

**TRPA
GOVERNING BOARD
PACKETS**

**NOVEMBER
1991**

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD
NOTICE OF MEETINGS

NOTICE IS HEREBY GIVEN that on November 20 and 21, 1991, commencing at 9:30 a.m. on both days, the Governing Board of the Tahoe Regional Planning Agency will conduct its regular meeting 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 November 20, 1991, at 8:30 a.m., in the same location, the Finance Committee will discuss receipt of the October financial statement/check register and release of air quality mitigation funds to Douglas County (\$30,000) and to Placer County (\$27,633).

NOTICE IS FURTHER GIVEN that on November 20, 1991, at 8:30 a.m., in the same location, the Legal Committee will discuss a contract for outside counsel in Nguyen v. TRPA and possible C.C.P.998 offer. The Committee will conduct performance reviews for Agency Counsel and Special Projects Attorney (including closed sessions without action).

NOTICE IS FURTHER GIVEN that on November 20, 1991, during the lunch recess, the Rules Committee will meet to discuss further amendments to the Rules of Procedure relative to class of vote required and procedures for processing IPES appeals and related land capability actions.

NOTICE IS FURTHER GIVEN that on November 21, 1991, at 8:00 a.m. at the same location, the Capital Financing Committee will meet to discuss 1) the 1991 Regional Transportation Improvement Program submission to the California Transportation Commission; 2) status report on funding sources; 3) work program; and 4) presentations on Forest Service and Environmental Protection Agency grant programs.

Date: November 12, 1991


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.

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

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

November 20, 1991 9:30 a.m.
November 21, 1991 9:30 a.m.

All items are action items unless otherwise noted.

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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 2)
- VI PUBLIC HEARING AND ADOPTION OF ORDINANCES/RESOLUTIONS
 - A. Issuance of 1991 Evaluation, Environmental Threshold Carrying Capacities and the Regional Plan Package - Wednesday, 11/20, 9:45 a.m. 20-21
 - B. Further Amendment of Chapter 4 Relating to Streamlining and Clarification of Existing Provisions 22-39
 - C. Amendment of Maps for Delineating Water Quality Improvements in the Vicinity of the Parcel (IPES Working Map) 40-72
- VII ADMINISTRATIVE MATTERS
 - A. Filling Vacancies on Legal, Retirement, and Capital Financing Committees
 - B. Performance Review of the Executive Director, Agency Counsel and Special Projects Attorney (Including Closed Session Without Action)
- VIII PLANNING MATTERS
 - A. Report by the Incline Village General Improvement District on Timber Harvesting Operation 73
 - B. Report by the Nevada Department of Transportation and Caltrans on Deicing of Tahoe Basin Highways 74
- IX COMMITTEE RECOMMENDATIONS AND BOARD ACTION
 - A. Finance Committee
 - 1. Receipt of the October Financial Statement

- B. Rules Committee
 - 1. Amendment of Rules of Procedure Relating to Class of Vote Required for Certain Matters

- C. Legal Committee
 - 1. Nguyen v. TRPA, Contract for Outside Counsel and Possible C.C.P.998 Offer

- D. Capital Financing Committee
 - 1. Approval of Regional Transportation Improvement Program for Submittal to the California Transportation Commission

X REPORTS

- A. Executive Director
 - 1. Status Report on Processed Projects
- B. Agency Counsel
- C. Governing Board Members (No Action)

XI RESOLUTIONS

XII PUBLIC INTEREST COMMENTS (No Action)

XIII ADJOURNMENT

CONSENT CALENDAR

<u>Item</u>	<u>Recommendation</u>	
1. Release of Air Quality Mitigation Funds (\$30,000) to Douglas County	Approval	1-3
2. Tahoe City Public Utility District, Kilner Park Improvements, Placer County APN 84-160-01	Approval With Findings And Conditions	4-9
3. South Tahoe Refuse Company, Solid Waste Collection/Recycling Station, 2192 Ruth Avenue City of South Lake Tahoe, El Dorado County APN 23-683-08	Approval With Findings And Conditions	10-17
4. Release of Air Quality Mitigation Funds (\$27,633) to Placer County	Approval	18-19

