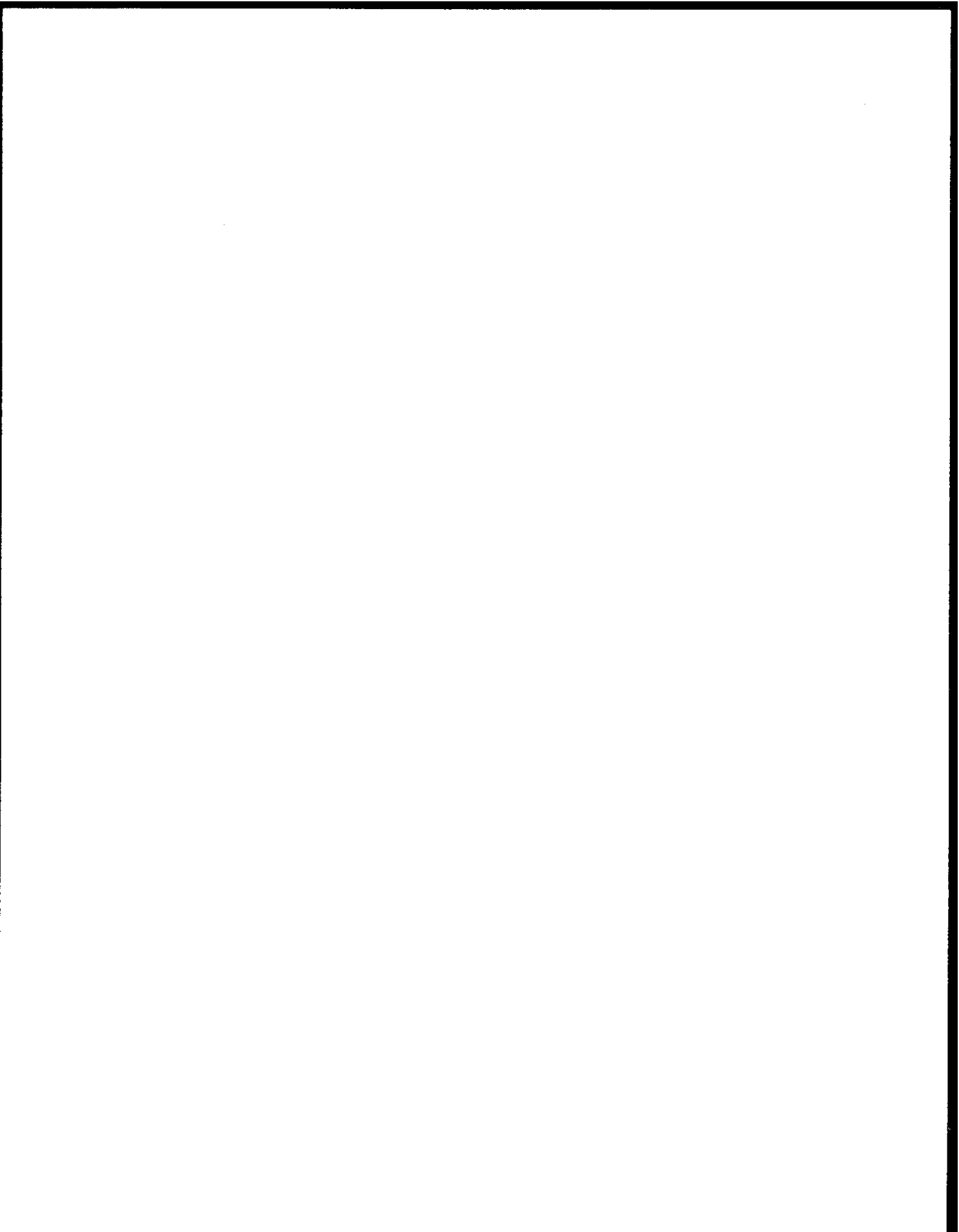


**TRPA
APC
PACKETS**

**DECEMBER
1998**



C14

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 December 9, 1998, 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.

November 30, 1998



Jerry Wells
Deputy Executive Director

This agenda has been posted at the TRPA office and at the following post offices: Zephyr Cove and Stateline, Nevada, and Stateline 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
Kings Beach, California

December 9, 1998
9:30 a.m.

