

**TRPA  
GOVERNING BOARD  
PACKETS**

**SEPTEMBER  
1985**

Sept Gov Bd.  
1985

TAHOE REGIONAL PLANNING AGENCY  
NOTICE OF MEETINGS

NOTICE IS HEREBY GIVEN that on September 25, 26, 1985, commencing at 9:30 a.m. on the 25th and at 10:00 a.m. on the 26th, the Governing Body of the Tahoe Regional Planning Agency will conduct its regular meeting. Said meeting will take place at the Chateau, 955 Fairway Boulevard, Incline Village, Nevada, and the agenda for said meeting is attached to and made a part of this notice.

NOTICE IS FURTHER GIVEN that on Wednesday, September 25, 1985, commencing at 8:30 a.m. in the same location, the Finance Committee will meet to discuss the following: 1) receipt of July and August financial statements; 2) FY 1986-87 California budget submittals; 3) insurance status report; 4) amendment of FY 1985-86 Caltrans/TRPA Overall Work Program; and 5) other.

NOTICE IS FURTHER GIVEN that on Wednesday, September 25, 1985, commencing at 9:00 a.m. in the same location, the Litigation Committee will meet in open session and in closed session to confer with counsel on the following: 1) Forrester et al v. TRPA, Tahoe Keys Convenience Center, Consideration of Settlement, City of South Lake Tahoe; 2) Glenridge v. TRPA; and 3) Lakeview Development v. TRPA.

Date: September 5, 1985

By:

W.A. Morgan

William A. Morgan  
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

The Chateau, 955 Fairway Boulevard  
Incline Village, Nevada

September 25, 1985 9:30 a.m.  
September 26, 1985 10:00 a.m.

---

PRELIMINARY AGENDA

I CALL TO ORDER AND DETERMINATION OF QUORUM

II APPROVAL OF AGENDA

III DISPOSITION OF MINUTES

IV CONSENT CALENDAR

V SPECIAL REPORT

Tahoe-Transportation District (TTD) Status Report

VI PROJECT REVIEW

Caltrans, Highway 89 Channelization and Widening, Tahoe City, Placer  
County, TRPA File #84600

VII APPEAL

Pepper Tree Inn, Appeal of Staff Decision Regarding New Structure,  
Placer County

VIII SPECIAL DETERMINATIONS

Selection of Consultant for Preparation of an EIS for the Sierra  
Pacific Power Company/Sacramento Municipal Utility District Intertie  
Transmission Project, TRPA File #85030

IX ENFORCEMENT

A. Show Cause Hearing, Donald Steinmeyer/David Marelich, Lakeside Tennis  
Club, Unauthorized Construction of a Swimming Pool and Deck, 955 Tahoe  
Boulevard, Incline Village, Washoe County

B. Reports

X PLANNING MATTERS

Status Report on Consensus-Building Process

XI LITIGATION

A. Consideration of and Decision on the Following:

1. State of California/League to Save Lake Tahoe v. TRPA

2. Tahoe Sierra Preservation Council v. TRPA, et al (Eastern District of California and District of Nevada)
  3. Forrester et al v. TRPA, Tahoe Keys Convenience Center, Consideration of and Decision on Settlement, City of South Lake Tahoe
  4. Glenridge v. TRPA, Consideration of and Decision on Settlement, El Dorado County
  5. Lakeview Development v. TRPA
- B. Closed Session to Confer on the Following:
1. State of California/League to Save Lake Tahoe v. TRPA
  2. Tahoe Sierra Preservation Council v. TRPA, et al (Eastern District of California and District of Nevada)
  3. Forrester et al v. TRPA, Tahoe Keys Convenience Center, Consideration of Settlement, City of South Lake Tahoe
  4. Lakeview Development v. TRPA

