

**TRPA
GOVERNING BOARD
PACKETS**

**AUGUST
1993**

NOTICE OF MEETINGS
TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

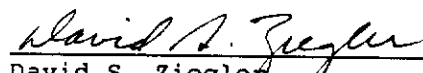
NOTICE IS HEREBY GIVEN that on August 25 and 26, 1993, the Governing Board of the Tahoe Regional Planning Agency will conduct its regular meeting. The August 25 session will commence at 9:30 a.m. at the North Tahoe Conference Center, 8318 North Lake Boulevard, Kings Beach, California. The August 26 session will commence at 8:30 a.m. at the TRPA office, 308 Dorla Court, Elks Point, Nevada. The official agenda is attached hereto and made a part of this notice.

NOTICE IS FURTHER GIVEN that on August 25, 1993, at 8:30 a.m. at the same location, the Finance Committee will discuss the following: 1) receipt of the July financial statement and check register; 2) air quality/water quality mitigation fund MOU with El Dorado County; and 3) release of air quality mitigation funds (\$15,000) to Placer County for multi-modal transit center design study. (Finance Committee: Klein, Neft, Lau, Pruett, Chairman Bennett)

NOTICE IS FURTHER GIVEN that on August 25, 1993, at 8:30 a.m. at the same location, the Legal Committee will discuss the following: 1) plaintiff's settlement offer in Kelly v. TRPA; 2) replacement of Agency Counsel; 3) reallocation of Bitterbrush mitigation fund and modification of settlement agreement; 4) settlement of Bourne v. TRPA; and 5) Vennard pier, Washoe County APN 123-151-01. (Legal Committee: Upton, Westergard, Waldie, Cronk, Chairman DeLanoy)

NOTICE IS FURTHER GIVEN that on August 25, 1993, during the lunch recess at Jason's Restaurant, 8338 North Lake Boulevard, Kings Beach, California, the Rules Committee will meet to discuss a program of work for the Rules Committee for FY 93-94. (Rules Committee: Sevison, DeLanoy, Bradhurst, Lau, Chairman Waldie)

Date: August 16, 1993


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. The agenda has also been posted at the North Tahoe Conference Center in Kings Beach, the Incline Village GID office, and the North Lake Tahoe Chamber of Commerce.

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TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

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

August 25, 1993 9:30 a.m.

TRPA Office, 308 Dorla Court
Elks Point, Nevada

August 26, 1993 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. ADMINISTRATIVE MATTER - Wednesday, August 25, 9:30 a.m.

37-44

A. Five-Year Strategic Plan (July 1993-June 1998) and Program of Work for FY 93-94

VI. CONSENT CALENDAR (see page 3) - Wednesday, August 25, 1:30 p.m.

VII. PROJECT REVIEW

A. Cedar Flat Homeowners Association, Buoy Field Reconfiguration and Expansion, 4370 North Lake Boulevard, Placer County APN 92-180-55
(to be continued to the September 22 meeting)

45-

VIII. PUBLIC HEARING AND ADOPTION OF ORDINANCES/RESOLUTIONS

A. Meyers Community Plan

46

B. Amendment of Plan Area Boundary Between PAS 028, Kings Beach Residential; PAS 029, Kings Beach Commercial; and PAS 031, Brockway Residential, to Add a Block of Parcels Located in PAS 029, Which Are Generally Located on Highway 28 Between Beaver Street and Chipmunk Street, to PAS 028, and to Make Tourist Accommodation Uses a Special Use in PAS 028

47-71

C. Amendment of Regional Plan Land Capability Overlay Map Pursuant to Man-Modified Determination, Tahoe Paradise Chevron, El Dorado County APN 34-671-03

72-81

IX. PLANNING MATTERS

A. Discussion of TRPA Regulations Regarding Natural Hazard Standards 82-90

X. APPEALS

A. IPES Scores

1. Wilburt Souza, El Dorado County APN 25-770-03 91-100
 2. Adele Lucas, El Dorado County APN 18-090-31 101-104
 3. Warren Steinkamp, El Dorado County APN 33-742-13 105-112
 4. Warren Steinkamp, El Dorado County APN 33-742-14 113-120
 5. Charles Blanchard, Placer County APN 83-370-02 121-132
 6. Leslie Dungan, Washoe County APN 125-522-02 133-138
 7. Thomas Combs, Washoe County APN 126-241-02 139-145
- B. Nakazato, Appeal of Denial, Scenic Highway Corridor Setback Requirement, Placer County APN 115-060-09 146-162

