipelines, and power transmission, both of which are Special Uses.

Chapter 18 of the TRPA Code of Ordinances defines Local Public Health and Safety Facilities as follows: "Facilities operated by public or quasi-public entities for the local protection of the public, such as fire stations and other fire prevention facilities; police and sheriff substations; satellite highway maintenance and snow removal facilities; water tanks, pumps, wells and related facilities; monitoring facilities; sewage pumps and related facilities; and emergency services."

TRPA staff is recommending that Local Public Health and Safety Facilities be added to the list of Permissible Uses in PAS 013 as a Special Use rather than an Allowed Use. This way the required special use findings will assure that no project is approved that is not compatible with the surrounding uses and character of the neighborhood.

Findings: Prior to amending the Plan Area Statement, TRPA must make certain findings.

Chapter 6 Findings

1. The project will not cause the environmental thresholds to be exceeded.

   Rationale: The proposed addition of local public health and safety facilities to the list of permissible uses will not cause the Environmental Threshold Carrying Capacities to be exceeded because at the time of any project submittal, the applicant will have to provide supporting evidence that all environmental thresholds will be attained and maintained.

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

   Rationale: The proposed amendment will have no negative effects on air or water quality. Any project that is proposed as a consequence of this plan area amendment will be required to analyze traffic and trip increases based on the type and extent of project. Any project proposed based on this amendment would also be required to comply with all Code standards as they pertain to water quality, including impact mitigation. Therefore, amending Plan Area Statement 013 will have no negative impact on federal, state, and local air or water quality standards.

3. That the Regional Plan, as amended, achieves and maintains the thresholds.

   Rationale: See Findings 1 and 2 above.

Environmental Documentation: Based on the above analysis and the completion of the initial environmental checklist (IEC), staff proposes a finding of no significant effect.

Staff will begin this item with a brief presentation. If you have any questions or comments regarding this agenda item, please contact Coleen Shade at (702) 588-4547.

013 -- WATSON CREEK

PLAN DESIGNATION:

Land Use Classification	CONSERVATION
Management Strategy	MITIGATION
Special Designation	NONE

DESCRIPTION:

Location: This is a large Plan Area that covers the backdrop country between Dollar Point and Flick Point and is located on Agency maps D-4, D-5, D-6, E-3, E-4 and the Martis Peak Quadrangle.

Existing Uses: The Plan Area is mostly undeveloped and in public ownership. Existing uses are mostly limited to dispersed-types of recreation and to timber management

Existing Environment: This area has a good mixture and distribution of plant communities, but mature fir trees still dominate the overall plant composition. Much of the area has good land capability.

PLANNING STATEMENT: This planning area should be managed with an emphasis on providing improved opportunities for dispersed recreation and timber harvest.

PLANNING CONSIDERATIONS:

1. There is an over abundance of unimproved roads.

2. There is good capability land for long range relocation of recreational development. However, the potential for developed recreational sites is constrained due to lack of the necessary infrastructure such as sewer, water, and improved roads.

3. The lack of significant natural features such as large streams or lakes limit the attractiveness of the area for campsite development.

4. The legal status of the North Rim Subdivision is uncertain.

SPECIAL POLICIES:

1. The development or relocation of recreational facilities should be limited to good capability lands within close proximity to urban services.

2. Some bank stabilization and fish passage barrier removal work should be performed on Watson Creek.

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

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

Residential	Summer homes (S).
Public Service	Transmission and receiving facilities (S) and pipelines and power transmission (S), and public health and safety facilities (S).
Recreation	Day use areas (S), developed campgrounds (S), off-road vehicle courses (S), outdoor recreation concessions (S), riding and hiking trails (A), rural sports (S), group facilities (S), undeveloped campgrounds (S), and snowmobile courses (S).
Resource Management	Reforestation (A), regeneration harvest (A), sanitation salvage cut (A), selection cut (A), special cut (A), thinning (A), timber stand improvement (A), tree farms (S), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), farm/ranch accessory structures (S), grazing (S), range pasture management (A), range improvement (A), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), prescribed fire management (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).

ADDED

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

USE	MAXIMUM DENSITY
Residential	
Summer Homes	1 unit per parcel
Recreation	
Developed Campgrounds	8 sites per acre
Group Facilities	25 persons per acre

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

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL.

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

SUMMER DAY USES **0 PAOT** WINTER DAY USE **0 PAOT** OVERNIGHT USES **400 PAOT**

OTHER: Seven miles of trail.