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

AGENDA

- I. CALL TO ORDER AND DETERMINATION OF QUORUM
- II. APPROVAL OF AGENDA
- III. PUBLIC INTEREST COMMENTS (No Action)

Any member of the public wishing to address the Advisory Planning Commission on any 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 PAGE 1
- V. PUBLIC HEARINGS
 - A. Amendment of Chapter 22, Height, to Provide Additional Height for Certain Structures in Adopted Ski Area Master Plans PAGE 3
 - B. Amendment of Round Hill Community Plan to Add Bicycle Facilities and Sidewalks to the Transportation Element and the Design Standards and Guidelines and Amend Figure 20-2 of the Design Standards and Guidelines PAGE 9
 - C. Review of 1998 Lake Tahoe Watercraft Report and Direction to Staff to Prepare Recommended Actions in Response to the Report PAGE 15
- VI. PLANNING MATTER
 - A. Discussion on Designating the Tahoe Region as an MTBE-Free Zone PAGE 27
- VII. RESOLUTIONS
 - A. For Former APC Members Hansen, Dodds, Jamin, Thompson and Caterino PAGE 33

VIII. REPORTS

- A. Executive Director
- B. Legal Counsel
- C. APC Members

IX. ADJOURNMENT

TAHOE REGIONAL PLANNING AGENCY

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MEMORANDUM

December 1, 1998

To: TRPA Advisory Planning Commission
From: TRPA Staff
Subject: Minutes from the November APC Meeting

The November meeting minutes will be mailed under separate cover for APC review and action.

jf

AGENDA ITEM IV.

TAHOE REGIONAL PLANNING AGENCY

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December 1, 1998

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Chapter 22, Height, of the TRPA Code of Ordinances, To Allow Additional Height For Certain Buildings Within Adopted Ski Area Master Plans

Proposed Action: The applicant, Heavenly Resort, proposes to amend Chapter 22, Height, of the TRPA Code of Ordinances to allow additional height up to a maximum of 56 feet for certain buildings located within adopted ski area master plans. Staff and the applicant have agreed on language that is applicable to all ski areas. See Exhibit A for proposed language amendment.

Staff Recommendation: Staff recommends that the Advisory Planning Commission conduct the public hearing as noticed and, based on its outcome, recommend approval of the proposed amendment to the TRPA Governing Board.

Discussion: Heavenly Ski Resort proposes to amend Chapter 22, Height, of the TRPA Code of Ordinances to allow additional height for certain buildings in adopted ski area master plans. The deep snow in higher elevations of the Tahoe Basin is a major design constraint. This is particularly true in situations where the slope is relatively flat. Due to the snow depth, the bottom floor of a building is not accessible during the winter months and skier access must be provided on the second floor. In order to provide a design that complements its natural setting and still be functional, additional height is needed beyond the maximum allowable under Table A, Maximum Height, of Chapter 22.

The proposed amendment is written in a similar manner as the existing standard that allows public service uses additional height under very restrictive circumstances. Although the proposed language is similar to the public service rule standard, it differs in the maximum height allowed. The current standards limit the maximum additional height to 42 feet. The proposed amendment will allow additional height up to 56 feet, provided certain findings can be made. The findings that must be made include that the recreation buildings be within adopted ski area master plans, cannot be seen from Lake Tahoe (shoreline scenic threshold travel routes), from designated scenic highway corridors (roadway threshold travel routes), from designated bikeways and recreation sites identified in the Lake Tahoe Scenic Resource Evaluation 1993, and are located in areas of unusually deep snow cover which requires additional height to permit the building and the uses therein to function properly.

JH/dmc

AGENDA ITEM V.A.

This amendment will affect the Region as a whole and, therefore, staff believes it should be very restrictive in nature. The amendment has the potential to be available to all ski areas within the Tahoe Region which includes Heavenly Resort, Diamond Peak, Homewood Ski Resort, and that portion of Alpine Meadows within TRPA's jurisdiction.

The proposed amendment will allow the additional height in increments based on site constraints. The additional height will be based on the average snow depth at the site. An allowance for this will vary by location and elevation. The average snow depth may then be added to the maximum allowable height in Table A.

