

**TRPA
GOVERNING BOARD
PACKETS**

**OCTOBER
1990**

OCT '90

TAHOE REGIONAL PLANNING AGENCY
NOTICE OF MEETINGS

NOTICE IS HEREBY GIVEN that on October 24, 25, 1990, commencing at 9:30 a.m. on the 24th and at 8:30 a.m. on the 25th, the Governing Board of the Tahoe Regional Planning Agency will conduct its regular meeting. The meeting on the 24th will take place at the North Tahoe Conference Center, 8318 North Lake Boulevard, Kings Beach, California (916-546-7249); the meeting on the 25th will take place at the TRPA office, 195 U.S. Highway 50, Zephyr Cove, Nevada. The official agenda is attached hereto and made a part of this notice.


NOTICE IS FURTHER GIVEN that on October 24, 1990, at 8:30 a.m. at the North Tahoe Conference Center, the Finance Committee will meet to discuss receipt of the September financial statement, errors and omissions insurance coverage and cost, allocation of Local Transportation Funds to El Dorado County, and release of air quality mitigation funds to the City of South Lake Tahoe for operation of Kahle Drive service and for intermodal transit terminal study.

NOTICE IS FURTHER GIVEN that on October 24, 1990, at 8:30 a.m. in the same location, the Legal Committee will meet on review of Agency Counsel salary, Special Projects Attorney salary and performance review (closed session); and TRPA v. Williamson settlement.

NOTICE IS FURTHER GIVEN that on October 24, 1990, during the lunch recess in the same location, the Capital Finance Committee will meet to discuss the financing plan for water quality improvements.

NOTICE IS FURTHER GIVEN that on October 24, 1990, during the lunch recess in the same location, the Rules Committee will meet to discuss Article VIII (Conflict of Interest) of the Rules of Procedure.

Date: October 16, 1990


David S. Ziegler
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.

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

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BODY

North Tahoe Conference Center
8318 North Lake Boulevard,
Kings Beach, California

October 24, 1990 9:30 a.m.

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

October 25, 1990 8:30 a.m.

All items are action items unless otherwise noted.

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 3)
- VI PROJECT REVIEW
 - A. California Tahoe Conservancy, Lake Tahoe Fish Habitat Enhancement Project, Phase 2, Special Use Determination, El Dorado County, TRPA File #520-111-90
- VII PUBLIC HEARING AND ADOPTION OF ORDINANCES AND RESOLUTIONS
 - A. Resolution on Unmet Transit Needs for El Dorado County
 - B. Resolution to Allocate Local Transportation Funds to El Dorado County
 - C. Amendment of Chapter 64 to Permit Excavations for Marinas
 - D. Approval of Preliminary Community Plan for the City of South Lake Tahoe
 - E. Amendment of Chapter 11, Foundations, to Extend Deadline for Transfer of Development
 - F. Amendment of Chapter 4, Project Review and Ex mpt Activities, to Adopt an MOU Between TRPA and the Tahoe City Public Utility District
 - G. Amendment of Chapter 21, Density, Regarding Residential Development Rights and Adoption of Chapters 41 and 42 Regarding New Subdivisions

VIII APPEAL

- A. Villas, Appeal of Staff Rejection of Application Pursuant to Chapter 11 for 38 Multi-Residential Units, Placer County APNs 93-480-01 Through -23 and 93-490-02 Through -17 (continue to January 1991)
- B. Suitum, Appeal of IPES Score, Washoe County APN 130-211-31

IX PLANNING MATTERS

- A. Report on September 19 Transportation Seminar (No Action)
- B. Procedure for Processing Individual Parcel Evaluation System Appeals
- C. Shorezone Matters
 - 1. Shorezone Policies and Regulations: Issues, Priorities, and Strategy
 - 2. Review of Code Interpretation 1988-4 (Expansion of Existing Shorezone Structures Lakeward of High Water)
 - 3. Presentation by California State Lands Commission on Administration of Regulations in the Shorezone (No Action)

X ADMINISTRATIVE MATTERS

- A. Progress Report on FY 90-91 Program of Work

XI COMMITTEE RECOMMENDATIONS AND BOARD ACTION

- A. Finance Committee
 - 1. Receipt of the September Financial Statements
 - 2. Errors and Omissions Insurance and Cost
- B. Legal Committee
 - 1. Settlement of TRPA v. Williamson
 - 2. Agency Counsel and Special Projects Attorney Performance and Salary Review, Closed Session
- C. Rules Committee on the Rules of Procedure
 - 1. Article VIII (Conflict of Interest)

