

**TRPA  
GOVERNING BOARD  
PACKETS**

**SEPTEMBER  
1984**

SEPTEMBER 1984

TAHOE REGIONAL PLANNING AGENCY  
NOTICE OF MEETINGS

NOTICE IS HEREBY GIVEN that on September 26 & 27, 1984, commencing at 9:30 a.m. each day at the TRPA office, 2155 South Avenue, South Lake Tahoe, California, the Governing Body of the Tahoe Regional Planning Agency will conduct its regular meeting. The agenda for said meeting is attached to and made a part of this notice.

NOTICE IS FURTHER GIVEN that on September 26, 1984, commencing at 8:30 a.m. in the same location, a committee of the Governing Body will meet to discuss the Executive Director position. (Committee Membership: Woods, Hansen, Westergard, Reed)

NOTICE IS FURTHER GIVEN that on September 26, 1984, commencing at 8:30 a.m. in the same location, the Finance Committee of said agency will meet to consider the following: 1) FY 1984-85 operating budget; 2) status report on the FY 1985-86 and FY 1986-87 budget requests; and 3) a proposal to EPA for an air quality planning grant. (Committee Membership: Stewart, Clark, Hibdon, Haagen)

NOTICE IS FURTHER GIVEN that on September 27, 1984, commencing at 8:00 a.m. in the same location, the Litigation Committee will meet to consider the following: 1) pending litigation involving the Wickland unauthorized pier construction; 2) proposed settlement in Lahontan Regional Water Quality Control Board v. TRPA (Brockway); 3) settlement of prospective litigation involving Larry Russell unauthorized pier repair; 4) settlement of prospective litigation involving Peter Jensen unauthorized pier construction; and 5) Barsotti v. TRPA (unauthorized deck). (Committee Membership: Sevison, Clark, Reed, Westergard)

September 10, 1984

By:

  
Gary B. Midkiff

Acting Executive Director

Tahoe Regional Planning Agency

NOTE

Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda.

TAHOE REGIONAL PLANNING AGENCY  
GOVERNING BODY MEETING

TRPA Office, 2155 South Avenue  
South Lake Tahoe, California

September 26, 1984 9:30 a.m.  
September 27, 1984 9:30 a.m.

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PRELIMINARY AGENDA

- I CALL TO ORDER AND DETERMINATION OF QUORUM
- II APPROVAL OF AGENDA
- III DISPOSITION OF MINUTES
- IV PROJECT REVIEW
  - A. El Dorado County Jail Expansion, El Dorado County APN 25-010-21, TRPA File #83960
  - B. City of South Lake Tahoe, Police Station Expansion, El Dorado County APN 25-010-21, TRPA File #84366
  - C. McCloud Condominiums, Modification of Condition of Approval, Washoe County, TRPA File #79074
  - D. Incline Village General Improvement District, Building Expansion at Incline Beach, Washoe County APN 127-280-01, TRPA File #84367
  - E. Incline Village General Improvement District, Village Green Public Restroom Facilities, Washoe County APN 127-010-01, TRPA File #84368
  - F. Henry Martin, Request for Modification of a Condition of Approval, Douglas County APN 07-332-05, TRPA File #81832
- V SPECIAL DETERMINATIONS
  - A. Howard A. Friedman, Special Determination on Action Plan for Remedial Erosion Control Work, Douglas County APN 01-010-07
  - B. Harvey's Resort Hotel, Finding of Substantial Compliance for Proposed Hotel Tower With 1973 Default Approval, Douglas County
  - C. Richard Lehrfield, Request for Finding of Vested Right, Single Family Dwelling, Placer County APN 90-233-33, TRPA File #84364
- VI PUBLIC HEARING (continued)
  - Plan Area Statements (El Dorado and Washoe Counties)
- VII PLANNING MATTERS
  - A. Consideration of the Tahoe Transportation District Short-Range Implementation Program 1985-1989

- B. Approval of the TRPA Social Services Transportation Plan Required by AB 120
- C. Agency Comments on California State Water Resources Control Board Draft EIR, Policy for Water Allocation in the Lake Tahoe Basin
- D. Status of Plan Area Statements and Code of Ordinances

VIII ADMINISTRATIVE MATTERS

- A. Determination on Return of Mitigation Fees for Single Family Dwelling Approvals For Which Building Permits Cannot Be Issued
- B. Appointment of California Lay Member to Fill Vacancy on Advisory Planning Commission

