

**TRPA
GOVERNING BOARD
PACKETS**

**FEBRUARY
2001**

**TAHOE REGIONAL PLANNING AGENCY (TRPA)
TAHOE METROPOLITAN PLANNING ORGANIZATION (TMPO)
AND TRPA COMMITTEE MEETINGS**

NOTICE IS HEREBY GIVEN that on Tuesday, February 27, 2001, commencing at 5:30 p.m., in the conference room of the Tahoe Regional Planning Agency, 308 Doria Court, Zephyr Cove, Nevada, the Environmental Improvement Program Implementation Committee (EIPIC) will meet. The agenda will be as follows: 1) public interest comments (no action); 2) approval of minutes; 3) status report and discussion on comments received on the EIP update draft; 4) status report and discussion on federal legislative packet; 5) report and discussion on EIP Implementation Task force; and 6) member comments. (Committee: Waldie, Cole, Perock, Miner, DeLanoy)

NOTICE IS HEREBY GIVEN that on Wednesday, February 28, 2001, commencing at 9:30 a.m., the Governing Board of the Tahoe Regional Planning Agency will conduct its regular meeting. The meeting will take place at the Horizon Casino Resort Hotel, U.S. Highway 50, Stateline, Nevada. The agenda is attached hereto and made a part of this notice.

Governing Board Committee items are action items unless otherwise noted

NOTICE IS FURTHER GIVEN THAT ON Wednesday, February 28, 2001, following action by TRPA on the Consent Calendar, the Governing Board of the Tahoe Metropolitan Planning Organization (TMPO) will meet. The agenda is attached hereto and made a part of this notice.

NOTICE IS FURTHER GIVEN that on Wednesday, February 28, 2001, commencing at 8:30 a.m., at the same location, the TRPA Finance Committee will meet. The agenda will be as follows: 1) public interest comments (no action); 2) receipt of TRPA FY 99-00 audit; 3) Approval of TRPA FY 00-01 budget revision; 4) Release of Air Quality Mitigation Funds of \$62,345 to Placer County for Transportation Improvements/Trolley Purchase; 5) Resolution Allocating FY 00-01 Local Transportation Funds (\$35,000) to the TRPA for Planning and Administration; 6) Resolution Allocation FY 00-01 Local Transportation Funds (\$557,952) to Placer County for TART Operations; 7) Resolution Allocating FY 00-01 Local Transportation Funds (\$460,850) to the City of South Lake Tahoe for STAGE Operations; 8) Resolution Allocating FY 00-01 State Transit Assistance Funds (\$53,592) to Placer County for TART Operating Assistance; 9) Resolution Allocating FY 00-01 State Transit Assistance Funds (\$53,592) to the City of South Lake Tahoe for STAGE Operating Assistance; 10) Approval of Mitigation Fund Administration MOU between Placer County and TRPA; 11) Release of \$676,500 in Water Quality Mitigation Funds and \$165,000 in SEZ Mitigation Funds to Placer County for FY 00-01 Project Requests; 12) Request for \$5,200 from TRPA Fines And Forfeitures for Scenic Consultant and Compliance Equipment; 13) Resolution Amending Regional Transportation Improvement (RTIP) Regarding Transit Vehicles for the City of South Lake Tahoe; 14) member comments. (Committee: Neft, Heller, Galloway, Solaro)

NOTICE IS FURTHER GIVEN that on Wednesday, February 28, 2001, commencing at 8:30 a.m., at the same location, the TRPA Legal Committee will meet. The agenda will be as follows: 1) public interest comments (no action); 2) Gene and Allison Pretti Resolution of Enforcement Action, 759 Burgandy Way, Washoe County, APN 126-271-10; 3) Bucholtz Resolution of Enforcement Action, 775 Fairview Boulevard, Washoe County, APN 126-273-04; 4) Bitterbrush Limited Partnership, Consideration of Request for Use of Bonus Units for Subdivision Projects; 5) member comments. (Committee: DeLanoy, Waldie, Medina, Miner, Sandoval)

February 16, 2001



Juan Palma
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
GOVERNING BOARD

Horizon Casino Resort
U.S. Highway 50
Stateline, Nevada

February 28, 2001
9:30 a.m.

