

**TRPA
GOVERNING BOARD
PACKETS**

**SEPTEMBER
1989**

Sept 98

TAHOE REGIONAL PLANNING AGENCY
NOTICE OF MEETINGS

1989

NOTICE IS HEREBY GIVEN that on September 27, 28, 1989, commencing at 9:30 a.m. on the 27th and at 8:30 a.m. on the 28th, 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 September 27, 1989, at 8:30 a.m., in the same location, the Legal Committee of said agency will meet to discuss recruitment of Agency counsel, settlement of Tyrolian Village v. TRPA, U.S. District Court, District of Nevada, and association of counsel in Kelly v. TRPA, Ninth Judicial District.

NOTICE IS FURTHER GIVEN that on September 27, 1989, at 8:30 a.m. in the same location, the Finance Committee of said agency will meet to discuss receipt of the August financial statement, the status of FY 89-91 funding from California and Nevada, and Placer County's request for air quality mitigation funds (\$110,000) for purchase of transit vehicle.

NOTICE IS FURTHER GIVEN that on September 27, 1989, during the lunch recess, the Rules Committee will meet to discuss security revocation procedures.

NOTICE IS FURTHER GIVEN that at the close of the meeting on September 28, the Selection Committee for the Executive Director position will meet to select candidates to be interviewed. A portion of the meeting may be closed for the purpose of discussing character, professional competence or physical and mental health.

Date: September 20, 1989

By: W.A. Morgan
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.

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TAHOE REGIONAL PLANNING AGENCY
GOVERNING BODY

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

September 27, 1989 9:30 a.m.
September 28, 1989 8:30 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 page 4)
- VI PROJECT REVIEW
 - A. South Tahoe Public Utility District, 0.2 MGD Wastewater Treatment Facility Expansion (to be taken up after action on agenda item VII C.)
 - B. Glenbrook Golf Course, New Water Intake Line, Special Use Determination, Douglas County APN 01-040-25
 - C. Tahoe Ridge Cross Country Ski Center, Special Use Determination, APN 540-300-89/11, Washoe County
 - D. Sherman, Special Use Determination, Single Family Dwelling, 110 Tahoe Ski Bowl Way, Chamberlands, Placer County APN 97-170-12
 - E. Tim and Pam Heydel, Land Capability Challenge, 728 Tyner, Washoe County APN 125-131-23
 - F. Special Determination on Interpretation of Parcel Size in the City of South Lake Tahoe for:
 - 1. Davis, El Dorado County APN 22-222-12
 - 2. Graham, El Dorado County APN 22-171-50
- VII PUBLIC HEARING AND ADOPTION OF ORDINANCES/RESOLUTIONS, EIS CERTIFICATION
 - A. Scenic Resources Management Package, Including Adoption of Chapter 26 (Signs), Design Review Guidelines, and Scenic Quality Improvement Program; and Amendment of Chapters 30 (Design Standards), 2 (Definitions), 4 (Project Review and Exempt Activities), and 12 (TRPA Regional Plan Maps)

- B. Amendment of Chapter 4 (Project Review and Exempt Activities) to Provide for a Seasonal Lighting Exemption
- C. Certification of Final EIS for the South Tahoe Public Utility District 0.2 MGD Wastewater Treatment Facility Expansion
- D. Amendment of the TRPA Code to Correct Citations, References, and Similar Technical Matters
- E. Amendment of Chapters 20 and 36 Regarding Residential Construction in Tyrolian Village Units #1-5
- F. Amendment of Chapter 20 (Land Coverage Standards) Regarding Application of Land Coverage Transfer Provisions to Residential Parcels Containing Portions Below High Water Lines or Portions Occupied by Easements for Linear Public Facilities, Streets, or Highways
- G. Amendment of Chapter 37 (Individual Parcel Evaluation System) to Adopt List of Types of Water Quality Improvements Pursuant to Subsection 37.2.I

