

**TRPA
GOVERNING BOARD
PACKETS**

**JANUARY
1988**

JANUARY 1988

TAHOE REGIONAL PLANNING AGENCY
NOTICE OF MEETINGS

NOTICE IS HEREBY GIVEN that on January 27 and 28, 1988, commencing at 9:30 a.m. each day, at the TRPA office, 195 U.S. Highway 50, Round Hill, Zephyr Cove, Nevada, the Governing Board of the Tahoe Regional Planning Agency will conduct its regular meeting. The official agenda is attached hereto and made a part of this notice.

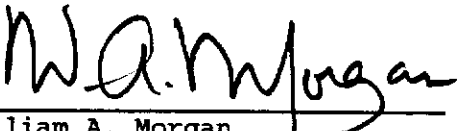
NOTICE IS FURTHER GIVEN that on January 27, 1988, at 8:30 a.m., in the same location, the Finance Committee of said agency will meet to discuss the following: 1) receipt of the December financial statement; 2) adjustments to the FY 87-88 budget; 3) amendment of the filing fee schedule; 4) receipt of FY 1986-87 Local Transportation Fund (LTF) Audit Report; 5) receipt of FY 1986-87 State Transit Assistance (STA) Fund Audit Report; and 6) resolution approving increase in FY 1987-88 LTF allocation for the El Dorado County Special Needs Transportation Program.

NOTICE IS FURTHER GIVEN that on January 27 and 28, 1988, at 8:30 a.m. both days in the same location, the Legal Committee will meet to confer with counsel on the following: 1) Settlement of State of California/Sierra Club v. TRPA, et al. (Dillingham Cove East), Eastern District of California, Case Nos. 85-0872 and 0873-EJG; 2) Pyramid Lake Tribe v. Hodel, Secretary of Interior, U.S. District Court, Eastern District of California, Case No. CIV-S-87-1281-LKK; 3) In Re Fairway Estates, U.S. Bankruptcy Court, Nevada; and 4) to consider a draft ordinance for existing multi-residential and nonresidential building foundations without current TRPA approval and a definition of legal action.

NOTICE IS FURTHER GIVEN that on January 27, 1988, during the lunch recess, the Rules Committee will meet to discuss the revision of the Agency's Rules of Procedure, the Administrative and Fiscal Procedures Manual, and compliance procedures.

Date: January 20, 1988

By:


William A. Morgan
Executive Director

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

TRPA Office 195 U.S. Highway 50
Zephyr Cove, Round Hill, Nevada

January 27, 1988 9:30 a.m.
January 28, 1988 9:30 a.m.

OFFICIAL AGENDA

- I PLEDGE OF ALLEGIANCE
- II ROLL CALL AND DETERMINATION OF QUORUM
- III APPROVAL OF MINUTES
- IV APPROVAL OF AGENDA
- V CONSENT CALENDAR (see second to last page)
- VI PROJECT REVIEW
 - A. Sierra Pacific Power Company
 - 1. Certification of Final EIR/EIS for the Roundhill Substation to Stateline Substation 120 kV Overhead Transmission Line
 - 2. Approval of Roundhill Substation to Stateline Substation 120 kV Overhead Transmission Line, Douglas County
 - B. South Tahoe Public Utility District, Emergency Retention Basin Lining, El Dorado County APN 520-300-00/87-18
 - C. Caltrans, Highway 89 Curve Correction and Road Widening, Placer County APN 530-200-00/86-16
- VII SHOW CAUSE HEARING
 - A. Logan Shoals Marina, Herman Strecker/Heiser Construction, Unpermitted Dredging and Other Violations of the TRPA Code of Ordinances, Douglas County APN 01-130-06
- VIII PUBLIC HEARING, CODE OF ORDINANCES
 - A. Amendments to Chapter 7 (Temporary Uses, Structures, and Activities) and Related Amendments to Chapters 2 (Definitions) and 4 (Project Review and Exempt Activities)
 - B. Amendments to Chapter 11 (Foundations) (to be continued to February)
- IX ORDINANCE ADOPTION
 - A. Ordinance Adopting Amendments to Chapters 11 (to be continued to February)

X PLANNING MATTERS

- A. Discussion of Threshold Indicators (Chapter 32, Code of Ordinances)