#### XIII ORDINANCES

- A. Reconsideration of Ordinance 85-2 (Adopted by Emergency Waiver of Second Reading) Amending Ordinance 84-1, Amendment of Plan Area Statement 027 (Woodvista) to Allow a Library as an Allowed Use
- B. Reconsideration of Emergency Ordinance 85-3 (Adopted by Emergency Waiver of Second Reading) Amending Ordinance 84-1, Amendment of Section 2.12 to Extend the Effective Date of Plan Area Statements as Interim Policy Guidelines

#### XIII ADMINISTRATIVE MATTERS

- A. Finance Committee Report and Recommendations
- B. Litigation Committee Report and Recommendations
- C. Executive Session
- D. Other

#### XIV REPORTS

- A. Executive Director
  1. Projects Approved at Staff Level
  2. Status Report on Exemption Requests in Regional Plan Suit
  3. Other

- B. Legal Counsel
- C. Governing Body Members
- D. Public Interest Comments

XV CORRESPONDENCE

XVI RESOLUTIONS

- A. Resolution Amending FY 1985-86 Caltrans/TRPA Overall Work Program
- B. Resolution Amending Attachment to Ordinance 84-1 ("Projects and Activities That Cannot Be Processed Until Adoption of TRPA Code of Ordinances")

XVII PENDING MATTERS

XVIII SPECIAL WORKSHOP - 10:00 a.m. Thursday, September 26, 1985

Joint Workshop Between TRPA Governing Board Members  
and Participants in the Consensus-Building Process

XIX ADJOURNMENT

-----  
CONSENT CALENDAR

| <u>Item</u>   | <u>Recommended Action</u> |
|---|---------------------------|
| Frybarger Investments, Claim of Vested<br>Right, Placer County APN 90-030-10,<br>TRPA File #85378 | Approval                  |

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

## TAHOE REGIONAL PLANNING AGENCY

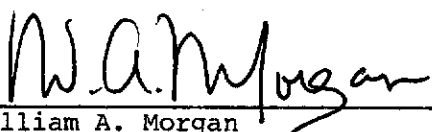
P. O. BOX 1038  
ZEPHYR COVE, NV. 89448-1038  
(702) 588-4547

### NOTICE OF COMMITTEE MEETING

NOTICE IS HEREBY GIVEN that on Thursday, September 26, 1985, commencing at 9:00 a.m. in the Chateau, 955 Fairway Boulevard, Incline Village, Nevada, the Rules and Regulations Committee of the Tahoe Regional Planning Agency will meet to discuss revision of the Agency's Rules and Regulations of Practice and Procedure and the Administrative and Fiscal Procedures Manual.

Date: September 17, 1985

By:

  
\_\_\_\_\_  
William A. Morgan  
Executive Director  
Tahoe Regional Planning Agency

- \* Rules and Regulations Committee
  - Jim King
  - Erik Henrikson
  - Chester Gibbs
  - Tony Clark
  - Joe Houghteling, Chairman

# TAHOE REGIONAL PLANNING AGENCY

2155 South Avenue

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

(916) 541-0246

## MEMORANDUM

September 17, 1985

To: The TRPA Governing Board

From: The Staff

Subject: Consent Calendar - Frybarger Investments,  
Claim of Vested Right, Placer County  
APN 90-030-10, TRPA File #85378

This item has been continued for further review of the application.

SES:jf  
9/17/85

CONSENT CALENDAR



# TAHOE REGIONAL PLANNING AGENCY

2155 South Avenue

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

(916) 541-0246

## MEMORANDUM

September 16, 1985

To: Governing Board Members

From: Agency Staff

Subject: Caltrans, Highway 89 Channelization and Widening, Tahoe City, Placer County, TRPA File #84600

The subject item was originally scheduled to be heard by the Governing Board at the regularly scheduled meeting of July 24 and 25, 1985. Prior to the scheduled hearing, the applicant requested a 60 day continuance for the project. The purpose of the continuance was to allow ample time for the applicant to meet with the Tahoe City Advisory Committee (TCAC) to resolve pending concerns expressed by the TCAC.