VIII APPEALS

- A. Robert L. Dean, Appeal of Staff Approval of Single Family Dwelling Modification for John A. Wickland III, Placer County APN 85-030-07
- B. Lieb, Appeal of Executive Director Determination on Cessation of Nonconforming Use (Clementine's Restaurant), Placer County APN 84-110-04 (continue to the October meeting)
- C. Larsen, Appeal of Executive Director Denial of Mitigation Fee Refund, Washoe County APN 125-201-11

IX PLANNING MATTERS

- A. Discussion on Memoranda of Understanding Between TRPA and the California Department of Parks and Recreation, the Nevada Division of State Parks, and the U.S. Forest Service
- B. Report on Comparison Between TRPA and California State Lands Commission Shorezone Regulations

X ADMINISTRATIVE MATTERS

- A. California and Nevada Lay Member Appointments to the Advisory Planning Commission (Two Terms Expired August 1989)
- B. Discussion on Organizational Effectiveness Study

- C. Interviews and Selection of Agency Counsel (A portion of the meeting may be closed for the purpose of discussing character, professional competence or physical and mental health.)
- D. Approval of Rules of Conduct for TRPA Employees
- E. Request from the Tahoe Transportation District for TRPA Support for Financial Assistance and Staff Support

XI REPORTS

- A. Status Report on Recruitment for Executive Director
- B. Finance Committee Report and Board Action on Recommendations
 - 1. Receipt of the August Financial Statement
 - 2. Status Report on FY 89-91 Budget Requests to California and Nevada
- C. Legal Committee Report and Board Action, If Necessary, on the Following:
 - 1. Settlement of Tyrolian Village v. TRPA, U.S. District Court, District of Nevada
 - 2. Recommendations on Finalists for Agency Counsel Position
 - 3. Association of Counsel in Kelly v. TRPA, Ninth Judicial District
- D. Executive Director
 - 1. Status Report on Projects Reviewed at Staff Level and on Emergency Permits Issued by Executive Director
 - 2. Status Report and Board Action, If Necessary, on Code Interpretations Made by Executive Director
 - a. Determination of Relative Sensitivity for Coverage Transfers
 - b. Potential Base Coverage Transfers Under IPES and Bailey
 - 3. Status Report on Residential Allocations Issued in the South Tahoe Public Utility District Service Area of El Dorado County and the City of South Lake Tahoe
 - 4. Status Report on Individual Parcel Evaluation Appeals
 - 5. Exit Interview With Bill Morgan
- E. Agency Counsel

F. Governing Board Members

XII RESOLUTIONS

XIII CORRESPONDENCE

XIV PUBLIC INTEREST COMMENTS

XV ADJOURNMENT

CONSENT CALENDAR

<u>Item</u>	<u>Recommended Action</u>
1. Tahoe Women's Center Addition, APN 23-392-36, El Dorado County	Approval With Findings And Conditions
2. Sunnyside Resort Plan Revision, APN 84-140-19, Placer County	Approval With Findings And Conditions
3. McClatchy Pier/Boathouse Relocation and Reconstruction, APN 84-191-01, Placer County	Approval With Findings And Conditions
4. Placer County Request for Air Quality Mitigation Funds (\$110,000) for Purchase of Transit Vehicles	Approval
5. North Tahoe Public Utility District, Secline Beach Erosion Control Project, Placer County, APN 530-300-89/10	Approval With Findings And Conditions
Completed Land Capability Challenges:	Approval With Findings
6. Gariss, Lot 30, Chico Court, Washoe County APN 125-564-10	

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 any 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.

- Article III(g) Public Law 96-551

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Tahoe Women's Care Medical Center Addition

Application Type: Commercial Addition

Applicant: Gary Willens, M.D./Thomas Goldenberg, M.D.