In addition, the amendment will allow extra height to maintain pitched roofs on large span buildings in high snow load areas. Additional height above the snow depth level may be earned for slope roofs to handle snow loads. In addition to the required specific findings, the proposed amendment will require that the proposed buildings are identified in the adopted ski area master plans.

Using snow depth data provided by the National Resource Conservation Service (NRCS), it is estimated that the snow depth at 9300 feet is approximately 11 to 14 feet. Staff proposes to use 14 feet as the average snow depth for which an applicant may add to the maximum height established in Table A. The snow depth will differ at the various ski resorts; therefore, buildings may not get the full 14 feet. To determine the additional height, staff will use the snow depth average as reported by the NRCS, which has sites at various locations in the Tahoe Basin, including one at Heavenly Resort. The applicant may submit a snow depth report if they disagree with the average snow depth reported by the NRCS.

The proposed amendment should not result in the obstruction of any scenic vista or view open to the public or in the creation of an aesthetically offensive site open to the public. The amendment will only be available for use on identified recreation buildings within adopted ski area master plans, cannot be seen from Lake Tahoe (shoreline scenic threshold travel routes), or from designated scenic highway corridors (roadway threshold travel routes), and are located in areas of unusually deep snow cover which require additional height to permit the building and the uses therein to function properly. The findings and ordinance standards will limit the applicability of the provision.

The amendment can only be applied when TRPA makes specific findings related to the proposal for additional height which are contained in Section 22.7, and when the applicant demonstrates that unusually deep snow plays a major role as a design constraint. The findings are: 1) when viewed from major arterials, scenic turnouts, public recreation areas or the waters of Lake Tahoe, from a distance of 300 feet, the additional height will not cause a building to extend above the forest canopy or ridgeline; 2) the building has been designed to minimize interference with existing views; 3) the function of the structures requires a greater height; 4) the additional height is the minimum necessary to implement the project and there are no feasible alternatives requiring less height; and 5) the maximum height at any corner of two exterior walls of the building is no greater than 90 percent of the maximum building height. In addition to the specific findings, any proposed project must be consistent with the Community Design Sub-element of the Goals and Policies, which requires the building height to be limited to two stories and compatible with the natural, scenic, and recreational values of the Region.

The proposed amendment is consistent with the TRPA Goals and Policies. The amendment will foster compatible designs with the natural, scenic, and recreational value of the Region, limit building height to two stories, and limit building height to ensure that it does not project above the forest canopy, ridge lines, or otherwise detract from the viewshed.

Findings: Prior to amending Chapter 22, Height, TRPA must make the following Findings.

Chapter 6 Findings

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

Rationale: The amendment to Chapter 22, Height, will not adversely affect implementation of the Regional Plan. Staff's proposed amendment is consistent with the Regional Plan and TRPA plans and programs. The amendment will foster compatible designs with natural, scenic, and recreational values of the Region, limit building height to two stories, and limiting building height to ensure that it does not project above the forest canopy, ridge lines, or otherwise detract from the viewshed. The policies are listed in the Community Design section of the TRPA Goals and Policies and are incorporated into the amendment.

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

Rationale: The amendment will not cause the environmental thresholds to be exceeded. Scenic Thresholds standards will be maintained through the restrictive nature of the amendment. The amendment requires the siting of the building to preserve public view corridors. The building cannot be visible from Lake Tahoe or from designated scenic roadways and must be within an adopted ski area master plan to use the provisions of the amendment.

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: Any proposal that may come forth due to this provision will be required to meet air and water quality standards as set forth in the TRPA Compact.

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

Rationale: See findings 1 and 2 above.

5. Finding: 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 findings 1 and 2 above.

Ordinance 87-8 Findings

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

Rationale: See Chapter 6 Findings. The amendment is consistent with the Compact and with attainment or maintenance of the thresholds. Although the amendment will provide additional height to certain buildings, the amendment is written in such a way as to maintain the environmental thresholds. The amendment requires that buildings be sited so that they are not visible from Lake Tahoe and designated scenic roadways. This measure will help maintain TRPA Scenic Threshold standards. In addition to limiting the applicability of the provisions, the amendment may only be used in adopted ski area master plans.