All items on this agenda are action items unless otherwise noted. Items on the agenda, unless designated for a specific time, may not necessarily be considered in the order in which they appear. For agenda management purposes, approximate time limits have been assigned to each agenda item. All public comments should be as brief and concise as possible so that all who wish to speak may do so; testimony should not be repeated.

AGENDA

- I. PLEDGE OF ALLEGIANCE (5 minutes)
- II. ROLL CALL AND DETERMINATION OF QUORUM (5 minutes)
- III. PUBLIC INTEREST COMMENTS - **All comments are to be limited to no more than five minutes per person.**

Any member of the public wishing to address the Governing Board on any agenda item not listed as a Project Review, Public Hearing, TMPO, Appeal, or Planning Matter item may do so at this time. However, public comment on Project Review, Public Hearing, Appeal, and Planning Matter items will be taken at the time those agenda items are heard. The Governing Board is prohibited by law from taking immediate action on or discussing issues raised by the public that are not listed on this agenda.

- IV. APPROVAL OF AGENDA (5 minutes)
- V. APPROVAL OF MINUTES (5 minutes)
- VI. CONSENT CALENDAR (see agenda pg. 3 for specific items) (5 minutes)
- VII. PROJECT REVIEW

- A. Community Non-Profit Building, New Public Service Building, 948 Incline Way, Incline Village, Washoe County APN 127-030-15, TRPA File Number 990781 (20 minutes) Page 63

VIII. PUBLIC HEARINGS

- A. Amendment of Chapter 4 Project Review and Exempt Activities Relative to Memorandum of Understanding between TRPA and the City of South Lake Tahoe Regarding Public Works Department Exempt Activities (10 minutes) Page 85
- B. Certification of Incline Park EIS (45 minutes) Page 97
- C. Amendment of Map Showing Need for Water Quality Improvements Pursuant to Requirements of Chapter 37, Individual Parcel Evaluation System, Section 37.10.A, Installation of Water Quality Improvements (20 minutes) Page 101
- D. Report on IPES Line Analysis for Year 1999-2000 (30 minutes) Page 117

IX.	PLANNING MATTERS	
	A. Approval of Revised Work Program (15 minutes)	Page 133
	B. Discussion of 2001 Threshold Review Parameters (15 minutes)	Page 135
X.	ADMINISTRATIVE MATTERS	
	A. Appointment of California Lay Members to the Advisory Planning Commission (Leo Poppoff's Term Expires the end of February 2001) (5 minutes)	Page 139
	B. Appointment of Governing Board Committees & Assignments of Roles (20 minutes)	Page 141
XI.	COMMITTEE RECOMMENDATIONS AND BOARD ACTION	
	A. Finance Committee (<u>5 minutes</u>)	
	B. EIPIC (<u>5 minutes</u>)	
	C. Legal Committee (<u>15 minutes</u>)	
	1. Bitterbrush Limited Partnership, Consideration Of Request for Use of Bonus Units for Subdivision Projects	Page 147
	D. Local Government Committee (<u>5 minutes</u>)	
XII.	REPORTS	
	A. Executive Director Monthly Status Report (<u>20 minutes</u>)	
	1. TRPA Office Status Report	
	2. Project Status Report	Page 155
	B. Legal Division Monthly Status Report (<u>5 minutes</u>)	
	C. Governing Board Members (<u>5 minutes</u>)	
XIII.	ADJOURNMENT	

CONSENT CALENDAR

	<u>Item</u>	<u>Recommendation</u>	
1.	Receipt of TRPA FY 99-00 Audit	Receipt	Page 1
2.	Approval of FY00-01 Budget Revision	Approval	Page 3
3.	Release of Air Quality Mitigation Funds of \$62,345 to Placer County for Transportation Improvements/ Trolley Purchase	Approval	Page 5
4.	Resolution Allocating FY 00-01 Local Transportation Funds (\$35,000) to the RTPA for Planning and Administration	Approval	Page 9