Applicant Representative: Dena L. Schwarte

Location: 1067 Fourth Street, El Dorado County

Assessors Parcel Number/Project Number: 23-392-36

Project Description: The proposed project consists of the addition of 1,928 square feet of ground floor medical office space to an existing 1,836 square foot one story medical building. The proposed addition will be consistent with the existing building architectural design, materials, and colors. The project also includes six additional parking spaces and BMPs. The project proponents have received an allocation for 1,908 square feet of commercial floor area from the City of South Lake Tahoe, the remaining 20 feet of commercial floor area is exempt from the allocation process per Subsection 33.3.A(2) of the TRPA Code of Ordinances.

Site Description: The project area consists of approximately 37,333 square feet of Class 7 land, with slopes of zero to three percent. The site is moderately vegetated with no evidence of significant erosion problems. The front property line of the parcel parallels Fourth Street, with all existing development located on the front half of the parcel. The existing building and parking area is well landscaped and stable.

Code Review:

Chapter 4 - Project Review	Chapter 32 - Regional Plan/ Thresholds
Chapter 5 - Environmental Documen- tation	Chapter 33 - Allocations
Chapter 6 - Findings	Chapter 38 - Tracking/Banking
Chapter 13 - Plan Area Statements	Chapter 62 - Grading/Construction Standards
Chapter 18 - Permissible Uses	Chapter 64 - Grading Standards
Chapter 20 - Land Coverage	Chapter 65 - Vegetation Protection
Chapter 22 - Height	Chapter 71 - Tree Removal
Chapter 23 - Noise	Chapter 77 - Revegetation
Chapter 24 - Driveway/Parking	Chapter 81 - Water Quality Control
Chapter 25 - Best Management Practices	Chapter 82 - Water Quality Mitigation
Chapter 27 - Basic Services	Chapter 91 - Air Quality Control
Chapter 30 - Design Standards	Chapter 93 - Air Quality Mitigation

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CONSENT CALENDAR ITEM 1.

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. No significant environmental impacts were identified and staff has concluded that 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.
- B. Plan Area Statement: The project is located within Plan Area Statement 110, South "Y". 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 continue to be a regional commercial area but should be redirected for more efficient use.

Presently the Tahoe Women's Center provides patient care at two separate locations within the South Lake Tahoe area due to a shortage of space at the Fourth Street offices. The proposed expansion will allow the Center to provide more efficient service by locating all their facilities at a single location, thereby reducing traffic and air quality impacts associated with the additional travel presently required.

2. Planning Considerations:

Scenic Roadway Units 1 and 35 are in this area and are targeted for scenic restoration as required by the scenic threshold.

The proposed project is not visible from either Scenic Roadway Units 1 or 35, and all proposed building materials comply with TRPA standards for color and reflectivity.

3. Special Policies:

Properties in Special Area #2 should be considered a preferred area for multi-residential, professional offices and hospital-related uses.

Presently the Tahoe Woman's Center provides medical services which include referral of patients to Barton Memorial Hospital on a regular basis.

Light industrial, wholesale/storage, and other similar uses should be located in the industrial area north of the "Y" (Special Area #1) and residential and medical uses should be located by Barton Hospital (Special Area #2).

The Tahoe Women's Center is located within Special Area #2, approximately .25 miles from Barton Hospital.

C. Land Coverage:

1. Land Capability District: The land capability rating of the project area is class 7. The total project area is approximately 37,333 square feet.

2. Existing Coverage:

Buildings:	1,836	square feet
Paving:	5,107	square feet
Porch/Walkways:	441	square feet
Other:	<u>26</u>	square feet
Total:	7,410	square feet

3. Proposed Coverage:

Buildings:	3,764	square feet
Paving:	6,997	square feet
Porch/Walkway:	334	square feet
Other:	<u>35</u>	square feet
Total	11,130	square feet

4. Allowed Coverage:

Class 7 Area	11,200	square feet
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5. Coverage Mitigation: The applicant will be required to pay a water quality mitigation fee of \$1,079 for the creation of 3,721 square feet of additional land coverage.

D. Parking: The project includes an additional six parking spaces for a total of 19 onsite parking places which is consistent with the requirements of Section 4.20 of the TRPA Interim Rules for Parking.

