

Front Counter  
Copy

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 September 8, 1999, at the Chateau, 955 Fairway Boulevard, Incline Village, Nevada. The agenda for the meeting is attached hereto and made a part of this notice.

August 30, 1999



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

The Chateau  
955 Fairway Boulevard  
Incline Village, Nevada

September 8, 1999  
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
- V. PUBLIC HEARINGS
  - A. Amendment of Plan Area Statement 171, Tavern Heights, to Allow Government Offices (Restricted to Regional Post Office Only) as a Special Use in Special Area #1 Page 1
  - B. Lake Tahoe Source Water Protection Program, Ordinance Development Workshop Page 7
  - C. Regional Transportation Plan/Air Quality Plan Public Scoping Process for an EIS Page 21
- VI. PLANNING MATTERS
  - A. Determination of Lands and Parcels Suitable for Multi-Residential Development in Douglas County Page 55
- VII. ADMINISTRATIVE MATTERS
  - A. The Role of the Advisory Planning Commission Page 59
  - B. Status Report on Streamlining Activities Page 61

C. Local Revenue Generation

VIII. REPORTS

A. Executive Director

B. Legal Counsel

C. APC Members

IX. ADJOURNMENT

TAHOE REGIONAL PLANNING AGENCY  
ADVISORY PLANNING COMMISSION

The Chateau  
955 Fairway Boulevard  
Incline Village, Nevada

July 14, 1999

REGULAR MEETING MINUTES

Chairperson Bob Jepsen called the regular July 14, 1999, meeting of the Advisory Planning Commission ("APC") to order at 9:40 a.m. and asked for a roll call.

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Members Present: Mr. Kehne (arrived at 9:44 a.m.), Mr. Lohman, Mr. Doughty (arrived at 9:55 a.m.), Ms. Baldrice, Mr. Westerdahl, Mr. McDowell, Mr. Porta, Mr. Lane, Mr. Poppoff, Mr. Lawrence, Mr. Morgan, Mr. Harper, Mr. Marchio, Mr. Jepsen

Members Absent: Mr. Cole, Ms. Kemper, Mr. Joiner, Mr. Haen, Mr. Combs

II. APPROVAL OF THE AGENDA

MOTION by Ms. Baldrice, with a second by Mr. Marchio, to approve the agenda as presented. The motion carried unanimously.

III. PUBLIC INTEREST COMMENTS - None

IV. DISPOSITION OF MINUTES

MOTION by Mr. Morgan, with a second by Ms. Baldrice, to approve the June 9, 1999, APC minutes as presented. The motion carried with Mr. Harper abstaining.

V. PUBLIC HEARINGS

- A. Amendment of Chapter 91, Air Quality Control, by Deleting Subsection 91.8 and Removing the Winter Time Motor Vehicle Fuel Oxygenate Requirement

Associate Planner Jim Allison presented the staff summary amending Chapter 91, Air Quality Control, by deleting Subsection 91.8 and Removing the Wintertime Motor Oxygenated Fuel Requirement.

A discussion ensued.

Chairperson Jepsen opened the meeting up for a public hearing. Since no one wished to comment, Chairperson Jepsen closed the public hearing.

MOTION by Mr. Poppoff, with a second by Ms. Baldrice, to recommend approval to the Governing Board to amend Chapter 91, Air Quality Control, by deleting Subsection 91.8 and

APC REGULAR MEETING MINUTES JULY 14, 1999

removing the Wintertime Motor Oxygenated Fuel Requirement. The motion carried unanimously.

A. Amendment of Chapter 4, Project Review and Exempt Activities to Amend An MOU between TRPA and the California Tahoe Conservancy

Chief of Project Review Rick Angelocci presented the staff summary amending Chapter 4, Project Review and Exempt Activities to Amend an MOU between TRPA and the California Tahoe Conservancy.

Mr. Morgan voiced his concern that 24 hours was not enough notice for the closing or obliteration and restoration of roads or trails and conversion of roads.

Ms. Baldrice commented that there are some historical roads and trails that she would not want to see obliterated without some sort of provisions to identify and treat them in some fashion. She believed that 24 hours was a short period of time in which to notify TRPA.

Mr. Bruce Eisner, with the California Tahoe Conservancy, stated that the item that has been added to the MOU is an item that the California Tahoe Conservancy has been undertaking for the last dozen years, consistent with an exempt activity. For the most part, what they have been doing is closing a 100 foot section of road through an urban lot that goes to the back of somebody's backyard to the back of their property. This is typically the kind of thing they are closing. In areas where there are larger ownerships, they have been cooperating with those owners in terms of a road network so any restoration work that they are doing is part of a consultation period. Normally, we will post a sign if it is a public trail that people are using all the time.

Ms. Baldrice questioned how the Conservancy identifies whether or not they are historic trails or parts of historical railroad grades. Mr. Eisner replied that they work with the California Department of Forestry and Fire Protection who are trained in archeological procedures, and we will use them to help evaluate them. We have access to records that might show these sorts of things. When we are dealing with subdivisions that are 30 years old and clearly the use is not going out into the general forest and is not part of some broader network, the Conservancy's assumption has been that we are dealing with something that is not historical.

Ms. Baldrice stated that Forest Service has undertaken a study of the road system of Lake Tahoe, and she hoped that the Conservancy was looking at that particular work and talking to the Forest Service Archeologist here as well, just to see if there is the potential for the impact of any historical resources.

A discussion ensued.