5.	Resolution Allocating FY 00-01 Local Transportation Funds (\$57,952) to Placer County for TART Operations	Withdrawn	Page 13
6.	Resolution Allocating FY 00-01 Local Transportation Funds (\$460,850) to the City of South Lake Tahoe for STAGE Operations	Approval	Page 15
7.	Resolution Allocating FY 00-01 State Transit Assistance Funds \$53,592) to Placer County for TART Operating Assistance	Withdrawn	Page 19
8.	Resolution Allocating FY 00-01 State Transit Assistance \$53,592) to the City of South Lake Tahoe for STAGE Operating Assistance	Approval	Page 21
9.	Approval of Mitigation Fund Administration MOU between Placer County and TRPA	Approval	Page 25
10.	Release of \$676,500 in Water Quality Mitigation Funds and \$165,000 in SEZ Mitigation Funds to Place County for FY 00-01 Project Requests	Approval	Page 31
11.	Gene and Allison Pretti Resolution of Enforcement Action, 759 Burgundy Way, Washoe County, APN 126-271-10	Approval	Page 43
12.	Bucholtz Resolution of Enforcement Action, 775 Fairview Boulevard, Washoe County, APN 126-273-04	Approval	Page 49
13.	Request for \$5,200 from TRPA Fines and Forfeitures Account to Hire a Scenic Consultant In Conjunction with A Notice of Violation, Washoe County, APN 122-181-02 And to Purchase Two Digital Cameras for Use in Compliance Investigations	Approval	Page 55
14.	Resolution Amending Regional Transportation Improvement Program (RTIP) Regarding Transit Vehicles for the City of South Lake Tahoe	Approval	Page 57
15.	Land Capability Challenge, 126-271-07, Gene & Allison Pretti, 776 Mt. Rose Highway, Incline Village, NV	Approved	Page 59

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

Four of the members of the governing body from each State constitute a quorum for the transaction of the business of the agency. The voting procedure shall be as follows:

- (1) For adopting, amending or repealing environmental threshold carrying capacities, the regional plan, and ordinances, rules and regulations, and for granting variances from the ordinances, rules and regulations, the vote of at least four of the members of each State agreeing with the vote of at least four members of the other State shall be required to take action. If there is no vote of at least four of the members from one State agreeing with the vote of at least four of the members of the other State on the actions specified in this paragraph, an action of rejection shall be deemed to have been taken.

- (2) For approving a project, the affirmative vote of at least five members from the State in which the project is located and the affirmative vote of at least nine members of the governing body are required. If at least five members of the governing body from the State in which the project is located and at least nine members of the entire governing body do not vote in favor of the project, upon a motion for approval, an action of rejection shall be deemed to have been taken. A decision by the agency to approve a project shall be supported by a statement of findings, adopted by the agency, which indicates that the project complies with the regional plan and with applicable ordinances, rules and regulations of the agency.
- (3) For routine business and for directing the agency's staff on litigation and enforcement actions, at least eight members of the governing body must agree to take action. If at least eight votes in favor of such action are not cast, an action of rejection shall be deemed to have been taken.

Article III(g) Public Law 96-551

Tahoe Regional Planning Agency Governing Board Members:

Chairman Dean Heller, Nevada Secretary of State	Hal Cole, South Lake Tahoe
Wayne Perock, Nev. Dept. of Conservation	Joanne Neft, Calif. Gov. Appointee
Appointee	Larry Sevison, Placer County
Vice-Chairman Dave Solaro, El Dorado County	(Position Vacant), Calif. Gov. Appointee
Drake DeLanoy, Nevada Gov. Appointee	Brian Sandoval, Nevada At-Large Member
Jon Plank, Carson City	Peter Chase Neumann, Presidential Appointee
Jerry Waldie, Calif. Senate Rules Com. Appointee	Don Miner, Douglas County
Jim Galloway, Washoe County	
Leslie Medina, Calif. Assembly Spkr. Appointee	

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

Horizon Casino Resort
U.S. Highway 50
Stateline, Nevada

December 20, 2000

REGULAR MEETING MINUTES

I. ROLL CALL AND DETERMINATION OF QUORUM

Chairman Larry Sevison called the December 20, 2000, Tahoe Regional Planning Agency (TRPA) Governing Board meeting to order at 9:32 a.m.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

Board Member Kay Bennett led the Board in the Pledge of Allegiance to the Flag.