E. Traffic/Air Quality: The proposed project will result in a minor increase of 138 daily vehicle trips. The project is exempt from the requirement to produce a traffic analysis per Subsection 93.3.C of the Code. The applicants will be required to offset the additional air quality impacts of the project by paying an Air Quality Mitigation Fee of \$1,380.

F. 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 finding can 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 Areas Statements and Maps, the Code and other TRPA plans and programs.
 - a. Land Use: This proposal is consistent with the applicable Plan Area Statement, including the planning considerations and special policies. The proposed addition is an expansion and modification to an existing allowed use in this Plan Area.
 - b. Transportation: Based on the TRPA Trip Table the project will generate approximately 138 Daily Vehicle Trip Ends (DVTE). These additional trips will be mitigated by the payment of a \$1,380 Air Quality Mitigation Fee per the requirements of Chapter 93 of the Code. The proposed parking design meets the TRPA Interim Parking Standards, and all access to the site complies with the standards contained in Chapter 24 of the Code.
 - c. Conservation: The project complies with the Water Quality mitigation program required by Chapter 82 of the Code, as well as all applicable standards pertaining to scenic quality and energy conservation. The project shall include landscaping and the installation of BMPs.
 - d. Recreation: There is no aspect of the project which would impact implementation of the Recreation Element of the Regional Plan.
 - e. Public Services and Facilities: The project can be adequately served by existing public services and facilities.
 - f. Implementation: The project has received an allocation for 1,908 square feet of additional commercial floor area and is consistent with 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.

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(g) of the TRPA Compact, the project meets or exceeds such standards.

(Refer to paragraph 2, above.)

- G. Required Actions and Findings: Agency staff recommends that the Governing Board approve the project by making the following motions and findings based on this staff summary and the evidence contained in the record:

- I. A motion based on this staff summary, for the findings contained in Section F, above, and a finding of no significant environmental effect.
- II. A motion to approve the project, based on the staff summary, subject to the following conditions:
 1. The Standard Conditions of Approval listed in Attachment Q.
 2. Prior to commencement of construction the following special conditions of approval must be satisfied:
 - a. The site plan shall be revised to include:
 - (1) A minimum parking area slope of three percent toward an infiltration trench sized at a minimum of 18 inches wide by eight inches deep, filled with 3/4 inch drain-rock. An additional infiltration trench shall be provided along the western edge of the proposed parking area expansion.
 - (2) A note indicating that all existing disturbed areas and areas disturbed by construction activity, shall be revegetated with vegetation species in accordance with Standard Condition VI.8 of Attachment Q.
 - (3) Temporary erosion control structures located downslope of the proposed construction area.
 - (4) Vegetation protective fencing around the entire construction site.
 - (5) Location of all recorded easements.
 - (6) Parking barriers to restrict parking to approved parking surfaces only.

- b. The following existing infiltration facilities shall be modified, cleaned and/or reinstalled to provide required infiltration:
 - (1) The existing infiltration trenches around the parking area shall be cleaned and or reinstalled.
 - c. A water quality mitigation fee of \$1,079 shall be paid to TRPA. This fee is based on the creation of 3,720 square feet of additional land coverage.
 - d. The applicant shall submit a \$1,380 air quality mitigation fee to offset the 138 DVTE increase.
 - e. The security required under Standard Condition I.2 of Attachment Q shall be determined upon the applicant's submittal of required Best Management Practices plan and related cost estimate. Please see Attachment J, Security Procedures.
 - f. The applicant shall submit a projected construction completion schedule to TRPA prior to commencement of construction. Said schedule shall include completion dates for each item of construction as well as BMP installations for the entire project area.
- 3. Fertilizer use on this property shall be consistent with the recommendations of the TRPA fertilizer use handbook. The use of fast release fertilizers and ammonium nitrate is prohibited.
 - 4. No trees shall be removed or trimmed for view enhancement purposes without prior TRPA written approval.
 - 5. The architectural design of this project shall include elements that screen from public view all external mechanical equipment, and utility hardware on roofs, buildings or the ground. Roofs, including mechanical equipment and skylights, shall be constructed of nonglare finishes that minimize reflectivity.
 - 6. The adequacy of all required BMPs as shown on the final construction plans shall be confirmed at the time of the TRPA pre-grading inspection. Any required modifications, as determined by TRPA, shall be incorporated into the project permit at that time.