Mr. Harper stated that he would be more comfortable with adding 24 hours prior notice before closing or obliteration and restoration of roads or trails and conversion of roads to trails, except for weekends or either weekend work is prohibited or there is a 72-hour notification that will occur over a weekend. He understands the trust level, but the problem is that it could vary amongst different types of people. Someone will look at this language and say "you made this decision because of a trust level you have with certain people at a certain time. Don't I have this trust level with you because I am with such-and-such county or such-and-such city." He believed that this was a little risky.

APC REGULAR MEETING MINUTES JULY 14, 1999

Mr. Doughty questioned what constitutes notification, and Deputy Director Jerry Wells replied that something in writing sent to TRPA by fax would constitute notification.

Chairperson Jepsen opened the meeting up to a public hearing. Since no one wished to comment, Chairperson Jepsen closed the public hearing.

MOTION by Mr. Harper, with a second by Mr. Morgan, to recommend approval to the Governing Board with the change to C.2. that includes language requiring a 72-hour notice for any work that is contemplated over the weekend.

Mr. Angelocci questioned Mr. Harper if he agreed with adding in parentheses the words "72 hours for weekend work", and Mr. Harper agreed.

The motion carried unanimously.

- B. Amendment of the Boundary Between the Incline Commercial Community Plan And Plan Area Statement 047, Incline Village Residential, in the Area of Cottonwood Court

Associate Planner John Hitchcock presented the staff summary amending the boundary between the Incline Commercial Community Plan and PAS 046, Incline Village Residential in the area of Cottonwood Court.

Mr. Harper stated that the current boundary would have to be amended at the County level and that requires a Comprehensive Plan Amendment, which is between a three and sixth month process. He commented that whatever action the APC takes would not necessarily drive the position of the County. There is recognition for the need of affordable housing also. The planning action we are contemplating here ought to be based on a good planning principle and a need not based on a property owners desire. His understanding of the reason this is being proposed is because the applicant does not want to be in a position of having to provide affordable housing if they decide at some future time to convert.

Mr. Hitchcock stated that he did inform the applicant that he would also have to go through the County for approval.

A discussion ensued.

Mr. Morgan suggested that TRPA and Washoe County have a meeting to resolve these issues.

Mr. Harper stated that decision on this project would not be at staff level. This requires an amendment to their Comprehensive Plan, which defines certain uses within a specific zoning category that the County has. He recommended that the applicant be required to file the appropriate Comprehensive Plan Amendment with Washoe County, direct the County and TRPA to work together to schedule the appropriate hearings so that they fall within the same timeframe, and we come forward with a joint recommendation. He stated that nothing changes; the only thing that occurs that concerns the applicant is the fact that if they want to convert this to a condominium, they would have to indicate that one of them would be at an affordable market rate. He didn't know if the County would agree that that is the appropriate place or not. They are not prepared to make a decision without doing a more comprehensive evaluation at this point in time.

APC REGULAR MEETING MINUTES JULY 14, 1999

Mr. Lane stated that there should be a dialogue between the County and TRPA. He has experienced that sometimes if you go to the County first, their requirements for an application are so cumbersome in terms of what you have to provide, and turns out to be very costly. Then in turn, you still don't know what TRPA is going to require. He didn't believe that we should approve something without the two jurisdictions talking to the Agency to see if it can be approved.

Chairperson Jepsen opened the meeting up for a public hearing.

Mr. Hal Sorenson believed that TRPA should make their decision, subject to approval by the County. His experience has been that you have to go to the TRPA, the Fire Department, the architect; all before you go to the County.

Mr. Harper responded that this is not an application for a project; it is a policy issue to deal with what type of land uses is appropriate on the property. This application would be sufficient as documentation, plus a response to the County's application, for the Comprehensive Plan Amendment. He stated that the real issue here is TRPA's Plan Area Requirement that a percentage of the units would have to be devoted to affordable housing, which the County has adopted.

Mr. Sorenson questioned if the APC could make a decision, subject to the County's action on it. Chairperson Jepsen stated that is a possibility.

Mr. Peter Damco, owner of Cottonwood Court Properties and the primary applicant of the project, apologized for Mr. Gilanfar's inability to attend the meeting. He had a conflicting appointment today. Mr. Damco spoke with Mr. Gilanfar about this issue, and Mr. Gilanfar has been in touch with the County. After speaking with Ms. Sharon Kvas of the County, it was his understanding that the process needed to be approved by TRPA first before being presented to the County. That is the reason this item was brought before the APC meeting today. Mr. Damco commented that if there were a problem with the procedural aspect of this, then he would go back and start over again.

Mr. Harper responded that he is Ms. Kvas's supervisor, and Ms. Kvas did visit with him last week, which was the first notification that this was moving forward. Mr. Harper commented that Mr. Gilanfar was advised at that point in time that the County's preference was that he would make an application to the County first before proceeding with this. The letter of notification that Mr. Gilanfar gave to Mr. Damco indicating that the County was suggesting that this item go through the TRPA process was incorrect.

Mr. Damco stated that there is a small circular driveway on Cottonwood Court, and in that vicinity all of the other units have been converted from multi-family rentals into condominiums at this point; his is the only unit that hasn't. For the benefit of that portion of the community -- and I have lived as a tenant in that unit for many years -- my mother still lives there, and I know that the units that were converted were fixed up and made to be a higher standard of quality units in that area for purposes of sale. It has also made those people who own their units now in that area more concerned about his unit, and most of those owners were in favor because they like the things that have happened in the area. Those units are not inexpensive and there are a lot of working class people that live in that area. On the other hand, when I went to purchase my first home, it seems to be that the glut in Incline Village is really for the first-time home buyer finding an affordable place to live. The only real market is condominiums because no one is building affordable units for first-time homebuyers.