XI. ADMINISTRATIVE MATTERS

- A. Appointment of Lay Member to the Advisory Planning Commission 163-
- B. Report on Performance Statistics for Project Review Division 164-168
- C. Report on Performance Statistics for Compliance Division 169-176

XII. COMMITTEE RECOMMENDATIONS AND BOARD ACTION

A. Finance Committee

1. Receipt of July Financial Statement and Check Register
2. Air Quality/Water Quality Mitigation Fund MOU With El Dorado County 177-180

B. Legal Committee

1. Plaintiff Settlement Offer in Kelly v. TRPA 181-188
2. Reallocation of Bitterbrush Mitigation Fund and Modification of Settlement Agreement 189-192
3. Settlement of Bourne v. TRPA 193-195
4. Replacement of Agency Counsel

XIII. REPORTS

A. Executive Director

- 1. Status Report on Processed Projects 196
- 2. Status Report on IPES and Land Capability Determinations 197
- 3. Notice of Preparation, South Tahoe Public Utility District Future Sewer Connections Plan EIS/EIR 198
- 4. Notice of Circulation, Draft EIS/EIR for Tahoe City Community Plan 199
- 5. Notice of Circulation, Draft EIS/EIR for South Lake Tahoe Stateline/Ski Run Community Plan 200
- 6. Rescission of Code Interpretation 1988-4, Expansion of Existing Shorezone Structures Lakeward of High Water 201-208
- 7. Other

B. Agency Counsel

C. Governing Board Members (No Action)

XIV. RESOLUTIONS

XV. PUBLIC INTEREST COMMENTS (No Action)

XVI. ADJOURNMENT

CONSENT CALENDAR

<u>Item</u>	<u>Recommendation</u>
1. Cosper, New Commercial Office Building, 2264 Eloise Avenue, City of South Lake Tahoe, El Dorado County APN 23-221-17	Approval With Findings And Conditions 1-13
2. Release of Air Quality Mitigation Funds (\$15,000) to Placer County for Multi-Modal Transit Center Design Study	Approval 14-
3. Incline Village General Improvement District, Golf Maintenance Building Protective Netting, Additional Height, 931 Fairway, Washoe County APN 131-250-01	Approval With Findings And Conditions 15-20
4. Lakeview Sports/Tahoe Beachcomber, Commercial Boat Operation, Special Use Findings, 999 Lakeview Avenue, El Dorado County APN 026-043-03	Approval With Findings 21-26

Consent Calendar (continued)

Completed Land Capability Challenges:

Approval

5. Bill Davisson, Washoe County APN 125-143-04

27-31

6. Earl Lanes, Washoe County APN 125-412-02

32-36

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
STAFF SUMMARY

Project Name: Cosper Commercial Office Building

Application Type: New Commercial Building, Special Use Determination

Applicant: Dr. Laurence Cosper

Applicant's Representative: Paul Kaleta, Basin Strategies

Agency Planner: Kathy Canfield, Associate Planner

Location: 2264 Eloise Avenue, City of South Lake Tahoe

Assessor's Parcel Number: 23-221-17

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 applicant is proposing to construct a new two story professional office building. The first floor of the building will be a parking garage. The second floor of the proposed building will contain 4,917 square feet of commercial floor area. The applicant has proposed to transfer the required commercial floor area from APN 23-142-01 and APN 23-182-04 within the City of South Lake Tahoe. Agency staff has verified that commercial floor area is available from the transferring sites. The applicant is proposing 17 parking spaces for the project.

Site Description: The existing site is undisturbed and relatively flat. A bike path runs the length of the Tahoe Keys Boulevard frontage. The surrounding land uses include vacant and commercial to the south, commercial and single family dwellings to the west, a post office substation to the north, and single family dwellings to the east.

Issues: The proposed project involves a transfer of commercial floor area and is a special use for the Plan Area and therefore, Governing Board review is required in accordance with Chapter 4, Appendix A, of the TRPA Code. The primary project related issues are:

1. Commercial Floor Area:

The applicant is proposing to transfer all the commercial floor area needed for the project. TRPA has verified that commercial floor area is available for transfer from the indicated locations.