2. Finding: 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 demonstrated to be impracticable or impossible because of one or more of the following reason:

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

Rationale: Finding c) is the most appropriate. The existing amendment restricts the design of buildings and does not take into account the deep snow conditions that exist at higher elevations. Data provided by the NRCS shows that approximately 11 to 14 feet of snow pack exists in the higher elevations. Due to the snow depth, the bottom floor is inaccessible and useable floor begins on the second story. In addition, TRPA height ordinance does not work well for buildings that require large roof spans, which are common for recreational buildings at ski resorts. This amendment will provide more flexibility when designing a building in deep snow conditions while maintaining scenic and community design thresholds.

Environmental Documentation: The applicant has completed an Initial Environmental Checklist (IEC) and proposes a Finding of No Significant Effect (FONSE). The checklist discloses an impact to scenic vistas and views. This impact can be mitigated through Code language restrictions that require the applicant to site the building in a manner that will not be visible from Lake Tahoe or from TRPA's designated scenic roadways.

Staff proposes a Finding of No Significant Effect (FONSE) based on the Chapter 6 and Ordinance 87-8 findings shown above

Staff will begin this item with a brief presentation. Please contact John Hitchcock at 702•588•4547, or via email at trpa@sierra.net, if you have any comments regarding this item.

Attachments

Proposed Amendments to the Chapter 22, Height

Amend Section 22.4 Additional Height For Certain Buildings, by adding a new subsection 22.2.A(4) as follows:

22.4 Additional Height For Certain Buildings: TRPA may approve building heights greater than those set forth in Section 22.3 in accordance with the following provisions and if TRPA makes the specified findings.

22.4.A Additional Height For Public Service, Tourist Accommodation, and Certain Recreation Buildings: TRPA may approve building heights greater than those set forth in Section 22.3 for buildings whose primary use is public service, tourist accommodation, downhill ski facilities, or whose primary recreation use is participant sports facilities, recreation centers, or sport assembly as follows:

- (1) Additional Height With Required Findings:.....
- (2) Additional Height For Reduced Land Coverage:
- (3) Additional Height For Public Service Buildings Which Are Not Visible From Lake Tahoe and Which Are Not Located Within Or Are Not Visible From Designated Scenic Highway Corridors:
- (4) Additional Height For Certain Recreation Buildings Within Adopted Ski Area Master Plans Which Are Not Visible From Lake Tahoe And Which Are Not Located Within Or Are Not Visible From Designated Scenic Highway Corridors: The maximum heights specified in Table A may be increased if the buildings are identified in an adopted ski area master plan and the buildings are not visible from Lake Tahoe and which are not located within or are not visible from designated scenic highway corridors and designated bikeways and recreation sites identified in the Lake Tahoe Scenic Resource Evaluation, and provided TRPA makes findings (1), (3), (4), (7), and (8) as set forth in Section 22.7. Additional height shall be calculated as follows:
 - (a) The maximum height in Table A may be increased by up to 14 feet, but not to exceed a total building height of 56 feet, provided that the project proponent demonstrates that expected snow depths in the area of the building site make the additional height necessary for the function of the building. The amount of additional height shall not exceed the 10-year average snow depth as reported by the National Resource Conservation Service (NRCS) for that area or as reported by the applicant using a similar method as the NRCS.
 - (b) An additional 10 feet, not to exceed a total building height of 56 feet, may be earned if the project proponent demonstrates additional height is needed to maintain roof pitch in excess of 4:12 to accommodate average snow loads greater than 8 feet.

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MEMORANDUM

November 30, 1998

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of the Round Hill Community Plan, to add bicycle facilities and sidewalks to the Transportation Element and Design Standards and Guidelines of the Community Plan.

Proposed Action: Staff proposes to amend the Round Hill Community Plan by adding bicycle lanes, a bike route, and sidewalks to Figure 20-2 of the Design Standards for the Round Hill Community Plan (see Attachment A). See Attachment B for language changes in the Community Plan.