APC REGULAR MEETING MINUTES JULY 14, 1999

Mr. Harper explained to Mr. Damco that he could file a condominium map tomorrow. He stated that there was nothing in the current TRPA or County Code preventing him from turning these from rentals into individual sale units. Mr. Damco replied that he understood he could but believed that there would be some type of restrictions. Mr. Harper said that one of them would have to be offered at an affordable market rate. Mr. Harper did not know if the offer at an affordable market rate occurred after a unit becomes vacant, even if you first convert the project into a condominium, or would you have to go in and offer an affordable market to one of the current tenants now. He suggested that Mr. Damco explore this issue and make an appointment with the County to sit down and discuss the options available to him.

Mr. Damco stated that he believed that maybe we are going beyond the application and the purpose because the other aspect of this is that area he is in and the other homeowners that own their separate condominiums are in a commercial area that appears to make very little sense in that area. It is intensely residential and there isn't any potential at all that anybody would accept in that area for some time of commercial activity going on amongst their kids, their dog, and their yards, and everything else.

Mr. Doughty questioned that in terms of the affordability and the first-time home buyer, had Mr. Damco's agent looked into what exactly the affordability issue would do in terms of the requirements and what that would result in, particularly given what the values of property in Incline, what the medium income in the area is, and all those aspects of. Mr. Doughty commented that the frustration he was having sitting here is that this is the second time we have backed ourselves out of a project in which we could have gotten affordable housing. He voted not and the APC voted no on a Borelli project, and he believed that was a good decision. It was overridden ultimately by the Governing Board. We are now being asked again to override the requirements for affordable housing to look at this issue. He commented that we are either going to get out of affordable housing and not state anything about it and take it out of our Code of Ordinances or we are going to do something about it. He believed he was stuck in the middle of this issue. He suggested that the Agency either be in the affordable housing or they should get out of it entirely, and we need to have a discussion about this issue. He asked if Mr. Damco had looked at the issue of what affordable means and what that would mean in terms of the actual price of the unit and what he could sell the unit as. Mr. Doughty was of the opinion that before the APC takes any action, they should address this and start looking at this issue.

Mr. Damco replied that he had not specifically looked at this issue, and his understanding was that affordable housing would limit significantly his ability to sell it in the future.

Since no one else wished to comment, Chairperson Jepsen closed the public hearing.

Mr. Harper commented that the County has a big problem in providing affordable housing and identifying where that ought to be located, which also has financial impacts to the applicant. He stated that any decisions made on this item that has an affect on any other property owner in a similar situation, saying "Wait a minute, if you are going to do it for this person, why don't you do it for us also." We need to look at this issue regarding affordable housing. The timing is fortuitous for the fact that the County is completing their housing element, which is required under State law, and therefore making a decision on this issue prior to that does seem to be wrong. He recommended that the item be continued until such time that the property owners involved and any other property owners that may need to be contacted and made an application for a Comprehensive Plan Amendment, that staff be directed to put together a joint response so that both decision making bodies have an opportunity to see a joint review.



APC REGULAR MEETING MINUTES JULY 14, 1999

MOTION by Mr. Harper, with a second by Mr. Morgan, that the item be tabled until such time as this can be scheduled at the same time that a Comprehensive Plan Amendment is being processed by Washoe County.

Mr. Doughty questioned Mr. Wells if we had the authority to continue the item or is there a mandate that the item be forwarded if it is an application. Mr. Wells commented that if the Agency is not comfortable moving an item forward, we have the authority to continue the item. Mr. Wells agreed with the APC on their decision, and believed that the Agency would need 30 days to resolve the issues.

Mr. Harper suggested a meeting be set up between Mr. Gilanfar and the County to discuss solutions to the unresolved issues.

The motion carried unanimously.

(Break taken at 11:00 a.m.)

(Reconvened at 11:12 a.m.)

D. Public Scoping for 64-Acre Tract Intermodal Transit Center EIR/EIS

Associate Planner Jim Allison presented the scope of impacts for an Environmental Impact Statement (EIS) for proposed 64-Acre Tract Intermodal Transit Center, APN 94-180-65.

Mr. Jim Jordan, consultant for the project from the firm of Ballofett & Associates, presented an overall view of the 64-Acre Tract Intermodal Center EIR/EIS.

A discussion ensued.

Chairperson Jepsen opened the meeting up for a public hearing.

Mr. Will Gardner, the Transit Manager with Placer County Public Works, explained the County's role in the project and the traffic control problem. He stated that the proposal that is moving forward now that is most prevalent is a man traffic control operation instead of a signal. The County has talked to CalTrans and so far they have not supported putting a signal at the intersection.

Ms. Jennifer Merchant, with the Truckee-North Tahoe Transportation Management Association, wanted to point out the parking on behalf of the business owners in the area. She stated that the key point here is remembering that this is an intermodal transit facility; we are not just talking about people arriving to Tahoe City on a bus and walking or leaving Tahoe City on a bus. This is a recreation and tourism area where people might be arriving in Tahoe City in a car and getting out at this point and getting on rollerblades because we are at the intersection of a 400,000 person-user per year bike trail, and maybe they are getting on rollerblades or getting on their bike or walking into town, or possibly rafting. Ms. Merchant stated there are certainly opportunities beyond just TART buses and safety issues, and we are looking at expanding a ski shuttle system, and putting all of the local ski areas in one ski shuttle system, which would be a key point for people driving to this location. They can get on a shuttle that goes to Squaw Valley or North Star. In addition, we are looking at an airport shuttle service. Ms. Merchant commented that the 130 spaces stated in the EA include replacment of about 50 or so spaces

APC REGULAR MEETING MINUTES JULY 14, 1999

that would be taken away because of TRPA guidelines. This would be a loss of parking in an area where we need more parking in an effort to get people out of their cars.