Included as "Exhibit A" of the attached staff summary is a memo submitted by Caltrans regarding the most recent meeting with the TCAC. As set forth in the subject memo, the TCAC passed a motion to go on record to the TRPA in support of the project. The required actions and findings, including recommended conditions of approval, contained in the original project staff summary remain the same.

RA:cs  
9/16/85

AGENDA ITEM VI

TAHOE REGIONAL PLANNING AGENCY  
STAFF SUMMARY

Project Name: Caltrans, Highway 89 Channelization and Widening, Tahoe City, Placer County, TRPA File #84600

Application Type: Public Works

Applicant: California Department of Transportation (Caltrans)

Location: California State Route 89, Tahoe City from the junction of Route 28 to 0.2 mile north of Fairway Drive.

Review Per Section:

1. Subparagraph D(12), Preliminary Injunction (specific project exemption)
2. Section 3.00, Ordinance 84-1 (Article V(g) findings)
3. Section 4.30(2), Ordinance 84-1 (Review of Other Pending and New Projects)
4. Section 4.12(d), California Side Land Use Ordinance (Public Works Projects)
5. Section 4.31(1) and (2), Ordinance 84-1 (Review Criteria)

Proposal Description: This project would extend the continuous left-turn channelization to include the driveways to commercial operations and provide left-turn channelization at road approaches and the driveway to the Caltrans Maintenance Station. Eight-foot shoulders would extend from the beginning of the project area to where the existing bike path starts and will be designated as bike lanes. Beyond that, the south shoulder would remain eight feet to the Caltrans Maintenance Station driveway and the shoulder on the north would be four feet to better fit existing conditions. The area between the highway and the right-of-way line on the river side would be revegetated and protected from vehicle traffic. In addition, Sierra Pacific Power Company and Pacific Bell are proposing to replace existing overhead utilities within the project area with underground conduit, vaults, cables, and padmount transformers. The proposed utility undergrounding includes installation of the following items:

- o 12 - Cable Vaults
- o 5 - SPPCo Vaults (48"Wx72"Lx84"D)
- o 5 - PT&T Co. Vaults (35"Wx65"Lx24"D)
- o 1 - SPPCo Box (17"Wx30"Lx24"D)
- o 1 - PT&T Co. Box (17"Wx30"Lx24"D)

The proposed utility undergrounding has been identified in the Placer County mandated program to replace existing overhead utilities with underground facilities.

RA:mlm  
7/16/85

AGENDA ITEM VII B.

At the request of Placer County, a transit bus turnout has been incorporated into the project south of Station 12 + 75. The addition of this facility necessitated relocating the foot path (walkway) in that area.

At the request of an existing rafting rental operator, an asphalt concrete foot path has been added between the existing foot path and the State's Right-of-Way line south of Station 15 + 40.

Existing Facility: The project area begins at the Route 89/28 intersection, which currently has signals and channelization. The roadway transitions from two lanes in each direction at the intersection to one lane each direction just north of the intersection. The left-turn lane at the intersection extends north a short way from the intersection as a continuous left-turn lane to provide storage for traffic turning into the rafting company parking area. Further north, the roadway is two lanes with a varying width paved shoulder.

The existing right-of-way is 100 feet or more through the project limits except where the roadway passes through the 64-acre tract of Federal land. In this area, there is a 60 foot right-of-way plus an additional 20 foot temporary easement on the north.

Background: Route 89 at this location is a two-lane conventional highway with varying width paved shoulders running parallel and adjacent to the Truckee River.

There have been a series of events since 1975 that have affected the development of this proposed project. For many years, the area of state owned right-of-way on the south side of Route 89, between the highway and the Truckee River, has been used for parking. In 1975, the County of Placer was granted an encroachment permit from Caltrans authorizing the construction and maintenance of a parking lot on the state's right-of-way between the highway and the Truckee River. The permit for parking was issued on a "non-exclusive" basis. Subsequently, an encroachment permit was issued to a raft rental business to construct and maintain that parking lot. To date, the parking lot has not been constructed and parking continues on the unpaved surfaces.