7. This approval is based on the permittee's representation that all plans and information contained in the subject application are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.
8. Any normal construction activities creating noise in excess of the TRPA noise standards shall be considered exempt from said standards provided all such work is conducted between the hours of 8:00 a.m. and 6:30 p.m.
9. The project is allocated 1,908 square feet of commercial floor area and is limited to that additional amount. The project is authorized an additional 20 square feet of commercial floor area per Subsection 33.3.A(2)(b)(ii) of the TRPA Code of Ordinances.
10. The applicant shall provide four sets of final construction drawings and site plans. The floor plans and building elevations shall be revised to remove all references to the second story addition.

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Sunnyside Resort, Plan Revision

Application Type: Commercial

Applicant: Tahoe Sunnyside Resort

Applicant Representative: Dena Schwarte

Location: 1835 West Lake Blvd., Sunnyside, Placer County, California

Assessors Parcel Number/Project Number: 84-140-19/890810

Project Description: The original project approval involved the renovation of the lodge/restaurant building, construction of a new boat storage building, construction of paved public parking lots, removal of an existing boat gantry, and construction of a new public boat ramp facility. The applicant is requesting TRPA to approve replacement of the originally planned boat ramp facility with a portable boat lift facility. The portable boat lift facility requires no additional construction or coverage and has the ability to move boats from the boat storage building and launch them without having to transport them across the highway via trailer. The applicant is also requesting that the originally planned boat trailer parking (7 spaces) in the public parking area be relocated to the boat storage building to provide some additional vehicular parking spaces.

Site Description: The site consists of a lodge/restaurant building, paved public parking lots, a boat storage building, and a marina. The site is fully landscaped and all required BMPs have been installed.

Code Review:

Chapter 4 - Project Review	Chapter 20 - Land Coverage
Chapter 5 - Environmental Documentation	Chapter 32 - Regional Plan/Thresholds
Chapter 6 - Findings	Chapter 38 - Tracking/Banking
Chapter 13 - Plan Area Statements	Chapter 50 - Shorezone/Lakezone Review
Chapter 18 - Permissible Uses	Chapter 51 - 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 revised project. No significant environmental impacts were identified and staff has concluded that 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.

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CONSENT CALENDAR ITEM 2.

- B. Plan Area Statement: The project is located within Plan Area Statement 169, Sunnyside. The Land Use Classification is Tourist 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:

The current and future uses should be directed towards the needs of tourists. The area to the west of Highway 89 should be redeveloped to improve the scenic quality of the area while maintaining the west shore scale and character.

The proposed project revision involves substituting a portable boat lift for a boat ramp. The boat lift proposal will reduce potential safety problems in crossing the highway with boat trailers and vehicles and will create less of an environmental impact in terms of scenic quality, water quality and land coverage. Tourists will continue to have an opportunity to access the Lake via the proposed boat lift launching facility.

- C. Required Findings: The following is a list of the required findings as set forth in Chapters 6 and 50 of the TRPA Code of Ordinances. Following each finding, Agency staff has briefly summarized the evidence on which the finding can 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 Areas Statements and Maps, the Code and other TRPA plans and programs.

- a. Land Use: The proposed revision is consistent with the Plan Area Statement and the proposed use (boat launching facility) has not changed from that of the original project.
- b. Transportation: The proposed revision will reduce safety hazards in transporting boat trailers and vehicles across the highway and will allow for the opportunity for additional vehicular parking by relocating the boat trailer parking to the boat storage building.
- c. Conservation: The proposed revision will reduce potential impacts on scenic quality, water quality and land coverage and is consistent with the Conservation Element of the Regional Plan.