XI LITIGATION

- A. Legal Committee Report and Board Action, If Necessary, on the Following:

1. Treatment of Existing Multi-Residential and Nonresidential Building Foundations Without Current TRPA Approval
2. Settlement of State of California/Sierra Club v. TRPA, et al. (Dillingham Cove East), Eastern District of California, Case Nos. 85-0872 and 0873-EJG
3. In Re Fairway Estates, U.S. Bankruptcy Court, Nevada
4. Definition of Legal Action

XII REPORTS

- A. Finance Committee Report and Board Action on Recommendations

1. Receipt of the December Financial Statement
2. Adjustments to the FY 1987-88 Budget
3. Approval of a Resolution Amending the Filing Fee Schedule
4. Receipt of FY 1986-87 Local Transportation Fund (LTF) Audit Report
5. Receipt of FY 1986-87 State Transit Assistance (STA) Fund Audit Report

- B. Rules Committee Report and Board Action on Recommendations

1. Report and Recommendation on Adoption of Article IX (Compliance Procedures)
2. Public Hearing on Article IX (Compliance Procedures)
3. Approval of Resolution Adopting Article IX (Compliance Procedures)

- C. Executive Director

1. Status Report on Projects Reviewed at Staff Level
2. Emergency Permits Issued by Executive Director
3. Other

D. Agency Counsel

E. Governing Board Members

XIII RESOLUTIONS

XIV PUBLIC INTEREST COMMENTS

XV ADJOURNMENT

CONSENT CALENDAR

<u>Item</u>	<u>Recommended Action</u>
1. Adventure in Video, Change in Operation, 3473 Lake Tahoe Boulevard, City of South Lake Tahoe, El Dorado County APN 27-020-15	Approval With Findings and Conditions
2. Resolution Approving Increase in FY 1987-88 LTF Allocation for the El Dorado County Special Needs Transportation Program	Adoption
Successful Land Capability Challenges for:	Approval With Findings and Conditions
3. Bruce R. Elworthy, APN 093-094-13 and -21, Placer County	
4. Mr. and Mrs. Dugas, APN 126-263-04, Washoe County	
5. J. Michael Burns, APN 092-053-13, Placer County	
6. David Dows, APN 123-041-17, Washoe County	
7. Edwin Burling, APN 125-141-21, Washoe County	

These consent calendar items are expected to be routine and noncontroversial. They will be acted upon by the Governing Board at one time without discussion. If any Governing Board member or noticed affected property owner requests that an item be removed from the consent calendar, it will be taken up separately under the appropriate agenda category.

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

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

(2) For approving a project, the affirmative vote of at least five members from the State in which the project is located and the affirmative vote of at least nine members of the governing body are required. If at least five members of the governing body from the State in which the project is located and at least nine members of the entire governing body do not vote in favor of the project, upon a motion for approval, an action of rejection shall be deemed to have been taken. A decision by the agency to approve a project shall be supported by a statement of findings, adopted by the agency, which indicates that the project complies with the regional plan and with applicable ordinances, rules and regulations of the agency.

(3) For routine business and for directing the agency's staff on litigation and enforcement actions, at least eight members of the governing body must agree to take action. If at least eight votes in favor of such action are not cast, an action of rejection shall be deemed to have been taken.

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Adventure in Video - Change in Operation

Application Type: Commercial Change in Operation

Applicant: Barry Edelson

Location: 3473 Lake Tahoe Boulevard, South Lake Tahoe, California

Assessor's Parcel Number/Project Number: 27-020-15

Project Description: The applicant proposes to locate a 3,200 square foot video tape sales and rentals outlet within a portion of a space presently occupied by a liquor store. The existing liquor store (Liquor Barn) space of 14,000 square feet will be reduced by 3,200 square feet to allow for the proposed video store.

Site Description: The project is located within the Bijou Shopping Center which consists of a 2.6 acre site including three commercial buildings and approximately 100 paved parking spaces.