2. Traffic/Air Quality:

The applicant has submitted a traffic analysis to evaluate the potential traffic and air quality impacts of the project. The traffic analysis will be available at the Governing Board hearing and at TRPA. The analysis reaches the following conclusions:

- * Vehicle Trip Generation: The proposed project will result in 168 additional daily vehicle trip ends (dvte), of which 22 are peak hour vehicle trip ends (phvte).
- * Ingress/Egress: The proposed project will create a one-way entrance driveway from Tahoe Keys Boulevard and a two-way entrance/exit driveway from Eloise Avenue. Both driveways meet the requirements of the TRPA Code of Ordinances.
- * Parking: The interim TRPA parking standards provide that the local jurisdiction (City of South Lake Tahoe) parking standards apply to the project. The applicant is proposing 17 parking spaces. As a condition of project approval, the applicant shall be required to provide evidence from the City of South Lake Tahoe that the proposed parking meets their requirements.
- * Vehicle Miles Traveled (VMTs): The project proposes an increase of 411 VMT. This increase represents a total of 0.02% of the total estimated 1,957,635 VMT for the Lake Tahoe Basin and is not expected to have a significant impact.
- * Air Quality: The proposed project is not expected to result in a significant impact on regional mobile source emissions of oxides of nitrogen or hydrocarbons.
- * Mitigation Measures: The applicant shall be required to mitigate all additional daily vehicle trip ends. The mitigation fee shall be 168 dvte x \$20 per dvte = \$3,360.

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 111, Special Area 2 - Tahoe Island. 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 special policies state that professional offices shall be limited to the parcel fronting the east side of Tahoe Keys Boulevard, which is consistent with the proposed project. The proposed activity (professional offices) is a special use.

C. Land Coverage:

1. Land Capability District:

The verified land capability district for the project area is class 7 which allows for 30% land coverage.

2. Allowable Land Coverage:

21,841 square feet (lot area) x 30% = 6,552 square feet.

3. Existing Land Coverage:

There is no existing land coverage on the parcel.

4. Proposed Land Coverage:

Office/Parking Garage:	4,667 square feet
One Way Entrance:	235 square feet
Two Way Entrance/Parking:	1,472 square feet
Garbage Storage:	18 square feet
Stairways and Landings:	152 square feet
Sign Base:	<u>8 square feet</u>
Onsite Total:	6,552 square feet

Offsite: 238 square feet

5. Land Coverage Mitigation:

The applicant will be required to mitigate all additional land coverage created as a result of this project. Onsite land coverage shall be mitigated at \$1.25 per each additional square foot of land coverage ($\$1.25 \times 6,552 \text{ s.f.} = \$8,190$) and offsite land coverage shall be mitigated at \$5.00 per each additional square foot of land coverage ($\$5.00 \times 238 \text{ s.f.} = \$1,190$).

- D. Building Height: The maximum allowable building height for this parcel with a 0% cross slope (flat lot) and a 3:12 roof pitch is 27 feet, 7 inches. The applicant has proposed a building height of 27 feet, 5 inches which meets this requirement.
- E. Required Findings: The following is a list of the required findings as set forth in Chapters 6, 18 and 22 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 apply both temporary and permanent Best Management Practices (BMPs) to the entire project area. The proposed use (professional offices) is a special use in the Special Area 2 of Plan Area 111.
 - b. Transportation: This project will result in an increase of 168 daily vehicle trip ends which is defined by the TRPA Code of Ordinances as a minor increase. The applicant shall be required to mitigate all vehicle trip ends generated as a result of this project.
 - c. Conservation: This site is not located within a TRPA scenic roadway or shoreline unit. There are no known special interest species or sensitive or uncommon plants within the project area.
 - d. Recreation: This project does not involve any recreation facilities or uses.
 - e. Public Service and Facilities: This project does not require any additions to existing public services or facilities. Agency staff has contacted South Tahoe Public Utility District which has stated that water and sewer service is available for the project.
 - f. Implementation: This project does not require any allocations of development. The commercial floor area needed for the project will be transferred from APN 23-142-01 and APN 23-182-04 within the City of South Lake Tahoe. TRPA staff has verified that the commercial floor area is available from the transferring sites.

