

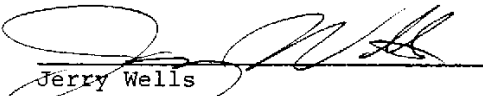
**TRPA
APC
PACKETS**

**NOVEMBER
1990**

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that the Advisory Planning Commission of the Tahoe Regional Planning Agency will conduct its regular meeting at 9:30 a.m. on November 14, 1990, at the TRPA office, 195 U.S. Highway 50, Zephyr Cove, Nevada. The agenda for said meeting is attached hereto and made a part of this notice.

November 2, 1990



Jerry Wells
Deputy Director

This agenda has been posted at the TRPA office and at the following post offices: Zephyr Cove and Stateline, Nevada, and Al Tahoe and Tahoe Valley, California.

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

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

November 14, 1990
9:30 a.m.

All items on this agenda are action items unless otherwise noted.

AGENDA

- I CALL TO ORDER AND DETERMINATION OF QUORUM
- II APPROVAL OF AGENDA
- III DISPOSITION OF MINUTES
- IV PUBLIC HEARING AND RECOMMENDATION
 - A. Amendment of Chapter 18, Permissible Uses, to Include Transfer Stations as a Regional Public Health and Safety Facility
 - B. Amendment of Plan Area 082 to Include Professional Office as a Permissible Use and to Remove Food and Beverage Retail Sales as a Permissible Use
 - C. Amendment of Code of Ordinances to Encourage Boat Storage Facilities to be Located Out of Shoreline Areas
 - D. Amendment of Chapters 4 and 26 to Adopt Substitute Sign Standards for Placer County
- V REPORTS
 - A. Executive Director
 - B. Legal Counsel
 - C. APC Members
 - D. Public Interest Comments
- VI PENDING MATTERS
- VII ADJOURNMENT

TAHOE REGIONAL PLANNING AGENCY

195 U.S. Highway 50
Round Hill, Zephyr Cove, NV

P.O. Box 1038
Zephyr Cove, Nevada 89448-1038

(702) 588-4547
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MEMORANDUM

November 1, 1990

To: Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Chapter 18, Permissible Uses, to
Include Transfer Stations as a Regional Public
Health and Safety Facility

Proposed Action: In cooperation with South Tahoe Refuse, El Dorado County, and the City of South Lake Tahoe, TRPA staff proposes to amend the definition of Regional Public Health and Safety Facility in Chapter 18 of the Code to include regional transfer stations. To avoid confusion, staff proposes to concurrently amend the Chapter 18 definition of Collection Stations to specifically exclude regional transfer stations. Please refer to Attachment A for the proposed amendments. Companion amendments to the Goals and Policies definition of public health and safety facilities will be necessary to ensure consistency, and will be the subject of a Governing Board public hearing.

Background: At the present time, TRPA estimates that there are two existing regionally serving transfer stations. One is located in South Lake Tahoe and one in Incline Village. The primary benefit to be gained by classifying regional transfer stations as regional public health and safety facilities is additional land coverage. Chapter 20, Land Coverage, provides additional coverage via transfer to certain public service uses. Due to the nature of the uses, linear facilities (streets and highways) and regional public health and safety facilities may be permitted, based on specific findings, to use as much coverage as needed to achieve their public purpose.

Presently TRPA classifies the use as a collection station which is permitted 50 percent land coverage within the project area under Subsection 20.3.B(3). As a regional public health and safety facility under Subsection 20.3.B(4) the transfer stations could exceed the 50 percent amount to which they are presently constrained. Please refer to Attachment B, South Tahoe Refuse Transfer Station site plan.

