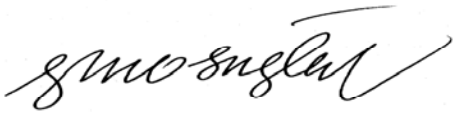
TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION
NOTICE OF MEETING

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 June 9, 2004, at the Tahoe Regional Planning Agency, 124 Market Street, Stateline, NV 89449. The agenda for the meeting is attached hereto and made a part of this notice.

June 1, 2004



John Singlaub
Executive Director

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

Tahoe Regional Planning Agency
128 Market Street
Stateline, NV 89449

June 9, 2004
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 094, Glenwood to Create Special Area #2, Amend the General Use List to add Multi-Family Dwelling as a Permissible Use, Amend the Density Table to Allow Multi-Family Dwelling at a Density of 11 Units per Acre, Amend Special Policy #2, and Designate the Plan Area a Preferred Affordable Housing Area and a Multi-Residential Incentive Program Area for Special Area #2 Only, and Provide for Other Matters Properly Related Thereto; Page 1

B) Notice of Preparation and Scoping for the SR 89/Fanny Bridge Improvements Project; Page 19

C) Notice of Commencement of 30-day Comment Period for the 2004 Update to the TRPA Regional Transportation Plan. Page 23

VI. PLANNING MATTERS

A. Scenic Perception Study Presentation Page 25

VII. REPORTS

A. Executive Director

B. Legal Counsel

C. APC Members

VII. ADJOURNMENT

TRPA ADVISORY PLANNING COMMISSION

Tahoe Regional Planning Agency Stateline, Nevada	April 14, 2004 9:30 a.m.

MEETING MINUTES

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Members Present: Chairman Larry Lohman, Kevin Cole, Richard Harris, Lauri Kemper, Eva Krause, Gary Marchio, Ron McIntyre, Joe Oden, Lee Plemel, Tom Porta, I. G. Poppoff, Tom Porta, Alan Tolhurst

II. APPROVAL OF AGENDA

Moved by Mr. Tolhurst.
Motion Carries.

III. PUBLIC INTEREST COMMENTS

None.

IV. DISPOSITION OF MINUTES

Moved by Mr. Tolhurst.
Motion Carries.

V. PUBLIC HEARINGS

A. Amendments to Plan Area Statement 103, Sierra Tract Commercial and Plan Area Statement 104, Highland Woods to Add the Transfer of Development Rights Designation for Multi-Residential Units and Provide for Other Matters Properly Relating Thereto;

Carl Hasty presented this amendment to the APC Committee.

No public comment.

Moved by Ms. Krause.
Motion Carriers.

VI. PLANNING MATTERS

A. North Lake Tahoe Fire Protection District MOU

Jesse Jones Environmental Specialist presented a proposed memorandum of

understanding between TRPA and NLTFPD recognizing the District's authority for addressing the defensible space for fire protection around structures, and delegating TRPA's tree cutting permit authority to them.

Mr. Singlaub stated that our hope is to use this as a template to work with each of the other fire districts in the Basin so we have something similar with each jurisdiction and that this was the agreement among the Fire Chiefs that we have been meeting with. He thanked Incline for being first to do this.

APC Expressed Concern Regarding:

a) Over cutting of trees
b) Resolution of conflicts
c) Funds for other districts
d) Not changing the code or granting exemptions
e) Language in the document on mitigation
f) Coordinating message and providing clarification to those implementing the permitting process for new homes as the same standards being applied in MOU for defensible space on existing homes
g) The clarity of the hazard tree definition

APC recommended that this be reviewed in one year to see how it worked.

Public Comment:

John Paul Harries, representing the League To Save Lake Tahoe stated that they supported this MOU and they see the risk being minimal and will achieve good results that we are trying to move towards. Much of this has already been accruing on the California side and there have been no significant problems with that program. This in the form of an MOU has additional protections that didn't exist prior.

Moved by Mr. Harris with suggested language changes, including clarification of reasons for tree removal, the definition of hazard tree, and more specific language concerning identification and resolution of potential threshold concerns.

Motion Carries.

B. APC's Role in Pathway 2007

Gabby Barrett presented an outline of the public collaborative process of recommended generalized role for APC for their comments and involvement.

John Hitchcock, Long Range Planning presented Regulatory System Design as part of the Pathway 2007 process.

APC Expressed Concern Regarding:

a) Including Community into process.

b) Mass confusion with so many committees
c) Limited Agency resources
d) Integration of out of basin interests

Open to public comment

Michael Donahoe, Conservation Co-Chairman for Tahoe Area Sierra Club Group expressed concern with some of the things that have happened negatively in previous efforts reflecting a disparity between local interests and out of Basin interests because not enough out of Basin interests were involved. It's a very difficult thing to achieve and that someone should be wearing the hat of the out of Basin to represent the national interests in Lake Tahoe. It would be helpful if the planning work group were spelled out. The product of that group will be different from the product of the Technical Work Groups. In general, this would help with the Linkage issue.

No action required but APC noted general concurrence and asked for specifics to be brought to them for recommendation to the Governing Board.

C. Informal Scoping of the IVGID Sewer Export Line Environmental Assessment

Kathy Canfield, Project Review introduced Mr. Pomerory to APC.

Joe Pomerory, Senior Engineer from IVGID introduced Jill Sutherland, Resource Concepts and presented overview of project to replace portions of the existing Incline Village General Improvement District's export sewer, which include relocation of some segments.

APC Expressed Concern Regarding:
a) Impact on traffic in the affected area
b) Impact on parking
c) Impact on bikers
e) Partnering with NDOT & erosion control and other agencies to coordinate this project
f) Why this project required an EA

Open for Public comment.

No action required.

VII. REPORTS

A. Executive Director

Executive Director John Singlaub reported on actions taken by the Governing Board on APC recommendations.

1. Clean up Amendment Multi Residential Incentive Program - Approved as recommended

2. Spring Cleaning of the Glossary - Board did not pass

3. Amendments for Modern Income Housing – Approved as recommended

4. Affordable Housing Action at Sugar Pine Point – Approved as recommended

He then requested an update on the Vacation Rental Agreements in the APC member's status report.