At the present time, there are two commercial rafting companies operating in the area, under permits issued by Placer County. One of the conditions of these permits limits the number of rafts a company may rent. This limit is based, in part, on available parking space.

The area has become popular with rafters, who enter the Truckee River at this location and raft downstream. In the summer months, it is not unusual for all the state's right-of-way plus adjoining National Forest land to be used for parking.

During the time this area between the highway and the river has been used for parking, a Lake Tahoe Basin Water Quality Plan (208 Plan) has been developed and adopted by the Tahoe Regional Planning Agency and California Regional Water Quality Control Board, Lahontan Region. The 208 Plan considers the Truckee River at Tahoe City as a third order (major) stream and describes the stream environment zone as a buffer strip 100 feet on either side of the stream. The plan also places restrictions on disturbances within stream environment zones. One restriction is that no structure shall be located within the minimum buffer strip for the stream.

This section of Route 89 traverses a 64-acre tract of National Forest land. The proposed project would require additional right-of-way from this 64-acre tract. The U. S. Forest Service's Tentative Development Plan for the 64-acre tract indicates that the area, which is traversed by Route 89, will be stabilized (revegetated) between the highway and the Truckee River. This area to be stabilized is currently being disturbed by motorized vehicle parking.

On August 31, 1983, Caltrans held a public meeting in Tahoe City to describe the proposed project and get opinions and comments from the public. There were favorable comments concerning the widening to provide channelization but unfavorable comments about the removal of parking that is currently within the right-of-way.

On September 26, 1983 at a Tahoe City Public Utility District board meeting, the proposed project was discussed, but no action was taken. The Utility District maintains a bike path in the area between the highway and river.

Staff Analysis:

Land Capability District/Land Coverage: The majority of the project site is located within land capability district 1b, stream environment zone (SEZ). Although the applicant is proposing to install an additional 33,000 sq. ft. of asphalt paving, the majority of the new paving will be located over existing disturbed, compacted areas. Furthermore, the applicant is proposing to revegetate approximately 109,000 sq. ft. of existing disturbed and compacted area (approximately 3 to 1 ratio).

Water Quality: The proposed project includes installation of drainage inlets with sediment traps and curb and gutter conveyance systems, which combined with the proposed revegetation, will result in a substantial reduction in the amount of sediment currently discharging into the Truckee River. As the proposed 33,000 sq. ft. of new asphalt will be installed over existing compacted areas, no water quality mitigation fee is required.

Transportation: Goal 4, Policy 1 of the Transportation System Management Subelement of the amended Regional Plan urges improvements to transit system attractiveness through an aggressive bus pullout/shelter construction program, and this project incorporates a bus turnout. Additionally, the Regional Highway System Subelement encourages highway capacity increases through operational improvements to SR 89 between Tahoe City and Truckee. Finally, Goal 1 of the Nonmotorized Subelement urges the development of bicycle and pedestrian facilities, which are provided for in this project.

TRPA staff analysis, including a computer run of the roadway/air quality model, indicates that the extension of the existing left turn lane, the addition of eight-foot shoulders, and the elimination of access and egress conflicts related to the off highway parking, should increase capacity along this segment by approximately 15%, and reduce congestion accordingly. Assuming identical traffic volumes, this capacity improvement would represent up to an 8% reduction in carbon monoxide emissions. There would be no significant change in oxide of nitrogen emissions.

Parking: This project will involve the revegetation of approximately 109,000 square feet of compacted and disturbed land area currently used for parking. As set forth previously, the primary users of this parking area have been commercial rafting operations. For the 1985 rafting season, it is staff's understanding that all applications to Placer County for commercial rafting permits have included provisions for off site parking.

With respect for the need for parking for private individuals interested in sightseeing and recreation in the Tahoe City area, the staff recommends that the Tahoe City Advisory Council (TCAC), the Chamber of Commerce, the County (both Planning and Public Works), and local merchants work together with the TRPA to identify a suitable and appropriate long range parking program for Tahoe City.

