

**TRPA
GOVERNING BOARD
PACKETS**

**DECEMBER
1992**

NOTICE OF MEETINGS
TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

NOTICE IS HEREBY GIVEN that on December 16 and 17, 1992, commencing at 9:30 a.m. both days, at the TRPA office, 195 U.S. Highway 50, 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 December 16, 1992, at 8:30 a.m. at the same location, the Finance Committee will discuss: 1) receipt of the November financial statement and check register; 2) amendment of the Personnel Policy Manual regarding Policy 3.2, Salary Schedule; 3) salary adjustments for at-will employees (includes closed session without action); and 4) receipt of TRPA audit for FY 91-92. (Finance Committee: Klein, Neft, Bennett, Lau, Chairman Kanoff)

NOTICE IS FURTHER GIVEN that on December 16, 1992, at 8:30 a.m. at the same location, the Legal Committee will discuss: 1) agreement with Tahoe Citizens for a Reasonable Airport regarding commercial air service permit for Lake Tahoe Airport; and 2) approval of settlement document in Bruce King, et. al. v. TRPA, El Dorado Superior Court. (Legal Committee: Upton, DeLanoy, Westergard, Waldie, Chairman Chimarusti)

NOTICE IS FURTHER GIVEN that on December 16, 1992, at 4:30 p.m. at the same location, the Retirement Committee will meet to discuss amendment of retirement plan relative to semi-annual disbursements and increasing employee contributions. (Retirement Committee: Klein, Cornwall, Solt, Ziegler, Chairman Neft)

NOTICE IS FURTHER GIVEN that on December 17, 1992, at 8:00 a.m. at the same location, the Capital Financing Committee will discuss implementation strategy for financing plans for water quality and transportation. (Capital Financing Committee: Bennett, Westergard, Waldie, Chairman Upton)

Date: December 7, 1992


Jerry Wells
Deputy 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, Al Tahoe, and Tahoe City, California.

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

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

December 16, 1992 9:30 a.m.
December 17, 1992 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 (October and November)
- IV. APPROVAL OF AGENDA
- V. CONSENT CALENDAR (see page 3)
- VI. PROJECT REVIEW
 - A. City of South Lake Tahoe, Permit for Phase 1 Commercial Air Service and Passenger Levels Pursuant to Airport Master Plan for the Lake Tahoe Airport 62-83
- VII. PUBLIC HEARING AND ADOPTION OF ORDINANCES/RESOLUTIONS
 - A. Draft EIS/EIR for Golden Bear Park Master Plan 84
 - B. Adoption of Stream Environment Zone Restoration Interim Targets Pursuant to Chapter 32 85-87
 - C. Amendment of Chapter 56, Shorezone Mitigation Fee Requirements 88-90
 - D. Amendment of Chapter 14, Community Planning, to Clarify Requirements for Boundary Line Adjustments and for Alternative Plans 91-100
 - E. Amendment of Chapter 22, Height Standards, to Permit Additional Height for Certain Public Service Buildings 101-108
 - F. Amendment of Chapter 4, Project Review and Exempt Activities, to Adopt Residential Delegation MOU Between TRPA and El Dorado County 109-115
 - G. Amendment of Plan Area Statement 048, Incline Village Tourist, to Permit Schools-Colleges and Multi-Person Dwellings as a Special Use 116-118
 - H. Self-Evaluation Regarding Compliance With Americans With Disabilities Act 119-120
 - I. Amendment of Chapter 93, Traffic and Air Quality Mitigation Program, by Adoption of Rental Car Mitigation Fee Ordinance (continue to January)

VIII. PLANNING MATTERS

- A. Status Report on Forest Health Program 121-124
- B. Workshop: Land Coverage - Wednesday, 1:00 p.m. (No Action) 125
- C. Report by Nevada Department of Transportation, Caltrans, and TRPA on Status of Salt Use on Tahoe Basin Highways - Wednesday, 2:00 p.m.