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

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

PROJECT LOCATION MAP

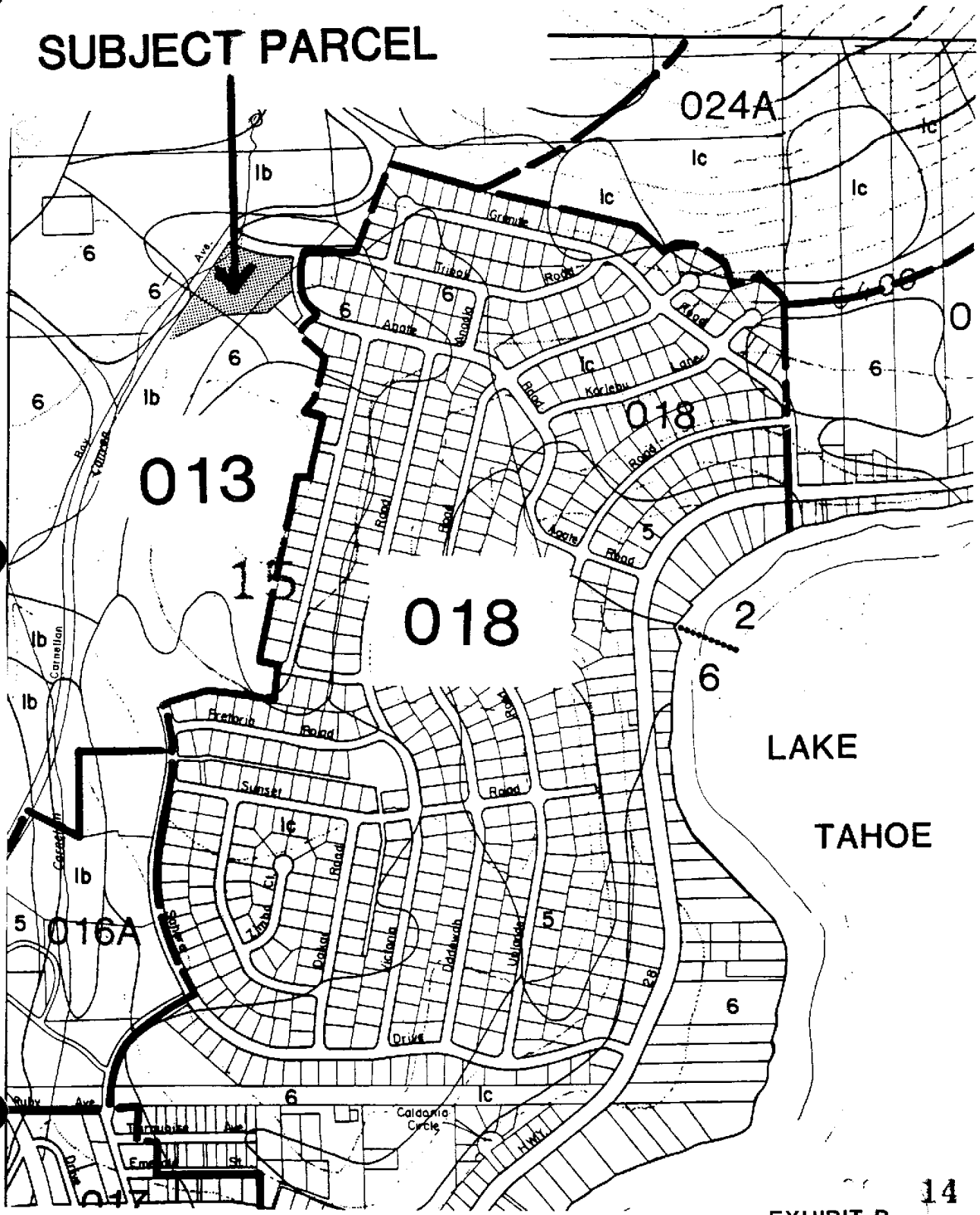

EXHIBIT B

TAHOE REGIONAL PLANNING AGENCY

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MEMORANDUM

October 3, 1995

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Plan Area Statement Boundaries Between Plan Area 045, Incline Village Commercial (Commercial/Public Service) and Plan Area 046, Incline Village Residential (Residential) to include Washoe County APN 124-041-87 In Plan Area 046

Proposed Action: In order to construct a mixed use condominium/commercial project, the applicant proposes an amendment which modifies the boundary line between PAS 045 Incline Village Commercial (designated as a preliminary community plan area), and PAS 046 Incline Village Residential by moving a portion of APN 124-041-87 from PAS 045 to PAS 046. (See Exhibit B for applicant's map of the proposed boundary line adjustment.) The applicant is requesting the plan area amendment because single family dwellings are currently not a permissible use on the subject parcel.

Staff Recommendation: Staff is not in support of the applicant's proposed amendment to move a portion of APN 124-041-87 from a commercial plan area to a residential plan area because: 1) the parcel would be split by a plan area boundary, 2) the access and orientation of the parcel is in a commercial plan area, and 3) the proposed mixed use more appropriately fits the commercial plan area because it is consistent with the surrounding uses. (See Exhibit A for current and staff proposed language for PAS 045).

Staff's recommendation is different than the applicant's proposal, but would accomplish the same end. Staff agrees with the applicant that mixed use, commercial/residential, is an appropriate land use objective for this area and is consistent with the surrounding land uses. In addition, PAS 045 is within a preliminary community plan area where Transit Oriented Design standards (TOD) are preferred as a key strategy to reduce vehicle miles traveled (VMT). Mixed use developments are considered to be TOD.

/cs
10/03/95

TRPA staff, therefore, recommends that the APC recommend to the Governing Board that PAS 045 be amended by adding single family dwellings (SFD) to the list of permissible uses as a special use. Staff also proposes to amend PAS 044, Fairway, by reducing the number of residential bonus units from 90 to 80 and transferring the 10 bonus units to PAS 045. In addition, two special policies are proposed to be added to PAS 045. The first special policy would require SFDs to be part of a mixed use development and the SFDs must be attached, sharing common walls. The second special policy to be added would add an incentive to build vertically oriented mixed use buildings as opposed to horizontally oriented mixed-use buildings. Vertical mixed use refers to a building type that provides two or more uses, such as ground floor commercial with residential above. Bonus units could only be applied to those projects with vertical mixed uses. Plan Area 045 would also be amended to include the multi-residential incentive program.

Staff recommends the Advisory Planning Commission review and recommend approval of the staff's recommendation to the Governing Board. The applicant is comfortable with staff's recommendation except for being tied to the requirement of the mixed use.

Background: The applicant proposes to amend the boundary line between PAS 045, Incline Village Commercial, and PAS 046, Incline Village Residential to move APN 124-041-87 from its present plan area 045 to 046. The purpose for this amendment is to allow the applicant to build a four unit condominium complex in conjunction with a commercial building. Currently condominiums are not a permissible use. Condominiums are considered attached single family dwellings.

Currently PAS 045 allows the following residential uses: employee housing, multiple family dwelling, multi-person dwelling, nursing and personal care, and residential care. Single family dwellings are not a permissible use in PAS 045. Permissible residential uses in PAS 046 include all of the above and single family dwellings. See Exhibit A and D.

The applicant's parcel, which is approximately 0.53 acres, is vacant. The parcel is mapped Land Capability Class 6, subject to verification. To the north of this parcel the existing uses include one mixed use (commercial/ /residential) parcel, one public service and the rest are residential. To the east, there is a commercial use, a public service use and the rest are residential (condominiums). On the south side is public service (Incline Village Elementary School) and the remainder are commercial or residential. On the adjacent parcel to the west is a commercial office building with the remaining parcels on the west side containing single family dwellings. (See Exhibit C for map of surrounding land uses.)

Current local zoning on the subject parcel is changing from R3 (high density residential) to a "special Planning Area" designation, which means that permissible uses will be consistent with the Community Plan.

Discussion: In evaluating proposed plan area amendments, staff uses a three-step procedure. The first step is to determine whether a mistake was made in mapping the original plan area boundaries and assigning permissible uses to the area. The second step is to determine whether something has changed in terms of character at this location or pattern of land use to warrant amending the list of permissible uses. The third step is to determine whether the amendment to the Plan Area would change land use patterns such that attainment and maintenance of environmental thresholds is improved or enhanced.

Staff recommends, based on the above three-step procedure, to leave the boundaries the way they are. No mistake was made in drawing the PAS boundary line and the current list of permissible uses. However, in reviewing the submitted information and conducting a site visit, the adjoining uses would warrant looking at the existing character of PAS 045. In addition, 045 is a community plan area. The purpose for establishing community plan areas is to concentrate commercial uses in a core area thus reducing Vehicle Miles Traveled (VMT). Staff's recommendation to allow single family dwellings as a mixed use with commercial uses in Plan Area 045 is a way to further this goal by allowing another residential use, though limited, into this area which has the potential to further reduce VMT through Transit Oriented Designs. By locating trip origination uses close to trip attractions, VMTs will be reduced.

For example, multiple-family dwellings are currently a permissible use in PAS 045. Based on TRPA's trip table, apartments generate 6.47 trips per dwelling unit compared to 5.86 trips per occupied dwelling unit for condominiums. Detached single family dwellings generate 9.55 trips per unit. By adding attached single family dwellings as a permissible use in this Plan Area it will generate less trips than the existing permissible residential uses.

TRPA staff also recommends that 10 bonus units be transferred from PAS 044, Fairway. Although PAS 046 is a community plan area in which commercial development is to be focused, allowing for limited mixed (commercial/ residential uses will incrementally contribute to attaining and maintaining environmental thresholds at this particular site, and in fact, has the potential to decrease trips and reduce VMTs.

The following is a list of findings that must be made for all plan area amendments. In addition, there are findings that must be made when a plan area eligible for community plan area designation is affected.

Findings: Prior to amending the plan area statement, TRPA must make the following findings.

Chapter 6 Findings

1. Finding: The project will not cause the environmental thresholds to be exceeded.

   Rationale: Staff's proposed PAS amendment will not cause the environmental thresholds to be exceeded. Any project that is proposed as a result of this amendment will be required to meet land coverage requirements, scenic quality standards, and water quality standards. In addition, the staff recommended PAS amendments have the potential to provide the opportunity to decrease vehicle trips and vehicle miles traveled by providing new residential uses closer to commercial uses, decreasing the need for longer vehicle trips, and providing the opportunity for non-vehicular trips.

