

**TRPA  
GOVERNING BOARD  
PACKETS**

**MAY  
1992**

TAHOE REGIONAL PLANNING AGENCY  
GOVERNING BOARD  
NOTICE OF MEETINGS

NOTICE IS HEREBY GIVEN that on May 27 and 28, 1992, 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 May 27, 1992, at 8:30 a.m. in the same location, the Finance Committee will discuss receipt of the April financial statement and check register, reallocation of LTF to El Dorado County, amendment of FY 91-92 TRPA/Caltrans Overall Work Program, and approval of the Caltrans/TRPA FY 1992-93 Overall Work Program..

NOTICE IS FURTHER GIVEN that on May 27, 1992, at 8:30 a.m. in the same location, the Legal Committee will meet if needed.

NOTICE IS FURTHER GIVEN that on May 27, 1992, at 4:30 p.m. in the same location, the Retirement Committee will meet to adopt resolution delegating certain administrative responsibilities to some members.

NOTICE IS FURTHER GIVEN that on May 28, 1992, at 8:00 a.m., the Capital Financing Committee will meet to discuss identification of potential assessment districts for erosion control projects, status of discussions with the California State Water Resources Control Board, status of Metropolitan Planning Organization (MPO) designation, legislative update, and other matters.

Date: May 18, 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.

TAHOE REGIONAL PLANNING AGENCY GOVERNING BOARD

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

May 27, 1992 9:30 a.m.  
May 28, 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
- IV. APPROVAL OF AGENDA
- V. CONSENT CALENDAR (see page 3)
- VI. PROJECT REVIEW
  - A. Bijou Congregation of Jehovah's Witness Church, Change in Operation/Special Use Determination, El Dorado County APN 27-204-07 182-227
  - B. Fantasy Inn, New Tourist Accommodation Facility, El Dorado County APN 27-072-10 228-239
  - C. Harvey's Northeast Corner Entry and Building Modifications, Douglas County APN 07-140-09 240-286
  - D. Best, Pier Extension/Multiple Use Recognition, Placer County APN 85-180-15 - 1:30 p.m. Wednesday, May 27 287-329
- VII. PUBLIC HEARING AND ADOPTION OF ORDINANCES/RESOLUTIONS
  - A. Certification of the Final EIR/EIS for the Regional Transportation Plan/Air Quality Plan and Adoption of the Regional Transportation Plan/Air Quality Plan 330-345
  - B. Amendment of Chapter 4 (Project Review and Exempt Activities) to Adopt MOU Between WP Natural Gas and TRPA to Exempt Certain Activities From TRPA Review 346-353
  - C. Amendment of PAS 097 (Bijou Pines) to Allow Multi-Residential Development on Treehaven Drive 354-365
  - D. Approval of the Preliminary Community Plan for Al Tahoe - 3:00 p.m. Wednesday, May 27 366-417

- E. Amendment of Chapter 54 (Development Standards Lakeward of High Water) Relative to New Piers in Fish Habitat, and Amendment of Prime Fish Habitat Overlay Maps 418-432
- F. Amendment of Chapter 21 (Density) to Provide Additional Density for Affordable Housing 433-438

VIII. SPECIAL DETERMINATION

Agreement Regarding One-Year Tolling/Extension of Construction Timelines for Casino Parking Garages (Harrah's, Harvey's, Caesar's, Horizon) In Conjunction With Integrated Parking Study for the Area Inside the Loop Road (Proposed Configuration) 439-441

IX. APPEALS

- A. Tulipani, Appeal of IPES Score, Washoe County APN 125-162-03, 2:00 p.m. Wednesday, May 27 442-457
- B. Incline Village General Improvement District, Appeal of Staff Determination on Dredging at Burnt Cedar Beach, Washoe County APN 122-016-23 458-507

X. ADMINISTRATIVE MATTERS

- A. Filling Vacancies on Governing Board Committees
- B. Five Year Strategy 508

XI. COMMITTEE RECOMMENDATIONS AND BOARD ACTION

- A. Finance Committee
  - 1. Receipt of April Financial Statement and Check Register
- B. Capital Financing Committee
- C. Legal Committee
- D. Retirement Committee 509

XII. REPORTS

- A. Executive Director
  - 1. Status Report on Processed Projects 510
  - 2. Status Report on Activities of the IPES and Land Capability Team 511
  - 3. TEGIS/Data Base Demonstration and Status Report
  - 4. Other

- B. Agency Counsel
  - 1. Report by Outside Legal Counsel, Gary A. Owen
  - 2. Other
- C. Governing Board Members (No Action)