B. Legal Council Report

Jordan Kahn, Associate Legal Council

Two Enforcement Actions that were filed since the last APC meeting:

1) Michael Franklin owns a vacant parcel in Placer County; for cutting trees and violating a cease and desist order.
2) Cleve Canapa owns property on the top of Zephyr Heights; for unauthorized construction activities not only on his lot but on adjacent lots owned by the US Forest Service, purchased with Burton Santini money, and by the State of Nevada

John Marshall has put together an informal not a TRPA sanctioned event, staff fund raiser to create a scholarship with the local Soroptomists Chapter for environmental education purposes. A thank you to those members that have pledged dollars and the goal is $5000.

C. APC MEMBERS

Mr. Poppoff: Why does it take so long to have a simple over the counter permit done? Are we having a staffing problem? Follow up was suggested to occur after the meeting to discern Mr. Poppoff's issue.

Mr. Harris: Tim Hagan of the staff has been a participant in my environmental law class where he has distinguished himself.

VIII. ADJOURNMENT

Time: 11:20 AM

Respectfully submitted,

Judy Nikkel

Anyone wishing to listen to the tapes may call for an appointment at (775) 588-4547. In addition, written documents submitted at the meeting are available for review at the TRPA office, 128 Market Street, Stateline, Nevada.

TAHOE REGIONAL PLANNING AGENCY

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MEMORANDUM

June 1, 2004

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Plan Area Statement 094, Glenwood, a Residential Plan Area, to create Special Area #2 to Encompass El Dorado County APN 025-510-02, Amend the General Use List to add Multi-Family Dwelling as a Permissible Use in Special Area #2, Amend the Density Table to Allow Multi-Family Dwelling at a Density of 11 Units per Acre, amend the Special Policies to add Policy #3, and Designate the Plan Area a Preferred Affordable Housing Area and a Multi-Residential Incentive Program Area for Special Area #2 Only, and Provide for Other Matters Properly Related Thereto.

Proposed Action: Staff is proposing to amend Plan Area Statement (PAS) 094, Glenwood, a residential plan area within the City of South Lake Tahoe to create a Special Area #2 around El Dorado County Assessor Parcel Number (APN) 025-510-02 and amend the Permissible Use List to add Multi-Family Dwelling as a Special Use (limited to 11 Units per Acre) within Special Area #2. In addition to these amendments the applicants, American Baptist Homes of the West (ABHOW), are requesting that the Multi-Residential Incentive Program and Preferred Affordable Housing Area designations be added to the plan area. See Exhibit 1 for language amendments to PAS 094 and Exhibit 2 for proposed Special Area #2 boundary.

In addition, the proposed amendment will include adoption of a special policy prohibiting the use of Section 21.3.B of the TRPA Code of Ordinances that allows for a 25% density increase for affordable housing projects. The rationale to prohibit the increase in density is to ensure that the scale and density of any proposed development is consistent with the existing single-family character of the neighborhood.

Staff Recommendation: Staff recommends that the Advisory Planning Commission (APC) conduct the public hearing as noticed and recommend adoption of the attached amendments to the TRPA Governing Board.

Consistency with the City of South Lake Tahoe Zoning: The City of South Lake Tahoe (CSLT) has adopted TRPA's Plan Area Statements for its zoning. The Regional Plan requires public hearings and adoption by both the TRPA Governing Board and the City Council. This item was heard before the City Council at their meeting on May 4, 2004. The City Council voted to approve the amendments as recommended by City staff.

Background: TRPA received a request from ABHOW to amend PAS 094, Glenwood, to create a Special Area #2, which would encompass El Dorado County APN 025-510-02 (See Exhibit 2), a 3+-acre parcel located at 1447 Herbert Avenue, and is the only parcel affected by the proposed amendment. The amendment would modify the plan area to enable the applicant to subsequently apply for a senior multi-family housing project.

ABHOW has optioned the property at 1447 Herbert, and hopes to apply at a future date to construct a 32-unit low-income senior community (where residents' incomes are 80% of the countywide median income or less). Their development proposal includes 31 540-square foot one-bedroom apartments, and one 720-square foot two-bedroom (manager's unit) apartment. These would be independent living units without a "care" option.

Discussion: The amendment being considered by TRPA at this time is not a project level approval of the development. In fact, the staff-recommended amendment proposes that any subsequent multi-family housing project be a "Special Use", which would require public notification and hearings, prior to issuance of a development permit.

The difference between staff's recommended amendment and that proposed by the applicant reflects staff's interests in addressing concerns disclosed through the environmental analysis process and with meetings with the applicants. Staff wants to ensure that neighborhood expectations are achieved and that the existing community character is not compromised by any proposed multi-family project.

Staff has reviewed the application for consistency with the Regional Plan Package and with issues raised during the City's review process. These include land use consistency; plan area designations, Transit Oriented Design (TOD) findings, and transportation related concerns. These issues are discussed in detail below.

Land Use Consistency: In evaluating the proposed amendment, staff took into consideration the parcel's location within a plan area that is zoned primarily for single-family residential uses. The immediate neighborhood is predominantly single-family, comprised of large lots. In addition, there are numerous developed and undeveloped parcels, ranging from one-half to five acres in size, scattered throughout the neighborhood on both sides of Pioneer Trail, in particularly dominating the east side of Herbert Avenue. These lots are a mix of private and public ownership, in developed and undeveloped conditions, and residential and public service uses (churches). The majority of the public parcels have been retired and restricted from future development.

The planning statement for this plan area states that this area should continue to be residential, maintaining the existing character of the neighborhood. The plan area is zoned to maintain the single-family character by prohibiting multi-family development. However, the plan area also has a special policy, Special Policy #2, that states "Senior citizen housing should be encouraged in this area". When developing senior housing that is affordable and economically feasible, it is reasonable to assume that this can only be accomplished through the development of multi-family units.

The need for additional senior housing warrants serious consideration be given to determining that this request is reasonable and necessary. In light of the special policy, that the parcel is located along an arterial, and that large vacant parcels within close proximity to services are rare, staff is recommending that the APC recommend approval of the proposed amendments. However, to ensure consistency with the planning statement for the plan area, staff is recommending the following policy statements be added:

1. Density for multi-family dwellings in Special Area #2 be limited to 11 units per acre;
2. A Special Policy prohibiting the use of 25% density increase for affordable housing projects for any multi-family project within Special Area #2; and

3. A Special Policy to ensure that the design and massing of any proposed multi-family project blends with the existing character of the single-family neighborhood.