D. Capital Financing Committee

1. Committee Membership
2. Financing for the 208 Water Quality Program

XII REPORTS

A. Executive Director

1. Status Report on Processed Projects
2. Movement of the IPES Line (No Action)
3. Status Report on Allocations for Development Beyond 1991
4. Status Report and Board Action, If Necessary, on Code Interpretations Made by Executive Director
5. Other (No Action)

B. Agency Counsel (No Action)

C. Governing Board Members (No Action)

XIII PUBLIC INTEREST COMMENTS (No Action)

XIV ADJOURNMENT

CONSENT CALENDAR

<u>Items</u>	<u>Recommended Action</u>
1. South Tahoe Public Utility District, Sunset Water Well, Special Determination, TRPA File #520-329-90	Approval With Findings And Conditions
2. Placer County Deputy County Counsel, Shorezone Fence Construction, Special Determination TRPA File #530-101-90	Approval With Findings And Conditions
3. Factory Stores Commercial Addition, Commercial Floor Area Transfer, APN 23-231-25, City of South Lake Tahoe	Approval With Findings And Conditions
4. Incline Tennis and Skate Club, Ice Skating Rink and Temporary Tennis Bubble, Washoe County APN 127-030-14	Approval With Findings And Conditions

5. Hurtubise, New Single Family Dwelling, Special Use Determination, Washoe County APN 125-373-20 Approval With Findings And Conditions
6. City of South Lake Tahoe, Release of Air Quality Mitigation Funds to Continue Operation of Kahle Drive Service for Three Months (\$30,000) Approval
7. City of South Lake Tahoe, Release of Air Quality Mitigation Funds for Intermodal Transit Terminal Study Approval

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. The special use determinations will be removed from the calendar at the request of any member of the public and taken up separately. 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.

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Sunset Well - Municipal Water Supply

Application Type: Public Service - Special Use Determination

Applicant: South Tahoe Public Utility District

Applicant's Representative: Gary Schnakenberg

Agency Planner: Ed Skudlarek

Location: Sunset Drive, approximately 180 feet northwest of Conestoga Street,
City of South Lake Tahoe

Assessor's Parcel Number/ Project Number: File 520-329-90

Project Description: The South Tahoe Public Utility District (STPUD) has proposed and undertaken the emergency construction of a municipal water supply well to replace reduced water supply production capacity from the College well and Martin well. The project also includes installing 630 feet of 8 inch water pipe in a 5 foot deep trench and the placement of a temporary structure to house chlorination equipment. Since the requirement to chlorinate is contingent upon further testing of the wellwater, STPUD is proposing a temporary building.

The STPUD requested, and Agency staff granted under Section 5.20, Article V of the TRPA Rules of Procedures, emergency approval to construct the well on June 21, 1990, based upon STPUD's concern that production capacity during summer peak use periods would be inadequate. The well has not yet been connected to the water supply system.

Site Description: The well site is located approximately 180 feet northwest of the Sunset Drive and Conestoga Street intersection, within a 70 foot by 40 foot easement. The easement is located at the southern corner of a ten acre parcel, on which a new single family dwelling permit has been issued. Residential neighborhoods surround the project area. The water pipe will be located along Sunset Drive and Conestoga Street under the existing road shoulders.

Issues: The proposed project involves construction of a municipal water supply well (Public Utility Center) which is a Special Use in the subject Plan Area and therefore requires Governing Board review in accordance with Chapter 4, Appendix A, of the TRPA Code. The primary project related issues are:

1. Additional Capacity: Modifications to legally existing public service facilities which do not create additional service capacity are not to be considered "additional public service facilities" (Subsection 35.5.A. TRPA Code). The proposed well has been constructed and will be outfitted to discharge 750 gallons per minute. The STPUD has provided the necessary documentation to determine that the proposed

well will not result in additional service capacity. See the attached Figure 3, excerpted from the Initial Environmental Checklist Supplement Report. The College well will be taken off-line upon completing construction of the proposed Sunset well and the Bijou and Middle School wells.