The consent calendar items listed on the preceding page are expected to be routine and noncontroversial. They will be acted upon by the 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 Board member or noticed affected property owner requests that any item be removed from the 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

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

TAHOE REGIONAL PLANNING AGENCY

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

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

(702) 588-4447
Fax: (702) 588-4627

MEMORANDUM

November 7, 1991

To: TRPA Governing Board

From: Agency Staff

Subject: Release of Air Quality Mitigation Funds to Douglas County - \$30,000

Proposed Action: Douglas County is requesting the release of \$30,000 of air quality mitigation funds to provide for the continuation of transit service to the Kahle Drive area of Nevada.

Recommendation: Staff recommends the TRPA Governing Board release the requested air quality mitigation funds to Douglas County to be provided to the City of South Lake Tahoe for the retirement of debt service on the transit equipment being used to provide public transit service to the Kahle Drive area.

Discussion: Section 93.5 of the TRPA Code of Ordinances specifies the manner in which the air quality mitigation funds are to be distributed and used. The air quality mitigation fund is held in trust by TRPA for disbursement to local jurisdictions upon their request. TRPA can distribute the mitigation funds upon making a finding that the expenditure of the funds is consistent with TRPA's Regional Transportation Plan of the 1982 Air Quality Plan.

TRPA staff has reviewed Douglas County's claim for consistency with the TRPA Regional Transportation Plan and the 1982 Air Quality Plan and feels that the proposed use of the funds would be consistent with both plan documents.

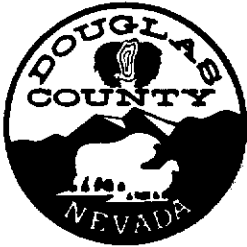
As of the end of September 1991, TRPA was holding Douglas County air quality mitigation funds in the amount of \$129,234. Approval of this claim for Douglas County will leave a balance of approximately \$99,234 in the County's air quality mitigation fund.

If you have any questions in regard to this agenda item, please call Leif Anderson at (702) 588-6782.

11/7/91

CONSENT CALENDAR ITEM 1.

1



**BOARD
OF
COUNTY
COMMISSIONERS**

Richard H. Gruber
County Manager
(702) 782-9821

COMMISSIONERS

Michael E. Fischer
Chairman

Robert L. Pruett

Bruce D. Kanoff

David G. Pumphrey

Josie A. Graham

November 1, 1991

1991-2986
RECEIVED

NOV 05 1991

**TAHOE REGIONAL
PLANNING AGENCY**

David Ziegler, Executive Director
Tahoe Regional Planning Agency
195 U.S. Highway 50
Round hill, NV. 89448

Subject: Application - Air Quality Mitigation Funds

Dear Mr. Ziegler:

Douglas County is requesting the release of \$30,000 of Air Quality Mitigation Funds to provide for the continuation of bus service to the Kahle Drive area of Nevada.

The City of South Lake Tahoe is currently providing service to the area. Douglas County proposes to provide \$30,000 to the City toward the retirement of debt service on the rolling stock for the Kahle Drive service in order to free cash required for the continuation of the service.

The service is currently provided to approximately 90 individuals a day resulting in a significant reduction of VMT's. It is the county's intent to more aggressively assist in the promotion of this service and then to explore options for service other areas within the Nevada area of the basin.

The City is submitting a letter of support for this project and in that letter acknowledges the intent to agree to the utilization of TRPA granted funds.

Your favorable consideration of this request for the upcoming Board meeting will be appreciated.