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

   Rationale: The proposed amendment itself will have no negative effects on air or water quality. Any project that is proposed as a consequence of this plan area amendment will be required to analyze traffic and trip increases based on the type and extent of project. Any project proposed based on this amendment would also be required to comply with all Code standards as they pertain to water quality, including impact mitigation. Therefore, amending Plan Area Statement 045 by adding the new special use and reducing the PAS 044 bonus units by ten will have no negative impact on federal, state, and local air or water quality standards. Potentially, the ability to attain and maintain air quality standards will be enhanced by using the mixed use concept and bringing trip origination uses closer to trip generating uses.

3. Finding: That the Regional Plan, as amended, achieves and maintains the thresholds.

   Rationale: See Findings 1 and 2 above.

Chapter 13 Findings

1. **Finding:** The amendment is substantially consistent with the plan area designation criteria in Subsections 13.5.B (Land Use) and 13.5.C (special designations).

Rationale: The land use designation for PAS 045 is Commercial/Public Service. Adding attached single family dwellings as a permissible use when in conjunction with a mixed use project is consistent with the Plan Area and current surrounding mixed uses. PAS 045 is a community plan area. The proposed amendment is a form of Transit Oriented Design standard, which the draft community plan advocates. PAS 045 would also be designated as a Transfer Development Right receiving area for multi-residential units. This is consistent with Transit Oriented Design standards.

Environmental Documentation: Based on the above analysis and the completion of an initial environmental checklist (IEC), staff proposes a finding of no significant effect (FONSE). This type of mixed use, attached single family dwellings/commercial, is consistent with the existing surrounding uses. Potentially VMT will be reduced by requiring single family dwellings to be attached and part of a mixed-use.

Staff will begin this item with a brief presentation. If you have any questions or comments regarding this agenda item, please contact Coleen Shade at (702) 588-4547.

045 -- INCLINE VILLAGE COMMERCIAL

PLAN DESIGNATION:

Land Use Classification	COMMERCIAL/PUBLIC SERVICE
Management Strategy	MITIGATION
Special Designation	PRELIMINARY COMMUNITY PLAN AREA
	TDR RECEIVING AREA FOR:
	1. Multi-Residential Units ~~1~~ 2. Existing Development
	SCENIC RESTORATION AREA
	MULTI-RESIDENTIAL INCENTIVE PROGRAM

DESCRIPTION:

Location: This is a split planning area encompassing the commercial areas in the center of Incline. The Village Center Area is on the west side; the Village/Highway 28 area is on the east. This area is located on the TRPA maps G-3 and H-3.

Existing Uses: The west area has a small shopping center, an elementary school and miscellaneous commercial uses. The east area includes the high school, the intermediate school, several small shopping centers, offices and service industry uses. The area is 75 percent built out.

Existing Environment: The lands are 20 percent SEZ and the rest are classified low hazard. The land coverage is 50 percent plus an additional 15 percent disturbed.

PLANNING STATEMENT: These two areas should continue to serve the commercial and other service needs of the Incline area.

PLANNING CONSIDERATIONS:

1. This area is identified as a scenic problem area.
2. Public input has indicated a possible need for some mini-parks in the central Incline area.
3. This would be a suitable location for a major transit facility.
4. Scenic Roadway Unit 22 is within this Plan Area and is targeted for scenic restoration as required by the scenic threshold.
5. State Route 28 within this Plan Area is proposed to be expanded to four lanes as part of the second phase set forth under Goal #1, Policy #1 of the Regional Highway System Subelement of the Goals and Policies Plan.

SPECIAL POLICIES:

1. Plan Areas 045, 046, 048, and portions of 044 shall be considered as part of the core area for the Incline Village Community Plan.

2. Passive recreational uses (parks) should be considered in the Community Plan for this area.

3. Assess the possibility of locating a major transit facility in this area.

4. Special siting considerations and use limitations shall apply along Highway 28 (Special Area #1). Industrial uses, wholesale/storage uses and similar uses should be located outside this area.

5. Single-family dwellings shall only be allowed in the plan area when they are part of a mixed use development and when they consist of attached units which share common walls.

6. Residential bonus units may only be used for the construction of residential units when they are part of a vertically-oriented mixed use. Vertically-oriented mixed use refers to a building type that provides two or more of the major land use classifications listed in the Regional Plan, one of which must be a residential use, such as ground floor retail, with residential above.

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

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

Residential	Single-family dwellings (S), employee housing (A), multiple family dwelling (S), multi-person dwelling (S), nursing and personal care (S), and residential care (S).
Tourist Accommodation	Bed and breakfast facilities (A), hotel, motels, and other transient dwelling units (A), timeshare (hotel/motel design) (A), and timeshare (residential design) (S).
Commercial	Auto, mobile home and vehicle dealers (A), building materials and hardware (A), eating and drinking places (A), food and beverage retail sales (A), furniture, home furnishings and equipment (A), general merchandise stores (A), mail order and vending (A), nursery (A), outdoor retail sales (S), service stations (A), amusements and recreation services (S), privately owned assembly and entertainment (S), outdoor amusements (S), animal husbandry services (A), auto repair and service (S), broadcasting studios (A), business support services (A), contract construction services (A), financial services (A), laundries and dry cleaning plant (A), personal services (A), professional offices (A), repair services (A), sales lots (S), schools - business and vocational (A), secondary storage (S), food and kindred products (S), fuel and ice dealers (S), industrial services (S), printing and publishing (A), small scale manufacturing (S), storage yards (S), vehicle and freight terminals (S), vehicle storage and parking (S), warehousing (S), and wholesale and distribution (S).

Public Service	Churches (A), collection stations (S), regional public health and safety facilities (S), health care services (S), cultural facilities (A), day care centers/pre-schools (S), government offices (A), hospitals (A), local assembly and entertainment (A), local post office (A), local public health and safety facilities (A), membership organizations (A), publicly owned assembly and entertainment (S), pipelines and power transmission (S), schools - kindergarten through secondary (A), and social service organizations (A), transit stations and terminals (S), transportation routes (S), and transmission and receiving facilities (S).
Recreation	Day use areas (A), participant sports facilities (A), outdoor recreation concessions (S), riding and hiking trails (S), and visitor information center (S).
Resource Management	Reforestation (A), sanitation salvage cut (A), thinning (A), tree farms (A), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).

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

Residential	Multiple family dwelling (A), nursing and personal care (A), employee housing (A), and residential care (A).
Tourist Accommodation	Same as General List.
Commercial	Auto, mobile home and vehicle dealers (S), building materials and hardware (S), eating and drinking places (A), food and beverage retail sales (A), furniture, home furnishings and equipment (A), general merchandise stores (A), mail order and vending (A), nursery (A), outdoor retail sales (S), service stations (A), amusements and recreation services (S), privately owned assembly and entertainment (S), animal husbandry services (S), broadcasting studios (A), financial services (A), health care services (A), personal services (A), professional offices (A), repair services (S), schools - business and vocational (A), secondary storage (S), printing and publishing (S), small scale manufacturing (S), and vehicle storage and parking (S).
Public Service	Churches (A), cultural facilities (A), day care centers/pre-schools (S), government offices (A), hospitals (S), local assembly and entertainment (A), local post office (A), local public health and safety facilities (A), membership organizations (A), publicly owned assembly and entertainment (S), regional public health and safety facilities (S), social service organizations (A), pipelines and power transmission (S), transit stations and terminals (S), transportation routes (S), and transmission and receiving facilities (S).