XIII. RESOLUTION

- A. Supporting the Appointment of the Regional Forester, United States Department of Agriculture, Forest Service, to Fill Vacant Non-Voting Presidential Position on TRPA Governing Board 512-514
- B. Authorizing Contract Between TRPA and California State Water Resources Control Board for BMP Effectiveness Study 515
- C. Other

XIV. PUBLIC INTEREST COMMENTS (No Action)

XV. ADJOURNMENT

CONSENT CALENDAR

<u>Item</u>	<u>Recommendation</u>	
1. Jerrold/Bollinger, Resolution of Enforcement, Placer County APN 93-540-03	Approval	1-3
2. Lake Tahoe Community College, Child Development Center, El Dorado County APNs 25-010-24 and -34	Approval With Findings And Conditions	4-14
3. Martin, New Single Family Dwelling, Special Use, Potential Avalanche Danger, Washoe County APN 125-373-13	Approval With Findings And Conditions	15-25
4. Lake Tahoe Unified School District, Resource Management, El Dorado County APN 032-040-03	Approval With Findings And Conditions	26-36
5. Caltrans/TRPA FY 1992-93 Overall Work Program	Approval by Resolution	37-77

<u>Item</u>	<u>Recommendation</u>
6. Bruening, New Commercial Building/Allocation of Commercial Floor Area, El Dorado County APN 90-123-27	Approval With Findings And Conditions 78-90
7. Dollar Point Homweowners Association, Buoy Field Reconfiguration and Expansion/ Multiple Use Recognition, Placer County APN 93-072-06	Approval With Findings And Conditions 91-101
8. Hume, Tahoe Tots Preschool, Building Expansion, Washoe County APN 124-041-21	Approval With Findings And Conditions 102-113
9. Bervid/Wollmer, Subdivision of Existing Structure, Placer County APN 117-180-34 and -35	Approval With Findings And Conditions 114-120
10. Osborn, Special Use, Potential Avalanche Danger, Washoe County APN 123-141-11	Approval With Findings 121-131
11. Reallocation of LTF to El Dorado County	Adoption of Resolution 132-134
12. Amendment of FY 91-92 TRPA/Caltrans Overall Work Program (OWP)	Approval 135-146
13. Nelson, Special Use, Potential Avalanche Danger, Washoe County APN 123-136-03	Approval With Findings And Conditions 147-154
14. IVGID, Mill Creek Dam Emergency Spillway, Additional Coverage in Excess of 1,000 Square Feet in Low Capability Land, Washoe County APN 130-010-02	Approval With Findings And Conditions 155-168
15. U.S. Forest Service, Special Use, Water Supply Line Replacement for Camp Richardson, Project File #580-105-92, El Dorado County	Approval With Findings And Conditions 169-172
16. Deeter, New Single Family Dwelling, Special Use Determination, Potential Avalanche Hazard Area, 980 Jennifer Street, Washoe County APN 125-384-02	Approval With Findings And Conditions 173-181

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

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

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## MEMORANDUM

To: TRPA Governing Board

From: TRPA Staff

Subject: Jerrold/Bollinger, Resolution of Enforcement Action, Unit #40  
Chinquapin Condominiums, Placer County, APN 93-540-03

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Based upon this staff summary, TRPA staff recommends the Governing Board approve a negotiated settlement (attached) between Dennis Jerrold and Carolyn Bollinger, (hereinafter Jerrold and Bollinger), and the Tahoe Regional Planning Agency (hereinafter TRPA).

The proposed settlement consists of these items:

1. Jerrold and Bollinger agree to pay TRPA the lump sum of \$1,200 on or before May 30, 1992.
2. Jerrold and Bollinger agree to post a security in the amount of \$5,000 to TRPA on or before May 30, 1992. If the trees are healthy on March 30, 1995, the posted security will be returned. If one or both of the trees die before that date, TRPA shall collect the security as a fine.

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

Materially damaging two live trees greater than six inches diameter at breast height, located on the lakeside of Unit #40, Chinquapin Condominiums.

Brian Judge and Kim Johnson, Associate Environmental Specialists with TRPA responded to an anonymous complaint about Dennis Jerrold drilling holes into two trees between Lake Tahoe and Unit #40 of Chinquapin Condominiums. Jerrold then filled the holes with an unknown liquid.

With Mr. Jerrold's permission, Mr. Judge and Ms. Johnson examined two white firs, 14 and 16 inches diameter at breast height. There were several half inch diameter holes drilled into them. Liquid was found in and spilled around the holes. Mr. Jerrold admitted that he had attempted to kill the trees with a poison. He stated that a local tree company he contacted would not cut the trees unless they were dead.