Concerns were raised that the proposed amendment could serve as a precedent for other vacant parcels within the area. The current recommendation should not be construed as a precedent; however, it is possible that other property owners may approach the City and TRPA to request similar amendments and a number of parcels do exist within the plan area that are currently vacant. These parcels have not been evaluated for their suitability for rezoning. As with all requests, each is evaluated on its own merits for consistency with the Regional Plan and TRPA's Thresholds.

The recommendations for this specific request are tied to the community's need for additional senior citizen housing, the plan area's encouragement of senior citizen housing in this area, and the parcel's location on an arterial.

Density: Concerns have been raised over density and the general planning direction to maintain the existing single-family character of the neighborhood. In response to the concerns, the applicant has proposed a reduced density of 11 units per acre, (roughly double that of the density of the nearby single-family subdivision, which is approximately 5 units per acre). On the three-acre site, less than one-third of the land would be covered by development due to coverage limitations. In combination with the small size of the individual dwelling units and the nature of the senior citizen population, it is unlikely that a multi-family project would change the existing character of the neighborhood.

Plan Area Designations: Consistent with TPRA Goals and Policies, TRPA has created incentive programs for developing affordable housing in the Region. The programs include designating areas as "Preferred Affordable Housing" and "Multi-Residential Incentive Program". The "Preferred Affordable Housing" designation permits an applicant to use incentives described in Chapter 33 of the Code (allocation exemptions) and Chapter 35 (bonus units assignments). The "Multi-Residential Incentive Program" permits the use of incentives outlined in Chapter 35 to obtain multi-residential bonus units; however, they are not restricted to affordable housing units. In order for an applicant to use bonus units and be exempted from the allocation requirements of Chapter 33, the plan area must be designated as a "Preferred Affordable Housing Area".

The applicant has requested that Special Area #2 be designated as a Multi-Residential Incentive Program and Preferred Affordable Housing Area. It is the applicant's intention to use bonus units and get an exemption from the allocation requirements in developing the senior citizen housing. The rationale behind the programs is to help create an incentive to develop affordable housing by reducing the development costs. In many cases, in order for affordable housing to be economically viable to a developer these types of programs need to be in place. In light of the special policy to encourage senior citizen housing in this plan area, the proposed designations are consistent with the planning direction. In addition, the designations will only apply to Special Area #2 and not in other areas of the plan area.

Transit Oriented Development: If an amendment is to add multiple-family as a permissible use to a plan area or for one or more parcels, and would result in deed restricted affordable housing units, the plan area or affected parcel must be found suitable for transit-oriented development (TOD) pursuant to Subsection 13.7.D(5) of the TRPA Code of Ordinances. The required findings to determine suitability for TOD

include a finding that the area has access to transit within a 10-minute walk or a functional equivalent and access to neighborhood services or public services.

Access to transit facilities is located approximately 10 to 15 minute walk from the subject parcel. Currently, Blue Go transit operates along Spruce Avenue located north of the site and approximately one-third of a mile from the subject parcel. The transit route ultimately returns to Highway 50 and provides access to neighborhood services (i.e., Safeway, Bank of America, DMV, Post Office). Since the walk is outside of the 10-minute limit, staff is proposing to make a functional equivalent finding. It is staff's opinion that the finding for a functional equivalent to the 10-walk can be made for the proposed amendment due to the on demand service provided by Blue Go bus service.

Access to neighborhood and public service facilities are located approximately 15-minutes from the subject parcel at Ski Run Boulevard and Pioneer Trail. The Ski Run Corridor is part of an adopted community plan that has seen recent public improvements such as pedestrian sidewalks and bicycle paths. The area has also seen an increase in commercial development to service the local and tourist populations. Services available along this corridor restaurants, medical offices, and the City of South Lake Tahoe fire station.

Transportation: Concerns were raised regarding the intersection of Pioneer Trail and Herbert Avenue. The City planning staff analyzed this concern in their Initial Study. Because Herbert Avenue approaches Pioneer Trail at an angle and not at ninety degrees and the steep grade, it has been identified as a potential concern. City staff recommends a special policy, applicable for any multi-family project proposed for Special Area #2, to require a traffic analysis to evaluate the appropriate location for driveway access and to assess whether intersection modifications for Pioneer Trail and Herbert Avenue are recommended. Since this is a requirement from the City, TRPA does not feel it necessary to add this special policy to the plan area. However, TRPA staff will require the submission of the report as part of any multi-family project proposed for Special Area #2.

Effect on TRPA Work Program: No significant impact is expected on TRPA's work program as a result of this amendment since it does not result in any increase in development potential beyond that permitted by the Regional Plan. The amendment will likely only affect the type of development being reviewed by staff.

Findings: Prior to amending the plan areas and community plan, TRPA must make the following findings.

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 amendment of PAS 094 and the addition of Special Area #2 are limited to the identified parcel (APN 025-510-02). The amendment provides the opportunity to facilitate a deed-restricted senior citizen affordable housing project consistent with the Special Policy #2 of the plan area. In addition

special policies have been proposed as part of the amendment to require that design and massing of any proposed project is consistent with the planning theme and direction of the single family neighborhood character, and that the traffic analyses be prepared to evaluate the appropriate locations of access to the parcel and whether intersection modification for Pioneer Trail and Herbert Avenue are needed. In addition, requiring this to be a Special Use will require that special use findings be made prior to any project approval. As proposed, the amendment is consistent 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.

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

   Rationale: The amendment has been conditioned to require that any development be compatible with the existing character of the single-family neighborhood through design and massing, a reduction in density, and a prohibition on the use of the 25% density bonus for affordable housing. These measures are consistent with the policies of the planning direction for the plan area and are consistent with the policies of the community design threshold.

   The amendment does not result in an increase in development potential beyond that contemplated in the Regional Plan. However, the amendment does result in an increase to the overall density of a single-family residential neighborhood. As discussed in the paragraph above, to mitigate any potential impact to the character of the neighborhood, the density for the area has been reduce to 11 units an acre, The use of a 25% density available to deed restricted affordable housing is prohibited, and a special policy requiring the scaling and massing of any structures to be compatible with the surrounding single-family structures.