2. Stream Environment Zone Impact: The proposed well site is located approximately 300 feet from the Upper Truckee Stream Environment Zone (SEZ). The well has been sealed to a depth of 255 feet and preliminary data indicates that impermeable sedimentary layers exist between the Upper Truckee SEZ and the targeted aquifer. However, the applicant will be required to prepare and submit a report to TRPA that analyzes the potential for drawdown associated with the proposed well and its effect on the hydrology of the nearby SEZ. Should any hydrologic effect be identified, the applicant shall be required to monitor impacts to the SEZ, and if necessary, mitigate such impacts.

Staff Analysis:

- A. Environmental Documentation: The applicant has completed an Initial Environmental Checklist (IEC) and Supplemental Report in order to assess the potential environmental impacts of the project. No significant environmental impacts were identified and staff has concluded that the project with mitigation will not have a significant effect on the environment. A copy of the completed IEC and Supplemental Report will be made available at the Governing Board hearing and at TRPA.
- B. Plan Area Statement: The project is located within Plan Area 104, Highland Woods. The Land Use Classification is Residential and the Management Strategy is Mitigation. Agency staff has reviewed the subject Plan Area and has determined that the project is consistent with the applicable planning statement, planning considerations and special policies. The proposed activity is listed as a special use.

C. Land Coverage:

1. Land Capability District:

The land capability district of the project area is class 7. The total project area for coverage calculation purposes is approximately 2,800 square feet.

2. Existing Coverage:

Hard Coverage:	0	square feet
Soft Coverage:	0	square feet
Total:	<hr/>	0 square feet

3. Proposed Coverage:

Hard Coverage:	71	square feet
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Soft Coverage:	0	square feet
Total:	<hr/> 71	square feet

4. Allowed Coverage:

Class 7 Area:	840	square feet
Total:	<hr/> 840	square feet

5. Coverage Mitigation:

The applicant shall pay a water quality mitigation fee in accordance with Chapter 20 of the TRPA Code.

- D. Building Height: The proposed building has a maximum building height of 9 feet which is well within the standards set out in Chapter 22 of the TRPA Code.
- E. Required Findings: The following is a list of the required findings as set forth in Chapters 6, 18, and 64 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 Area Statements and maps, the Code, and other TRPA plans and programs.

- (1) Land Use: The project is a special use in the plan area. The project is consistent with Goal 2, Policy 5.E of the Land Use Element, TRPA Regional Plan, which states that additional public service development shall be limited to those projects needed to serve the other development permitted by this plan. Best Management Practices shall be applied during construction and as part of the site development.
- (2) Transportation: The project will not affect the Transportation Element of the Regional Plan.
- (3) Conservation: Mitigation measures such as monitoring, reduced well discharge rates, and relocation of the water supply well have been required as conditions of approval to avoid the potential for drawdown related impacts to nearby SEZs. With mitigation, vegetation, wildlife, fisheries, SEZs, soils, and open space resources will not be adversely impacted.
- (4) Recreation: The project will not affect the Recreation Element of the Regional Plan.
- (5) Public Service and Facilities: The project is consistent with

Goal 1, Policy 1, of the Public Services and Facilities Element, Regional Plan. This states that "public services and facilities should be allowed to upgrade and expand consistent with the Land Use Element of the Regional Plan and federal, state and local standards." One planning consideration set forth in the Plan Area Statement acknowledges that "additional fire hydrants and water system improvements are needed in this area."

(6) Implementation: The project will not affect the Implementation Element of the Regional Plan.

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

The basis for this finding is provided on the checklist entitled "Project Review Conformance Checklist and 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.

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.)

4. The project, to which the use pertains, is of such a nature, scale, density, intensity and type to be an appropriate use for the parcel on which, and surrounding area in which, it will be located.

The surrounding development is residential; however, the small scale of the use is such that the project is appropriate for the area. The well site is located on a 10 acre parcel, at the western end of which a new single family dwelling construction project has commenced.

5. The project, to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water and air resources of both the applicant's property and that of surrounding property owners.

The pump station will be underground and not a source of community noise. The chlorination equipment building will be kept locked.

6. The project, to which the use pertains, will not change the character of the neighborhood, detrimentally affect or alter the purpose of the

applicable planning area statement, community plan and specific or master plan, as the case may be.

The proposed use will be evidenced only by the existence of the 6 by 8 by 9 foot high building and the control panel. The proposed use conforms with all applicable aspects of the Plan Area Statement. The building and control panel will be constructed in accordance with TRPA design standards.

7. TRPA may approve exceptions to the prohibition of groundwater interception or interference if TRPA finds that it is for a waterwell.

The proposed project is a waterwell.