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

USE	MAXIMUM DENSITY
Residential	
Multiple Family Dwelling	15 units per acre
Multi-person Dwelling	25 people per acre
Nursing and Personal Care	25 people per acre
Residential Care	25 people per acre
Employee Housing	As per limitations above
Tourist Accommodation	
Bed and Breakfast	5 units per site
Hotel, Motel and other Transient Units	
-with less than 10% of units with kitchens	40 units per acre
-with 10% or more units with kitchens	15 units per acre
Timeshare	As per the limitations set forth in this table

RESIDENTIAL BONUS UNITS: Pursuant to Chapter 35, the maximum number of residential bonus units which may be permitted for this Plan Area is 10 ~~0~~ units.

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 60 CNEL. The maximum community noise equivalent level for the Highway 28 corridor is 60 CNEL.

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

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

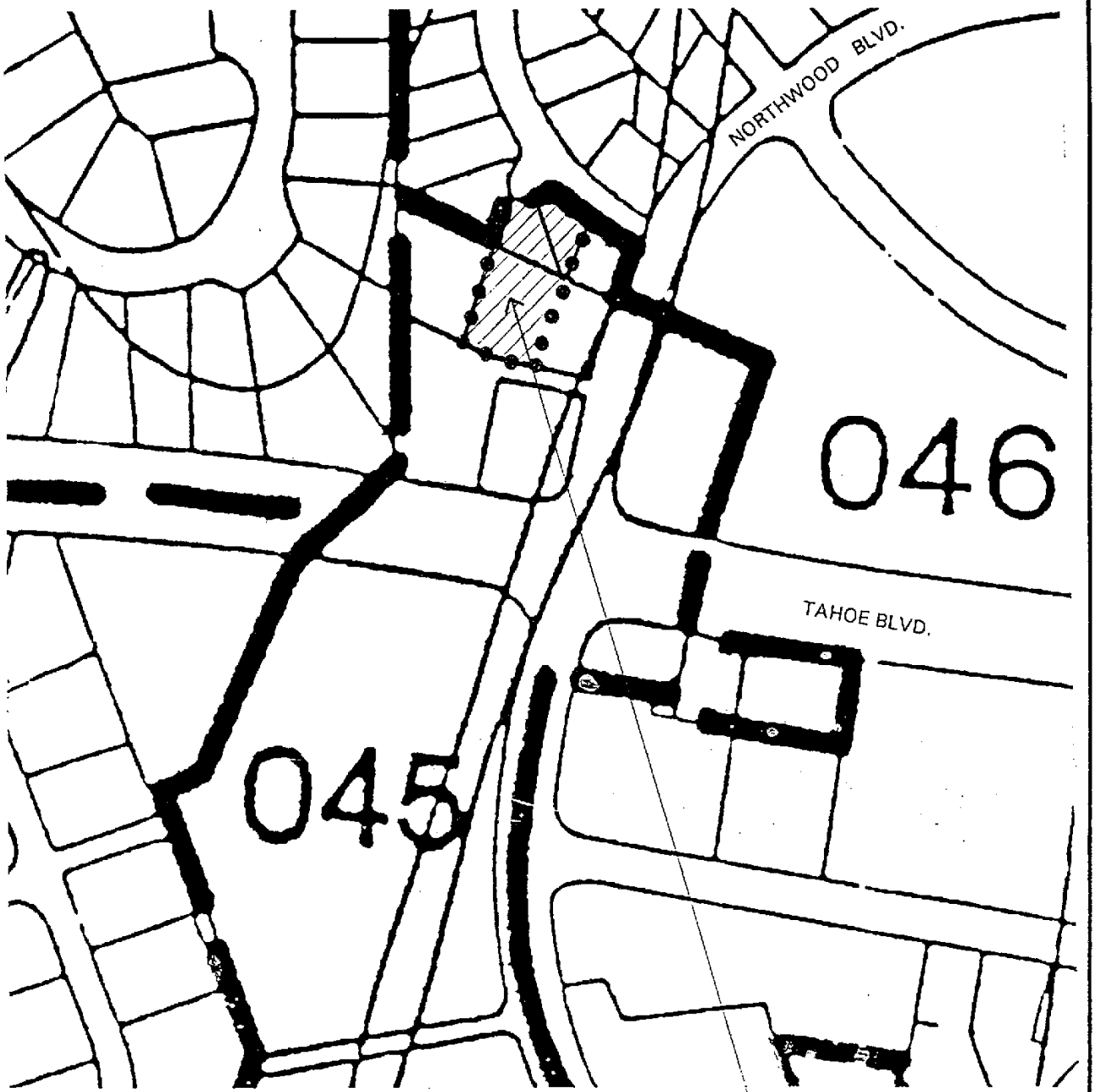
IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan for this area shall be implemented. The improvements include, but are not limited to, the following:

1. Improvements required by the Surface Water Management Plan as shown on Figure VIII-1 through 18 of Volume I of the 208 Water Quality Plan.

2. The highway and transit improvements indicated in the Transportation Element of the Regional Goals and Policies Plan.

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

4. The scenic restoration and landscaping improvements indicated in the Scenic Quality Implementation Program for the Highway 28 corridor. (To be completed.)