Members Present: Dr. Miner, Mr. Waldie, Mr. DeLanoy, Mr. Solaro, Mr. Heller, Mr. Cole,
Ms. Bennett, Mr. Perock, Mr. Galloway, Ms. Medina, Mr. Sevison
Members Absent: Ms. Neft, Mr. Sandoval, Mr. Neumann
California Governor Appointee (position vacant)

III. PUBLIC INTEREST COMMENTS

Ms. Elizabeth Hale, a local from Tahoe City, stated that as she was listening to the Legal Committee meeting, it occurred to her what they were discussing were important bits of information that the people in Tahoe City would like to know about. But they don't have a reporter from Tahoe City, so perhaps there could be a news release that goes to the local paper. It would help when rules are not being followed in Tahoe City to know that there are consequences for disobeying the rules. Ms. Hale said she would talk to Ms. Pam Drum about a news release.

Mr. Lyn Barnett, Chief of Project Review, introduced Mike Cavanaugh, the new Senior Planner in the Project Review Division. The Project Review Division is currently fully staffed. Mike is a Florida State University graduate and has a degree in Urban and Regional Planning and Environmental Planning. He has eleven years of experience from the State of Florida with the Bureau of Local Planning, and was once the Bureau Chief in Florida. After leaving Florida, Mr. Cavanaugh spent six years as a Senior Planner in Montana. After Montana, he went to Florence, Oregon, and we were lucky enough to get him from Oregon. Chairman Sevison welcomed Mike on board.

IV. APPROVAL OF AGENDA

Mr. Sevison asked Agency Counsel John Marshall to explain why Glenbrook wasn't adgendized. Mr. Marshall stated that both applicants for the pier and plan area statement

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requested that the item be taken off calendar. They are continuing to discuss amongst themselves whether or not they can reach some sort of resolution with their differences. In order to allow that to proceed, we have taken it off calendar. Mr. Sevison announced that Agenda Items IX. A and IX. B may possibly be continued if we run out of time at the end of the day. Mr. Marshall commented that the Legal Committee approved the resolution on Agenda Item VIII.A., so this would be coming to the Governing Board as a settlement rather than a Show Cause Hearing. Executive Director Juan Palma stated that on Agenda Item XII.A., he had visitors coming in to discussion this item. He requested that this item be set for time certain at 4:00 today.

Mr. Sevison requested that Agenda Item XII.A. be moved after the Consent Calendar items. Mr. Gordon Barrett, Acting Deputy Director, stated that on Consent Calendar item No. 12, the Trehwitt Land Capability Challenge, only involves APN 07-190-09 and not 07-490-16 or 07-490-17.

MOTION by Kay Bennett to approve the agenda as modified. The motion carried unanimously.

Mr. DeLanoy requested that Consent Calendar Item No. 2 be pulled. In addition, Mr. Waldie requested that Consent Calendar Item No. 7 be pulled, as well.

V. CONSENT CALENDAR

MOTION by Mr. Galloway to approve the remaining Consent Calendar Items.

Ms. Bennett advised that the Finance Committee met this morning without a quorum. They recommended to the Governing Board approval of Consent Calendar Items 4, 5, 8, 9, and 10. She directed the Governing Board's attention to Items 4 and 5, in particular. Ms. Bennett stated that attached to those items is the schedule of the use of either the County's water quality mitigation funds or air quality mitigation funds for the years 2000 - 2001. For a very long time, she has been asking for this type of reporting so that we have a sense of where we are going and how the local entities intend to use their mitigation funds. Mr. Bennett personally congratulated the TRPA staff, and Juan, for this effort. She feels very good leaving the Board knowing that a lot of these mitigation funds have been programmed, and she hoped that TRPA could complete those projects.

The motion carried unanimously.

(The following are items approved on the consent calendar

1. Receipt of November Expense/Revenue Summary
 3. Cave Rock Partners, LLC., Resolution of Enforcement Action, 1301 Highway 50, Douglas County APN 03-150-01
 4. Release of \$121,000 in Water Quality Mitigation Funds and \$100,000 in Stream Environment Zone Mitigation Funds to the City of South Lake Tahoe for 2000-2001 Project Requests
 - \$75,000 in additional funds for Ski Run Village Improvements (between U.S. 50 and Pioneer Trail)
 - BMPs on the east end of Regina Road off Ski Run Boulevard above Pioneer Trail (\$25,000, EIP project #10075)
 - \$21,000 for lease purchase of a Vector Truck for Water quality maintenance
- The SEZ mitigation fund request is for:
- the industrial Tract SEZ Restoration Project between D Street and Industrial (\$30,000, EIP project #13)