Review Per Code:

Chapter 4 - Project Review	Chapter 24 - Parking (Interim Rules)
Chapter 6 - Required Findings	Chapter 32 - Regional Plan & Thresholds
Chapter 13 - Plan Area Statements	Chapter 93 - Traffic and Air Quality Mitigation
Chapter 18 - Permissible Uses	

Staff Analysis:

A. Environmental Documentation: The applicant has completed an Initial Environmental Checklist (IEC) in order to assess the potential environmental impacts of the project. With the exception of the increase in vehicle trips no significant environmental impacts were identified. In order to further assess the impacts on traffic a traffic analysis was prepared (Attachment A). Staff has concluded, based on the traffic analysis, that with the proposed mitigation measures the project will not have a significant effect on the environment. A copy of the completed IEC will be made available at the Governing Board hearing and at TRPA. A sample IEC is attached to each Governing Board packet for reference.

B. Plan Area Statement:

The project is located within Plan Area Statement 098, Special Area #1, Bijou/Al Tahoe. The Land Use Classification is Commercial/Public Service and the Management Strategy is Redirection. Agency staff has reviewed the subject Plan Area Statement and has identified the following items (underlined) as being applicable to the project. Following each item is a brief statement addressing consistency.

1. Planning Statement:

This area should be developed to provide regional commercial, recreational and public services for the South Shore.

The proposed change in operation will continue to provide commercial services to the South Shore area.

2. Planning Considerations:

This area has traffic congestion problems.

As discussed in the consultant's traffic analysis (Attachment A) and TRPA transportation staff's memo (Attachment B), the proposed change in operation can be adequately mitigated with regard to localized traffic impacts by payment of a mitigation fee which can be used to improve circulation at more critical locations along the Highway 50 corridor.

C. Required Findings:

The following is a list of the required findings as set forth in Chapter 6 of the TRPA Code of Ordinances. Following each finding, Agency staff has briefly summarized the evidence on which the required finding may be made.

1. 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.

- a. Land Use: The project is located in Plan Area 098, Special Area #1. The proposed use is an allowed use in this Plan Area.
- b. Transportation: Based on the consultant's traffic analysis and implementation of the mitigation measures included in the conditions of approval, the project will not adversely impact implementation of the Transportation Element of the Regional Plan.
- c. Conservation: There is no aspect of the project which would adversely impact implementation of the Conservation Element of the Regional Plan.
- d. Recreation: There is no aspect of the project which would adversely impact implementation of the Recreation Element of the Regional Plan.
- e. Public Services and Facilities: No additional public services or facilities will be required as a result of the project.

f. Implementation: The project does not require any new development allocations and will not result in any adverse impacts on the Implementation Element of the Regional Plan.

2. The project will not cause the environmental threshold carrying capacities to be exceeded.

The basis for which this finding can be made is provided on the checklist entitled "Checklist: Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA. A sample checklist is attached to each Governing Board hearing packet for reference.

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

The basis for which this finding can be made is provided in the checklist entitled "Checklist: Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA. A sample checklist is attached to each Governing Board hearing packet for reference.

Required Actions and Findings: Agency staff recommends that, the Governing Board approve the project by making the following motions and findings:

- I. A motion, based upon the staff summary, for a finding of no significant environmental effect with direction to staff to prepare the necessary certification documents to be included with the permit and for the following findings:
1. 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 of Ordinances and other TRPA plans and programs.
 2. The project will not cause the environmental threshold carrying capacities to be exceeded.

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

II. A motion to approve the project, based upon the staff summary, subject to the following conditions:

1. In order to offset the Regional air quality impacts of the project the applicant shall pay an air quality mitigation fee of \$4,799 to the TRPA Air Quality Mitigation Fund prior to commencement of the activity. Of the total mitigation fee, \$3,299 shall be contributed directly into the Air Quality Mitigation Fund, and \$1,500 shall be deposited as a cash security. Within 60 days of project approval, the applicant shall attempt to obtain permission from the property owner to install bicycle parking on the site. If such permission is obtained, within 120 days of project approval, the applicant shall submit plans for installation of bicycle parking on the site to TRPA for approval. Upon installation of the approved bicycle parking on the site, the applicant shall be reimbursed for direct costs incurred from the above security, up to \$1,500. Any remaining monies shall be deposited in the Air Quality Mitigation Fund. If permission is not obtained and a bicycle parking plan is not submitted within the 120 day period the entire \$1,500 security amount shall be deposited in the Air Quality Mitigation Fund.