Since no one else wished to comment, Chairperson Jepsen closed the public hearing.

VI. REPORTS

A. Legal Counsel

Agency Counsel John Marshall commented that TRPA would be filing in the Ninth Circuit their opening briefs in the TSPC appeal this week. Earlier this month, TRPA made the final payments in the Suitum case. Mr. Marshall stated that the results of that case are yet to be determined at this point. The Legal Division is in the process of hiring a second attorney. He stated that he may have one hired by the next APC meeting or thereafter.

B. Executive Director

Deputy Director Jerry Wells stated that Shorezone EIS has been in circulation and the comment period has ended. On the 22<sup>nd</sup> of July at 2:00 p.m., at the Kings Beach facility, a workshop will be held on the EIS and encouraged many of the APC members to attend. Then from 7:00 – 9:00, Dr. Oris, who has been working on the PAH issue relative to motorized watercraft emissions, will be speaking. In addition, Executive Director Jim Baetge has been on vacation and is due back on Monday, July 19, 1999.

A. APC Members

Mr. Lane stated that it is difficult for anybody to understand the rules and mission of the TRPA. He believed that there should be some sort of summary when an EIR or EIS is presented to the APC that is easier and shorter to understand; such as a 15 or 20 page summary with categories along the lines of TRPA's environmental checklist would be valuable to the APC and the general public.

Mr. McDowell stated that on Monday afternoon, Mr. Juan Palma, the Forest Supervisor in Lake Tahoe, announced that he had taken another job. He has been in the Basin for about 27 months and has been a real mover and shaker and leader in the Lake Tahoe community. The Forest Service will miss him a lot. He stated that he was happy for him but sad for the Forest Service. Mr. Palma would be in for another five or six weeks before he goes to Eastern Oregon with the Bureau of Land Management as a lateral position as far as pay scale goes.

Mr. Porta stated that long-time APC member, Wendell McCurry's cancer has returned and he is going through treatment. His goal is to try to return to work.

Mr. Doughty has a concern over the role of the APC and he believes that it has become a little unclear. He stated that something that concerned him occurred a couple of months at the Governing Board meeting in which the Governing Board members had a discussion on the urban boundary and an amendment. The APC was not brought into that discussion and had not been party to that, and that is a basic element of the Advisory Planning Commission. In general, Mr. Doughty has questioned over the last couple of years the role of the APC and why they are even here. It seems to him that the Governing Board does generally what they wish to do, regardless of what the APC recommends. The APC is simply a dress rehearsal for staff for the Governing Board meeting. He questions why the APC is even here and whether they are

APC REGULAR MEETING MINUTES JULY 14, 1999

really being given any credence to what they do. He would like agendaized for the September APC meeting a general discussion as to what the APC's role is, what the APC needs to redefine what their role is, and whether the APC needs to take that forward to the Governing Board and ask for their assistance. He was of the opinion that what the APC does doesn't make much difference because the Governing Board is going to do what they want to do anyway.

Chairperson Jepsen, along with Mr. Marchio concurred with this issue. Another item Mr. Marchio would like to discuss is the difference between what is a local issue and what is a regional issue.

Mr. Morgan brought up the 4<sup>th</sup> of July fireworks issue; he would like to know how many pounds and/or tons of nitrogen and phosphorous and other metals are being dumped into the Lake from those fireworks. He believed that TRPA should address this question.

Mr. Lohman stated that the County is trying to figure how to pay for the person that would need to be hired to do those duties with regards to the MOU expansion. At this point, the County has not forwarded the MOU to the County Board of Supervisors.

Mr. Poppoff supports Mr. Doughty's suggestions. The APC has had this quandary for years, and it has never been satisfactorily resolved, and he would like to see it resolved. In addition, he supported Mr. Morgan's suggestion about looking into the amount of nitrogen and phosphorus polluting the Lake.

Mr. Harper commented that when he was the APC Chairperson from 81-84, the same issue was raised about the APC roles. At the time, he stated that the APC was very successful in formulating an understanding of what their role was and then having the Chairperson go and talk to the Chairperson of the Governing Board with the staff and lay out what was desired. For a time, the APC had a good sense and things were being referred to the APC normally had not been, although there were some Compact issues that one had to be aware of that prevented the APC from operating along the lines of what traditional planning commissions do. Mr. Harper stated that what was being conveyed to the Governing Board was not done very well or was not accepted by the Governing Board as important. He encouraged the APC to discuss this issue and use their Chair as the focal point and work with Agency staff. He also encouraged the APC to discuss the issue of local vs. regional issues.

Mr. Jim Jordan, taking off his consultant hat and putting on another, commented that when he was on the APC years ago, they were very vital to the staff. It was a dress rehearsal for everything that staff brought forward to the Governing Board. Mr. Jordan stated that many times things did not go to the Governing Board because they were sent back for further work by the APC. And because the TRPA staff had two hats, they were able to convey exactly what the APC had done. He believes that the APC is a very valuable organization and they should not get down on themselves but they should exert themselves because their role to staff can be very valuable, as well as their role to the Agency.