Agency staff believes the proposed settlement is appropriate to this violation and consistent with past settlements.

If you have any questions in regard to this agenda item, please contact Steve Chilton at (702)588-1169.

5/14/92  
BRJ:jsd

CONSENT CALENDER ITEM 1







TAHOE REGIONAL PLANNING AGENCY  
STAFF SUMMARY

Project Name: Lake Tahoe Community College Child Development Center, Outdoor Lighting and Fire Access Road

Application Type: Public Service

Applicant: Lake Tahoe Community College

Agency Planner: Rick Angelocci, Chief of Project Review

Location: Al Tahoe Boulevard, City of South Lake Tahoe

Assessor's Parcel Number/ Project Number: 25-010-24 & 34, 25-041-10 & 31-011-02

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

Project Description: The Lake Tahoe Community College (LTCC) is proposing to construct a child development center (CDC), outdoor lighting, sidewalks and a fire access road on the Community College property. The CDC consists of a 4500 square foot one-story building that includes three separate lab areas for pre-schoolers, toddlers, and infants, as well as an observation room, which is an integral part of the child development program. The CDC will be built with a capacity of 48 children ranging from infants to pre-schoolers. The facility will also include a directors office, reception area, indoor and outdoor storage area, laundry room, staff lounge, kitchen and a preschool outdoor play yard. The CDC is primarily intended to provide service to the children of the students and college staff.

The remainder of the project includes the construction of a fire access road and turnaround area for the CDC, a sidewalk from the main campus building to Al Tahoe Boulevard located along the existing vehicle entryway, and safety lighting for the sidewalk and access roadways. The fire access road will connect to the existing campus roadway to provide vehicular and emergency access to the CDC. New exterior safety lighting will be installed on the existing and new access roadways and new sidewalk to increase safety and security during night-time use of the facilities. Thirty (30) lighting fixtures mounted on twenty foot poles are proposed for the vehicular access roadways. Fifteen (15) lighting fixtures mounted on twelve foot high poles will be used for the new sidewalk. Three (3) additional lighting fixtures mounted on fourteen foot poles will be used at the entrance of the CDC. All lighting fixtures have been designed in accordance with the provisions contained in Chapter 30 of the Code of Ordinances.

Approximately 72 trees will be removed and 44,270 square feet of land coverage will be created as a result of the project. All new land coverage will be located on land capability 7 land.

Site Description: The Lake Tahoe Community College site is approximately 164 acres in size. Existing college development includes the administration,

/ra  
5/12/92

CONSENT CALENDAR ITEM NO. 2

instructional, and associated service areas for an estimated 2500 students and 125 full and part-time personnel.

Issues: The proposed project involves construction of a public service facility greater than 1000 square feet in floor 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. Traffic:

The child development center will have a capacity of 48 children. The center is intended to provide service to the children of students and college staff. Use priority will be given to the children of Community College students, followed by employees and lastly, members of the general public. The applicant is proposing to limit the use of the CDC by the general public to no more than 50% of the capacity (24 children). Use of the CDC by children of the students and college staff will not generate additional vehicle trips as the vehicle trips associated with the students and staff were accounted for and mitigated with the original Community College approval (1986). Using the adopted TRPA trip rate of 3 daily vehicle trip ends (DVTE) per child, the remaining 24 children will potentially generate 72 new vehicle trips. As provided for under Chapter 93 of the Code, the applicant will be required to pay an air quality mitigation fee of \$720 to offset the impacts of the new trips.

2. Scenic:

The proposed CDC will be 21 feet, 3 inches in height. The building exterior has been designed to match the existing college building to the south of the proposed CDC. Large stands of pine occur on the site and will screen the proposed CDC from both Highway 50 and Pioneer Trail.

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 098, Bijou/Al Tahoe. The Land Use Classification is Commercial/Public Service 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 districts of the project area are class 7, 4, and 1b. The total project area is approximately 164 acres.

2. Existing Coverage:

Hard Coverage: 352,836 square feet

3. Proposed Coverage:

Hard Coverage: 397,106 square feet

4. Allowed Coverage:

Class 1b Area:	26,136 square feet
Class 4 Area:	217,800 square feet
Class 7 Area:	1,045,440 square feet
Total:	<u>1,289,376 square feet</u>

5. Coverage Mitigation:

Based on the above coverage figures, the applicant will be required to pay a water quality mitigation fee of \$12,838 based on the creation of 44,270 square feet of land coverage at \$.29 per square foot.