F. 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:

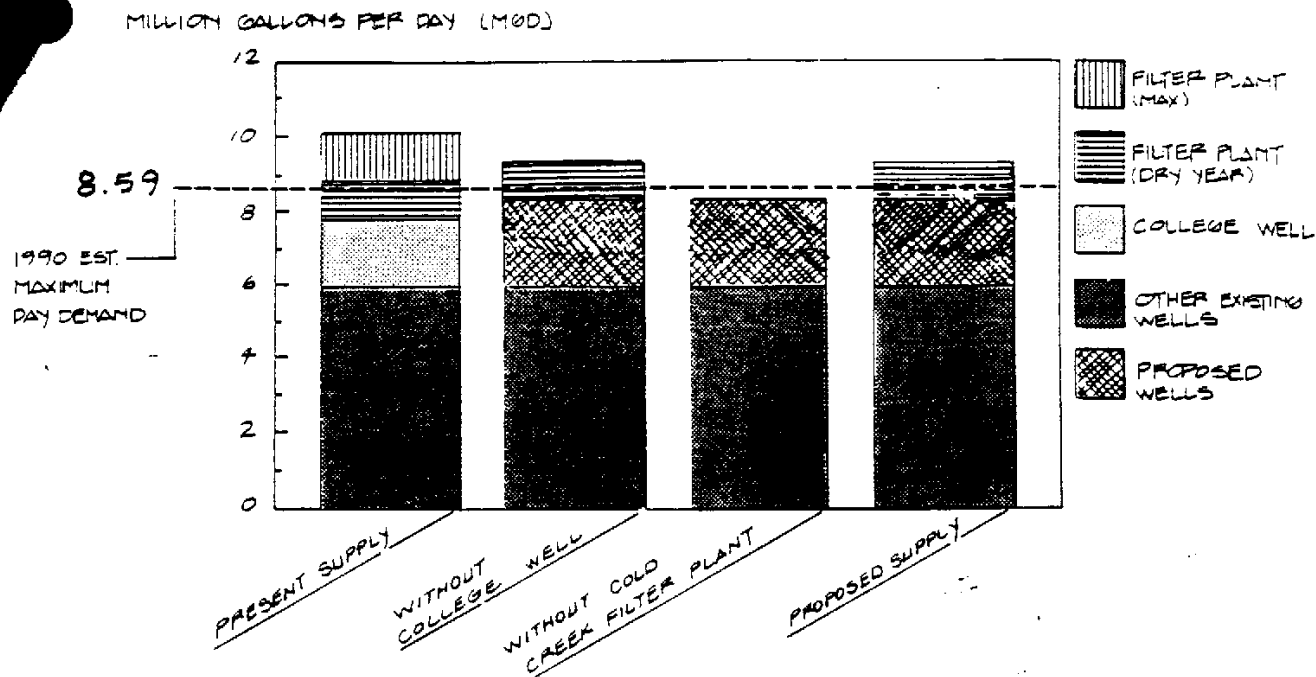
- I. A motion based on this staff summary, for the findings contained in Section E above, and a finding of no significant environmental effect.
- II. A motion to approve the project, based on the staff summary, subject to the following conditions:
 1. The Standard Conditions of Approval listed in Attachment 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) Land capability district.
 - (2) Limits of construction for the pipeline installation.
 - (3) Infiltration facilities for the vault, designed to infiltrate runoff generated by the one hour, 20-year design storm.
 - b. A water quality mitigation fee of \$20.00 shall be paid to TRPA. This fee is based on the creation of 71 square feet of land coverage.
 - c. The security required under Standard Condition I.(2) of Attachment Q shall be \$1,800. Please see Attachment J, Security Procedures.
 - d. The final construction drawings shall have notes indicating conformance to the following design standards for color, roofs, and fences:

- (1) Color: The color of this structure, including any fences on the property, shall be compatible with the surroundings. Subdued colors in the earthtone and woodtone ranges shall be used for the primary color of the structure. Hues shall be within the range of natural colors that blend, rather than contrast, with the existing vegetation and earth hues. Earthtone colors are considered to be shades of reddish brown, brown, tan, ochre, umber and sand.
 - (2) Roofs: Roofs shall be composed of nonglare earthtone or woodtone materials that minimize reflectivity.
 - (3) Fences: Wooden fences shall be used whenever possible. If cyclone fence must be used, it shall be coated with brown or black vinyl, including fence poles.
- (e) The applicant shall submit 3 sets of final construction drawings, side view elevations and site plans to TRPA.
2. Within 6 months of the date of project approval, the applicant shall submit a report, prepared by a groundwater hydrologist, which evaluates potential impacts, if any, to SEZs within the radius of influence of the proposed well. The report shall be based upon stratigraphy inferred from the well, drilling logs and appropriate nearby well logs and borehole logs; the appropriate step-drawdown test method, given inferred stratigraphy of the area; and other pertinent information. If potential impacts are identified, then a monitoring program shall be prepared and mitigation measures identified and submitted to TRPA for review and approval.
 3. The architectural design of this project shall include elements that screen from public view all external mechanical equipment, including refuse enclosures, satellite receiving disks, communication 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.
 4. 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.
 5. 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.

6. 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.

7. The temporary structure shall be removed six months after the approval date of this permit and the site immediately revegetated with plant species on the TRPA Recommended Plant Species List. A security in the amount of \$500 is required to ensure compliance with this condition. If, during the next 6 months, the STPUD determines that continual chlorination of the well water will be required, then an application shall be submitted to TRPA for the permanent placement of the building containing the chlorination equipment.