APC REGULAR MEETING MINUTES JULY 14, 1999

VIII. ADJOURNMENT - The meeting was adjourned at 12:30 p.m.

Respectfully submitted,

*Sue Mikanovich*

---

Sue Mikanovich  
Clerk to the Commission

This meeting was taped in its entirety. Anyone wishing to listen to the tapes may call (775) 588-4547 to make an appointment. In addition, written documents submitted at the meeting are available for review at the TRPA office, 308 Dorla Court, Zephyr Cove, Nevada.

## TAHOE REGIONAL PLANNING AGENCY

308 Dorla Court  
Elks Point, Nevada  
www.ceres.ca.gov/trpa

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

(702) 588-4547  
Fax (702) 588-4527  
Email: trpa@sierra.net

### MEMORANDUM

August 31, 1999

To: Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Plan Area Statement 171, Tavern Heights, Special Designation, to Allow Government Offices (restricted to regional post office only) as a use in Special Area #1

Proposed Action: The applicant, who owns APN 94-253-16, proposes to amend Plan Area Statement 171, Tavern Heights, to designate Special Area #1 as an area eligible for Government Offices (restricted to regional post office only) use. This will be accomplished through a modification to the permissible uses in the public service category and modification of the special policies for Special Area #1.

Refer to "Exhibit A" that shows the vicinity map and surrounding land uses.

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

Discussion: The subject parcel is located within Special Area #1 of Plan Area 171. This is a residential plan area. The parcel is along State Route (SR) 89 to the north of Cathedral Drive, just south of a portion of the Tahoe City Community Plan area. The commercial uses just to the north of Special Area #1 include various office buildings, a convenience store, restaurants, and retail shops. Special Policy #2 currently reads "Special Area #1 is designated for multi-residential use" and would be changed upon adoption to "Special Area #1 is designated for multi-residential use and Government Offices."

In the Permissible Uses under the General List, *Government Offices* will be listed as a *special use* in the public service category.

The TRPA's Scenic Quality Improvement Program (SQIP) identifies the roadway unit adjacent to Special Area #1 as an area targeted for scenic and community design restoration. TRPA's (SQIP) does not identify locations in Special Area #1 as needing to contribute toward such restoration (parcels to the north are identified as such). But, as with any use proposed on this parcel, the project will have to conform to the TRPA Design Standards so that the eventual project does not degrade scenic quality.

The impetus for this amendment came from the US Postal Service. In accordance with the definitions of uses in Chapter 18 of the TRPA Code, regional post offices are defined under Government Offices. There is also a definition of local post offices but this definition is not encompassing of the uses eventually planned for this site. A regional post office would include

JA/dmc

AGENDA ITEM V.A.

sufficient broad representation of US Postal Service activities to include planned postal box delivery and implementation of carrier service at this site.  
To appropriately limit the range of uses suggested by Government Offices to a regional post office, specific language is proposed as Special Policy #3 and reads as follows:

Government Offices use proposed in Special Area #1, shall be limited as a permissible use under the definition of Government Offices in the TRPA Code of Ordinances as regional post offices. No regional post office use shall commence until TRPA approves an updated US Postal Service Master Plan consistent with Policy 5 F of the Regional Goals and Policy Plan. Provisions for carrier service shall be required for a regional post office in Special Area #1. (If the US Postal Service Master Plan is not approved by TRPA prior to submittal of a regional post office project in Special Area #1, TRPA and the US Postal Service shall commit to an agreement concerning operations in the Tahoe City service area alone. Such an agreement would be a component and binding element to the US Postal Service Master Plan for the Tahoe City delivery area.)

A regional post office use at this location will have a variety of positive transportation impacts. The use would reduce the vehicle miles traveled (VMT) within the Region by capturing west-shore postal patrons currently utilizing the Tahoe City post office. This would also reduce congestion within the Tahoe City core area.

The US Postal Service plans to implement carrier service (business/home delivery or cluster box delivery) for the Tahoe City area by including an area for sorting mail in any new facility on this parcel. Implementation of this service is also consistent with TRPA goals to reduce VMT.

This item was noticed for the August 1999 APC meeting. Two letters of concern were received prior to the cancelled August meeting. They have been included as Attachment A with this summary.

Placer County Zoning and General Plan Designations: Placer County has adopted TRPA zoning along Tahoe's west shore. The plan designations for Placer County are the same as TRPA.

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

A. Chapter 6 Findings:

1. Finding: The project is consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and maps, the Code, and other TRPA plans and programs.  
Rationale: The proposed amendments to the Plan Area Statement will support implementation of VMT reduction measures identified in the Regional Plan.
2. Finding: That the project will not cause the environmental thresholds to be exceeded.

Rationale: The amendment will support efforts to achieve air quality thresholds. Any projects that are proposed due to this amendment will be required to comply with all aspects of the Regional Plan package, including applicable thresholds.

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

Rationale: Any new or expansion of development due to this amendment will continue to be subject to federal, state, and local air and water quality standards.

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: For reasons stated in Findings 1 and 2 above, the Regional Plan will continue to achieve and maintain the threshold. It will not utilize any resources, nor have any "project-type" impacts discussed in Section 6.3.B of the TRPA Code.

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

Rationale: See findings 1 and 2 above

B. Chapter 13 Findings:

1. Finding: Prior to adopting any plan area amendment, TRPA must find the amendment is substantially consistent with the plan area designation criteria in Subsection 13.5.B and 13.5.C.