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, 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.

B. Chapter 13 Findings

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

   Rationale: The amendment will not expand the area of multiple-family beyond that which is proposed as Special Area #2. The new Special Designation of "Multi-Residential Incentive Program" and "Preferred Affordable Housing Area" will enhance the Region's ability to promote affordable housing in a suitable area.

   Because the amendment will result in a potential overall density increase for the single-family plan area, staff is proposing to mitigate the potential impact through a density reduction and a prohibition on the use of density bonus usually available to deed restricted affordable housing. In addition multi-family dwelling will be added as a special use requiring special use findings and a special policy will require that any proposed development respect and be consistent with the existing character of the neighborhood.

   By adopting the measures described above, the amendment will be substantially consistent with the plan area designation criteria.

2. Finding: If the amendment is to add multiple-family dwellings as a permissible use to a plan are or for one or more parcels, and would result in deed restricted affordable housing units, the plan area or affected parcel must be found suitable fro transit-oriented development (TOD). TRPA shall find that the following factors are satisfied when determining TOD suitability: (1) access to operational transit within a 10-minute walk, or a functional equivalent; and (2) neighborhood services; or public facilities.

   Rationale: The nearest transit service is located within a 10-minute walk at the intersection of Herbert Avenue and Spruce Avenue. The distance is approximately one-third of a mile in distance. The bus routes ultimately return to Highway 50 and provide access to services such as a grocery store, banks, the Department of Motor Vehicles on Highway 50, and the Post Office on Al Tahoe Boulevard. Since this is at the limits set forth in the Code for TOD suitability, therefore staff is proposing an alternate finding that allows for a functional equivalent to a fixed bus route. In this case, staff can make the finding because the subject parcel would be served by transit but through an on-demand system.

The subject parcel would be serviced by the Blue Go on-demand service. To facilitate the on-demand service, the City, has required a special policy to install a bus shelter on the site connected to the complex by a walkway.

Access to neighborhood and public service facilities are located approximately 11 to 15 minutes from the subject parcel at Ski Run Boulevard and Pioneer Trail. The Ski Run Corridor is part of an adopted community plan that has seen recent public improvements such as pedestrian sidewalks and bicycle paths. The area has also seen an increase in commercial development to service the local and tourist populations. Services available along this corridor restaurants, medical offices, and the City of South Lake Tahoe fire station.

Environmental Documentation: Staff has reviewed the Initial Environmental Checklist (IEC) submitted by the City for the proposed amendment. Staff proposes a Finding of No Significant Effect (FONSE) based on the Chapter 6 and Chapter 13 findings and the IEC.

Staff will begin this item with a brief presentation. Please contact John Hitchcock at 775•588•4547, or via email at jhitchcock@trpa.org, if you have any comments regarding this item.

Attachments Attachment A, Adopting Ordinance
Exhibit 1, Proposed Changes to PAS 094
Exhibit 2, Proposed Boundaries of Special Area #2
Attachment B, Location Map

TAHOE REGIONAL PLANNING AGENCY
ORDINANCE 2004 –

AN ORDINANCE AMENDING ORDINANCE NO. 87-9, AS AMENDED, BY AMENDING PLAN AREA STATEMENT 094, GLENWOOD, TO CREATE SPECIAL AREA #2 TO ENCOMPASS EL DORODA COUNTY ASSESSOR PARCEL NUMBER 025-510-02, TO AMEND THE PERMISSIBLE USE TO LIST TO ADD MULTI-FAMILY DWELLINGS AS A SPECIAL USE FOR SPECIAL AREA #2 ONLY, TO AMEND THE DENSITY TABLE TO ALLOW MULTI-FAMILY DWELLINGS AT 11 UNITS PER ACRE, TO ADD MULTI-RESIDENTIAL INCENTIVE PROGRAM AND PREFFERRED AFFORDABLE HOUSING AREA TO THE SPECIAL DESIGNATIONS, AND TO AMEND THE SPECIAL POLICIES TO ADD A POLICY #3, AND PROVIDING FOR OTHER MATTERS PROPERLY REALATING THERETO.

The Governing Board of the Tahoe Regional Planning Agency does ordain as follows:

Section 1.00 Findings

1.10 It is necessary and desirable to amend TRPA Ordinance 87-9, as amended, which ordinance relates to the Regional Plan of the Tahoe Regional Planning Agency (TRPA) by amending Plan Area Statement 094, Glenwood, to create a Special Area #2 to encompass El Dorado County Assessor Parcel Number 025-510-02, to amend the Permissible Use List to add Multi-Family Dwellings as a Special Use for Special Area #2 only, to amend the Density Table to allow Multi-Family Dwellings at 11 units per acre, to add Multi-Residential Incentive Program and Preferred Affordable Housing Area to the Special Designations, and to amend the Special Policies to add a Policy #3, in order to further implement the Regional Plan pursuant to Article VI(a) and other applicable provisions of the Tahoe Regional Planning Compact.

1.20 These amendments have been determined not to have a significant effect on the environment, and are therefore exempt from the requirements of an environmental impact statement pursuant to Article VII of the Compact.

1.30 The Advisory Planning Commission (APC) has conducted a public hearing on the amendments and recommended adoption. The Governing Board has also conducted a noticed public hearing on the amendments. At those hearings, oral testimony and documentary evidence were received and considered.

1.40 The Governing Board finds that, prior to the adoption of this ordinance, the Board made the findings required by Chapter 6 of the Code, Chapter 13 of the Code, and Article V(g) of the Compact. The Governing Board further finds that such findings are supported by substantial evidence in the record.

1.50 The Governing Board finds that the amendments adopted hereby will continue to implement the Regional Plan, as amended, in a manner that achieves and maintains the adopted environmental threshold carrying capacities as required by Article V(c) of the Compact.

1.60 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.00 Amendment of Plan Area Statement 094, Glenwood

2.10 Subsection 6.10, subparagraph (2) of TRPA Ordinance No. 87-9 as amended, is hereby further amended to add Subparagraph ( ) as follow:

6.10 Plan Document

(2) Plan Area Statement for Plan Area 094, Glenwood, which statements are set forth in the document entitled: Regional Plan for the Lake Tahoe Basin, Plan Area Statements: Carson City, City of South Lake Tahoe, Douglas County, Placer County, Washoe County, Tahoe Regional Planning Agency, January 7, 1987, including the amendments to the Plan Area Statement as set forth in:

Added ( ) for PAS 094, Exhibit 1, dated May 27, 2004, which amendments shall be incorporated into the Plan Area Document dated January 7, 1987, referred to in this ordinance.