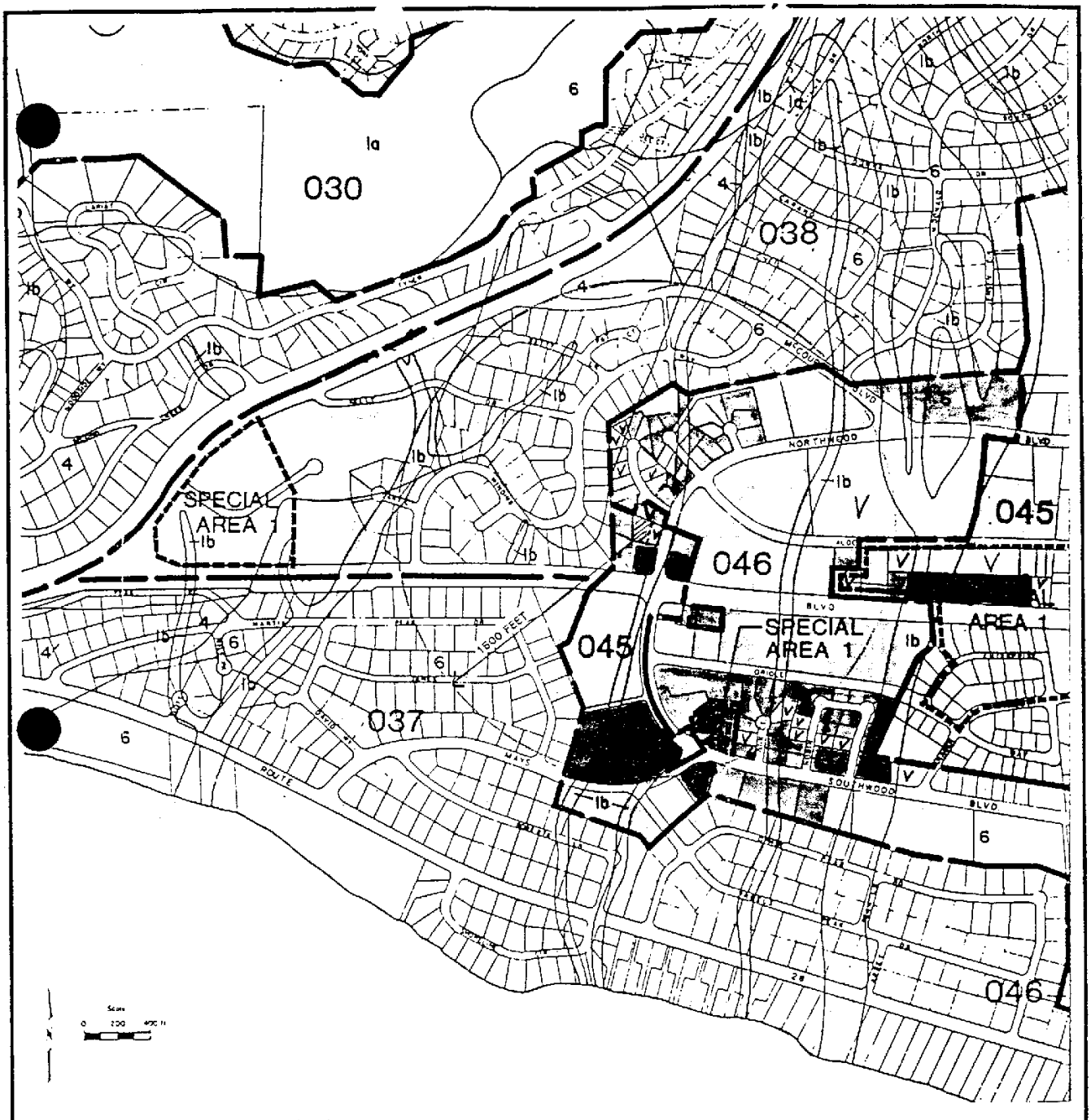


PROPOSED PLAN AREA
BOUNDARY ADJUSTMENT
APN 124-041-87 (.53 ACRES)

SIERRA PLANNING
ENVIRONMENTAL AND LAND PLANNING CONSULTANTS
Post Office Box 5666 Tahoe City, CA 96145 (916) 581-2080

PROJECT LOCATION MAP
INCLINE VILLAGE, NV

EXHIBIT B



PRIMARY LAND USES

- RESIDENTIAL - SINGLE-FAMILY
- RESIDENTIAL - CONDOMINIUMS
- RESIDENTIAL - MULTI-FAMILY
- PUBLIC SERVICE
- COMMERCIAL - RETAIL
- COMMERCIAL - OFFICES
- V VACANT
- PROJECT SITE

SIERRA PLANNING
ENVIRONMENTAL AND LAND PLANNING CONSULTANTS
Post Office Box 5666 Tahoe City, CA 96145 (916) 581-2080

SURROUNDING LAND USE
PROJECT VICINITY - INCLINE VILLAGE, NV

EXHIBIT C

046 -- INCLINE VILLAGE RESIDENTIAL

PLAN DESIGNATION:

Land Use Classification	RESIDENTIAL
Management Strategy	MITIGATION
Special Designation	TDR RECEIVING AREA FOR: 1. Existing Development 2. Multi-Residential Units PREFERRED AFFORDABLE HOUSING LOCATION SCENIC RESTORATION AREA MULTI-RESIDENTIAL INCENTIVE PROGRAM

DESCRIPTION:

Location: This is the high density residential area surrounding the commercial core in Incline Village and is located on TRPA maps G-3 and H-3.

Existing Uses: This area is a mixture of newer condominiums, apartments, timeshare and miscellaneous commercial uses. The area is 80 percent built out.

Existing Environment: The lands are classified 90 percent low hazard with ten percent SEZ. The land coverage is 40 percent plus an additional 25 percent disturbed.

PLANNING STATEMENT: This area should continue to be multi-residential, maintaining the existing character of the neighborhood.

PLANNING CONSIDERATIONS:

1. The few remaining undeveloped sites are surrounded by multiple density residential development.
2. Backyard dams and road culverts create partial barriers to fish migration on Wood Creek.
3. Scenic Roadway Unit 22 is within this Plan Area and is targeted for scenic restoration as required by the scenic threshold.
4. State Route 28 within this Plan Area is proposed to be expanded to four lanes as part of the second phase set forth under Goal #1, Policy #1 of the Regional Highway System Subelement of the Goals and Policies Plan.

SPECIAL POLICIES:

1. This area is a preferred site for affordable housing.

Residential Care		20 persons per acre
Tourist Accommodation		
Timeshare	(residential design)	15 units per acre

RESIDENTIAL BONUS UNITS: Pursuant to Chapter 35, the maximum number of residential bonus units which may be permitted for this Plan Area is 50 units.

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area, including the Highway 28 corridor is 55 CNEL.

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

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

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

1. Improvements required by the Surface Water Management Plan as shown on Figure VIII-1 through 18 of Volume I of the 208 Water Quality Plan.

2. The highway and transit improvements indicated in the Transportation Element of the Regional Goals and Policies Plan.

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

4. The scenic restoration and landscaping improvements indicated in the Scenic Quality Implementation Program for the Highway corridor. (To be completed.)

044 -- FAIRWAY

PLAN DESIGNATION:

Land Use Classification	RESIDENTIAL
Management Strategy	MITIGATION
Special Designation	TDR RECEIVING AREA FOR: 1. Multi-Residential Units (SA #1 only) 2. Existing development MULTI-RESIDENTIAL INCENTIVE PROGRAM (SA #1 only)

DESCRIPTION:

Location: This area is the golf course area located between Highway 28, Village Boulevard and Country Club Drive. It is located on TRPA maps H-2 and H-3.

Existing Uses: The primary use is mixed residential including a large golf course. This area is 70 percent built out.

Existing Environment: The land capability in this area is 70 percent low hazard with 30 percent SEZ. The land coverage is 15 percent plus an additional 15 percent disturbed.

PLANNING STATEMENT: This area should continue as residential, with secondary uses being recreation and tourist.

PLANNING CONSIDERATIONS:

1. The stream environment zone (Third Creek) has been substantially altered by road placement, single family unit development, and golf course construction.
2. Over use of fertilizer on the golf course is of concern.
3. The road crossing at Tahoe Boulevard poses a partial barrier to fish migration on the northwest tributary of Third Creek.
4. There are diversions on Incline Creek and on the northwest tributary for golf course ponds.
5. The crossing at Village Boulevard and the northwest tributary of Incline Creek is a barrier to upstream migration of fish.
6. Scenic Roadway Unit 22 borders this Plan Area.
7. State Route 28 within this Plan Area is proposed to be expanded to four lanes as part of the second phase set forth under Goal #1, Policy #1 of the Regional Highway System Subelement of the Goals and Policies Plan.

SPECIAL POLICIES:

1. Stream zone and fishery restoration should be encouraged.

2. Special Area #1 along Northwood and the golf course should be considered for inclusion in a Community Plan for Incline.

3. Multi-residential units permitted in Special Area #1 may be converted to residential timeshare uses. The conversion of such units shall not be counted under the tourist accommodation allocation limitations if they were originally counted under the residential allocation limitations.