IX LITIGATION

- A. Consideration of Litigation in Regard to the Regional Plan and Actions Filed By the California Attorney General/League to Save Lake Tahoe v. TRPA Suit
- B. Closed Session to Confer on the Following:
  - 1. California Attorney General/League to Save Lake Tahoe v. TRPA
  - 2. City of South Lake Tahoe v. TRPA (South Tahoe Airport)
- C. Consideration of Proposed Settlements in the Following Matters:
  - 1. Wickland Unauthorized Pier Construction
  - 2. Lahontan Regional Water Quality Control Board v. TRPA (Brockway)
  - 3. Larry Russell Unauthorized Pier Repair
  - 4. Peter Jensen Unauthorized Pier Construction
  - 5. Barsotti v. TRPA (Unauthorized Deck Construction)
  - 6. City of South Lake Tahoe, Expansion of Service at the South Tahoe Airport

X ENFORCEMENT

- A. Show Cause Hearings
  - 1. City of South Lake Tahoe, Unauthorized Expansion of Service at the South Tahoe Airport
  - 2. Donald Riddle, Unauthorized Tree Cutting, Washoe County APN 125-553-08 and 125-531-35

B. Reports

1. Manny Beals, Unauthorized Signs and Nonconforming Uses, Douglas County APN 03-141-01 and 03-142-01
2. Other

XI ORDINANCES

Reconsideration of Ordinance 84-2 Adopted On August 23, 1984 As An Emergency (Extends Effective Date of Plan Area Statements as Interim Policy Guidelines to March, 1985)

XII REPORTS

- A. Executive Director Committee
- B. Litigation Committee
- C. Finance Committee
- D. Acting Executive Director
  1. Report on Specific Projects Approved by Staff Under the Provisions of the Temporary Restraining Order and the Preliminary Injunction Order
  2. Other
- E. Legal Counsel
- F. Executive Session
- G. Governing Body Members
- H. Public Interest Comments

XIII RESOLUTIONS

- A. Former Governing Board Member Tom Hsieh
- B. Other

XIV CORRESPONDENCE

XV PENDING MATTERS

XVI ADJOURNMENT

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.

# TAHOE REGIONAL PLANNING AGENCY

P.O. Box 8896  
South Lake Tahoe, California 95731

2155 South Avenue

(916) 541-0246

## MEMORANDUM

September 19, 1984

To: The TRPA Governing Board

From: The Staff

Subject: El Dorado County Jail Expansion, TRPA File #83960  
South Lake Tahoe Police Station Expansion, TRPA File #84366

These two California projects were on the agenda in August but were not acted on because there were not sufficient California members present to take action. A verbatim transcript of the proceedings was prepared and mailed to the absent Board members with a request to submit any comments or concerns to the staff for resolution prior to the September meeting. No comments have been received as of this mailing.

Attached are the original summaries for these two projects and copies of the material distributed to the Board members in August.

jf  
9/19/84

AGENDA ITEMS IV A. & B.

TAHOE REGIONAL PLANNING AGENCY  
STAFF SUMMARY

El Dorado County Jail Expansion,  
El Dorado County APN 25-010-21  
TRPA File #83960

Applicant: El Dorado County

Project Description: The applicant is seeking approval to construct a 4,700 square foot addition to the existing county jail facility located at the intersection of Johnson and Al Tahoe Boulevards. In addition, the applicant is proposing to relocate an existing access road off of Al Tahoe Boulevard, to relocate existing fuel pumps and housing, and to construct new walkways for more efficient use of the site. Net increase in coverage on the site will be 7,035 square feet. The proposed project is necessary to expand the capacity to house inmates onsite.

Project Location: 1355 Johnson Boulevard

Site Description: The project site is a 5.13 acre parcel (APN 25-010-21) owned by the City of South Lake Tahoe as part of the overall government complex located at the intersection of Johnson and Al Tahoe Boulevards. Existing development on this parcel includes the El Dorado County Sheriff's office and jail, justice and municipal court facilities, City Police Station and jointly-used parking areas. The remainder of the government complex, the El Dorado County Government Center housing administrative offices and additional parking, is located on the adjacent 4.01 acre parcel owned by El Dorado County.

Review Per Section: Article VI(b) of the Compact  
Section 4.12 California Side Land Use Ordinance  
Section 14.24 of Ordinance 81-5

Land Use District: Public Service (PS)

Land Capability Classification: Efb soil type, level 7

<u>Lot Size:</u> Construction site (APN 25-010-21)	5.13 acres (223,463 sq. ft.)
Total complex (APN 25-010-21 & -23)	9.13+ acres (397,587 sq. ft.)