Section 3.00 Amendment of Plan Overlays

3.10 Subsection 6.20, subparagraph (1) of TRPA Ordinance No. 87-9 as amended, is hereby further amended to add Subparagraph ( ) as follow:

6.20 Plan Overlays

(1) Plan Overlays at scales of 1"=400' and 1"=2000' (January 1987), including the amendments to the Plan Area Overlays as set forth in Exhibit A entitled Plan Area Statement Amendments, 2/25/87, which amendments shall be reflected in the Plan Area Overlays, dated January 1987.

Added ( ) Amend Overlay Map H-17 and H-18 to add Special Area #2 to Plan Area Statement 094, Glenwood, as shown in Exhibit 2, dated May 27, 2004, which amendments shall be incorporated into the Plan Area Overlays dated January 1987.

Section 4.00 Interpretation and Severability

The provisions of this ordinance and the amendments to the Plan Area Statement adopted hereby shall be liberally construed to effect their purposes. If any section, clause, provision or portion thereof is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance and the amendments to the Plan Area Statement shall not be affected thereby. For this purpose, the provisions of this ordinance and the amendments to the Plan Area Statement are hereby declared respectively severable.

Section 5.00 Effective Date

The provisions of this ordinance amending the Special Area boundary, the Special Designations, and the Special Policies of Plan Area Statement 094, shall be effective immediately upon adoption. The provisions of this ordinance amending the Permissible Uses and Maximum Densities, of Plan Area Statement 094, shall be effective 60 days after adoption.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held June 23, 2004, by the following vote:

Ayes:

Nays:

Abstentions:

Absent

David Solaro, Chairman
Tahoe Regional Planning Agency

New language is underlined in blue; language to be deleted is ~~struck-out~~ in red.

094
GLENWOOD

PLAN DESIGNATION:

Land Use Classification	RESIDENTIAL
Management Strategy	MITIGATION
Special Designation	~~NONE~~ MULTI-RESIDENTIAL INCENTIVE PROGRAM (Special Area #2 Only) (Bonus Units for Affordable Senior Citizen Housing Only) PREFERRED AFFORDABLE HOUSING AREA (Special Area A#2 Only) (Senior Citizen Housing Only)

DESCRIPTION:

Location: This area is located near Pioneer Trail between Glenwood and Blackwood Avenues and is located on TRPA maps H-17, H-18, G-17, and G-18.

Existing Uses: This residential area includes newer single family dwellings (both subdivisions and mobile home parks). The area is 65 percent built out.

Existing Environment: The lands are classified as 25 percent high hazard, 30 percent SEZ, 15 percent moderate hazard and 30 percent low hazard. The land coverage is 20 percent with an additional 25 percent disturbed.

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

PLANNING CONSIDERATIONS:

1. The SEZ has been altered by the development of single family housing.
2. A conflict exists between the need to make improvements to Pioneer Trail because of increasing traffic and the existing residential character of the area.
3. The future status of a Caltrans right-of-way through this area is uncertain.
4. Drainage problems exist in the area.

SPECIAL POLICIES: No special policies.

1. Pioneer Trail improvements must be compatible with the neighborhood.
2. Senior citizen housing should be encouraged in this area.
3. [If Special Area #2 is developed for multiple family senior housing, the following special provisions will apply:

- Ensure that the design and massing of the complex blends with the character of the nearby single family neighborhood;
- Install a bus stop, with a bus shelter, at the site that is connected to the complex by a walkway; and
- Require a traffic consultant to evaluate the appropriate location for driveway access and to assess whether intersection modifications for Pioneer Trail and Herbert Avenue are recommended.][§]

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

General List: The following list of permissible uses is applicable throughout the Plan Area (except as noted in Special Area #1):

Residential	Single family dwelling (A).
Commercial	Schools - pre-schools (S).
Public Service	Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), churches (S), and local post offices (S).
Recreation	Participant sports facilities (S), day use areas (A), and riding and hiking trails (A).
Resource Management	Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

Special Area #1: The following list of permissible uses is applicable in Special Area #1. All the uses listed on the General List plus the following additions:

Residential	Mobile home dwellings (A).

Special Area #2: The following list of permissible uses is applicable in Special Area #2. All the uses listed on the General List plus the following additions:

Residential	Multi-family Dwelling (Senior Citizen Housing Only) (S).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential

[§] Bracketed language adopted by City of South Lake Tahoe only.

density incentive program, special use determinations, allocation limitations and general site development standards.

USE	MAXIMUM DENSITY
Residential	
Single Family Dwelling	1 unit per parcel
Mobile Home Dwellings	8 units per acre
Multi-Family Dwellings	11 units per acre