Figure 3
STPUD ORIGINAL SYSTEM
WATER SUPPLY VS DEMAND



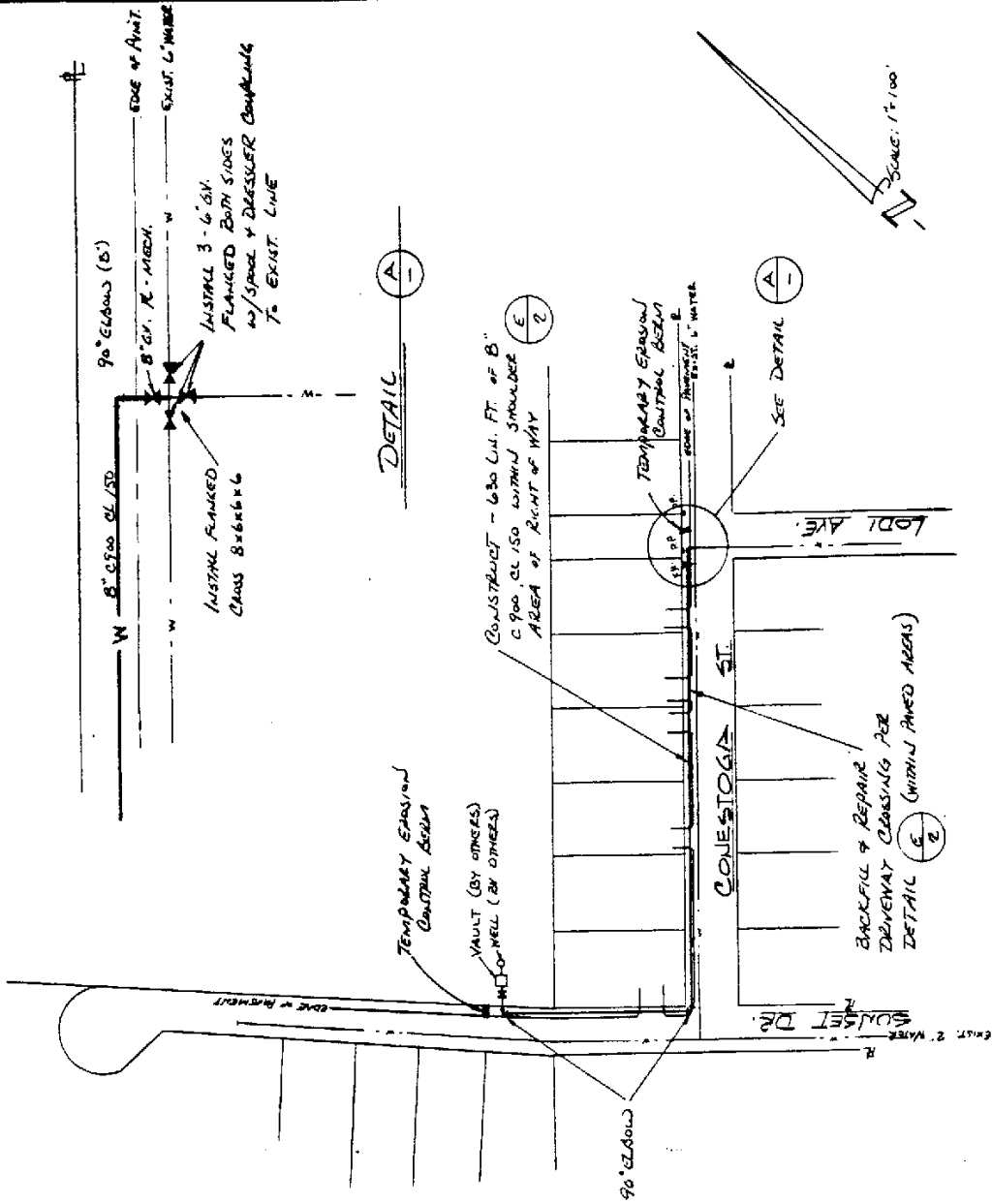
PROJECT DESCRIPTION

The project consists of drilling a new production well to augment the supply provided by the Bijou and Middle School wells. This well is expected to produce 750 gpm at full operation. Added to the production of the other two wells, this produces up to 1600 gpm.

This plan well allow the District to deliver a total of 9.23 mgd during peak periods, exceeding the peak demand of 8.59 mgd. The expected production amount should not promote growth enducement. The current system supplies just over 10 mgd.

A longer-term solution to the the District's water supply needs is necessary and includes:

- (1) Correct uranium problem at College Well by:
 - *Treatment
 - *Well reconstruction
 - *Reduction of capacity
 - *Blending with other water sources
 - *Combination of options listed above
- (2) Abandon Cold Creek Water Filtration Plant prior to 1993.
- (3) Replace capacity lost from the College Well and Filter Plant by the construction of additional new wells.



WATER TRANSMISSION LINE ROAD

WOODS

108' 109'

417.31

6' WIRE ENCROACHES INTO THIS AREA

50'

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Placer County Emergency Fence

Application Type: Shorezone/Public Service

Applicant: Placer County

Applicant's Representative: Gregg Lien

Agency Planner: Ed Skudlarek

Location: Approximately 200 feet southeast of the National Avenue and State Highway 28 intersection, National Avenue Park Extension, Placer County.

Assessor's Parcel Number/ Project Number: File 530-101-90

Project Description: Placer County, concerned about a 10-12 foot vertical marina embankment and the potential injury to park visitors, has proposed and constructed a 5 foot high brown vinyl coated, chain link fence. Agency staff approved the emergency fence construction on July 20, 1990 under Section 520, Article V of the TRPA Rules of Procedures, as an emergency permit. The County had recently established ownership of the parcel with the hazard existing, which explains the County's concern with public safety at this time. The proposal includes finishing the fence with a top rail and framing the metal posts with redwood lumber.

Site Description: The project area is located on a spit of stabilized earthen fill extending lakeward, in a Placer County right-of-way. Adjacent to the north and east property boundary is the Tahoe Marina Resort. County park land adjoins to the west, and Lake Tahoe forms the southern boundary. The flat project site is vegetated with clumps of riparian plant species and has recently been seeded with a grass seed mix.

Issues: The proposed project involves a shorezone fence project which is an accessory structure requiring a special use determination and therefore requires Governing Board review in accordance with Chapter 4, Appendix A, of the TRPA Code.

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 022, Tahoe Vista Commercial. The Land Use Classification is tourist and the Management Strategy is Redirection. Agency staff has reviewed the subject Plan Area and has determined that the project is consistent with the applicable planning statement, planning considerations and special policies. The proposed activity is listed as a special use.

C. Land Coverage:

1. Land Capability District:

The land capability district of the project area is/are class 1b (Be) and backshore. The total project area is approximately 6,550 square feet.

2. Existing Coverage:

Hard Coverage:	370 square feet
Total:	<hr/> 370 square feet

3. Proposed Coverage:

Hard Coverage:	370 square feet
Total:	<hr/> 370 square feet

4. Allowed Coverage:

Class 1b/Backshore Area:	67 square feet
Total:	<hr/> 67 square feet

5. Coverage Mitigation:

Based on the above coverage figures, the existing project area contains approximately 303 square feet of excess land coverage. In order to mitigate the existing excess coverage, the applicant shall be required to either pay a mitigation fee, or reduce existing coverage pursuant to Subsection 20.5 of the TRPA Code of Ordinances.

D. Required Findings: The following is a list of the required findings as set forth in Chapters 6, 50, and 51 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 Area Statements and maps, the Code, and other TRPA plans and programs.