Land Coverage:

Existing (APN 25-010-21 & -23):	134,225 sq. ft. (33.759%)
Proposed (APN 25-010-21 & -23)	
City Project:	140,115 sq. ft. (35.241%)
City & County Projects:	147,150 sq. ft. (37.01%)
Allowed (APN 25-010-21 & -23):	119,276 sq. ft. (30%)

RA:jf  
8/14/84

AGENDA ITEM IV A.



El Dorado County Jail Expansion  
Page Two

Building Height: Permitted - 30 feet  
Proposed - 20 feet

Parking: 269 existing (no increase proposed)

Historical Background: On June 25, 1967, Knox V.D. Johnson, William V.D. Johnson, and Marjorie Anne Johnson Springmeyer granted to the City of South Lake Tahoe and the County of El Dorado approximately 9.834 acres of land situated directly north of the intersection of Al Tahoe and Johnson Boulevards for the express purpose of developing a government complex.

The property was rezoned PS to allow the construction of public service facilities, and in 1972 construction began on two structures, one housing the County Sheriff, County jail and justice court facilities, and the other housing the City Police facility.

In 1973, a master plan was developed for the site which included a County administrative building and a City hall.

On September 26, 1973, TRPA approved a master plan with 47% coverage but recommended a reduction in parking area.

On February 6, 1974, TRPA approved the revised master plan with 38% coverage.

On February 27, 1974, TRPA and CTRPA, acting in joint session, approved the final master plan with 34.5% coverage.

In May 1974, construction started on the County's administration building which houses County welfare, health, environmental health, probation, public defender, district attorney, county clerk, assessor, veteran service and treasurer.

In 1977, El Dorado County Superior Court, Dept. 3, was created to eliminate travel to Placerville and to service the Tahoe Basin area.

In 1977, the City of South Lake Tahoe withdrew its commitment to construct a new City Hall on the government center site to make way for the construction of a Superior Court facility to tie in with the existing justice court, County jail and City Police facilities.

On March 28, 1979, TRPA approved an application for construction of the Superior Court facility with approximately 35% coverage.

In April 1979, the CTRPA Governing Board approved construction of the Superior Court facility with land coverage at 33.76%. In order to meet the requirements of the CTRPA Land Use Ordinance adopted in September 1975, the CTRPA Governing Board required that all land coverage above 30% was credited to like acreage on separate El Dorado County property (El Dorado campground, APN 26-050-02, -03, and -04).

8/14/84

AGENDA ITEM IV A.

Reason for Project: The current rated capacity of the facility is 32 inmates; however, the average daily population has been found to be in excess of 45 inmates with a peak inmate count of 56. On March 24, 1984, the El Dorado County Superior Court found that the frequent overcrowding of the jail facilities constitutes a threat to the health, safety, and welfare of incarcerated prisoners. Further, the Court endorsed the proposal by El Dorado County to expand the existing facilities to eliminate the frequent overcrowded conditions.

Impact Analysis and Mitigation Measures:

Land Coverage: Proposed land coverage on site will total 141,260 square feet (35.53%). This will exceed allowed land coverage on the site by 21,984 square feet (5.53%). The applicant has requested an administrative permit for land coverage in excess of land capability as provided for under Section 14.24 of Ordinance 81-5. Section 14.24 provides that the Agency may approve land coverage in excess of the land capability system for a public work by a public entity, provided the Agency finds that such work is necessary for the protection of the public health, safety, or general welfare, and all other feasible alternatives not involving creation of land coverage in excess of the land capability system have been exhausted.

Water Quality: The project site will be retrofitted with the required drainage improvements to meet current 208 Plan requirements.

Indirect Source Review/Traffic: No additional person-usage is anticipated as a result of the project, and therefore no increase in vehicle trips generated to the site is anticipated.

Consistency With Applicable Plans, Ordinances, Regulations and Standards: Prior to approval of this project, the Governing Board must make written findings pursuant to Article V(g) of the Compact regarding implementation of the new Regional Plan and attainment of the adopted environmental thresholds.

<u>Applicable Elements</u>	<u>Findings</u>
Amended TRPA Regional Plan	Consistent
California Side General Plan	Consistent
California Side Land Use ordinance	Consistent
Federal Nondegradation Policy for Water Quality	Consistent
TRPA 208 Water Quality Plan	Consistent*
Federal/State Air Quality Standards	Consistent

\* This proposal is consistent with the TRPA 208 Plan if the findings required by Section 14.24 of Ordinance 81-5 are made.