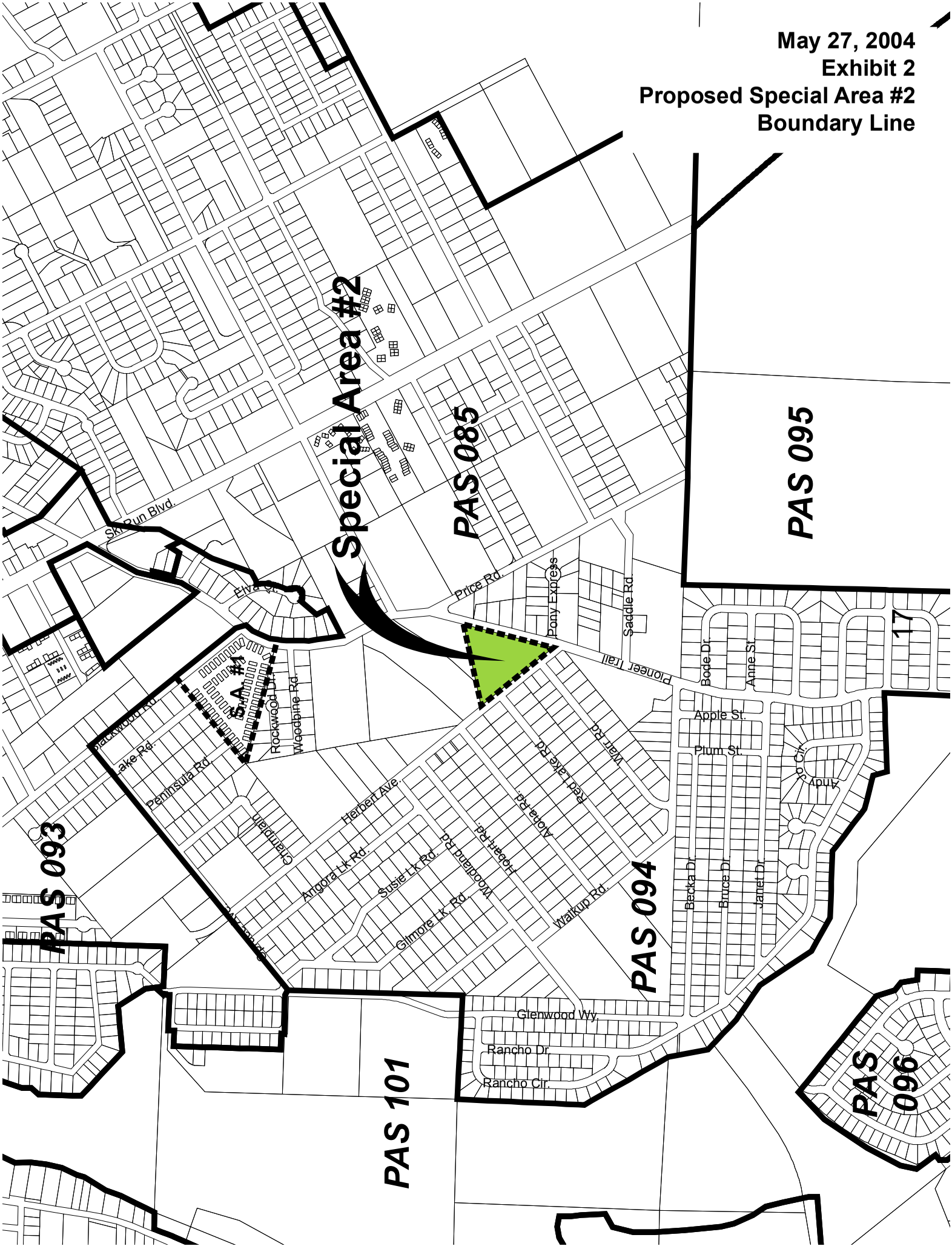
MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL:. The maximum community noise equivalent level for this Plan Area is 50 CNEL.

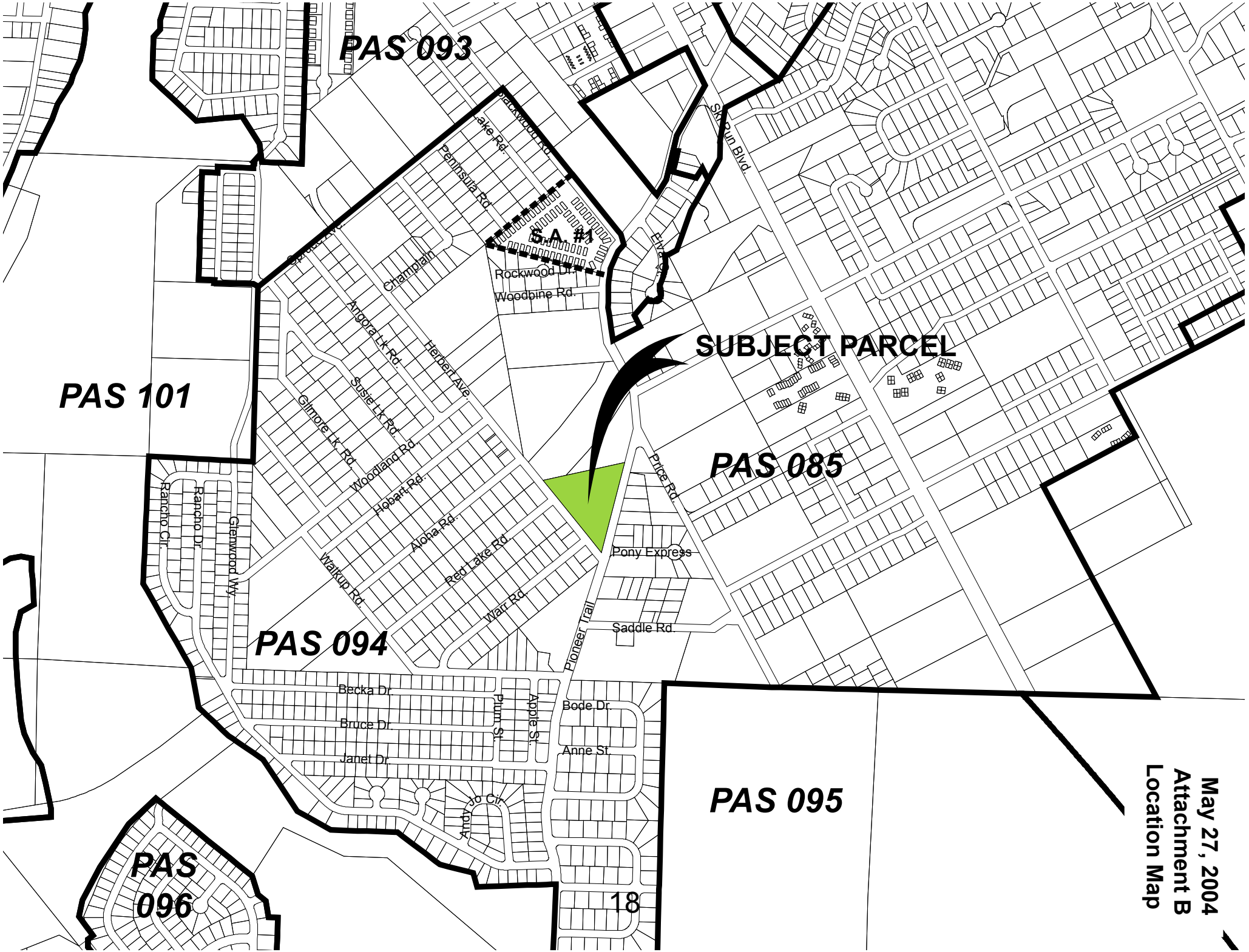
ADDITIONAL DEVELOPED OUTDOOR RECREATION: The following are the targets and limits for additional developed outdoor recreation facilities specified in Chapter 13 to be located within this Plan Area. Specific projects and their timing are addressed in the TRPA Five-Year Recreation Program pursuant to Chapter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