Nevada
Keystone
Engineering

RECEIVED
BY _____
DEC 17 1987
TAHOE REGIONAL
PLANNING AGENCY

REPORT TO: Tahoe Regional Planning Agency
ATTN: R. Angelocci
P.O. Box 1038
Zephyr Cove, Nevada 89448

FROM : John E. Glab, PhD, Registered Traffic Engr (CA No.1162)

SUBJECT : Application for Change in Commercial Use
APN 27-020-15 - City of South Lake Tahoe, El Dorado Cty
Traffic Analysis

DATE : 15 December 1987

BACKGROUND, PURPOSE OF REPORT, AND PROJECT SETTING:

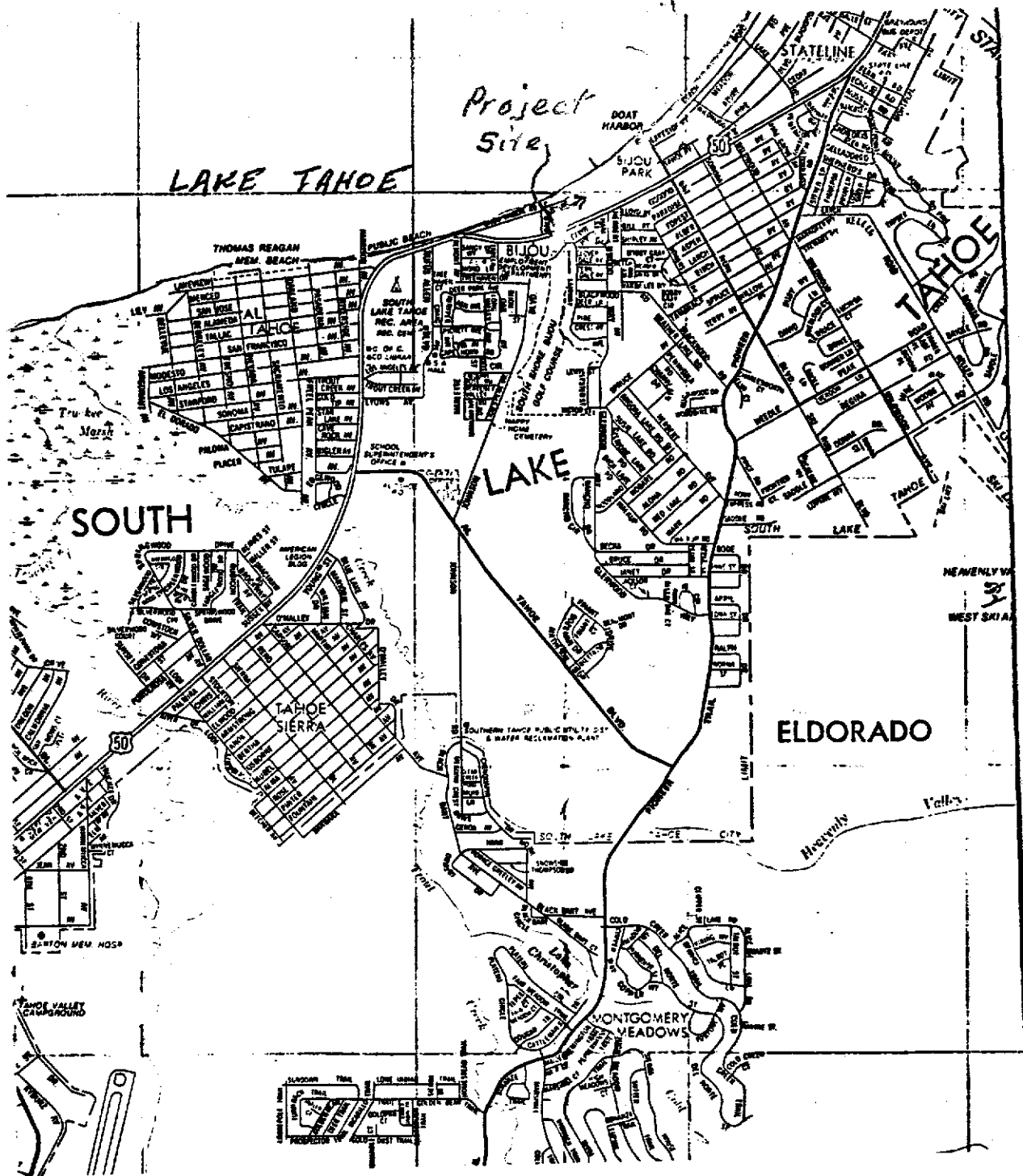
Mr. Barry Edelson proposes to locate a video tape rental establishment in a 3,200 square foot store in the Bijou Center in the City of South Lake Tahoe. The location of the proposed business is shown on Exhibit A (Location Map). At present, the floor space proposed for the change in commercial use is part of the Liquor Barn, a regional liquor store which occupies about 14,000 sq ft of floor space. After the proposed change, the liquor store's floor space will be reduced by 3,200 sq ft, but the liquor store will remain in business within the reduced area.