Sincerely ,

JoAnne McLachlan,
Assistant County Manager/
Fiscal Officer

cc: Leif Anderson, Principal Planner



City of

South Lake Tahoe

Office of the City Manager

November 1, 1991

RECEIVED

NOV 05 1991

TAHOE REGIONAL
PLANNING AGENCY

Leif Anderson
Principal Planner
Tahoe Regional Planning Agency
PO Box 1038
Zephyr Cove, NV 89448-1038

Dear Mr. Anderson,

As you are aware, the City of South Lake Tahoe has been providing fixed transit service to the Kahle Drive area in Nevada since July of 1989 without assistance. At this time, Douglas County has expressed an interest in participating in providing that service. It is my understanding that Douglas County is requesting release of \$30,000 in air quality mitigation funds which will be used to retire debt service against the rolling stock used for the Kahle Drive service.

The City of South Lake Tahoe is in full support of this request. As funds received from Douglas County would be used toward retiring debt service, the City appreciates your positive consideration of the Douglas County request.

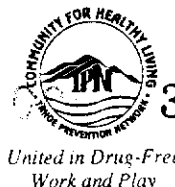
Should Douglas County be granted funding for this purpose, this letter will serve as the City's agreement to utilize any funding from Douglas County (via TRPA) for the abovementioned purpose.

Please let me know if you need additional information.

Kindest regards,

Sue Schlerf
Assistant to the City Manager

c: Joanne McLaughlan, Douglas County
Mike Dooley, STAGE



TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Kilner Park Improvements

Application type: Recreation

Applicant: Tahoe City Public Utility District

Applicant Representative: Jack Beckman

Agency Planner: Coleen L. Shade, Associate Planner

Location: Placer County, 2155 West Lake Blvd., Timberland lot #31

Assessor's Parcel Number: 84-160-01

Staff Recommendation: Staff recommends approval of the subject project. The required actions, findings and recommended conditions are outlined in Section E.

Project Description: Kilner Park is an existing Tahoe City Public Utility District (TCPUD) park complex. In addition to the relocation of existing pathways and the removal of an existing barbecue area, the project proposal includes the following new facilities:

- volleyball court
- 2 picnic areas
- 2 horseshoe pits
- tennis practice court
- multiuse court
- access paths
- directional signage

Site Description: Kilner Park is located at the corner of West Lake Boulevard and Ward Avenue in Sunnyside. The wooded parcel gently slopes toward West Lake Boulevard. The existing structures are screened from West Lake Boulevard by mature trees.

Kilner Park is a TCPUD acre neighborhood serving recreational facility. The existing facility contains a children's playground, barbecue area, tennis courts (2), restrooms, a parking area (22 spaces), and picnic tables.

Issues: The proposed project involves the addition of more than 3,000 square feet of land coverage and therefore requires Governing Board review in accordance with Chapter 4, Appendix A, of the TRPA Code. The primary project related issues are:

11/05/91

Consent Item No. 2

1. Land Coverage:

The applicant proposes an additional 23,182 square feet of impervious land coverage associated with the construction of the new facilities. Total proposed land coverage at this site is 61,377 square feet which is well within the allowable land coverage for the parcel. The applicant will be required to pay a water quality mitigation fee for the coverage created by this project.

2. Parking and Traffic:

TRPA transportation staff has reviewed the project proposal and has determined that the existing 22 parking spaces are more than adequate for the existing facilities and the proposed improvements. The proposed improvements will generate an additional 133 Daily Vehicle Trip Ends (DVTEs) which is a minor increase (greater than 100 vehicle trips but less than 200) and, therefore, does not require a traffic analysis.

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 Statements: The project is located within Plan Area 170, Tahoe Park/Pineland. The Land Use Classification for this Plan Area is Residential and the Management Strategy is Mitigation. TRPA staff has reviewed the subject Plan Area and has determined that the project is consistent with the applicable planning statements, planning considerations and special policies. The proposed use, recreation facilities day use area, is an allowed use.
- C. Land Coverage:
1. Land Capability District:
- The land capability district of the project area is class 5. The total project area is 6.4 acres (278,569 square feet) in size.
2. Existing Coverage:
- The total existing land coverage within the project area is 38,704 square feet (all hard coverage). The applicants propose to remove the barbecue area as a part of the project, reducing existing land

11/05/91

Consent Item No. 2

coverage by 509 square feet.