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

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. [§]

[§] Amended 5/22/02


May 27, 2004
Exhibit 2
Proposed Special Area #2
Boundary Line
Special Area #2
PAS 085
PAS 095
PAS 093
PAS 094
PAS 101
PAS 096
SA #1
Ski Run Blvd.
Elva St.
Price Rd.
Pony Express
Saddle Rd
Pioneer Trail
Bode Dr.
Anne St
17
Apple St.
Plum St.
Andy Cir.
Rockwood Dr.
Woodbine Rd.
Blackwood Rd.
Lake Rd.
Peninsula Rd.
Herbert Ave.
Champlain
Angora Lk Rd.
Susie Lk Rd.
Gilmore Lk Rd.
Woodland Rd.
Hobart Rd.
Alpine Rd.
Red Lake Rd
Mar Rd
Walkup Rd.
Becka Dr.
Bruce Dr.
Janet Dr.
Glenwood Wy.
Rancho Dr.
Rancho Cir.


PAS 093
PAS 101
PAS 085
PAS 094
PAS 095
PAS 096
SUBJECT PARCEL
S.A. #1
Blackwood Rd.
Lake Rd.
Peninsula Rd.
Champlain
Rockwood Dr.
Woodbine Rd.
Ski Run Blvd.
Angora Lk Rd.
Herbert Ave.
Susie Lk Rd.
Gilmore Lk Rd.
Woodland Rd.
Hobart Rd.
Aloha Rd.
Red Lake Rd.
Warr Rd.
Walkup Rd.
Rancho Cir.
Rancho Dr.
Glenwood Wy.
Price Rd.
Pony Express
Saddle Rd.
Pioneer Trail
Becka Dr.
Bruce Dr.
Janet Dr.
Plum St.
Apple St.
Bode Dr.
Anne St.
Jo Cir.
May 27, 2004
Attachment B
Location Map
18

TAHOE REGIONAL PLANNING AGENCY

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www.trpa.org

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Stateline, Nevada 89449-5310

Phone: (775) 588-4547
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Email: trpa@trpa.org

June 1, 2004

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Preparation and Scoping for the SR 89 Realignment/Fanny Bridge Improvements Project – EIS

Action Required: No formal action is proposed at this time. Staff is requesting comments from the APC and public on the scope and content of the EIS/EIS/EIR for the SR 89 Realignment/Fanny Bridge Improvements Project.

Background: The Tahoe Regional Planning Agency in conjunction with Caltrans, Placer County, the Federal Highway Administration and the United States Forest Service is in the process of developing a project that addresses two primary objectives: to alleviate traffic congestion on SR 89 northbound at Fanny Bridge in Tahoe City, and to consider options regarding the replacement or repair of Fanny Bridge itself. A series of community advisory committee meetings, in addition to Steering Committee meetings (open to the general public) and a general public meeting, were held recently to determine the alternatives going forward through the environmental document phase.

As a result, the SR 89 Realignment/Fanny Bridge project will carry forward five alternatives: No Project; Widen Existing Bridge; Repair Existing Bridge; New Alignment with Roundabouts and keep Old SR 89 Closed; and New Alignment with Roundabouts and keep Old SR 89 Open. A more detailed description of the alternatives is attached for your review. LSC Transportation Consultants, Inc. and Entrix, Inc. are the consultants for this project.

Discussion: Due to increasing seasonal traffic in Tahoe City and on the west shore, this project proposes to alleviate congestion on SR 89 in the area of Fanny Bridge. Analysis of the problem has shown that Fanny Bridge, with the size of the bridge, its location and the amount of bicycle and pedestrian traffic crossing at and standing on the bridge (totaling over 500 persons per hour in peak summer periods), is the major cause of congestion in the area. There are two basic options to deal with this problem; widen the bridge and analyze an overpass/underpass solution for the pedestrians, or relocate the roadway away from Fanny Bridge through the 64-Acre Tract. In response to overwhelming public input, the option of keeping old SR 89 (current roadway) open in addition to the new alignment road is being considered as one of the alternatives.

Some concerns with this latter option are the additional roadway capacity that would be created, and the structural integrity of Fanny Bridge. Fanny Bridge was constructed in the 1920's. Caltrans estimates the lifespan of Fanny Bridge in its current condition at 10-15 years. Caltrans traffic data also shows that the greatest peak-month Average Daily Traffic (ADT) in the region occurs in this project area with an average of 26,500

vehicles per day in August. Over the ten year period of 1991-2001, the greatest growth in peak month traffic volumes occurred in this project area with an increase in ADT of 42%.

The project will require documentation prepared under TRPA's Environmental Process, the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). In addition to the public meetings already held, the public has been invited to this Governing Board meeting and the June APC meeting to provide additional comments regarding this project. More public hearings will be held with the release of the draft document and the final document. TRPA has a deadline of June 30, 2005 to complete this environmental document in accordance with contractual funding obligations. Funding is provided from the 2002 Regional Transportation Improvement Program.

Additional information may be obtained on the project website: www.fannybridge.com.

If you have any questions regarding this matter, please feel free to contact Jennifer Hannum at (775) 588-4547, x. 297.

Jh:jrwb
Attachments: Notice of Preparation and Scoping, Alternatives Description

SR 89/Fanny Bridge Improvements Project

Alternatives Description

1. **No project.** Continued maintenance of Fanny Bridge, including anything short of actions that would require environmental documentation (replace piers, replace deck). This may also include near-term modifications to the Wye or pedestrian crossing (short of anything that would require environmental documentation).

2. **Widen Existing Bridge**. Though the group did not specifically vote on details, this would include the 14-feet of downstream widening. Roundabout vs. signal at existing Wye to be studied -- if roundabout feasible without eliminating Albertsons parking, then roundabout preferred. As part of evaluation of potential mitigation measures, serious study of pedestrian overpass and underpass would be conducted.