Attachments C and D are letters in support of the amendments from El Dorado County and the City of South Lake Tahoe, respectively. The South Tahoe Refuse

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Company has indicated that additional coverage is necessary for efficient operations because of the increasing volumes of solid waste, recyclable materials, and household hazardous wastes which it collects and transports out of the Region. As providers of basic community services, it is important to recognize and provide them the opportunity to conduct their operations in lawful and environmentally responsible methods. Mitigation of the additional coverage would be required. In terms of the mechanics of implementing the amendments, TRPA has no specific criteria to judge transfer stations as regionally serving. Distinctions between a "regional transfer station" and a "collection station" as defined in the Code involve ownership, size and volume. A regional collection station is under a contract with local government and has the right to collect fees from the tax roll, therefore, it is a quasi-public facility. Collection stations can be privately owned.

Regional transfer stations serve a large geographic area for collecting and transporting refuse, household hazardous waste and recyclable materials. Other collection stations are smaller and focus on a more specific location and in most instances transport to the regional transfer station. As mentioned above, there are two such facilities presently in existence in the Region which could meet the distinctions test provided above. The second facility is Incline Sanitation, which is located in Incline Village and also serves as a major transfer station.

Required Findings: Prior to adopting the proposed amendments, the following findings must be made:

A. Chapter 6 Findings: Chapter 6 of the Code requires the following findings. Brief rationales are included for each finding.

1. Finding: The project is consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and maps, the Code and other TRPA plans and programs.

Rationale: As a regional public health and safety facility, regional transfer stations will be consistent with and implement Goal #1 of the Regional Plan Public Services and Facilities Element which states:

"GOAL #1 PUBLIC SERVICES AND FACILITIES SHOULD BE ALLOWED TO UPGRADE AND EXPAND TO SUPPORT EXISTING AND NEW DEVELOPMENT CONSISTENT WITH THE REGIONAL PLAN.

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The intent of the Regional Plan is neither to stimulate nor to hinder development through the provision of public services and facilities. Rather, the Plan attempts to provide for supportive public services and facilities consistent with the development anticipated under the Plan."

Additional land coverage needed by regional transfer stations will be required to be mitigated and to comply with BMP requirements in accordance with the Code.

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

Rationale: Additional land coverage which may be necessary for the efficient operation of the use will be mitigated under the provisions of the Code. The mitigation options provided under the Code for the transfer of additional land coverage are designed in such a manner as to avoid exceedance of the applicable thresholds.

3. Finding: Wherever federal, state and 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 Compact, the project meets or exceeds such standards.

Rationale: For the reasons stated in Findings 1 and 2 above, the applicable standards will be attained and maintained.

4. Finding: The Regional Plan and all of its elements, as implemented through the Code, Rules and other TRPA plans and programs, as amended, achieves and maintains the thresholds.

Rationale: For the reasons stated in Findings 1 and 2 above, the Regional Plan and all of its elements achieves and maintains the thresholds.

- B. Ordinance 87-8 Findings: Section 2.40 of Ordinance 87-8 requires the following findings. Brief rationales are included for each finding.

1. Finding: That the amendment provides for an equal or better means of attainment or maintenance of the thresholds.

Rationale: The ability for regional transfer stations to increase land coverage to the minimum amount necessary to achieve their public purpose which is provided by the amendments is conditioned upon specific Findings in Chapter 20 and the Article V(g) checklist which requires attainment and maintenance of the thresholds. The ability to allow fewer, larger-sized regional transfer stations instead of more, smaller-sized (allowed 50 percent coverage) collection stations is an equal or better means of attaining and maintaining applicable thresholds.

2. Finding: That the amendment is consistent with the Compact and with the attainment or maintenance of the thresholds.

Rationale: For the reasons stated in Finding 1 above, the amendment is consistent with the Compact and the attainment and maintenance of the thresholds.

3. Finding: One or more of the following:
- a. There is demonstrated conflict between provisions of the Regional Plan Package and the conflict threatens to preclude attainment or maintenance of thresholds;
 - b. That legal constraints, such as court orders, decisions or Compact amendments, require amendment of the Goals and Policies or Code;
 - c. That technical or scientific information demonstrates the need for modification of a provision of the Goals and Policies or Code;
 - d. That the provision to be amended has been shown, through experience and time, to be counter-productive to or ineffective in attainment or maintenance of the thresholds;

- e. That implementation of the provision sought to be amended has been demonstrated to be impracticable or impossible because of one or more of the following reasons:
 - (1) The cost of implementation outweighs the environmental gain to be achieved;
 - (2) Implementation will result in unacceptable impacts on public health and safety; or
 - (3) Fiscal support for implementation is insufficient and such insufficiency is expected to be a long-term problem.