Interagency Involvement:

In the past several months there have been a series of meetings involving Agency staff, Caltrans, Placer County Public Works, USFS LTBMU, Tahoe City Public Utility District (TCPUD) and TCAC to discuss the issues regarding the project.

The purpose of these meetings has been to determine the needs of each agency or interest and attempt to resolve outstanding issues regarding the project and its effects on traffic safety, parking, water quality, and recreation. Also discussed were:

1. Effect of USFS plans for the 64 acre tract and possible conflicts between that plan and this project.
2. Whether parking could continue on the road shoulder.

While the long range parking issues in Tahoe City have not yet been resolved, the USFS has indicated their support for the project (copy attached), which occurs on National Forest lands within the 64 acre tract. In addition, the USFS has stated that they will not allow parking to occur on these lands beyond this current summer.

Article V(g) Findings (Section 3.00, Ordinance 84-1): The following is a list of the V(g) findings as set forth under Section 3.00 of Ordinance 84-1. Following each finding, Agency staff has briefly summarized the evidence on which the required finding may be made.

1. The project is consistent and complies with the CTRPA and Agency ordinances, maps, rules, regulations and policies in effect on August 25, 1983 where said ordinances, maps, rules, regulations and policies are not inconsistent or in conflict with the amendments to the regional plan adopted by this ordinance. In the event said ordinances, maps, rules, regulations or policies are inconsistent or in conflict with said amendments to the regional plan, the Agency shall find that the project is consistent and complies with said amendments to the regional plan.

The project is being reviewed under Section 4.12(d) California Side Land Use Ordinance and is consistent and complies with the amendments to the Regional Plan.

2. The project has been processed in accordance with the Agency's Rules and Regulations of Practice and Procedure.

The project is properly before the Governing Board for consideration. Proper application and fees have been submitted.

3. With respect to projects for which an environmental impact statement has not been prepared, the project, including compliance with the conditions of approval, will not have an adverse significant, individual or cumulative impact on the environment.

An environmental checklist has been completed for the project and said checklist concludes that the project will not have an adverse, significant, or cumulative impact on the environment.

4. The establishment, maintenance and operation of the project will not be detrimental to the health, safety, peace, comfort or general welfare of the Lake Tahoe Region.

There is no evidence suggesting that the project will be detrimental to the health, safety, peace, comfort, or general welfare of the lake Tahoe Region.