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- an additional \$70,000 for the Trout Creek Watershed Restoration Project
 - (EIP projects #22 and #904), the final phase between Pioneer Trail and the
 - Martin Avenue bridge will be completed during the 2001 construction season
5. Release of \$399,092 in Water Quality Mitigation Funds and \$235,892 in Stream Environment Zone Mitigation Funds to El Dorado County for 2000-2001 Project Requests
- construction of the Pioneer Trail III Erosion Control Project (ECP, EIP project #10070) and Bike Lane (EIP project #750) summer 2001 (\$200,000 WQ Mitigation release, and \$143,000 SEZ Mitigation Fund release)
 - The Woodland, Tamarack, & Lonely Gulch (10% design), and Silver Tip (75% design) ECPs (both in EIP project #713) are expected to be constructed summer 2002 and 2001, respectively (\$74,703, and \$114,389 release of WQ Funds, respectively)
 - The Angora Phase 3 Erosion Control and Bike Lane project is at the pre-conceptual phase (EIP project #193, map A), and won't be constructed for several years (\$5,000 in WQ mitigation Fund release)
 - The Christmas Valley/Grass Lake Road ECP is at the pre-conceptual phase (EIP project #708; map B.1. and B.2., respectively), and will not be constructed for several years (\$5,000 in WQ Mitigation Funds release)
 - The Angora Creek SEZ Restoration (EIP project #985) is now in the Request for Proposal phase for a consultant to design the project (\$92,892 in SEZ Mitigation Fund release)
6. Incline General Improvement District, Mountain Golf Course Cart Path Addition, 687 Wilson Way, Incline and Conditions Village, Washoe County APNs 128-352-01, 128-351-01 and 128-220-02, TRPA File #200437
8. Release of Air Quality Mitigation Funds of \$76,540 to El Dorado County in Support of Angora 3 Erosion Control and Bike Lane Projects
9. Release of Air Quality Mitigation Funds of \$227,000 to the City of South Lake Tahoe to Support Air Quality/Transportation Improvements
10. Resolution Allocating FY 2000-2001 Local Transportation Funds of \$184,560 to El Dorado County for Community Transit Services (approved by Resolution No. 2000-21)
11. O'Donnell, Land Capability Challenge, 397 Driver Way, Washoe County APN 131-225-01
12. Trewhitt, Land Capability Challenge, 371 Kingsbury Grade, Douglas County APNs 07-190-09 approved as modified.)

Mr. DeLanoy asked that Consent Calendar Item No. 2 be pulled because he didn't understand the diagram and the explanation of the area that they were talking about in Exhibit 19. Mr. Barrett commented that the staff summary begins on page 1 of the packet, and staff is asking the Governing Board to give authorization to the Executive Director to amend the language in the deed restriction consistent with the request, and for the Executive Director to approve an amendment to the Ninth Stipulation also consistent with this action. Mr. Barrett stated that this was a Board approval back in 1986 at Lake Tahoe Community College, and there was a deed restriction put on that as part of the approval which came from the Ninth Stipulation. There was a condition that the parties involved in the lawsuit put a deed restriction on this property to only use it for educational purposes. The area that states "Community College Buildout", is a small part of the whole college site; the gray shaded area North of the circle is where the purposed government complex is going, which is consistent with the plan. The gray shaded area was the government center of Bijou/Al Tahoe, and what we need to do is to change the deed restriction to allow educational and public services on the parcel to allow this plan to be implemented. That's what's before the Governing Board today. Mr. DeLanoy wanted to hear what the Forest Service plans on doing.