- f. That the provision to be amended has been shown through experience to be counter-productive or ineffective and the amendment is designed to correct the demonstrated problem and is an equal or better means of implementing the Regional Plan Package and complying with the Compact.

Staff proposes to make finding 3.f.

- f. That the provision to be amended has been shown, through experience and time, to be counter-productive to or ineffective in attainment or maintenance of the thresholds.

Rationale: At the present time, regionally serving transfer stations are constrained from providing adequate service to meet the increasing demand by the 50% land coverage ratio assigned to collection station uses. As a matter of protecting public health, providing this type of use with the ability to accommodate the volume of material they receive in a lawful and environmentally responsible manner will correct an existing problem and provide an equal or better means of implementing the Regional Plan and the Compact.

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Environmental Documentation: Staff proposes a Finding of No Significant Effect (FONSE) for the amendments based on the following:

The amendments will provide regional transfer stations the ability to adequately achieve their public purpose in compliance with the land coverage and BMP standards in the Code. The amendments themselves do not create significant adverse impacts. Mitigation measures would be incorporated into subsequent projects permitted by the amendments in order to avoid creation of significant adverse impacts.

Recommendation: Staff recommends that the APC conduct the public hearing and based on its outcome, recommend approval of the amendments to the Governing Board. Please contact Andrew Strain at (702) 588-4547 if you have any questions or comments regarding this agenda item.

11/1/90

Agenda Item IV.A.

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ATTACHMENT A

PROPOSED AMENDMENTS TO SECTION 18.4 DEFINITIONS OF USES

Underlined language is to be added;
Lined out language is to be deleted

Collection Stations: Establishments engaged in the temporary accumulation and storage of recyclable or discarded materials including toxic and hazardous wastes, which are subsequently transported to recycling centers or solid waste disposal sites for further processing on a regular, and consistent schedule. (Does not include automobile wrecking yards or any recycling processing facilities, which are listed under Recycling and Scrap. Does not include regional transfer stations which are listed under Regional Public Health and Safety Facilities).

Regional Public Health and Safety Facilities: Regional facilities operated by public or quasi-public entities for protection of the public, such as fire stations and other fire prevention facilities, water and sewage facilities, transportation maintenance/storage facilities, police and sheriff substations and headquarters, including secondary county short-term incarceration facilities, and transfer stations which TRPA finds to be regionally serving. Secondary county short-term incarceration facility means a county jail, not a state or federal prison facility, that is not the primary jail for the county.
[Amended 2/28/90]

COUNTY OF
EL DORADO

COMMUNITY DEVELOPMENT DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION



MAIN OFFICE:
300 FAIR LANE
PLACERVILLE, CA 95667

(916) 621-5300

SOUTH LAKE TAHOE OFFICE:
1359 JOHNSON BLVD.
P.O. BOX 14506
SOUTH LAKE TAHOE, CA 95702
(916) 573-3145

ATTACHMENT C

Tahoe Regional Planning Agency
P.O. Box 1038
Zephyr Cove, Nevada 89448

June 15, 1990

SUBJECT: South Tahoe Refuse Company Transfer Station Project

Dear Mr. Angelocci:

The El Dorado County Environmental Management Department has reviewed the proposed project at the South Tahoe Refuse Company Transfer Station, 2140 Ruth Ave., South Lake Tahoe. Please be advised that both the El Dorado County Solid Waste Management Plan and the El Dorado County Hazardous Waste Management Plan consider transfer stations as public health and safety facilities. The primary goal of collection and removal of solid waste and hazardous waste is to protect the health, safety, and property of the residents and visitors of El Dorado County, and to minimize damage to the environment.