3. **Repair Existing Bridge, Provide Adjacent Pedestrian Bridge(s**), **Prohibit Pedestrians on Existing Bridge.** Assuming that simply forcing all pedestrians to use new pedestrian bridge on the lake side of the dam is not practicable, this would at a minimum include a new pedestrian bridge immediately upstream from Fanny Bridge, and probably one immediately downstream as well. Roundabout vs. signal at existing Wye to be studied -- if roundabout feasible without eliminating Albertsons parking, then roundabout preferred.

4. **New Alignment, Close Old 89**. New alignment to a new Wye intersection (configured similar to existing Wye) at east end of Caltrans Yard. Provide roundabout at new Wye. Provide bicycle trail underpass of new alignment on north shore of Truckee River. Provide roundabout at southern end of 64 acre tract, as far south as possible without significant impacts, with 3rd approach serving only recreational parking. North closure of existing 89 at the Tavern Shores driveway (could also provide the access to the Tahoe City Transit Center). Roundabout vs. signal at existing Wye to be studied -- if roundabout feasible without eliminating Albertsons parking, then roundabout preferred.

5. **New Alignment, Keep Old 89 Open**. New alignment to a new Wye intersection (configured similar to existing Wye) at east end of Caltrans Yard. Provide roundabout at new Wye. Provide bicycle trail underpass of new alignment on north shore of Truckee River. Provide roundabout at southern end of 64 acre tract, as far south as possible without significant impacts, with 3rd approach serving Old 89. (No change in access to existing recreational parking area from Old 89). Roundabout vs. signal at existing Wye to be studied -- if roundabout feasible without eliminating Albertsons parking, then roundabout preferred. Old 89 signed as a local road only.

Tahoe Metropolitan Planning Organization

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May 24, 2004

To: Advisory Planning Commission

From: TRPA Staff

Subject: Commencement of Public Comment Period Regarding 2004 Regional Transportation Plan Update

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Action Requested: None at this time. This staff summary is being included in the APC packet, but the 2004 Regional Transportation Plan will be provided in a separate mailing. Staff will make a formal presentation to the APC discussing these issues, as well projects in the plan, at the June 9 meeting. The 30-day comment period will close on July 9, 2004. Comments and suggestions will be considered for incorporation into the plan, and the final plan will be submitted for approval to the TRPA Governing Board and the Tahoe Metropolitan Planning Organization (TMPO) on July 28, 2004. The plan will then be submitted to the Federal Highway Administration and Departments of Transportation of Nevada and California for approval in August 2004.

Discussion: The Transportation Division is completing an update to the Regional Transportation Plan (2004 RTP). Under federal regulation, this update must be completed every three years. June 9, 2004 commences the 30-day comment period for public and agency distribution and review. As part of the he 2004 RTP update, staff are proposing to amend Chapter III – Transportation Element of the TRPA Goals and Policies. New Objectives, Goals and Policies have been developed to better align with current transportation impacts and conditions, and projected future conditions that are facing the Lake Tahoe Basin.

Impacts and future conditions considered include priority emphasis on public transit, the reduction of air emissions caused by motor vehicles, water quality improvements related to the transportation system, roadway operational improvements and enhancements, and land use. Information and analysis gained during the 2004 Winter Visitors Travel Survey conducted by TRPA, as well as on-going traffic, air and water quality monitoring has been incorporated into the plan's recommendations and projects.

There are a number of procedural issues related to this update. As you may be aware, both the Tahoe Regional Planning Agency and the Tahoe Metropolitan Planning Organization (TMPO) are required to adopt a transportation plan for the Region. The TRPA adopted its plan in 1992, and the TMPO adopted its plan in 2000. The 2004 RTP

update Is being prepared such that both the TRPA and TMPO will adopt the plan as a single transportation plan document that serves both purposes. This will streamline the planning process as well as avoid any inconsistencies that might arise from having two distinct transportation plans.

Adoption of a single plan requires that the 2004 plan meet both TRPA and federal transportation planning requirements. The TRPA plan, for example, must meet and attain Environmental Thresholds. The current threshold indicated requires a reduction of Vehicle Miles Traveled. A significant visitor shuttle service is required to do so, at a fairly large expense. To provide for this, while still meeting federal fiscal constraint requirements that require all proposed projects to have reasonably identified funding, the federal plan will have two tiers of projects, those that are fiscally constrained, and those that are illustrative of what would be implemented if additional funding could be secured.

Another TRPA/TMPO procedural issue is related to the federal requirement that the plan meet air quality conformity guidelines. The plan must demonstrate that the projects included do not exceed the State Implementation Plan air quality budgets approved in Nevada and California. Currently the TMPO plan is in a “lapse” condition, as the plan expired on May 1, 2004. The TMPO plan must be adopted and a new conformity determination must be approved by the Federal Highway Administration and the Environmental Protection Agency before any existing non-exempt projects can proceed to their next phase of development. The TRPA plan has no such requirements. Given this unique situation, both TRPA and TMPO are being asked to approve the plan, but at a minimum the TMPO plan must be updated and adopted to address the air quality conformity lapse issue.

The TRPA plan must give preference to public transportation services and programs to address transportation capacity in the Region. The 2004 Plan has a number of on-going as well as new public mobility projects. It also includes several roadway improvement projects, such as the Fanny Bridge/SR 89 Realignment project and roadway improvement as the South Stateline casino core area. An Environmental Impact Statement (EIS) is being prepared for the Fanny Bridge project, and funding is expected soon for an EIS on the casino core project. The 2004 Update will utilize the Initial Environmental Checklist to support its environmental documentation for both TRPA and California Environmental Policy Act (CEQA) requirements.

Please contact Kristine Bunnell at (775) 588-4547, extension 289 if you have any questions or comments.

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MEMORANDUM

June 1, 2004

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Scenic/Visual Perception Study

Proposed Action: Staff is not requesting an action on this item. Staff and the Consultant will be presenting the findings of the Scenic/Visual Perception Study to the Advisory Planning Commission for discussion.

Copies of the Study will be provided as part of the Advisory Planning Commission packet.

Please contact John Hitchcock at 775•588•4547, or via email at jhitchcock@trpa.org, if you have any comments regarding this item.