IX. ACTION OF TRPA SITTING AS THE REGIONAL TRANSPORTATION PLANNING AGENCY

- A. Finding of Consistency With Regional Transportation/Air Quality Plan for City of South Lake Tahoe to Complete a Light Rail Alternative Analysis 126-128

X. ADMINISTRATIVE MATTER

- A. Amendment of Personnel Policy Manual Regarding Policy 3.2, Salary Schedule
- B. Election of Chairman and Vice Chairman for Two-Year Terms (1993-1994)

XI. COMMITTEE RECOMMENDATIONS AND BOARD ACTION

A. Finance Committee

1. Receipt of November Financial Statement and Check Register
2. Receipt of TRPA Audit FY 91-92
3. Recommendation on Salary Adjustment for At-Will Employees (Includes Closed Session Without Action)

B. Legal Committee

1. Agreement With Tahoe Citizens for a Reasonable Airport Regarding Commercial Air Service Permit for Lake Tahoe Airport
2. Approval of Settlement Document in Bruce King, et. al. v. TRPA, El Dorado Superior Court

XII. REPORTS

A. Executive Director

1. Status Report on Processed Projects 129
2. Status Report on IPES (Individual Parcel Evaluation System) 130
3. Notice of Preparation, EIS for Stateline/Ski Run Community Plan 131

4. Notice of Preparation/Recirculation, EIS for Tahoe City Community Plan

5. Other

B. Agency Counsel

C. Governing Board Members (No Action)

XIII. RESOLUTIONS

XIV. PUBLIC INTEREST COMMENTS (No Action)

XV. ADJOURNMENT

CONSENT CALENDAR

<u>Item</u>	<u>Recommendation</u>	
1. Morris, Resolution of Enforcement Action 1678 Zapotec, El Dorado County APN 34-727-08	Approval	1-9
2. Vogt Residence, Resolution of Enforcement 1266 Tamarack Court, Douglas County APN 03-180-17	Approval	10-11
3. Roderick, Single Family Dwelling Addition, Special Use Determination, Potential Avalanche Hazard, 345 Wassou Road, Washoe County APN 123-154-04	Approval With Findings And Conditions	12-17
4. City of South Lake Tahoe, Fire Station No. 1, 1252 Ski Run Boulevard, El Dorado County APN 027-323-17	Approval With Findings And Conditions	18-33
<u>Completed Land Capability Challenges:</u>	Approval	
5. Anderson, 8675 Beach Lane, El Dorado County APN 16-142-28		34-38
6. Johnson, Corner of Treehaven Drive and Johnson Boulevard, El Dorado County APN 27-180-19		39-44
7. Arnold, Jr., 125 Speedboat Way, Placer County APNs 90-282-18 and -19		45-50
8. Russell, 255 Old Mill Road, Placer County APN 93-194-07		51-55
9. Luni, 769 Champagne, Washoe County APN 126-272-01		56-61

These consent calendar items 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

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
Fax (702) 588-4527

MEMORANDUM

December 3, 1992

To: TRPA Governing Board

From: TRPA Staff

Subject: Richard Morris, Resolution of Enforcement Action, 1678 Zapotec,
El Dorado County, APN 34-727-08.

Based upon this staff summary and attached Exhibits A, B and C, TRPA staff recommends the Governing Board accept a negotiated settlement between Mr. Richard Morris and the Tahoe Regional Planning Agency.

The proposed settlement represents full and complete settlement of the violations alleged by TRPA as described below:

1. Removal of eight trees (lodgepole pines, 8 to 26 inches diameter measured at six inch stump height) from the subject parcel, APN 34-727-08, without prior TRPA or California Department of Forestry approval.

During settlement negotiations, Mr. Morris agreed to remit to TRPA a penalty of \$2000 within thirty days of TRPA Governing Board ratification of the settlement agreement. Mr. Morris also agreed to replace each tree removed with one lodgepole pine tree (minimum six foot height or 1-1/2 inch caliper size or diameter at breast height), with the planting locations to be preapproved by TRPA staff.

Staff believes the proposed settlement of a \$2000 penalty, and the replacement of the eight trees is appropriate to the alleged violation and consistent with past settlements. Penalty calculations were weighed against the finding that scenic quality was not significantly degraded since the subject parcel is not located along or visible from a scenic travel route. Further, the subject parcel's property value was not measurably enhanced as a result of the tree removal.

However, Mr. Morris was in possession of a TRPA new single family dwelling permit when the violation occurred. This permit contains a special condition which states that no trees shall be removed without prior TRPA approval.

Mr. Morris was also in possession of a California Department of Forestry Tree Removal Permit. This permit authorized the removal of 56 marked trees on the

JPK/jsd
12/3/92

CONSENT CALENDAR ITEM 1.