Rationale: The amendment will not expand the area of residential, commercial or public service uses beyond that which presently exist and for which the area is zoned. The proposed new use for Special Area #1 would enhance the Region's ability to implement reductions in VMT that would occur due to relocation of west-shore postal patrons and (required) implementation of carrier service. Provision of Government Offices, regional post office use only, in a residential plan area is compatible with the residential patrons who are expected to utilize either the carrier service or a more convenient post office location than currently exists. Although the special designation is to provide scenic restoration within this plan area, the TRPA Scenic Quality Improvement Program does not target parcels in the vicinity of Special Area #1 for restoration. Adherence to the TRPA Design Standards will ensure that future projects do not conflict with the scenic restoration

goals identified for PAS 171. The opportunities for screening a future use from view is high due to the forested cover adjacent to SR 89. In addition, scenic design standards would be applied to any structure planned for the parcel, including a regional post office.

Environmental Documentation: Staff has completed an Initial Environmental Checklist for the proposed action. Staff recommends that a Finding of No Significant Effect (FONSE) be made based on the following:

1. The amendment will have limited applicability.
2. Threshold-related improvements that have been discussed with the applicant are anticipated and required as part of project development (including air, scenic, and water quality).
3. The amendment would not approve development greater than contemplated by the Regional Plan.
4. VMT and traffic congestion will be reduced by project development.

Staff will begin this item with a brief presentation. Please contact Jim Allison at (702) 588-4547, extension 229 or via email at [Jim Allison <trpa@sierra.net>](mailto:Jim.Allison@trpa@sierra.net), if you have any questions regarding this matter.

Attachment



## TRPA

---

**From:** stan/shir woo [hawaiiwoowoo@hotmail.com]  
**Sent:** Monday, August 02, 1999 9:05 PM  
**To:** trpa@sierra.net  
**Subject:** Tavern Heights Post Office Proposal

To Whom It May Concern,

We live directly across the street on the corners of Olympic and Tavern Drs. We are very concerned with more traffic problems this post office site will create. As it stands now, there have been traffic tie-ups stemming from the "Y" which is a mile down the road. The back-ups have been a regular nuisance beginning at 11:00 am and does not subside until 4:00 pm. This gets worse during the summer season, especially on weekends. As a result many of the cars have been using Tavern Dr. as a bypass. They are usually speeding down this street where many of the small children reside.

Our oppositions to this proposal are:

- 1) This will create more traffic jam along highway 89 and causing more delays.
- 2) These delays will cause vehicles to use Tavern Dr. as a means of a "short cut" and sending traffic down our neighborhood street.
- 3) These vehicles drive at fast speed down the street where young children could be outside and become endangered.
- 4) This also will create more noise to disturb our peace and tranquility as they rumble through in our neighborhood.

We come up here to get away from the hustle and bustle of city life. We want a place of refuge and not a mere extension of the urban blight. Find another suitable site closer to the heart of Tahoe City where one can do the mailing along with their other chores at the same time.

Sincerely,

Stanley and Shirley Woo  
P.O. Box 873  
690 Tavern Drive  
Tahoe City, Ca 95730  
(530) 583-1032

---

Get Free Email and Do More On The Web. Visit <http://www.msn.com>

Tahoe Regional Planning Agency  
P.O.B. 1038  
Zephyr Cove, Nevada 89448-1038

25600 Moody Road  
Los Altos Hills, 94022

8/3/99

RECEIVED

AUG 09 1999

TAHOE REGIONAL  
PLANNING AGENCY

Dear Sirs,

Re: Proposed Project: Amendment of Plan Area Statement 171, Tavern Heights,  
to permit Government Offices in Special Area #1 (regional post office use only)

Applicant: David Achiro and Mary Achiro-Collins

As homeowners of 601 Steeple Court, Tahoe City we would like insist on the following conditions:-

- no access by either vehicles or pedestrians to the PO via Steeple Court.
- no increase in the traffic both vehicular and pedestrian using Steeple Court.
- no parking of vehicles in or near Steeple Court.
- assurance that noise, smell and any other form of pollution will not increase as a result of the project .
- normal working hours of 8am to 6pm excluding Sundays and public holidays.
- no negative impact to the environment or living conditions that are currently enjoyed by us at this time.

Thanking you in advance for your careful review of these matters.

Yours truly,

Kevin and Maureen Walsh

Maureen Walsh  
Kevin Walsh

## TAHOE REGIONAL PLANNING AGENCY

308 Dorla Court  
Elks Point, Nevada  
www.ceres.ca.gov/trpa

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

(702) 588-4547  
Fax (702) 588-4527  
Email: trpa@sierra.net

### MEMORANDUM

August 30, 1999

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Lake Tahoe Source Water Protection Program, Ordinance Development Workshop.

Proposed Action: The purpose of this workshop is to solicit comments and direction from the APC, interested stakeholders, and the general public with regards to implementation of an element of the Lake Tahoe Source Water Protection Program. TRPA will present in workshop fashion the background, purpose, and benefit of adopting a proposed ordinance which would implement the Protection Plan Element of the Lake Tahoe Source Water Protection Program (See Attachment B.)

Staff Action: Staff recommends that proposed ordinances which would strengthen protection of drinking water sources be presented to the TRPA Governing Board for adoption in September, 1999. Staff has begun identifying the elements of a proposed ordinance in coordination with the USEPA and the Lake Tahoe Source Water Group. Before proceeding further towards presenting a proposed ordinance to the TRPA Governing Board, TRPA staff requests your comments to determine if the Commission and interested stakeholders are receptive to moving forward with this protection measure. See Attachment A for letters of support from other agencies.