3. Proposed Coverage:

An additional 23,182 of coverage square feet will be created as a result of this project. The applicant proposes a total of 61,377 square feet of land coverage within the project area.

4. Allowed Coverage:

The allowable land coverage on this parcel is 69,642 square feet (25% of 278,569). The project, as proposed, will leave this parcel with 8,265 square feet of remaining allowable land coverage.

5. Coverage Mitigation:

The applicant will be required to pay a water quality mitigation fee of \$6,723 for the additional land coverage being created on this parcel.

D. Required Findings: The following is a list of 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 findings 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.

- a. Land Use: The project, as conditioned, is consistent with the Land Use Element of the Regional Plan. The proposed use is an allowed use. The applicant will be required to mitigate the proposed new coverage and install BMPs within the project area consistent with the Land Use Element of the Goals and Policies.
- b. Transportation: No significant impacts on the Transportation Element of the Regional Plan are anticipated. TRPA transportation staff has reviewed the project proposal and has determined that the additional 133 trips represents a minor increase which does not require the applicant to submit a traffic analysis. However, the applicant is required to submit an air quality mitigation fee of \$430.
- c. Conservation: This project will not affect implementation of the Conservation Element of the Regional Plan Goals and Policies. No known unmitigated impacts on vegetation, wildlife, fisheries, soils, shorezone, open space, stream environment zones or cultural facilities will result from the project. The project,

as conditioned, is consistent with the Conservation Element of the Regional Plan.

- d. Recreation: The project proposal includes facility additions that will increase recreational opportunities at this neighborhood serving park. Parks that are local jurisdiction charges and are local serving are not required to be on the Five Year Recreation List and do not require PAOTs. There is no aspect of the project which will adversely affect 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 and no significant impacts on the Public Services and Facilities Element of the Regional Plan are anticipated.
- f. Implementation: The project does not require any additional allocations of development and does not adversely 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 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.