D. Building Height: Based on a 3% cross-slope retained across the building site, and a 3:12 roof pitch, the maximum allowed height for the proposed building is 28 feet, 1 inch. The proposed building has a maximum building height of 21 feet, 3 inches.

E. Required Findings: The following is a list of the required findings as set forth in Chapters 6 and 18 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.

(a) Land Use: The applicant will be required to mitigate any new coverage created and apply Best Management Practices (BMPs) to the new construction. This project will not adversely affect the existing land uses on the site. As conditioned, this project

will not adversely affect implementation of the Land Use Element of the Regional Plan.

- (b) Transportation: No significant impacts to transportation or air quality have been identified. The project will result in a worse case increase of 72 daily vehicle trip ends, which is defined by the TRPA Code as an insignificant increase. The applicant shall be required to pay an air quality mitigation fee of \$720 to offset the minor increase in traffic to the site.
  - (c) Conservation: There is no evidence that the project will adversely affect implementation of the Conservation Element of the Regional Plan. The project has been designed to comply with all TRPA requirements including land coverage, design standards, and BMP requirements.
  - (d) Recreation: There is no evidence that the proposed project will adversely affect implementation of the Recreation Element of the Regional Plan.
  - (e) Public Service and Facilities: The project will not result in the need for additional public services and facilities to service the college site.
  - (f) Implementation: No additional allocations of use are required for the proposed project. The project has been included on the TRPA Public Service Facilities list.
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 Child Development Center (CDC) has been designed to primarily service the needs of the existing college students and employees. With a capacity of 48 children, a student base of 2,500 and a staff base of 125, the size of the CDC is such that availability of the facility for use by the general public is anticipated to be minimal.

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.

There is no evidence that the project will be injurious to the health, safety, enjoyment of property, or general welfare of the neighborhood or region. The project has been conditioned to protect the land, water and air resources of the neighborhood and region.

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 project will not change the character of the existing college or neighborhood, but will serve as an accessory use to the college.

- F. Required Actions: 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 plans shall be revised to include:
- (i) A site plan for the entire project area (164 acres) showing all existing and proposed development.
- (ii) Existing and proposed land coverage calculations by land capability district as measured in square feet.

- (iii) A note indicating: "All barren areas and areas disturbed by construction shall be revegetated in accordance with the TRPA Handbook of Best Management Practices. Application of a mulch may enhance vegetative establishment."
  - (iv) All required BMP's for the new construction.
  - (v) Temporary erosion control structures located downslope of the proposed construction area.
  - (vi) Vegetation protective fencing around the entire construction site.
- (b) A water quality mitigation fee shall be paid to TRPA at the rate of \$.29 per square foot for any additional land coverage being created as a result of the project.
  - (c) The applicant shall submit a \$720 air quality mitigation fee.
  - (d) The applicant shall submit plans, cost estimates and installation schedule for the installation of all required water quality improvements (BMPs). The security required under Standard Condition I.(2) of Attachment Q shall be equal to 110 percent of the estimated BMP costs.
  - (e) 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 colors that minimize reflectivity. The color of the metal roof shall be included on the final plans.
    - (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.



- (f) The applicant shall consolidate all lots and parcels within the project area into one legal lot of record pursuant to applicable county/city subdivision ordinances and state subdivision laws, and the applicant shall record a deed restriction permanently consolidating the affected parcels.
  - (g) The applicant shall submit a projected construction completion schedule to TRPA prior to commencement of construction. Said schedule shall include completion dates for each item of construction, as well as BMP installations for the entire project area.
  - (h) The applicant shall provide a landscape plan and fertilizer management plan in accordance with the standards required in Sections 30.7 and 81.7 of the TRPA Code of Ordinances for TRPA review and approval.
  - (i) The applicant shall provide evidence that all basic service requirements for minimum fire flow will be met or exceeded in accordance with Section 27.3.B, Table 27-1 of the TRPA Code.
  - (j) The final plans shall include elevations of all proposed light standards showing height of the standards from natural grade. All light standards shall be designed in accordance with the provisions of Chapter 30 of the Code.
  - (k) The applicant shall submit three sets of final construction drawings and site plans to TRPA.
- (3) 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.
  - (4) No trees shall be removed or trimmed for view enhancement purposes without prior TRPA written approval.
  - (5) The architectural design of this project shall include elements that screen from public view all external mechanical equipment, 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 nonflare finishes that minimize reflectivity.
  - (6) Excavation equipment shall be limited to the foundation foot print to minimize site disturbance.