Staff Recommendation: Staff recommends that the Advisory Planning Commission conduct the public hearing as noticed and recommend approval of the amendments to the TRPA Governing Board.

Discussion: Douglas County is currently working with the Nevada Department of Transportation (NDOT) on the Elks Point Road bicycle trail improvement project. The adopted Round Hill Community Plan calls for construction of a bike trail from the intersection of Dorla Court and Elks Point Road to Nevada Beach, and the use of sidewalks from the intersection of Dorla Court and Elks Point Road northeasterly to the Kingsbury bike trail. TRPA received a request from Douglas County to amend the Round Hill Community Plan to include a four foot striped bike lane along each side of Elks Point Road west of the intersection of Highway 50, and a signed bike route on the east side of Elks Point Road to the existing Kingsbury bike trail. NDOT is willing to incorporate this design into their project; however, they will not modify their design until the Community Plan shows the modified design.

The proposed sidewalks are part of pedestrian circulation facilities necessary for a proposed timeshare development to the southwest of the Highway 50/Elks Point Road Intersection.

Analysis: The Round Hill Community Plan has been designated as a local service retail node and tourist center. The plan encourages continuation of the existing land uses: Round Hill as a local retail and service commercial node with opportunities for recreation and tourist accommodation in the area.

These amendments will help achieve the Goals and Policies of the Community Plan and the TRPA Goals and Policies. The amendments will reinforce the Community Plan's Goals by focusing on developing transportation systems that will tie in the many opportunities found in Douglas County. Linking the Kingsbury bike trail and the Nevada Beach trail would reduce vehicle trips, improve access to public recreation areas, and improve circulation throughout the Round Hill area and Region.

Findings: Prior to amending the Round Hill Community Plan, TRPA must make the following Findings.

Chapter 6 Findings

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

Rationale: These amendments are consistent with the goals and policies of the Round Hill Community Plan, and TRPA Goals and Policies.

The amendments directly support the Round Hill Community Plan's Traffic Circulation and Parking Goal: "*Reduce the dependency on the automobile and the improve the movement of people, goods, and services within Round Hill and the Region consistent with the economic and environmental goals of the community plan,*" and the Recreation Goal: "*Preserve and enhance the high quality recreational experience of the Round Hill and the Region.*"

The sidewalks directly support the Plan's Policy: "*Develop pedestrian linkages throughout the CP area to allow free access and reduce VMT.*"

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

Rationale: The amendments of the Round Hill Community Plan to add bike lanes, a bike route, and sidewalks will help achieve air quality and transportation thresholds.

The addition of the bike lanes, bike route, and sidewalks will be a crucial link between both bicycle and pedestrian facilities in the area. The linked trail system will provide alternative transportation options within the region, thus reducing VMT and vehicle emissions.

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

Rationale: See findings 1 and 2 above.

4. Finding: 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 findings 1 and 2 above.

The ordinance requires that all community plans in the jurisdiction be adopted. This finding can be made for the Douglas County Community Plans. Furthermore, all projects that may occur because of these amendments will still be subject to the Code, Goals and Policies, and the appropriate community plan and its guidelines for achieving and maintaining environmental thresholds.

Chapter 13 Findings as Applied to Community Plan Amendments

As a matter of policy, TRPA staff uses the Chapter 13 findings for Community Plan amendments to test for consistency with the Community Plan Designations.

1. Finding: The amendments are substantially consistent with the plan area designation criteria in Subsections 13.5.B and 13.5.C.