8/14/84

AGENDA ITEM IV A.

El Dorado County Jail Expansion  
Page Four

Required Actions and Findings: At the time of packet mailing (8/15/84), the Lahontan Regional Water Quality Control Board had not yet taken action on the proposed project. The application before the Lahontan Board includes the request for exemption to the land capability system. As such, staff will present further information for discussion, including alternative actions, at the scheduled Governing Board meeting on August 22, 23.

8/14/84

AGENDA ITEM IV A

# TAHOE REGIONAL PLANNING AGENCY

P.O. Box 8896  
South Lake Tahoe, California 95731

2155 South Avenue

(916) 541-0246

## MEMORANDUM

August 21, 1984

To: The TRPA Governing Board

From: The Staff

Subject: Report on Lahontan Board Action and Required  
Action and Findings for TRPA Approval -  
El Dorado County Jail Expansion,  
El Dorado County APN 25-010-21, TRPA File #83960

On August 16, 1984, the Lahontan Regional Water Quality Control Board adopted Resolution 84-8 granting an exemption to the land capability restrictions imposed by the Lake Tahoe Basin Water Quality Plan for the proposed project. This exemption was conditioned upon submittal of an adequate and complete report of waste discharge for the project.

The applicant has requested a similar action be taken by TRPA granting an exemption to the land capability standards. Section 14.24 of Ordinance 81-5 provides the mechanism by which the Governing Board may grant an exemption; however, to do so, the Governing Board must find that all reasonable alternatives not involving creation of excess land coverage have been exhausted. A review of potential alternative sites for construction of an adequate jail facility clearly supports a finding that relocation and reconstruction of the existing jail facility is not feasible due to physical and economic constraints. Staff believes, however, that there are feasible alternatives in regards to mitigating the impacts from creation of land coverage in excess of the land capability system.

In April 1979, the CTRPA Governing Board approved construction of the Superior Court facility on the subject property with land coverage totaling 33.76% (30% allowed). To mitigate any impacts created by the excess coverage, the CTRPA Board required that all land coverage in excess of 30% be credited through deed restrictions to like acreage on separate El Dorado County property (El Dorado Campground, APN 26-050-02, -03, and -04). Land coverage calculations for the El Dorado Campground parcels are as follows:

RA:jf

Memo to the TRPA Governing Board  
Subject: El Dorado County Jail  
8/21/84 Page Two

Land Capability Classification: Efb soil type, level 7

Land Coverage: Total lot size: 2,395,900 sq. ft. (55 acres)

Allowable coverage (30%):	718,770 sq.ft.
Existing coverage - buildings:	90,300 sq.ft.*
- paving:	443,943 sq.ft.
- other:	55,830 sq.ft.**
Total:	590,073 sq.ft. (24.63%)

\* Includes future museum approved but not yet constructed.

\*\* Includes land coverage credited to the superior court building on APN 25-010-21.

As set forth in the staff summary proposed additional land coverage to the government complex site (APN 25-010-21 and -23) totals 7,145 square feet. Addition of this land coverage, through deed restriction, to the El Dorado campground parcels would increase coverage allocated to those parcels to 597,218 square feet (24.9%). Available coverage remaining for the campground parcels would total 121,552 square feet. At a recent meeting with representatives of El Dorado County, staff presented the alternative of deed restricting the excess land coverage to the campground parcels. At that time, no objections were raised by the County representatives in regards to requiring such a deed restriction.

Required Actions and Findings for TRPA Approval:

Staff has prepared two alternative actions the Governing Board may take to approve the project.

Alternative 1 - To approve the project the Governing Board must take the following actions and make the following findings:

- I A motion for a finding of no significant effect with direction to staff to prepare the necessary certification document to be included with the permit.
- II A motion to approve the project subject to the following findings and conditions:
  - A. Findings
    1. The V(g) findings listed on Attachment K.

2. The proposed creation of 7,145 square feet of land coverage in excess of the land capability system is necessary to provide adequate incarceration facilities for protection of the public health, safety and welfare.
3. All feasible alternatives including, but not limited to, alternative site locations not involving creation of land coverage in excess of the land capability system have been exhausted.
4. The project, as proposed, qualifies for an exemption to the land capability standards as provided under Section 14.24 of Ordinance 81-5. This exemption is granted pursuant to the above findings 2 and 3.