Because the scope of the project indicates that the change in operation could result in a "significant increase in daily vehicle trips," Chapter 93 of the Code of Ordinances of the Regional Plan for the Lake Tahoe Basin requires that the applicant prepare and submit to the TRPA "a technically adequate analysis of potential traffic and air quality impacts."

A "Significant Increase" is defined by the Ordinance as an "increase of more than 200 daily trips, determined from the Trip Table or other competent technical information." The staff of the TRPA has determined that information contained in the Trip Table is appropriate for this study. The applicant has agreed to use of these data.

The project is located within a major commercial complex locally called the Bijou Center. The complex contains 2.62 acres with a number of separated buildings and more than 100 paved parking spaces. The largest of the buildings is the one containing the Liquor Barn and within which the change of use is proposed.

5



CHANGE IN COMMERCIAL OPERATION - LIQUOR BARN TO ADVENTURE IN VIDEO

LOCATION MAP - CITY OF SOUTH LAKE TAHOE, CALIFORNIA

Approximate Scale: 1" = 2,800'

Application to TRPA Submitted - December 1987

Nevada-Keystone Engineering
Zephyr Cove, Nevada

EXHIBIT A

066 6

The Bijou Center is located along the north side of U.S. Highway 50, called Lake Tahoe Blvd locally. The address of the Liquor Barn is 3473 Lake Tahoe Blvd. The property is bounded on the south by Hwy 50; on the east by Heidi's Restaurant and the Lakeland Village Beach and Ski Resort; on the north by the Tahoe Marina Inn and private residences along the lake; and, on the west, by commercial establishments which are owned by another party, although the separation between these establishments and the Bijou Center is not apparent because both properties appear to use the same parking areas. The site is within an area designated as "non-attainment for Carbon Monoxide" under the federal Clean Air Act.

As schematically indicated on Exhibit B (Site Plan), access to and egress from the site may be via one of 4 curb cuts along Hwy 50. In addition it is possible to enter or leave the site via Bal Bijou St to the north or west, and an additional curb cut on Hwy 50 exists on the property adjoining the Bijou Center to the west.

The main access route for the Center is the extension of Fairway Drive. This is a signalized intersection with protected left turns off of Hwy 50. The internal drive along this route within the shopping center is 36 feet wide.

TRIP GENERATION:

Previous Use:

The transportation planning staff of the TRPA has determined that a factor of 125.5 daily vehicle trip ends (called DVTE) per 1,000 square feet of gross floor area is applicable to the Liquor Barn.

Because 3,200 square feet of the existing facility will be discontinued and converted to a new use, use of TRPA criteria would indicate that $125.5 \times 3,200/1,000$ or 401.6 DVTE will be eliminated by discontinuance of this activity.