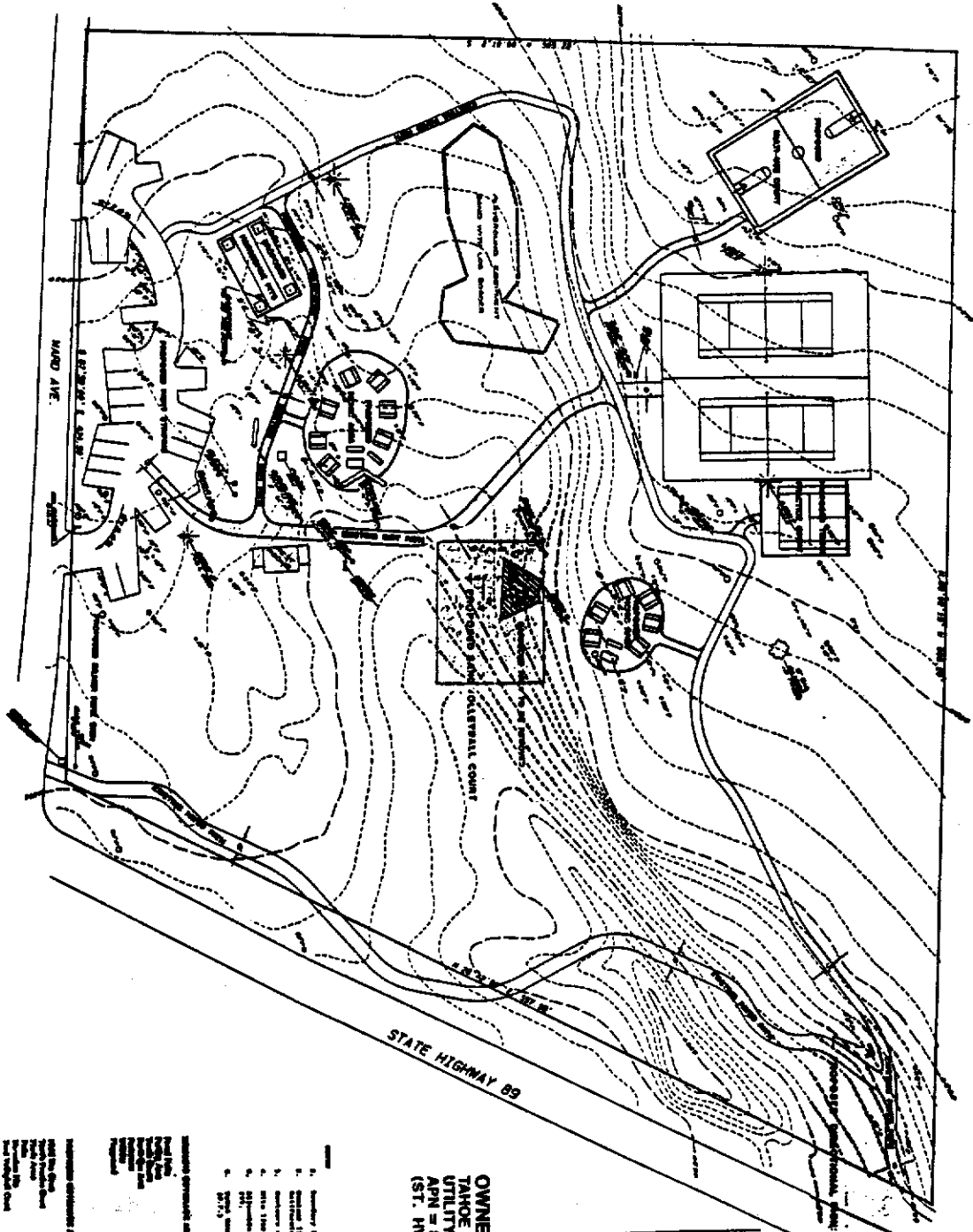
3. Wherever Federal, State, or local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(d) of the TRPA Compact, the project meets or exceeds such standards.

(Refer to Finding 2, above.)

E. 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:

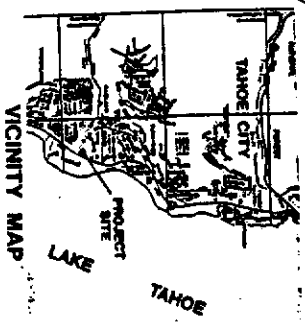
- I. A motion, based on the staff summary, for the findings contained in section D above, and a finding of no significant environmental effect.
- II. A motion to approve the project, based upon the staff summary, subject to the following conditions:

- (1) The Standard Conditions of Approval listed in Attachment Q.
- (2) Prior to commencement of construction the applicant shall satisfy the following special conditions:
 - A. The applicant shall submit for TRPA review and approval a BMP plan for the entire project area.
 - B. A water quality mitigation fee of \$6,723 shall be paid to TRPA. This fee is based on the creation of 23,182 square feet of additional land coverage.
 - C. The security required under Standard Condition A.3 of attachment Q shall be determined upon the permittee's submittal of required Best Management Practices plan and related cost estimate. Please see Attachment J, Security Procedures.
 - D. An air quality mitigation fee of \$430 shall be paid to TRPA. This fee is based on the minor increase of 133 vehicle trips.
 - E. The permittee shall submit a construction schedule prior to commencement of construction. This schedule shall identify dates for the following: when installation of temporary erosion control structures will occur; when construction will start; when construction slash and debris will be removed; when installation of all permanent erosion control structures will occur; and when construction will be completed.
 - F. The permittee shall submit 3 sets of final construction drawings and site plans to TRPA.