TRPA Governing Board Staff Summary
Resolution of Enforcement Action
Mr. Richard Morris
December 3, 1992
Page two

subject parcel. Tree removal was authorized for disease and thinning purposes. Mr. Morris removed approximately 50 percent of the trees marked for removal by the California Department of Forestry. Unmarked trees were removed by Mr. Morris for personal, aesthetic reasons. Mr. Morris believed that since only a portion of the trees under permit were removed, additional unmarked trees could be removed at his discretion.

Copies of photographs showing the removed trees (Exhibit A), the TRPA new single family dwelling permit (Exhibit B), and the California Department of Forestry tree removal permit are attached.

JPK/jsd
12/3/92

CONSENT CALENDAR ITEM 1. 2

**POOR
QUALITY
ORIGINAL (S)
TO FOLLOW**



**HIGH DESERT MICROIMAGING, INC.
1225 FINANCIAL BLVD
RENO, NV 89502
(775) 359-6980**



EXHIBIT A₃

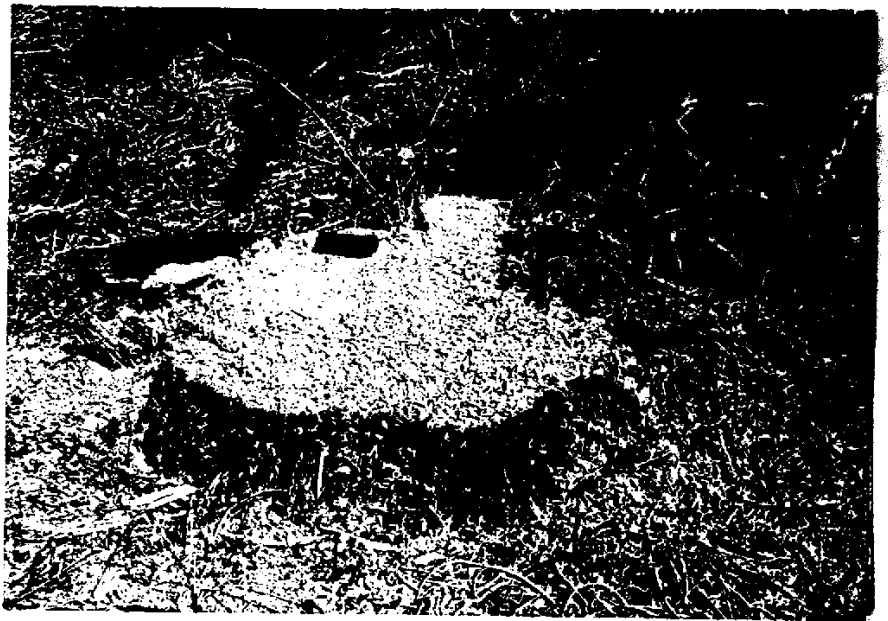
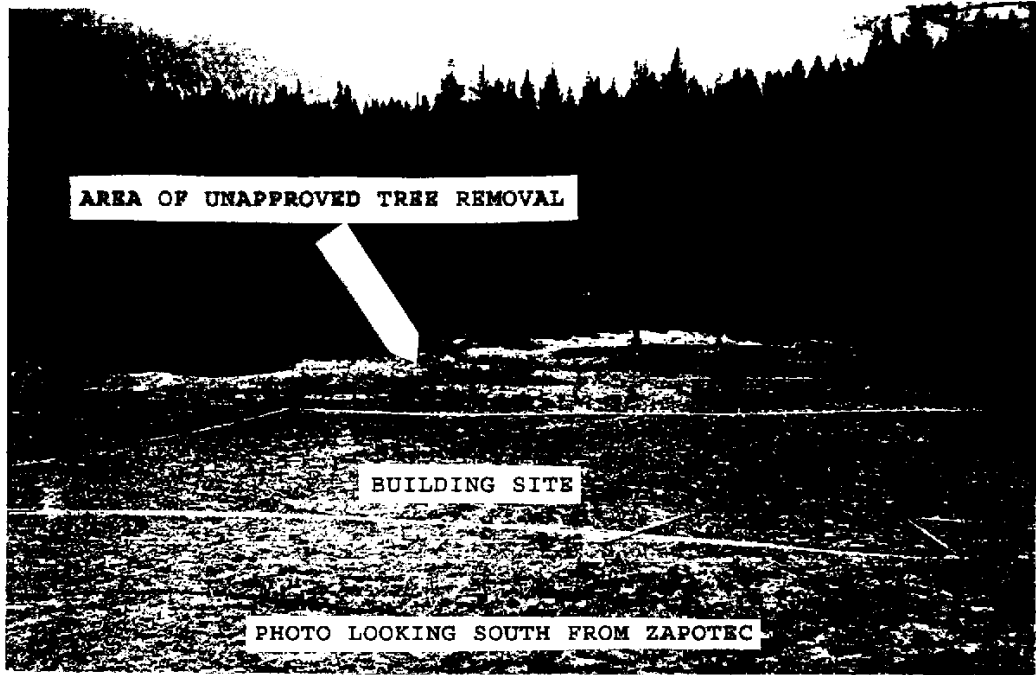