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 proposed office building will be located on the western most portion of the project area adjacent to Tahoe Keys Boulevard. The remaining portion of the project area will remain undisturbed which will provide a buffer between the project and the residences to the east. Other surrounding land uses include vacant and commercial uses to the south, commercial and residential to the west, and a post office substation to the north.

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 applicant shall be required to install both temporary and permanent Best Management Practices (BMPs) and revegetate disturbed areas within the project area. The proposed professional office building is consistent with the transitional nature of the surrounding area changing from commercial/industrial uses to a residential neighborhood.

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 professional offices are consistent with the transitional nature from commercial/industrial uses to a residential neighborhood adjacent to the project area. This project is not located within an approved community plan, or part of a specific or master plan area.

7. When viewed from major arterials, scenic turnouts, public recreation areas or the waters of Lake Tahoe, but not from a distance of less than 300 feet, the additional height will not cause a building to extend above the forest canopy, when present, or a ridgeline.

The proposed project is not visible from Lake Tahoe or major arterials, scenic turnouts or public recreation areas. The proposed project will not extend above the forest canopy or ridgeline.

- F. Required Actions: Agency staff recommends that the Governing Board approve the project by making the following motions 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:
- A. The Standard Conditions of Approval listed in Attachment Q, where applicable.
- B. Prior to commencement of construction, the following special conditions of approval must be satisfied:
1. The site plan shall be revised to include:
- a. The following revised land coverage calculations:

Office/Parking Garage:	4,667 square feet
One Way Entrance:	235 square feet
Two Way Entrance/Parking:	1,472 square feet
Garbage Storage:	18 square feet
Stairways and Landings:	152 square feet
Sign Base:	<u>8 square feet</u>
Onsite Total:	6,552 square feet