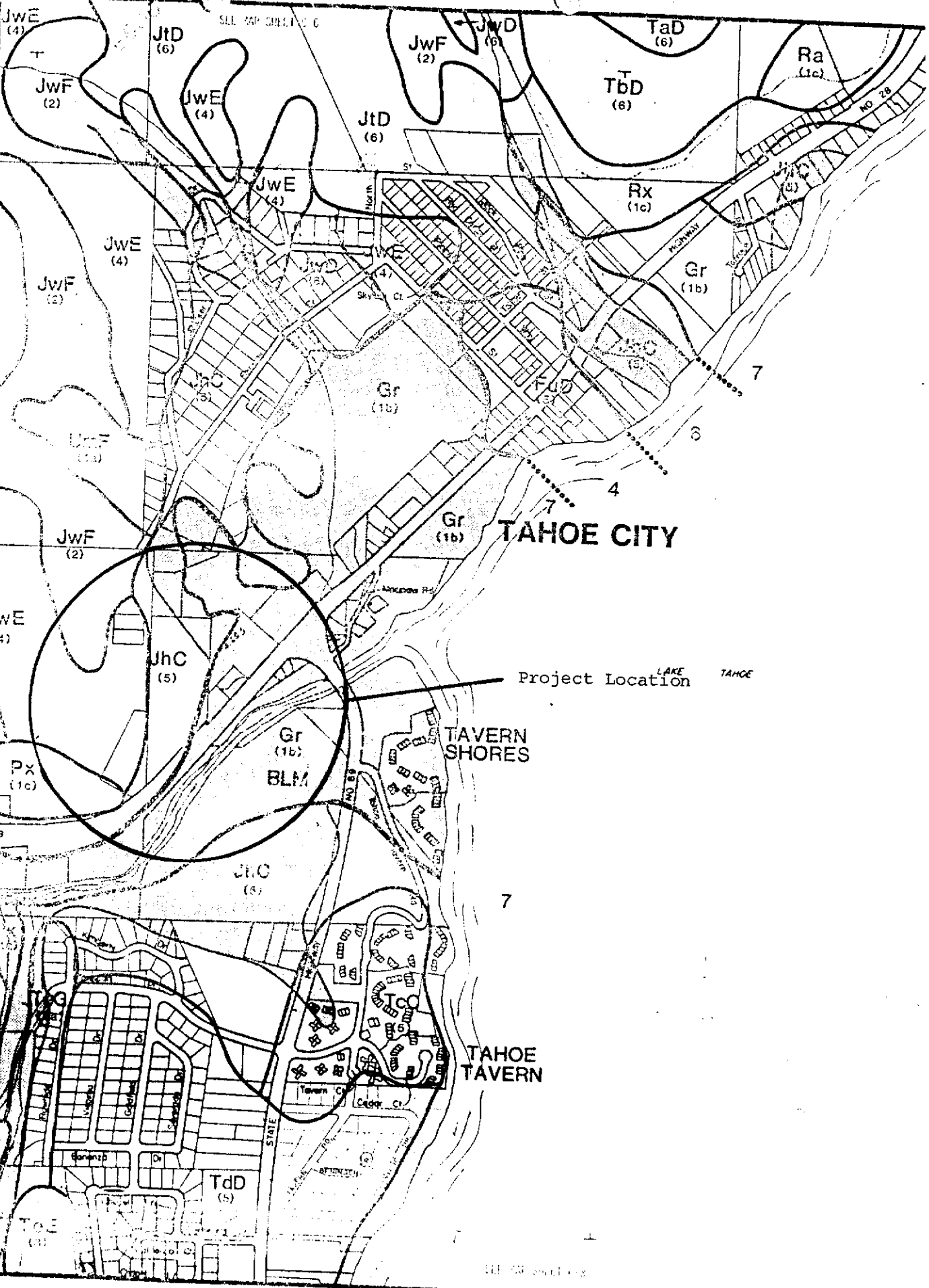
5. The project is consistent with the goals and policies of the Water Quality, Transportation and Air Quality, Conservation, Recreation, Public Services and Facilities and Implementation Elements of the Regional Plan, as amended.
- a. Water Quality - The project includes mitigation measures to ensure compliance with the TRPA 208 Water Quality Plan.
  - b. Transportation and Air Quality - The project proposes work which will improve both air quality and circulation within the region.
  - c. Conservation - The project does not propose any work which will be in conflict with the Conservation Element of the amended Regional Plan.
  - d. Public Services and Facilities - The project is consistent with the goals and policies of the Public Services and Facilities Element of the amended Regional Plan.
  - e. Implementation - The project is consistent with the development and implementation priorities set forth in the Implementation Element of the amended Regional Plan.
  - f. Preliminary Injunction - The Preliminary Injunction contains a specific exemption for this project (Paragraph 12).

Required Actions and Findings: 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 project, as proposed, is consistent with the transportation element of the amended Regional Plan.
  
  - B. Conditions:
    - 1. The standard conditions listed on Attachment D with the following modifications:
      - Delete:
        - 20. Water Conservation Devices
        - 21. Water Heater Standards
        - 22. Space Heater Standards
        - 23. Wood Stove Standards
  
      - Add:
        - 37. Caltrans will include in the contract for this project these conditions, or comparable conditions, that are appropriate to include in a contract.



SEE MAP DIRECTOR'S OFFICE



TAHOE CITY

TAVERN SHORES

TAHOE TAVERN

Project Location LAKE TAHOE

NATIONAL FOREST

FuD (5)

TCh (5)

TCh (5)

TCh (5)

SEE MAP DIRECTOR'S OFFICE