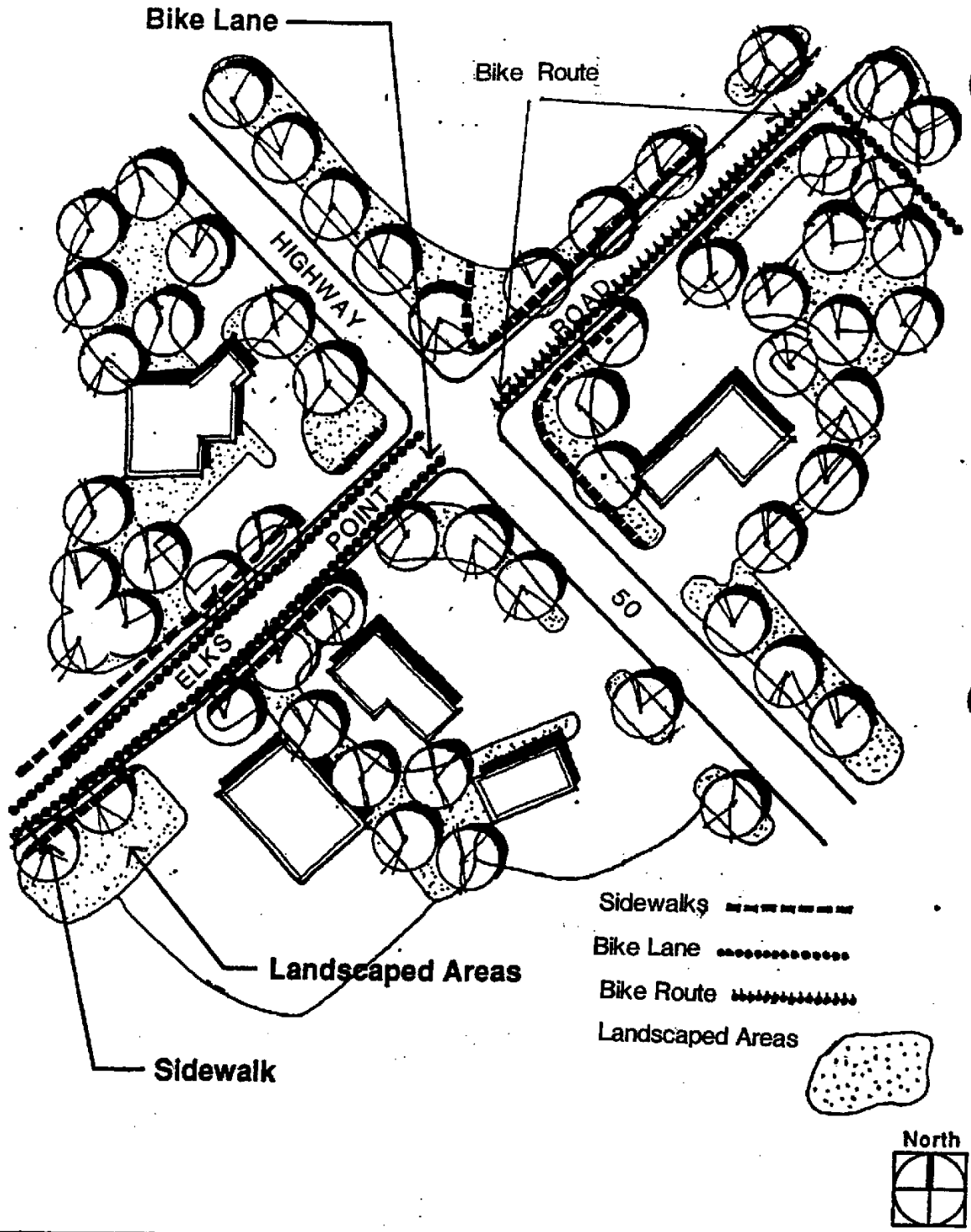
Rationale: Subsection 13.5.B refers to the Plan Area Major Land Use Classification and Management Designations. The Community Plan Area Land Use Classification is Commercial/Public Service. The purpose of this classification is to concentrate commercial/public service uses for public convenience, and separate incompatible uses. The amendments are consistent with the designation, and will create a link between services through sidewalks, bike lanes and a bike route.

Subsection 13.5.B addresses Plan Area Designation. For these amendments the Plan Area Designation does not apply. The amendments do not change the existing designation.

Environmental Documentation: Staff has prepared an Initial Environmental Checklist (IEC) for the proposed amendments. Staff proposes a Finding of No Significant Effect (FONSE) based on the Chapter 6 and Chapter 13 findings shown above.

Staff will begin this item with a brief presentation. Please contact Nick Haven at 702•588•4547, or via email at trpa@sierra.net, if you have any comments regarding this item.

Attachments



Lake Tahoe - Douglas County Community Plan
ELK POINT ROAD IMPROVEMENTS

N.T.S



Figure 20-2