4. The development of commercial facilities on vacant parcels in Special Area #1 shall be limited to the parcels abutting Northwood.

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

General List: The following list of permissible uses is applicable throughout the Plan Area (except as noted for special area #1).

Residential	Single family dwelling (A).
Public Service	Churches (S), cultural facilities (S), local public health and safety facilities (S), public utility centers (S), pipelines and power transmission (S), transit stations and terminals (S), transmission and receiving facilities (S), transportation routes (S), publicly owned assembly and entertainment (S), and day care centers/pre-schools (S).
Recreation	Cross country skiing courses (A), day use areas (S), and golf courses (A).
Resource Management	Reforestation (A), sanitation salvage cut (A), thinning (A), and tree farms (A), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), and structural wildlife habitat management (A), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), and SEZ restoration (A), runoff control (A), and SEZ restoration (A).

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

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

Residential	Employee housing (A), multiple family dwellings (A), nursing and personal care (A), and residential care (A).
Tourist Accommodation	Hotel, motels, and other transient dwelling units (S), timesharing (hotel/motel design) (S), and timesharing (residential design) (S).

Commercial	Eating and drinking places (S), food and beverage retail sales (S), general merchandise stores (S), nursery (S), amusements and recreation services (S), financial services (S), health care services (S), personal services (S), and professional offices (S).
Public Service	Government offices (S), membership organizations (S), public assembly and entertainment facilities (S), schools - kindergarten through secondary (S), and social service organizations (S).
Recreation	Participant sports facilities (S) and sport assembly (S).
Resource Management	Same as General List.

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

USE	MAXIMUM DENSITY
Residential	
Single Family Dwelling	1 unit per parcel
Multiple Family Dwellings	15 units per acre
Residential Care	25 persons per acre
Nursing and Personal Care	25 persons per acre
Tourist Accommodation	
Hotel, Motel and Other Transient Units	
-with less than 10% of units with kitchens	40 units per acre
-with 10% or more units with kitchens	15 units per acre
Timeshare	As per the limitations set forth in this table

RESIDENTIAL BONUS UNITS: Pursuant to Chapter 35, the maximum number of residential bonus units which may be permitted for this Plan Area is 80 ~~99~~ units.

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area, including the Highway 28 corridor, is 55 CNEL.

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

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

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

1. Improvements required by the Surface Water Management Plan as shown on Figure VIII-1 through 18 of Volume I of the 208 Water Quality Plan.

2. The highway and transit improvements indicated in the Transportation Element of the Regional Goals and Policies Plan.

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

TAHOE REGIONAL PLANNING AGENCY

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Elks Point, Nevada

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MEMORANDUM

October 3, 1995

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Update Of The TRPA Trip Table, As Required In Subsection 93.2.H of Chapter 93, Traffic and Air Quality Mitigation Program.

Proposed Action: To approve an undate of the Trip Table pursuant to Subsection 93.2.H of Chapter 93, Traffic and Air Quality Mitigation Program

Staff Recommendation: Staff recommends that the attached Trip Table, as proposed, be recommended for Governing Board approval.

Discussion: Subsection 93.2.H states "TRPA shall adopt and maintain a trip table for the purpose of estimating the number of vehicle trips resulting from additional development or changes in operation. TRPA shall generate and update the data in the Trip Table by referring to recent publications on traffic and trip generation...."

The current Trip Table was adopted by the TRPA Governing Board on July 23, 1987. Trip rates used at that time were gathered from three separate sources; Caltrans, the Institute of Traffic Engineers (ITE) and the San Diego Association of Governments. ITE information was from the Third Edition of the Trip Generation manual, published in 1983. The San Diego information was published in 1983. The Caltrans and San Diego reports were needed because the ITE Trip Manual at that time did not include many of TRPA's allowable land uses.

ITE published the Fifth Edition of the Trip Generation manual in 1991. The Fifth Edition now includes many of those same land uses that TRPA needed the Caltrans and the San Diego reports for. The 1995 TRPA Trip Table will include only those rates found in the ITE Trip Generation Manual.

The TRPA Trip Table has not been updated since it was adopted in 1987. Staff proposes to update the Table using the most up-to-date and technically adequate information available. In addition, the Table has been edited to be consistent with the land uses allowed under Chapter 18, Permissible Land Uses.

If there are any questions or comments regarding this agenda item, please contact Richard Wiggins at (702) 588-4547.

RW

AGENDA ITEM: V.D.

TAHOE REGIONAL PLANNING AGENCY

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October 3, 1995

TRIP TABLE

The 1995 TRPA Trip Table is based on the Institute of Transportation Engineers Trip Generation Manual, 5th Edition (1991).

Asterics are shown (**) if technically competent information must be provided to determine the number of vehicle trips of a given project.

If more than one rate is listed, the rate that results in the highest number of trips shall be used.

Definitions

1. Trip: A single or one-direction vehicle movement with either the origin or the destination inside a project area.

2. Trip Ends: One trip end is equal to one trip. Total trip ends are the total of all trips entering plus all trips exiting a project area during a given period of time.

3. Gross Floor Area: The sum (in square feet) of the area of each floor level, including cellars, basements, mezzanines, penthouses, corridors, restrooms, lobbies, stores and offices, that are included within the principal outside faces of exterior walls.

LAND USE	PROPOSED RATE	EXISTING RATE
TERMINALS		
Commercial Airport	13.4/employee	None
General Aviation Airport	21.45/employee	None
Truck Terminal	6.98/employee	None
Bus Park-N-Ride	4.18/parking space	None
INDUSTRIAL		
Batch Plants	2.09/employee 3.85/1000sf gfa	None
Food and Kindred Products	2.09/employee 3.85/1000sf gfa	5.43/1000sf gfa
Fuel and Ice Dealers	3.02/employee 6.97/1000sf gfa	47.74/1000sf gfa
Industrial Services	3.02/employee 6.97/1000sf gfa	6.17/1000sf gfa

Printing and Publishing	**	5.43/1000sf gfa
Recycling and Scrap	**	None
Storage Yards	3.02/employee 6.97/1000sf gfa	None
Power Generating Facilities	3.02/employee 6.97/1000sf gfa	None
General Light Industrial	3.02/employee 6.97/1000sf gfa	5.43/1000sf gfa
General Heavy Industrial	0.82/employee 1.50/1000sf gfa	None
Industrial Park	3.34/employee 6.97/1000sf gfa	7.0/1000sf gfa
Manufacturing	2.09/employee 3.85/1000sf gfa	3.86/1000sf gfa
Warehousing	3.89/employee 4.88/1000sf gfa	4.8/1000sf gfa
Mini-Warehouse (Storage Units)	56.28/employee 2.61/1000sf gfa 0.28/storage unit	2.8/1000sf gfa
RESIDENTIAL		
Domestic Animal Raising	**	None
Timeshare (Residential Design)	10.1/unit	None
Single-Family Detached	10.0/unit	10.0/unit
Apartment	6.47/unit	6.1/unit
Residential Condominium	5.86/unit	5.14/unit
Mobile Home	4.81/unit	4.8/unit
Congregate Care Facility (Residential Care)	2.15/unit	3.3/unit
Recreational Homes	10.0/unit	10.0/unit
LODGING		
Bed and Breakfast	10.19/unit 12.81/employee	10.1/unit
Timeshare (Hotel/Motel Design)	10.10/unit 12.81/employee	10.1/unit
Hotel	8.7/unit 14.34/employee	10.1/unit