Mr. Collin West, with the Forest Service, has been involved with this project for the last five years, and what they are working on is relocating the Forest Service building to what was

TRPA REGULAR MEETING MINUTES DECEMBER 20, 2000

planned in the Bijou/Al Tahoe Community plan; a government center for resource agencies on the college site. Mr. DeLanoy questioned how big the building was going to be, and Mr. West stated that the Forest Service building will be about 19,000 square feet. The proposal in the last environmental document for all the agencies would be about 50,000 square feet. Mr. DeLanoy stated that there was a figure in the staff summary that says 100,000 square feet of office space. Mr. Barrett replied that was correct; the community plan envisioned up to 100,000 square feet going to the college site next to the existing government center. When you are talking about 100,000 square feet, Mr. DeLanoy made the comment you are talking about an additional 150 cars, and he just couldn't see how they could fit that into their traffic pattern. Mr. Hal Cole replied that he sat on the Al Tahoe/Bijou community plan, and the vision they had -- the TRPA, the League to Save Lake Tahoe, as well as other community members who were involved in the community plan, was this community plan was to encourage all the public services -- Lahontan; Forest Service, and TRPA -- to come to one area and reduce vehicle miles traveled rather than going up and down the highway. The clear intent of the goal of this community plan was to put all these agencies there. If it is 100,000, it is 100,000 square feet spread out throughout the community and put in one spot. Ultimately, Mr. Cole believed that the vehicle miles would be reduced.

Mr. DeLanoy stated that if you are going to build a Class A building, you have to have three spaces for every 1,000 square feet. That causes him some concern. Mr. Cole remarked that they had to meet coverage requirements, and the coverage is there. In the long run, environmentally, this would be a benefit. Mr. DeLanoy questioned if TRPA would be moving over there, and Mr. Cole replied that was one of the options. Hopefully, this will be a source for any government public service agencies that want to relocate or new ones that may come into the area. This is where we want them to be so there is some interaction between all of them, and the public can go to one place, park, and then go visit one or more entities. Dr. Miner questioned if the City was planning on moving there, and Mr. Cole stated that they have looked at the location, and it is now a matter of money.

Mr. DeLanoy questioned if the Forest Service had their own building, and Mr. West said that what the Forest Service could fund is a building for their offices, but they are also working with other agencies, like the CTC and TRPA. The planning that the Forest Service has done is a build out for all resource agencies involved. How do the other agencies make arrangements with the Forest Service on the rent they would pay, Mr. DeLanoy questioned? Mr. West said that they would not be renting from the Forest Service. The other agencies would lease land from the college and then finance their own building.

Mr. DeLanoy asked Mr. Barrett if that was part of the plan to reduce the TRPA's rent. He replied that this was one of the goals of TRPA. One of the drawbacks of owning our own building is we would still have to pay a land lease on the property; approximately five cents a square foot for coverage. It would reduce the rent if we could figure out a way to get the building paid for. It doesn't have the opportunities that we have in Nevada. The location has pros and cons just like the Nevada sites. At this point, the primary driving force is that the Forest Service wants to go there, and they are seeking a permit. At this point, it is just an option for TRPA. CTC wants to go into the state building, and that would be a California agency, and TRPA could possibly, or possibly not, go into that building. Mr. Severson commented that Lahontan is also interested in relocating there.

For the Board at this point, the issue is the Forest Service in a general complex, and there is no commitment as far as TRPA is concerned to move there. This is an option for TRPA, but not necessarily the preferred option.

TRPA REGULAR MEETING MINUTES DECEMBER 20, 2000

MOTION by Mr. Solaro to approve the amendment of Deed Restriction Condition of Approval for the Lake Tahoe Community College, El Dorado County APN 25-010-24 and APN 25-010-34. The motion carried unanimously.

Mr. Waldie had some questions of Mr. Jon-Paul Harries on the Ledbetter, Existing Pier Relocation and Expansion, 1220 Highway 50, Douglas County APN 03-191-03. He didn't understand how long the existing pier was. Mr. Harries stated that the pier itself is approximately 25 feet, but there is a backshore deck and shed. It is a backshore structure that evolves into a pier. Mr. Waldie asked if it is being expanded to 147 feet, and Mr. Harries said that was correct. Mr. Waldie stated it is in an area of scenic degradation already, and TRPA has decided that the mitigation required would mitigate the scenery of the 147 feet; he didn't find any discussion on the length of the pier as being a mitigating problem. Mr. Waldie asked if the length of the pier out into the lake degrades the scenery. Mr. Harries replied that if you were to just put a pier out into the lake, there would be some degradation. So, Mr. Waldie questioned when you go from a 25-foot pier to 147-foot pier, does that result in degradation of the scenic impacts. With those two elements alone, Mr. Harries said that they do result in degradation. But the applicant has also included removal of another backshore structure, extensive revegetation of the shoreline, as well as, additional landscaping.