EXHIBIT A
4

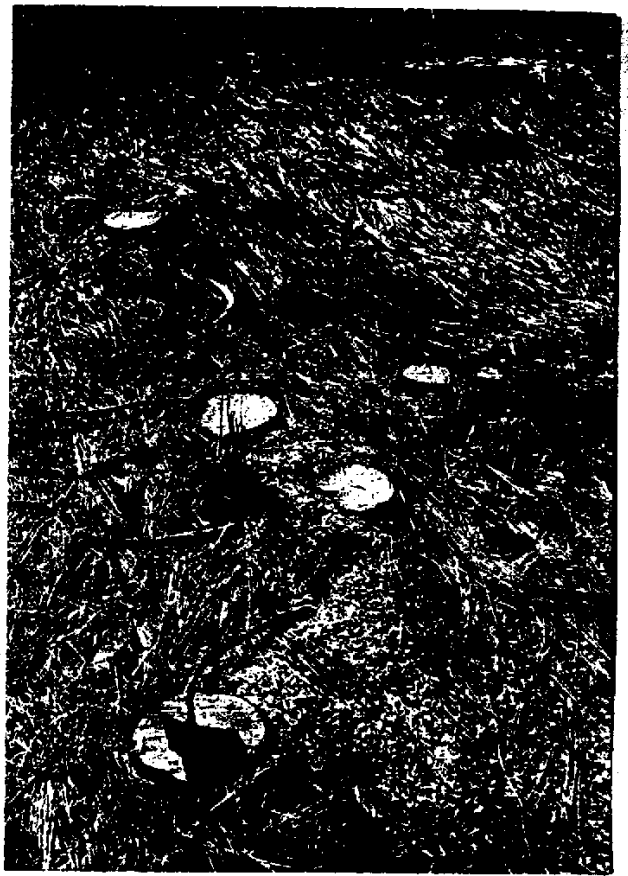


EXHIBIT A

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
Fax (702) 588-4527

PERMIT

PROJECT DESCRIPTION: New Single Family Dwelling

APN 34-727-08

*

PERMITTEE(S): Richard and Kerry Morris

ALLOCATION #EL-91-0-59

COUNTY/LOCATION: El Dorado/16782 Zapotec Drive

FILE NO. 910327

Having made the findings required by Agency ordinances and rules, TRPA approved the project on 4/20/91, subject to the standard conditions of approval attached hereto (Attachment R) and the special conditions of this permit.

This permit shall expire on 4/20/94 without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Commencement of construction consists of pouring concrete for a foundation and does not include grading, installation of utilities or landscaping. Diligent pursuit is defined as completion of the project within the approved construction schedule. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL THE PERMITTEE OBTAINS A COUNTY/CITY BUILDING PERMIT. THE COUNTY/CITY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS. NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGMENT OF THIS PERMIT. IN ADDITION, NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT AND A TRPA PREGRADING INSPECTION HAS BEEN CONDUCTED. TRPA'S ACKNOWLEDGMENT IS NECESSARY TO OBTAIN A COUNTY/CITY BUILDING PERMIT.

Lyn Barnett

TRPA Executive Director/Designee

4/30/91

Date

PERMITTEE'S ACCEPTANCE: I have read the permit and the conditions of approval and understand and accept them. I also understand that I am responsible for compliance with all the conditions of the permit and am responsible for my agents' and employees' compliance with the permit conditions. I also understand that if the property is sold, I remain liable for the permit conditions until or unless the new owner acknowledges the transfer of the permit and notifies TRPA in writing of such acceptance. I also understand that certain mitigation fees associated with this permit are non-refundable once paid to TRPA. I understand that it is my sole responsibility to obtain any and all required approvals from any other state, local or federal agencies that may have jurisdiction over this project whether or not they are listed in this permit.