Background: Because Lake Tahoe is a source of drinking water for the basin, the USEPA has provided funding under the Safe Drinking Water Act to TRPA to ensure protection of public health. The Lake Tahoe Source Water Protection Program includes development of a Coordination Plan that will integrate the preparation of state source water assessment and protection plans in the Lake Tahoe Region. USEPA is looking for this plan to serve as a model for application to other interstate watersheds in the United States. This program is one of several Presidential Commitments described in the status report entitled "The Clinton-Gore Commitments of the Lake Tahoe Presidential Forum."

One program product currently being developed is a Source Water Inventory Map. A Geographic Information System (GIS) inventory database is being compiled which forms the basis for this map. This GIS product includes the generation of buffer zones around each drinking water source (Interim Protection Zones). When certain proposed projects are located within an Interim Protection Zone, project planners could be alerted, and could review these projects to insure protection of the nearby drinking water source. However, to implement this protective measure, ordinance amendments must be adopted.

Lake Tahoe Source Water Protection Program  
Ordinance Development Workshop  
August 30, 1999  
Page 2

If you have any questions or comments regarding the Lake Tahoe Source Water Protection Program or the workshop, please contact Jon Paul Kiel at 775-588-4547, extension 261.

Attachments:



**Lake Tahoe  
Source Water  
Protection Program**

A coordinated effort towards the protection of drinking water sources in the Lake Tahoe Region.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street  
San Francisco, CA 94105

OFFICE OF THE  
REGIONAL ADMINISTRATOR

AUG 27 1999

RECEIVED

AUG 30 1999

TAHOE REGIONAL  
PLANNING AGENCY

Advisory Planning Commission  
Tahoe Regional Planning Agency  
P.O. Box 1038  
Zephyr Cove, NV 89448-1038

Dear Commissioners:

I am writing to you to express our support for the Source Water Protection ordinance that is currently proposed by the Tahoe Regional Planning Agency (TRPA). As you know, the protection of drinking water through the Source Water Assessment and Protection Program is a high priority for the U.S. Environmental Protection Agency (EPA). The protection of Lake Tahoe for its varied uses including use as a drinking water source has our full support.

The Source Water Assessment and Protection Program protects both habitat and human health. With this in mind, we were very pleased to fund the development of a local Tahoe Basin Source Water Protection Program as one of the President's commitments in 1997. Through this program, local stakeholders including water purveyors, health and water quality agencies, federal agencies, and affected industry have defined objectives and tasks that can make a real difference in the protection of Tahoe's water resources. The development of the Source Water Protection ordinance is the culmination of over a year's worth of effort by these stakeholders, and provides a mechanism for implementing some of the objectives they developed.

Safe and plentiful drinking water assures the long term success and viability of a community and its members. I hope that you will adopt the Source Water Protection ordinance, an additional tool that can be used to protect the quality of Lake Tahoe and the Basin's water resources. Thank you for your consideration.

Yours,

Felicia Marcus  
Regional Administrator



Winston H. Hickox  
Secretary for  
Environmental  
Protection

**Lahontan Region**

Internet Address: <http://www.mscomm.com/~rwqcb6>  
2501 Lake Tahoe Boulevard, South Lake Tahoe, California 96150  
Phone (530) 542-5400 • FAX (530) 544-2271



Gray Davis  
Governor

August 30, 1999

James Baetge, Director  
Tahoe Regional Planning Agency  
P.O. Box 1038  
Zephyr Cove, NV 89448

Dear Mr. Baetge:

**SUPPORT FOR TRPA'S PROPOSED ORDINANCE TO PROVIDE  
ADDITIONAL PROTECTION TO WELLS, SPRINGS AND LAKE INTAKES IN  
THE LAKE TAHOE REGION**

Thank you for the opportunity to participate in the Lake Tahoe Source Water Protection Group. The Lake Tahoe Source Water Protection Program was initiated after being identified as a Presidential Deliverable. The intent of this program is to ensure protection of drinking water sources and public health. The California Regional Water Quality Control Board-Lahontan Region (Regional Board) commends TRPA's active and successful role in this program. The Regional Board strongly supports the much needed ordinance TRPA is proposing for the long-term protection of source water in the Lake Tahoe Region.

Currently, ground and surface water supplies in the Lake Tahoe Basin adequately serve local and visitor populations. As the populations of both year-around residents and visitors to Lake Tahoe Basin continue to increase, so does the demand for drinking water. Unfortunately, as the population increases, so do the industries, commercial and residential properties, and recreational facilities needed to support these populations. Because current and proposed land uses have the potential to contaminate viable surface and ground water resources, strict management practices must be applied to assure existing and potential sources of drinking water are protected. Regulatory agencies and the community need to implement control measures to secure the availability of safe drinking water. Currently, water consumers in the Lake Tahoe Basin are exercising water conservation because leaking underground storage tanks impacted nearly a third of South Lake Tahoe's municipal drinking supply.

To avoid future water contamination and water shortage situations, it is necessary to critically review proposed projects that have been identified as possible contaminating activities. If current and proposed projects are associated with contaminating activities (auto-body shops, dry cleaners, horse stables, marinas etc.) then stringent best management practices shall be implemented on-site to prevent source water contamination. The proposed ordinance is designed to ensure a proposed project having

the potential to impact source water complies with certain protective standards including the preparation of a spill prevention and contamination discharge plan. The proposed ordinance will also allow nearby residents, the jurisdictional water purveyor, and the Department of Health Services to comment on the proposed project. All of the above-mentioned conditions of the ordinance will be necessary to ensure source water protection.