STATE HIGHWAY 89

OWNER:
 TAHOE CITY PUBLIC
 UTILITY DISTRICT
 APN = 84-160-01
 (ST. HWY. 89 & WARD AVE.)



SCALE 1"=30'

- NOTES:**
1. Building foundations per Tahoe County Department of Public Works, Tahoe City, California, dated 10/15/83.
 2. All utility lines are shown as per Tahoe County Department of Public Works, Tahoe City, California, dated 10/15/83.
 3. All utility lines are shown as per Tahoe County Department of Public Works, Tahoe City, California, dated 10/15/83.
 4. All utility lines are shown as per Tahoe County Department of Public Works, Tahoe City, California, dated 10/15/83.
 5. All utility lines are shown as per Tahoe County Department of Public Works, Tahoe City, California, dated 10/15/83.
- CONSTRUCTION:**
1. 12" DIA. WATER MAIN
 2. 12" DIA. SANITARY MAIN
 3. 12" DIA. GAS MAIN
 4. 12" DIA. SEWER MAIN
 5. 12" DIA. RAINFALL MAIN
 6. 12" DIA. FIRE MAIN
 7. 12" DIA. CABLE TV MAIN
 8. 12" DIA. TELEPHONE MAIN
 9. 12" DIA. FIBER OPTIC MAIN
 10. 12" DIA. AIR CONDITIONING MAIN
 11. 12" DIA. HEATING MAIN
 12. 12" DIA. COOLING MAIN
 13. 12" DIA. DRAINAGE MAIN
 14. 12" DIA. GROUNDWATER MAIN
 15. 12" DIA. OTHER MAIN

<p>KILNER PARK SITE PLAN FOR TAHOE CITY PUBLIC UTILITY DISTRICT</p>		<p>Pyramid Engineers & Land Surveyors 2100 Hill Street Reno, Nevada 89501 (702) 225-1940</p>	<p>BY DATE REVISIONS APP'D</p>
<p>TAHOE CITY PLACER COUNTY CALIFORNIA</p>			<p>1 9/10/82</p>

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: South Tahoe Refuse Solid Waste Recycling/Collection Station

Application Type: New Public Service Facility

Applicant: South Tahoe Refuse Company

Applicant's Representative: Gary Midkiff / Midkiff and Associates, Inc.

Agency Planner: Kathy Canfield, Assistant Planner

Location: 2192 Ruth Avenue, City of South Lake Tahoe, El Dorado County

Assessor's Parcel Number: APN 23-683-08

Staff Recommendation: Staff recommends approval of the subject project. The required actions, findings and recommended conditions are outlined in Section E of this staff summary.

Project Description: The applicant is requesting permanent approval for a recycling/collection station on the above referenced parcel. This project proposes to use the existing building and parking on the parcel. A new fence will be added along the east property line and the site revegetated.

Background: A temporary permit for the collection station was issued by TRPA on December 31, 1990. An extension was granted July 3, 1991 extending the expiration date to December 31, 1991. The temporary permit was issued pending the inclusion of the project on the 5-year Public Service list. The Governing Board took action to include the project on the Public Service List in January, 1991.

The recycling facility is needed to meet the mandates of California law requiring reductions in solid waste and increases in recycling. Without such a facility, fines can be imposed by the State of California against the local jurisdiction for failure to comply with Statute AB 939.

The City of South Lake Tahoe has issued a special use permit for the recycling center. Several public meetings were held by the City prior to the issuance of the permit. The City has been working with both the applicant and the neighbors to correct problems of noise and parking that have occurred at the site. Conditions of the special use permit have been modified to reduce the impact on the neighbors, and the City of South Lake Tahoe has been actively enforcing the special use permit conditions.

Site Description: The recycling collection station is located in the former Coca-Cola Warehouse/Distribution building. The site consists of one building with paved parking adjacent to the street on a relatively flat lot. Surrounding land uses include commercial and vacant parcels to the north, an electrical and