Therefore, the El Dorado County Environmental Management Department would support the inclusion of transfer stations or collection stations within the Tahoe Regional Planning Agency definition of public health and safety facilities. If you have any further questions, please feel free to contact this office.

Sincerely,

EL DORADO COUNTY
ENVIRONMENTAL MANAGEMENT DEPARTMENT

A handwritten signature in cursive script that reads "Virginia L. Huber".

Virginia L. Huber,
Supervising Registered Environmental Health Specialist
Tahoe Office Manager

cc: South Tahoe Refuse Company
Dena Schwarte, REA ✓
Ron Duncan, Director of Environmental Management





CITY OF
SOUTH LAKE TAHOE
CALIFORNIA

ADMINISTRATIVE CENTER
1052 TATA LANE

P.O. BOX 1210 — SOUTH LAKE TAHOE, CALIFORNIA 95705 — PHONE (916) 573-2040

June 19, 1990

Gordon Barrett
Tahoe Regional Planning Agency
PO Box 1038
Zephyr Cove, NV 89448

Dear Gordon,

The City of South Lake Tahoe has reviewed the proposed project at the South Tahoe Refuse Company transfer station. In addition to the health and safety findings cited by El Dorado County, which the City embraces in full, the long-term health issue of sufficient landfill capacity and compliance with new state regulations also support inclusion of the transfer station as a public health and safety facility.


California legislation, specifically AB 939, requires significant source reductions in refuse to address the mounting crisis with insufficient landfill capacity.

Historically, the amount of material disposed of in landfills has been measured on the basis of weight. However, landfills do not close because they are overweight, they close because that have reached their volume capacity. This is a serious environmental issue that reaches far beyond the confines of the Tahoe Basin.

South Tahoe Refuse serves not only the City of South Lake Tahoe, but the unincorporated portions of El Dorado County, as well as Douglas County, within the Tahoe Basin. It is vitally important that South Tahoe Refuse have the ability to efficiently compact refuse before it is hauled from the basin, thereby prolonging the life of the landfill to which it is taken, and allowing Basin residents to dispose of refuse in an environmentally sound manner.

Therefore, the City supports the inclusion of the transfer station within the TRPA definition of public health and safety facilities, and would further request that this project be given the attention necessary to see it through to a timely completion.

Sincerely,


Sue Schierf
Assistant to the City Manager

cc: Jeff Tillman, South Tahoe Refuse
Dena Schwarte, REA



TAHOE REGIONAL PLANNING AGENCY

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Zephyr Cove, Nevada 89448-1038

(702) 588-4547
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MEMORANDUM

November 1, 1990

To: Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Plan Area 082 to Include Professional Office as a Permissible Use and to Remove Food and Beverage Retail Sales as a Permissible Use

Proposed Action: Staff is proposing to amend the general use list in residential Plan Area 082, Upper Kingsbury, to: 1) add professional offices as a special commercial use; and 2) remove food and beverage retail sales as a special commercial use.

Background: Currently, Special Policy #2 of the plan area statement states:

"Commercial development shall be limited to parcels whose use was commercial at the effective date of the plan. Change in use shall be limited to neighborhood serving uses which reduce vehicle miles traveled."

As of the effective date of the plan (July 1, 1987) the policy applied to one existing commercial use, a real estate and property management office at the northwest corner of Kingsbury Grade and North Benjamin Drive. See Attachment A, Vicinity Map. The legal non-conforming use has now been discontinued for more than one year. Under Subsection 18.5.A of the Code, any subsequent use must comply with the plan area statement. Food and beverage retail sales is the only commercial use presently allowed in the plan area.

The owner of the commercial parcel has requested TRPA to amend the use list to add professional offices as a special use in order to restart the real estate office. The use would have to be found to be neighborhood serving in order to meet the intent of Special Policy #2. On March 15, 1990, Douglas County approved a Change of Land Use designation of the subject parcel to a C-1 commercial zone, and specifically limited its use to a real estate office. Staff believes that a real estate and property management office could be found

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to be neighborhood serving due to the large number of condominiums and multiple family dwellings which are vacation rentals in the Upper Kingsbury neighborhood.