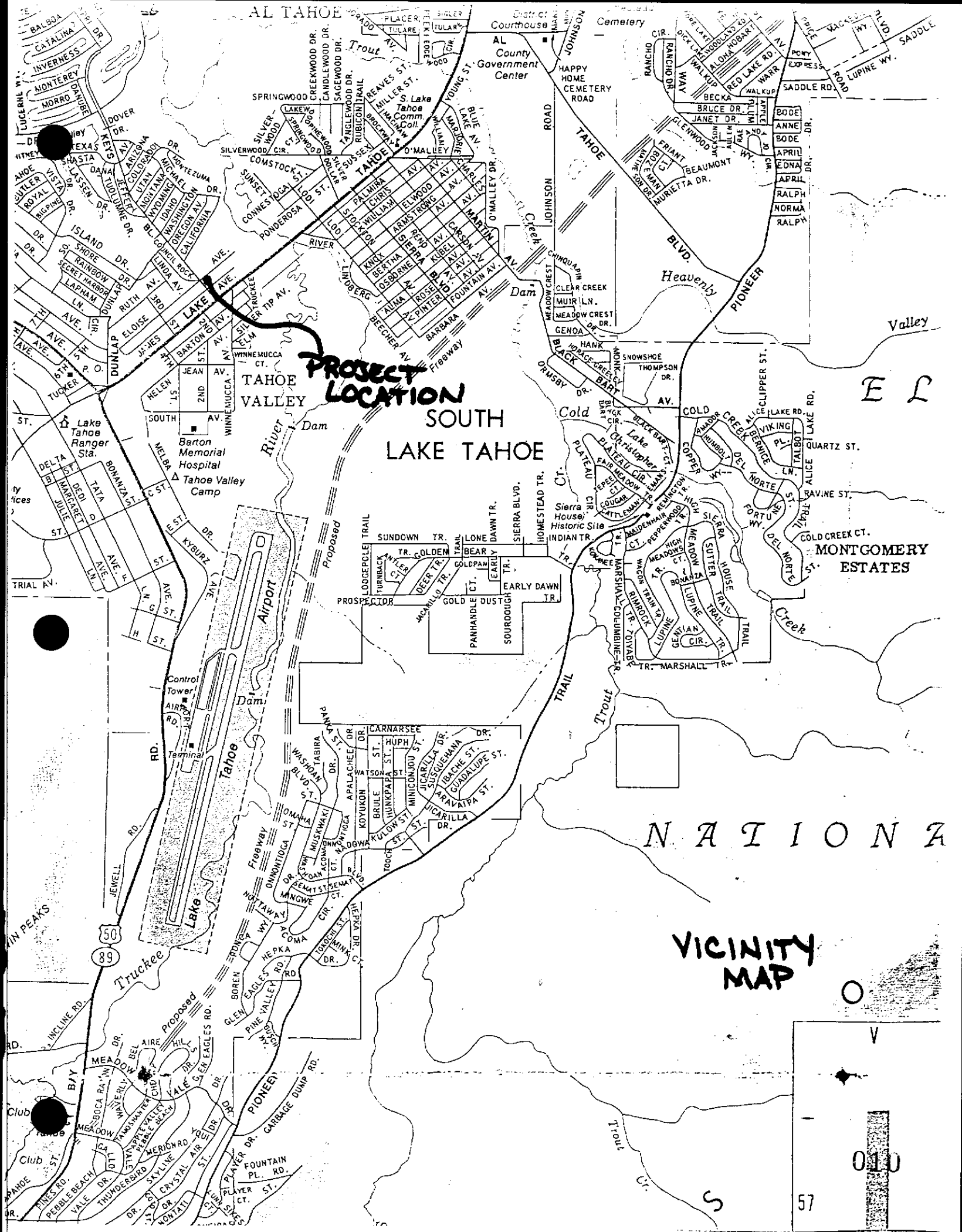
Offsite: 238 square feet

- b. All proposed exterior lighting and details of proposed lighting. All lighting shall comply with Subsection 30.8 of the TRPA Code of Ordinances. A copy of the subsection is included with the permit.
- c. A landscaped perimeter around the proposed parking and driveway areas. All proposed landscaping shall be consistent with the requirements of Chapter 30 of the TRPA Code of Ordinances.
- d. Arrows painted on the driveways indicating entrance/exit. Any proposed signage for driveway entrance/exit shall be shown on the site plan.
- e. Screening of the trash storage. All external mechanical equipment, including refuse enclosures, electrical transformer pads and vaults, satellite receiving disks, communication equipment, and utility hardware on roofs, buildings or the ground shall be screened from public view as required by Subsections 30.5.B(4) and 30.6.A of the TRPA Code of Ordinances. A copy of the subsections is included with the permit.
- f. Location of snow storage in accordance with Subsection 30.5.C of the TRPA Code of Ordinances. A copy of the subsection is included with the permit.
- g. Grease/oil separator(s) shall be included in the proposed driveway/parking BMPs. The permittee shall submit engineered calculations demonstrating that the proposed BMPs will infiltrate a 20 year/one hour storm.

- h. Parking barrier along the south portion of the handicap parking space.
- 2. The permittee shall submit a \$3,360 air quality mitigation fee based on 168 additional daily vehicle trip ends (dvte) assessed at \$20 per each additional dvte.
- 3. The permittee shall submit a \$8,190 water quality mitigation fee based on 6,552 square feet of additional land coverage assessed at \$1.25 per square foot.
- 4. The permittee shall submit a \$1,190 offsite coverage mitigation fee based on 238 square feet of additional land coverage created in the right-of-way assessed at \$5.00 per square foot.
- 5. The security required under Standard Condition 2 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.
- 6. The permittee shall transfer 4,917 square feet of commercial floor area to the project area.
- 7. The permittee shall provide evidence that all basic service requirements, including water service, waste water treatment service, electrical service and the requirements for minimum fire flow will be met or exceeded.
- 8. The permittee shall provide evidence that the proposed parking meets City of South Lake Tahoe requirements.
- 9. The permittee shall submit 5 sets of final construction drawings and site plans to TRPA.
- C. All utilities shall be placed underground.
- D. This permit does not address any proposed signage for the project. All signage shall be reviewed and approved by the City of South Lake Tahoe.

- E. This permit authorizes the construction of 4,917 square feet of commercial floor area. Any additional commercial floor area proposed for the project will require a separate TRPA review.

AL TAHOE



PROJECT LOCATION

SOUTH LAKE TAHOE

NATIONAL

VICINITY MAP