EXHIBIT B*

Signature of Permittee(s)

Date

PERMIT CONTINUED ON NEXT PAGE

so/jm

APN 34-727-08
FILE NO. 910327

Air Quality Mitigation Fee: Amount \$1,000 Paid _____ Receipt No. _____

Water Quality Mitigation Fee: Amount \$1,633 Paid _____ Receipt No. _____

Security Posted: Amount \$2,500 Posted _____ Receipt No. _____ Type _____

Security Administrative Fee: Amount _____ * Paid _____ Receipt No. _____

*To be determined.

Required plans determined to be in conformance with approval: Date _____

TRPA ACKNOWLEDGMENT: The permittee has complied with all pre-construction conditions of approval as of this date and is eligible for a county building permit:

TRPA Executive Director/Designee Date

SPECIAL CONDITIONS

1. Prior to commencement of construction the following special conditions of approval must be satisfied.
 - A. A water quality mitigation fee of \$1,633 shall be paid to TRPA. This fee is based on the creation of 5,631 square feet of land coverage.
 - B. The permittee shall submit a \$1,000 air quality mitigation fee.
 - C. The security required under Standard Condition A.3 of Attachment R shall be \$2,500. Please see Attachment J, Security Procedures.
 - D. The permittee shall indicate on floor plans the type of TRPA approved woodstove, fireplace insert, or zero clearance fireplace to be installed.
 - E. The permittee shall submit five sets of final construction drawings and site plans to TRPA.
2. Fertilizer use on this property shall be managed to include the appropriate type of fertilizer, rate, and frequency of application to avoid release of excess nutrients and minimize use of fertilizer.

EXHIBIT B

3. No trees shall be removed or trimmed for view enhancement purposes without prior TRPA written approval.

4. 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.
5. Excavation equipment shall be limited to the foundation foot print to minimize site disturbance.
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 permittee is responsible for insuring that the project, as built, does not exceed the approved land coverage figures shown on the site plan. The approved land coverage figures shall supersede scaled drawings when discrepancies occur.

EXHIBIT *

TANOR BASIN TREE REMOVAL PERMIT

002589

CALIFORNIA DEPARTMENT OF FORESTRY AREA OFFICES:
 Camino (916) 644-2345 Auburn (916) 823-4904
 So. Lake Tahoe 541-6564 Truckee _____

REASON FOR REMOVAL (circle): Disease Insect Hazard Thin Solar w/TRPA Permit

SPECIES/NO: JP 2 LP 54 WF _____ RF _____ IC _____ SP _____ Other _____ TOTAL: 56

PROPERTY OWNER(s) OF RECORD:

Name(s): Richard Morris Phone: 544-6766
 Mailing Address: Box 16265 / SLT Ca. 95706
 Location of Property: Lot # 398 Esqotec DC

Only trees marked in paint and approved by a forester may be cut, and the following STANDARD CONDITIONS shall be met during tree removal operations:

1. Stump height shall be 6" or less.
2. Tops of live stumps shall be covered with powdered borax immediately after felling to retard the spread of root disease.
3. Insect infested wood shall be disposed of or treated as specified below.
4. Soil conditions must be dry before vehicles are allowed on the property.
5. Dispose of all slash in an approved manner within 15 days to prevent insect population increase (as specified below).
6. Trees shall be removed before 12-31-91.
7. Permit is void after 12-31-91.

Stump Excavation or the Use of Heavy Equipment is NOT a Part of this Approval.

SPECIAL CONDITIONS:

Burn or remove slash

EXHIBIT C

The Permittee, for himself, his contractors, and employees, agrees to save, indemnify, and hold harmless the authorizing entity or its representative from all liabilities and claims for damages by reason of injury or death to any person or persons, or damage to property from any cause whatsoever while in, upon, or in any way connected with the work covered by this tree cutting permit, and does further agree to defend the entity in any claim arising out of or as a result of the work done under this permit.

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all ordinances and state laws, and the regulations of the Department of Industrial Relations and Industrial Accident Commission, relating to the character of work, equipment, and labor personnel involved in the project.

Applicant's Signature: [Signature] Date: 6/23/90
 Mailing Address: Box 16265 SLT Ca. 95706 Phone: 577-3895
 Forester's Authorization: [Signature] Date: 6/17/90