As part of the Lake Tahoe Source Water Assessment and Protection Program, source waters in the Lake Tahoe Basin have been identified, inventoried, and mapped. Possible contaminating activities have been defined and source water protection zones have been delineated. The Regional Board commends TRPA for its efforts in facilitating this vital program and supports TRPA's proposed ordinance designed to protect wells, springs, and lake intakes, in the Lake Tahoe Region.

We look forward to working together to protect source water quality. Should you wish to discuss this matter further, please contact me at (530) 542-5436 or Mary Fiore at (530) 542-5425.

Sincerely,



Lauri Kemper

Senior Water Resource Control Engineer

KENNY C. GUINN  
Governor

CHARLOTTE CRAWFORD  
Director



YVONNE SYLVA  
Administrator

MARY E. GUINAN, M.D., Ph.D.  
State Health Officer

STATE OF NEVADA  
DEPARTMENT OF HUMAN RESOURCES  
**HEALTH DIVISION**  
BUREAU OF HEALTH PROTECTION SERVICES

- Bureau Administration  
1179 Fairview Drive  
Suite 201  
Carson City, NV 89701-5405  
(775) 687-8353  
Fax (775) 687-5197
- Public Health Engineering  
1179 Fairview Drive  
Suite 101  
Carson City, NV 89701-5405  
(775) 687-4754
- Drinking Water  
State Revolving Fund  
1179 Fairview Drive  
Suite 204  
Carson City, NV 89701-5405  
(775) 687-4750
- Radiological Health  
1179 Fairview Drive  
Suite 102  
Carson City, NV 89701-5405  
(775) 687-5394  
Fax (775) 687-5751
- Environmental Health  
1179 Fairview Drive  
Suite 104  
Carson City, NV 89701-5405  
(775) 687-4750
- Health Protection Services  
620 Beirose Street  
Suite A  
Las Vegas, NV 89107  
Engineering and Food  
(702) 486-5088  
Radiological Health  
(702) 486-5280  
Fax (702) 486-5024
- Health Protection Services  
850 Elm Street  
Elko, NV 89801-3349  
(775) 753-1138/1140
- Health Protection Services  
475 W. Haskell Street  
Room 38  
Winnemucca, NV 89445  
(775) 623-0588
- Health Protection Services  
155 N. Taylor Street  
Suite 100  
Fallon, NV 89406-3324  
(775) 423-2261
- Health Protection Services  
P.O. Box 939  
Ely, NV 89301-0939  
(775) 289-3325
- Health Protection Services  
P.O. Box 867  
Tonopah, NV 89049-0667  
(775) 482-3997

August 27, 1999

Jon Paul Kiel  
Water Quality Program Manager  
Tahoe Regional Planning Agency  
P.O. Box 1038  
Zephyr Cove, NV 89448

Dear Mr. Kiel:

The Nevada State Health Division, Bureau of Health Protection Services wishes to express its support for the proposed ordinance that seeks to protect drinking water sources in the Lake Tahoe region.

Through its Source Water Assessment Program, Nevada is committed to the concept of prevention of contamination of drinking water sources. This is cost effective and prudent public health practice. The ordinance proposed by the Tahoe Regional Planning Agency promotes this concept.

The Bureau of Health Protection Services serves as a member of the Lake Tahoe Source Water Assessment and Protection Group along with TRPA, the California Department of Health Services, the United States Environmental Protection Agency, and other interested parties. We appreciate the opportunity to coordinate our source water efforts with this group.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Jon Palm".

Jonathan C. Palm, Ph.D., P.E.  
Manager, Public Health Engineering  
Bureau of Health Protection Services

cc: Leah Walker, CDH  
Judy Bloom, USEPA



**DEPARTMENT OF HEALTH SERVICES**2151 BERKELEY WAY  
BERKELEY, CA 94704-1011

REC-2111

AUG 31 1999

REGIONAL

AGENCY

August 26, 1999

Jon Paul Kiel  
Water Quality Program Manager  
Tahoe Regional Planning Agency  
P.O. Box 1038  
Zephyr Cove, NV 89448

Dear Mr. Kiel:

The California Department of Health Services, Division of Drinking Water and Environmental Management (DHS) wishes to express its support for the development of a source water protection ordinance for the Lake Tahoe region by the Tahoe Regional Planning Agency (TRPA).

Encouraging source water protection efforts is one of the primary elements of the California Drinking Water Source Assessment and Protection Program developed by DHS and recently endorsed by the US Environmental Protection Agency (USEPA). The Program describes how DHS will conduct assessments for drinking water sources and encourage protection efforts.

DHS has been pleased to be a member of the Lake Tahoe Source Water Group that has worked with TRPA, the Nevada State Health Division, and the USEPA on the source water protection project and appreciates the opportunity it provides for interstate coordination of source water protection activities.

If you have any questions, please contact Leah Walker of the Drinking Water Technical Programs Branch at (707) 576-2295.

Sincerely,

Alexis M. Milea, P.E., Chief  
Division of Drinking Water and  
Environmental Management

cc: Leah Walker  
Bob Hultquist  
Jess Morehouse  
Judy Bloom, USEPA  
Jon Palm, Nevada State Health Division