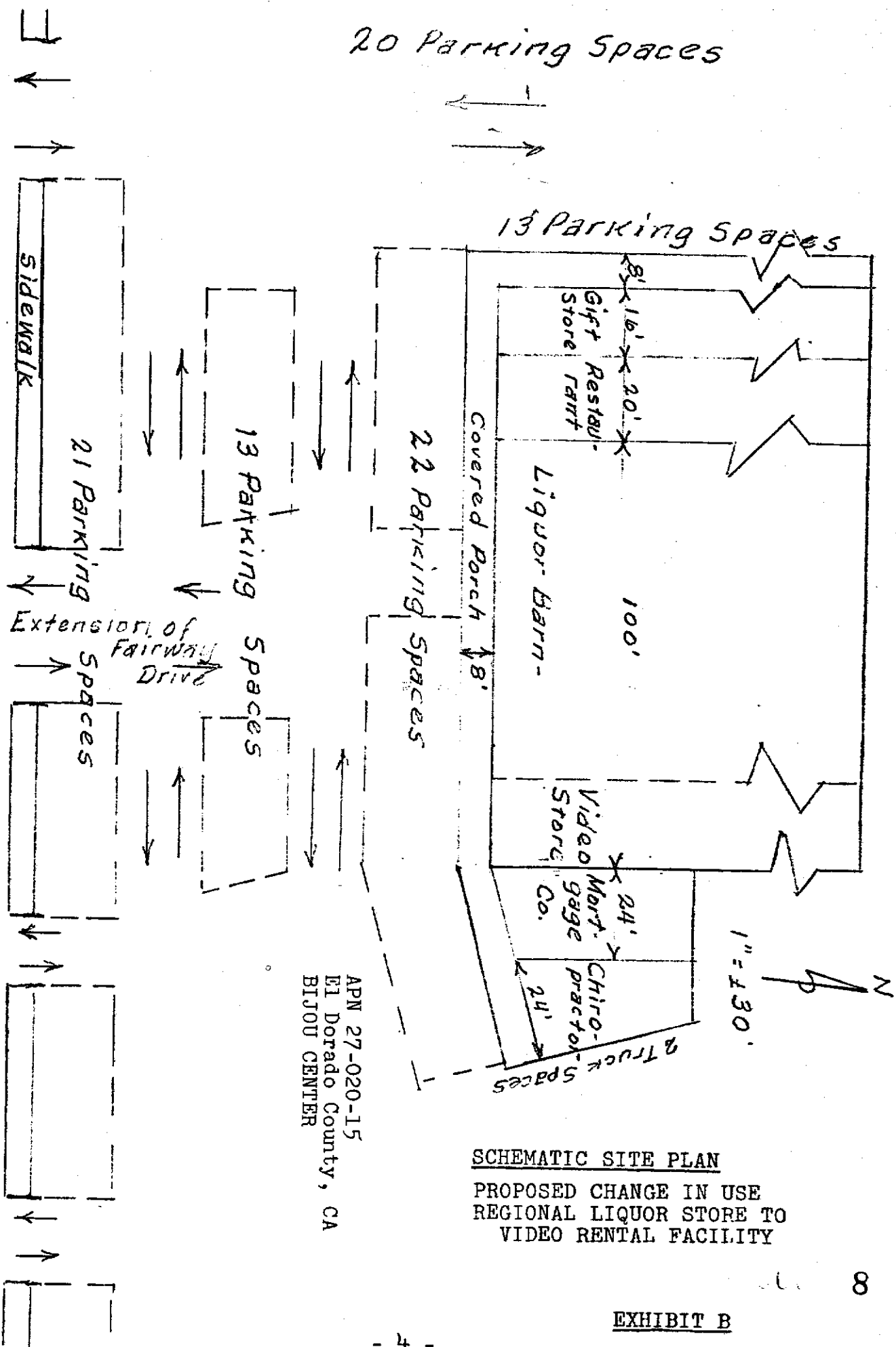
Proposed Use:

On the basis of a survey commissioned by the TRPA during the summer of 1987, the transportation staff has established a trip generation rate of 303.6 DVTE per 1,000 sq ft of gross floor area for video rental facilities in the Tahoe Basin.

Through use of this factor, it may be projected that the proposed project would generate $303.6 \times 3,200/1,000$ or 971.5 DVTE. By use of the TRPA factor of 18.18% of DVTE to determine peak hour trips, it may be calculated that the project

20 Parking Spaces

13 Parking Spaces



APN 27-020-15
El Dorado County, CA
BIJOU CENTER

SCHEMATIC SITE PLAN
PROPOSED CHANGE IN USE
REGIONAL LIQUOR STORE TO
VIDEO RENTAL FACILITY

EXHIBIT B

ATTACHMENT A

○ Signalized Intersection

U.S. HWY 50