During drafting of the plan area statements, TRPA intended to provide the opportunity for one convenience food store at the top of Kingsbury Grade. This was intended to intercept vehicle trips and reduce related vehicle miles traveled (VMT) which would otherwise result in the much longer trip down to the Lower Kingsbury commercial area. Subsequently, a convenience food store has been constructed on Tramway Drive in the Upper Kingsbury neighborhood lying just outside the Regional boundary. The need to provide the food and beverage use in Plan Area 082 has been greatly diminished, therefore, staff recommends the removal of food and beverage retail sales from the existing use list.

Required Findings: Prior to amending the Regional Plan, the Governing Board must make the following findings pursuant to Chapter 6. Brief rationales on which the findings may be based are included.

1. Finding: The project is consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and maps, the Code, and other TRPA plans and programs.

Rationale: The amendment is consistent with applicable provisions of the Regional Plan, including the Code, Plan Area Statements, and the Regional Transportation Plan. Under subparagraph 13.5.B(1), accessory and non-residential uses are allowed that compliment a residential neighborhood. The office building located at 680 Kingsbury Grade has been an existing component of the neighborhood for a number of years. The location and construction of the building make it ideal for its intended use. Residential use or food and beverage sales at this location may prove to be impractical. Residential use would require extensive remodeling which would be limited by the small size (1,000 square feet) of the structure. The location of the building on the parcel would prove to be impractical for food or beverage retail sales in that the high volume of vehicular traffic generated by these activities would cause unmanageable traffic and parking problems. Traffic impacts would be expected to extend to the nearby unsignalized intersection.

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Agenda Item IV.B.

Memorandum to Advisory Planning Commission
Amendment of Plan Area 082 to Include Professional
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Special Policy #2 of the PAS 082 could be complied with in that commercial development would not be expanded within the plan area and in accordance with the special policy, limited to a parcel whose use was commercial at the effective date of the plan. The special policy and the Regional Transportation Plan may be further complied with since it is anticipated that real estate and property management activities will reduce the vehicular miles travelled on Kingsbury Grade. The prospective tenant currently services from a lake-level office a number of properties in the condominium development located above 680 Kingsbury Grade.

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

Rationale: The amendment applies to one existing developed site which has previously been used as a real estate office. The commercial use permitted by the amendments would be subject to TRPA application and review, including Article V(g) Threshold Compliance Checklist. Additionally, the neighborhood serving real estate office use will assist in attainment of Regional VMT and air quality thresholds.

3. Finding: Wherever federal, state and 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 Compact, the project meets or exceeds such standards.

Rationale: For the reasons stated in Finding 2 above, the amendment will not cause the air or water quality standards to be exceeded.

4. Finding: The Regional Plan, as amended, achieves and maintains the thresholds.

Rationale: For the reasons stated in Findings 1 and 2 above, the Regional Plan will continue to achieve and maintain the thresholds.

Environmental Documentation: Staff recommends a Finding of No Significant Effect (FONSE) for the amendments based on the following:

- a) The amendments would provide the opportunity to locate a neighborhood-serving commercial use which is expected to have beneficial impacts to Regional vehicle trips and VMT.

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- b) The applicant is not proposing to expand the size of the existing 1,000 sq. ft. facility. Based on the TRPA trip table a professional office would generate 14.9 daily vehicle trips as a general office and 35 daily vehicle trips as a real estate office. The expected vehicle trips would be the same as the previous real estate uses which occupied the site as late as May, 1988. Under Section 93.2.F, the applicant would have to mitigate the trips upon approval of a special use permit.

Recommendation: Staff recommends that the APC conduct the public hearing and based on its outcome, recommend approval of the amendments to the Governing Board. Please contact Andrew Strain at (702) 588-4547 if you have any questions or comments regarding this item.

11/1/90

Agenda Item IV.B.