B. Conditions

1. The standard conditions listed on Attachment I with the following modifications:

Delete:

1. (e., f., and g.) TRPA/CTRPA required securities
3. Common utility trench
9. CTRPA acceptance of conditions
11. Nonconforming land coverage
12. Consolidation of lots
23. Mail box facilities

Add:

24. To mitigate the impacts from creation of land coverage in excess of the land capability system, the applicant shall record a restriction dedicating 23,816 square feet of land coverage in the El Dorado campground (APN 26-050-02, -03, and -04) as open space. In recognition of the required dedication of open space as mitigation, no TRPA water quality mitigation fee for land coverage will be required. The required restriction shall be submitted for review and approval by the TRPA Executive Director prior to commencement of the project.

Alternative 2 - Alternative 2 is identical to Alternative 1 except condition 24 requiring dedication of open space would be deleted.

TAHOE REGIONAL PLANNING AGENCY  
STAFF SUMMARY

City of South Lake Tahoe  
Police Station Expansion  
El Dorado County APN 25-010-21  
TRPA File #84366

Applicant: City of South Lake Tahoe

Project Description: The applicant is seeking approval to complete the following modifications to the existing government center located at the intersection of Johnson and Al Tahoe Boulevards. The modifications are necessary for installation of a 9-1-1 Emergency Communications System mandated in the Warren 9-1-1 Emergency Act.

1. Remodeling of approximately 4,500 square feet of existing building.
2. Construction of addition to existing building of 4,950 square feet of interior floor area (5,840 square feet of land coverage).
3. Construction of an emergency water well with a capacity of 900 gallons in a 24-hour period. The well is to be used only in conjunction with use of the Emergency Operations Center (EOC) during times of natural or manmade disaster (coverage not to exceed 50 square feet).
4. Relocation of an existing drain line and retrofit of existing drainage facilities to meet current 208 Plan requirements.

Project Location: 1355 Johnson Boulevard

Site Description: The project site is a 5.13 acre parcel (APN 25-010-21) owned by the City of South Lake Tahoe as part of the overall government complex located at the intersection of Johnson and Al Tahoe Boulevards. Existing development on this parcel includes the El Dorado County Sheriff's office and jail, justice and municipal court facilities, City Police Station and jointly-used parking areas. The remainder of the government complex, the El Dorado County Government Center housing administrative offices and additional parking, is located on the adjacent 4.01 acre parcel owned by El Dorado County.

Review Per Section: Article VI(b) of the Compact  
Section 4.12 California Side Land Use Ordinance  
Section 14.24 of Ordinance 81-5

Land Use District: Public Service (PS)

Land Capability Classification: EFB soil type, level 7

<u>Lot Size:</u> Construction site (APN 25-010-21)	5.13 acres (223,463 sq. ft.)
Total complex (APN 25-010-21 & -23)	9.13+ acres (397,587 sq. ft.)

RA:jf  
8/14/84

AGENDA ITEM IV B.

Land Coverage:

Existing (APN 25-010-21 & -23): 134,225 sq. ft. (33.759%)

Proposed (APN 25-010-21 & -23)

City Project: 140,115 sq. ft. (35.241%)

City & County Projects: 147,150 sq. ft. (37.01%)

Allowed (APN 25-010-21 & -23) 119,276 sq. ft. (30%)

Building Height: Permitted - 30 feet  
Proposed - 20 feet

Parking: 269 existing (no increase proposed)

Sewer Units: Existing - 13  
Required - 5 additional units have been reserved for this project from the sewer unit allocation system.

Historical Background: On June 25, 1967, Knox V.D. Johnson, William V.D. Johnson, and Marjorie Anne Johnson Springmeyer granted to the City of South Lake Tahoe and the County of El Dorado approximately 9.834 acres of land situated directly north of the intersection of Al Tahoe and Johnson Boulevards for the express purpose of developing a government complex.

The property was rezoned PS to allow the construction of public service facilities, and in 1972 construction began on two structures, one housing the County Sheriff, County jail and justice court facilities, and the other housing the City Police facility.

In 1973, a master plan was developed for the site which included a County administrative building and a City hall.

On September 26, 1973, TRPA approved a master plan with 47% coverage but recommended a reduction in parking area.

On February 6, 1974, TRPA approved the revised master plan with 38% coverage.

On February 27, 1974, TRPA and CTRPA, acting in joint session, approved the final master plan with 34.5% coverage.

In May 1974, construction started on the County's administration building which houses County welfare, health, environmental health, probation, public defender, district attorney, county clerk, assessor, veteran service and treasurer.

In 1977, El Dorado County Superior Court, Dept. 3, was created to eliminate travel to Placerville and to service the Tahoe Basin area.

8/14/84

AGENDA ITEM IV B.