Business Hotel	7.27/unit 72.67/employee	None
Motel	10.19/unit 12.81/employee	10.1/unit
Resort Hotel	10.16/unit 10.27/employee	None
RECREATION		
Gaming (Non-Restricted)	**	None
Cross Country Ski Course	0.50/acre	None
Group Facilities	**	None
Off Road Vehicle Course	**	None
Riding and Hiking Facilities	**	None
Snow Machine Facilities	**	None
Undeveloped Campgrounds	**	7.1/campsite
Visitor Information Centers	45.5/1000sf gfa 49.5/employee	None
City Park	2.23/acre 7.47/picnic site	5.7/parking sp.
County Park	2.99/acre 5.23/picnic site	26.6/employee
State Park	0.50/acre 6.62/picnic site	29.9/employee
Beach Park	15.77/acre	None
Developed Campground/RV Park	74.38/acre	7.1/campsite
Regional Park	19.15/acre 197.04/picnic site	None
National Monument	5.37/acre 31.05/employee	None
Marina	2.96/berth 20.93/acre	None
Golf Course	8.33/acre 20.63/employee 37.59/hole	None
Movie Theater W/O Matinee	53.12/employee 1.76/seat 220/screen	None

Movie Theater With Matinee	153.33/screen	None
Arena	33.33/acre 10.00/employee	None
Amusement Park	8.33/employee 75.76/acre	None
Tennis Courts	33.33/court 16.26/acre	None
Racquet Club	47.02/employee 0.40/member 42.90/court	11.7/1000sf gfa
Bowling Alley	33.33/lane 33.33/1000sf gfa	None
Recreational Community Center	14.55/1000sf gfa 0.15/member	None
INSTITUTIONAL		
Firestations/Public Safety Bldgs **		None
Cultural Facilities	45.5/1000sf gfa 49.5/employee	None
Social Service Facilities	12.0/employee 68.93/1000sf gfa	None
Elementary School	1.09/student 13.39/employee	1.02/student
High School	1.38/student 16.79/employee 10.90/1000sf gfa	1.3/student
Junior/Community College	1.33/student	1.55/student
University	2.37/student 9.13/employee	2.2/student
Church/Synagogue	10.0/1000sf gfa	None
Daycare	4.65/student 33.20/employee 79.26/1000sf gfa	3.0/student
Cemetery	4.16/acre	None
Library	45.5/1000sf gfa 49.50/employee	45.5/1000sf gfa
Lodge/Fraternal Organization	46.9/employee 0.29/member	None

MEDICAL		
Hospital	11.77/bed 5.17/employee 16.78/1000sf gfa	14.4/bed
Nursing Home	2.6/bed 4.03/employee	None
Clinic	5.89/employee 23.79/1000sf gfa	None
OFFICE		
Broadcasting Studios	**	None
Veterinary Office	**	None
General Office Building	6.0/<25 employees 5.32/26-50 employees 4.74/51-100 employees 4.22/101-200 employees	14.9/1000sf gfa
Single Tenant Office Building	3.55/employee 11.50/1000sf gfa	None
Medical Office Building	8.84/employee 34.17/1000sf gfa	None
Government Office Building	12.0/employee 68.93/1000sf gfa	84.67/1000sf gfa
State Motor Vehicle Dept.	44.54/employee 166.00/1000sf gfa	166.1/1000sf gfa
U.S. Post Office	87.12/1000sf gfa	None
Government Office Center	6.09/employee 25.00/1000sf gfa	None
Office Park	3.5/employee 11.42/1000sf gfa	20.65/1000sf gfa
Research Center	2.67/employee	5.3/1000sf gfa
Business Park	4.58/employee 14.37/1000sf gfa	None
RETAIL		
Mobile Home Sales	**	48.1/1000sf gfa
Mail Order and Vending	**	None
Outdoor Retail Sales	**	None
Drinking Places	205.36/1000sf gfa 6.57/seat	None

Service Station and Repair	**	748/station
Laundry and Dry Cleaning	**	None
Video Tape Rental/Sales	204.0/1000sf gfa	322.6/1000sf gfa
Building Materials/Lumber	24.69/employee 30.56/1000sf gfa	36.01/1000sf gfa
Specialty Retail Center	22.36/employee 40.67/1000sf gfa	None
Discount Stores	32.53/employee 70.13/1000sf gfa	70.1/1000sf gfa
Hardware/Paint Store	53.21/employee 51.29/1000sf gfa	53.8/1000sf gfa
Nursery (Garden Center)	22.13/employee 36.08/1000sf gfa	26.2/1000sf gfa
Shopping Center	167.59/<10,000sf gla 91.65/10,001-50,000sf gla	None
Quality Restaurant (>1 hr. turnover)	96.51/1000sf gfa 2.86/seat	85.1/1000sf gfa
High Turnover Sit-Down Rest. (<1 hr. turnover)	205.36/1000sf gfa 6.57/seat	164.4/1000sf gfa
Fast Food Restaurant	786.22/1000sf gfa 22.30/seat	553.0/1000sf gfa
New Car Sales	24.04/employee 47.91/1000sf gfa	48.1/1000sf gfa
Self Serve Car Wash	108.0/stall	None
Supermarket	87.82/employee	125.5/1000sf gfa
Convenience Market	737.99/1000sf gfa	322.6/1000sf gfa 625.2/1000sf gfa
Wholesale Market	8.21/employee 6.73/1000sf gfa	None
Discount Club	32.33/employee	70.1/1000sf gfa
Furniture Store	12.19/employee 4.34/1000sf gfa	6.28/1000sf gfa
Bank	67.39/employee 140.61/1000sf gfa	None
Savings and Loan	30.5/employee 61.0/1000sf gfa	None

** - Technical Analysis Required

TAHOE REGIONAL PLANNING AGENCY

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MEMORANDUM

October 2, 1995

To: TRPA Advisory Planning Commission

From: Rick Angelocci, Chief of Project Review

Subject: Draft Supplement to the South Lake Tahoe Redevelopment Project No. 1 EIR/EIS (Embassy Vacation Resorts)

Copies of the above-referenced document were previously mailed to you under separate cover. The 60 - day public comment period began on September 6, 1995 and concludes on November 4, 1995. This item has been placed on the agenda to solicit public and Advisory Planning Commission member comments during the circulation period. No action is requested at this time.

This document was prepared to supplement a previous Environmental Impact Report/Environmental Impact Statement (EIR/EIS) prepared for the originally approved, and partially completed, South Lake Tahoe Demonstration Redevelopment Plan (1989 approved project).

TRPA staff, the consultant and the applicant will be making a presentation regarding the current Draft Supplement EIR/EIS at the October 11, 1995 APC meeting. If you have any questions or comments regarding this matter please contact Rick Angelocci of the TRPA staff at (702) 588-4547.

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MEMORANDUM

October 2, 1995

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Lake Tahoe Shorezone Development Cumulative Impact Analysis and Draft Environmental Impact Statement (DEIS)

Proposed Action: The Advisory Planning Commission (APC) shall conduct a public hearing for the purpose of taking comment from the public and APC on the DEIS. No further action is required at this time.