Mr. Waldie commented that his own view of this is that a 147-foot pier out into the lake requires a lot of mitigation from a 25-foot pier in terms of scenic degradation in an area that already does not meet the thresholds. But he understands that he voices a view that is not generally well accepted. Mr. Waldie's other question is would this application would have been approved, or will it be approved, under the shorezone regulations. Mr. Harries replied that brings in an entire different system in terms of scenic points. He had not reviewed it. That is another problem that Mr. Waldie wanted to bring to the attention of the Board. Mr. Waldie believed that practically every month that the Board meets, we have a pier application, and whether or not these piers would be approved under the new shorezone proposal seems to be a question that staff has not been able to answer. Consequently, we should be very careful about approving piers during this interim period when we are deregulating the shorezone. If it turns out that these piers would not have been approved, we are doing harm to the environment of the lake. Mr. Waldie was of the opinion that we should have that answered to the extent TRPA can before any more of these applications are brought before the Board, or else we should adopt the shorezone ordinance and get this issue behind us. But to continue approving these projects without knowing what it does to the lake in terms of the new ordinance seems to be short sided.

Dr. Miner believed that it was unfair to put staff in the middle of the sandwich when we have not approved any of the ordinances for the shorezone. Mr. Waldie remarked that he just as soon keep staff out of it by not having piers brought before the Board until we approve the ordinance. This also puts the applicant in a terrible position, but that is our fault. Mr. Severson commented that it is unfortunate that we were not able to move forward with the ordinances. We did take a detour when we decided to take on the jet ski issue, which is probably the single one thing that delayed the shorezone approvals of the plans.

Mr. Solaro commented that the option we have is using the existing rules, and we have to look at this amendment under our existing rules; not what may come before us in the future.

MOTION by Dr. Miner to approve the Ledbetter, Existing Pier Relocation and Expansion, 1220 Highway 50, Douglas County APN 03-191-03. The motion carried unanimously.

TRPA REGULAR MEETING MINUTES DECEMBER 20, 2000

VI. APPROVAL OF MINUTES

MOTION by Mr. Sevison to approve the November 15, 2000, minutes as presented. The motion carried with Ms. Medina abstaining.

VII. PUBLIC HEARINGS

- A. City of South Lake Tahoe Amendments to Stateline/Ski Run Community Plan
1. Amendment of Stateline/Ski Run Community Plan Boundary to Add a Parcel Currently Adjacent and in Plan Area Statement 093
 2. Replace the Stateline/Ski Run Community Plan Design Standards, Section 5-4F, Items 1 & 2, Lower Ski Run South, With a Paragraph Requiring Plazas to be Developed
 3. Amendment of the Permissible Uses List in Redevelopment District 1b, Stateline/Ski Run Community Plan to Add Special Uses; General Merchandise, Amusement and Recreation Services, Food and Beverage Retail Services, Personal Services, Outdoor Retail Sales, Health Care Services, and Professional Offices
 4. Amendment of the Permissible Uses List in Redevelopment District 2a, Stateline/Ski Run Community Plan to Add Professional Offices as a Special Use

Senior Planner Coleen Shade presented the City of South Lake Tahoe Amendments to Stateline/Ski Run Community Plan. Ms. Shade complimented the City on their application packet, which was very complete and reduced her work in processing the amendments.

Mr. Cole questioned if the original intention when the community plan boundaries was done, that whenever you had parcels that were owned by the same owner, and they were contiguous to each other and they were fronting on Pioneer Trail, was this to include all the parcels owned by that person, and was this one missed at that time. Ms. Shade commented not necessarily; the reason why originally, when they were drawing the lines -- they didn't want to do that in all cases because the commercial area for some of these large parcels came off of the commercial core at that time -- would bring the commercial core further and further back into the other use areas. So, not in all cases did they include all parcels under the same commercial core.

Mr. Cole made the comment that all of these amendments have been brought to the City's Planning Commission, the City Council, and all were public hearings, and the City supported all of them.

Ms. Shade stated that there was a unanimous decision from the Advisory Planning Commission to forward the amendments on to the Governing Board for a favorable recommendation.

Chairman Sevison opened the meeting up for a public hearing.