Background: In September 1995 copies of the Lake Tahoe Shorezone Development Cumulative Impact Analysis and DEIS were sent to the members of the APC. This document has been prepared in accordance with TRPA's environmental document requirements as stated in Article VII of the bi-state Compact, Article VI of TRPA's Rules and Procedures, and Chapter 5 of TRPA's Code of Ordinances. The Lake Tahoe Shorezone Development Cumulative Impact Analysis and DEIS is presently being circulated for public comment. The 60-day public comment period began September 6, 1995 and is scheduled to close on November 4, 1995. Following the close of the comment period, a Final EIS will be prepared.

The purpose of this document is to analyze the existing situation in the shorezone of Lake Tahoe and provide an analysis of the proposed action (the reconsideration of the fish habitat and spawning stream location standards, as they pertain to new and existing piers, mooring buoys, boat ramps, floating docks or platforms, and other related shorezone structures) by looking at four different build-out alternatives. The scope of this document is limited to the shorezone area around Lake Tahoe. The analysis of potential impacts of the various alternatives focuses on the nine threshold categories (water quality, air quality/transportation, noise, soil conservation-littoral processes, vegetation preservation, wildlife, fisheries, scenic quality, and recreation/public access). In addition, historical and cultural considerations, public health and safety, land use, and economics were also analyzed.

This item will begin with a short presentation of the EIS. Please contact Coleen Shade at (702) 588-4547 if you have any questions or comments regarding this matter.

CS/rd
10/2/95

AGENDA ITEM V.F.

TAHOE REGIONAL PLANNING AGENCY

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MEMORANDUM

October 2, 1995

To: Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Subsection 78.3.A of Chapter 78, Wildlife Resources.

Proposed Action: The proposed action is a staff-initiated clean-up amendment of Chapter 78, subsection 78.3.A, as it pertains to disturbance zones for special interest species. Staff proposes to replace the word "diameter" with the word "radius" when determining the disturbance zone area and adding golden eagle and nesting bald eagles which were left out of the Code language. The proposed language is shown in Exhibit A.

Staff Recommendation: TRPA staff recommends that the Advisory Planning Commission recommend approval of the proposed Code amendment, to the Governing Board.

Discussion: The existing Code language in subsection 78.3.A refers to disturbance zones being measured in terms of miles in diameter for the goshawk, osprey, and peregrines. Disturbance zone is defined in Chapter 2 of the TRPA Code of Ordinances as "The zone around a nest site or animal use area for animals which are highly vulnerable to disturbance." It is more specifically defined as a scientifically based estimate on how close certain forms of disturbance can encroach upon population sites without causing harm to the species. The adopted thresholds under the wildlife category include the following special interest species that are protected by disturbance zones: northern goshawk, osprey, bald eagle (nesting and wintering), golden eagle, peregrine falcon, waterfowl, and deer. Of these wildlife species northern goshawk, osprey, bald eagle nesting sites, golden eagle, and peregrine falcon disturbance zones are determined by measuring a certain distance around the nest tree. The disturbance zones for the other special interest species are determined by the adopted mapped areas.

In the Environmental Impact Statement (EIS) for the establishment of Environmental Threshold Carrying Capacities, the disturbance zone is measured in terms of miles in radius from the nest tree. For osprey and peregrine

falcon "1/4 mile radius" is the specific wording for determining the size of the disturbance area around the nest. For northern goshawks and nesting bald eagles (not to be confused with wintering bald eagles), the EIS states that a 1/2 mile around each nest site shall be the disturbance zone. An 1/4 mile buffer around golden eagle nest sites should be established as a disturbance zone.

In the Conservation Element, Wildlife Subelement of the Regional Plan subelement, special interest species and their numerical standards are listed, however, the radius is left out which determines size of the disturbance zone. By the time this information was transferred to the Code the term radius was replaced with diameter. This essentially reduced the area to be protected around nest sites by half.

TRPA staff recognized this error during the 1991 Threshold Evaluation and stated such in the Evaluation Report. Though staff has been using radius rather than diameter when evaluating and conditioning projects to be in compliance with the thresholds adopted, the language in the Code creates confusion for the applicant. Applicants rely on the TRPA Code to be accurate when preparing project submittals.

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

A. Chapter 6 Findings:

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

   Rationale: This amendment to the TRPA Code Of Ordinances is a correction and is consistent with the conclusions of the Threshold Study (1982) and the adopted thresholds and numerical standards.

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

   Rationale: The proposed amendment corrects an inconsistency between the TRPA Code of Ordinances and the adopted threshold standards. The proposed amendment is necessary in order for the Code to be consistent with the adopted disturbance zone areas established in the EIS for the Establishment of Environmental Threshold Carrying Capacities.

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

Rationale: Refer to #2 above.

Environmental Documentation: Based on the above analysis and the completion of the Initial Environmental Checklist, staff finds the amendment, as proposed by staff, will not have a significant environmental effect because the proposed amendment amends the Code to make it consistent with the adopted threshold language.

If you have any questions or comments regarding this agenda item, please contact Coleen Shade at (702) 588-4547.

New language is underlined
Language to be removed is lined out

78.3.A Disturbance Zones: Perching sites and nesting trees of goshawks, peregrines, eagles, and osprey as shown on the TRPA Regional Plan Overlay Maps shall not be physically disturbed in any manner nor shall the habitat in the disturbance zone be manipulated in any manner unless such manipulation is necessary to enhance the quality of the habitat. The threshold applies not only to the number of known population sites, but will also apply to the disturbance and influence zone buffers to sites found in the future.

(1) The disturbance zones for goshawks are 0.5 mile~~s~~ ~~in/diameter~~ radius around each nest site.
(2) The disturbance zones for osprey and peregrines are 0.25 mile~~s~~/~~in/diameter~~ radius around each nest site.
(3) The disturbance zones for wintering bald eagles are as shown on the TRPA maps.
(4) The disturbance zones for nesting bald eagles are 0.5 mile radius around each nest.
(5) The disturbance zones for golden eagles are 0.25 mile radius around each nest site.

78.3.B Adverse Impacts: Uses, projects or activities, outside existing urban areas and within the disturbance zone of special interest, threatened, endangered or rare species, shall not, directly or indirectly, significantly adversely affect the habitat or cause the displacement or extirpation of the population.

78.3.C Environmental Documents: Applicants for projects within disturbance zones shall submit, with their applications, appropriate environmental documentation prepared by a biologist, which includes specific recommendations for avoiding significant adverse impacts to the special interest, threatened, endangered or rare species.

78.3.D Special Conditions: Special conditions of project approval may be required to mitigate or avoid significant adverse impacts to special interest species listed by TRPA or the U.S. Forest Service for the Lake Tahoe Basin, or for threatened, endangered and rare species.

78.3.E Developed Parcels: Subsections 78.3.A through 78.3.C, inclusive, shall not apply to situations where special interest, threatened, endangered or rare species choose to live in close proximity to existing developed parcels.

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MEMORANDUM

September 29, 1995

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Notice of Circulation Of The Draft EIR/EIS For The Bijou/Al Tahoe Community Plan

Included in your packet is a copy of the Draft EIR/EIS for the Bijou/Al Tahoe Community Plan. The 60-day public comment period began on October 4, 1995 and will conclude on December 2, 1995.

TRPA staff has tentatively scheduled a public hearing before the Advisory Planning Commission on November 8, 1995, and the TRPA Governing Board on November 15, 1995 to solicit comments during the circulation period.

If you have any questions or comments regarding this matter, please contact Gabby Barrett at (702) 588-4547.

GWB/rd