

**TRPA
GOVERNING BOARD
PACKETS**

**MAY
1993**

FC

NOTICE OF MEETINGS
TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

NOTICE IS HEREBY GIVEN that on May 26 and 27, 1993, the Governing Board of the Tahoe Regional Planning Agency will conduct its regular meeting. The May 26 session will commence at 9:30 a.m. at the South Lake Tahoe City Council Chambers, 1900 Lake Tahoe Boulevard, South Lake Tahoe, California. The May 27 session will commence at 9:30 a.m. at the new 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 May 26, 1993, at 8:30 a.m. in the same location, the Finance Committee will discuss receipt of the April financial statement and check register, release of shorezone mitigation funds for EIS preparation relative to reconsideration of the location standards for certain shorezone structures, amendment of TRPA/Caltrans overall work program FY 92-93, and release of water quality mitigation funds (\$25,021) to El Dorado County for final payment on vector and sweeper trucks. (Finance Committee: Klein, Neft, Lau, Pruett, Chairman Bennett)

NOTICE IS FURTHER GIVEN that on May 27, 1993, at 8:30 a.m. in the downstairs conference room at the City of South Lake Tahoe Administrative Center, 1052 Tata Lane, South Lake Tahoe, California, the Legal Committee will discuss settlement of Rutter Shaffer v. TRPA; plaintiff compliance with settlement agreement in Leroy Land v. TRPA (Bitterbrush); and dispute resolution for Chase illegal tree removal, permit modification, and boat house conversion, El Dorado County APN 26-042-03. If the Legal Committee does not conclude its agenda by 9:30 a.m., it will reconvene at noon in the City's Administrative Center. (Legal Committee: Upton, Westergard, Waldie, Cronk, Chairman DeLanoy)

NOTICE IS FURTHER GIVEN that the Rules Committee will not meet at noon due to a Tahoe Basin Association of Governments (TBAG) meeting.

NOTICE IS FURTHER GIVEN that on May 27, 1993, at the TRPA office, 308 Dorla Court, Elks Point, Nevada, at 8:00 a.m., the Capital Financing Committee will discuss implementation of financing plans for water quality and transportation. (Capital Financing Committee: Bennett, Westergard, Cronk, Waldie, Chairman Upton)

Date: May 17, 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.

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

South Lake Tahoe Council Chambers
1900 Lake Tahoe Boulevard
South Lake Tahoe, California

May 26, 1993 9:30 a.m.

TRPA Office, 308 Dorla Court
Elks Point, Nevada

May 27, 1993 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. Amendment of Chapter 35, Bonus Unit Incentive Program, and Chapter 43, Subdivision Standards, Relative to Multi-Residential Bonus Units and Allocations 115-130
- VII. SPECIAL DETERMINATION
 - A. Severance of McDonald's From Redevelopment Project #1 and Stipulation Regarding Reservation of Rights in Bankruptcy Proceeding 131-142
- VIII. PLANNING MATTERS
 - A. Proposed Community Planning Schedule 143-147
 - B. Status Report on Employee Trip Reduction Program and Parking Ordinance 148-150
- IX. ADMINISTRATIVE MATTERS
 - A. Discussion of Draft Five-Year Strategy (July 1993 - June 1998) 151

X. COMMITTEE RECOMMENDATIONS AND BOARD ACTION

A. Finance Committee

- 1. Receipt of April Financial Statement and Check Register

B. Legal Committee

- 1. Settlement of Rutter Shaffer v. TRPA
- 2. Plaintiff's Compliance With Settlement Agreement in Leroy Land v. TRPA (Bitterbrush)

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C. Capital Financing committee

XI. REPORTS

A. Executive Director

- 1. Status Report on Processed Projects
- 2. Status Report on IPES and Land Capability Determinations
- 3. Other

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B. Agency Counsel

C. Governing Board Members (No Action)

XII. RESOLUTION

- A. Supporting Federal Clean Water Grant to Monitor California Other Lakes

208-209

XIII. PUBLIC INTEREST COMMENTS (No Action)

XIV. ADJOURNMENT

CONSENT CALENDAR

<u>Item</u>	<u>Recommendation</u>
1. Garza, Commercial Change in Operation, Special Use Determination, El Dorado County APN 23-191-19	Approval Of Findings 1-9
2. Layton, Commercial Building Remodel, 8325 North Lake Boulevard, Kings Beach, Placer County APN 90-075-21	Approval With Findings And Conditions 10-22

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|---|---------------------------------------|---------|
| 3. Release of Shorezone Mitigation Funds for EIS Preparation Relative to Reconsideration of the Location Standards for Certain Shorezone Structures | Approval | 23-25 |
| 4. South Tahoe Public Utility District, South Upper Truckee Backup Generator, Special Use Determination, El Dorado County, APN 36-581-01 | Approval of Findings | 26-30 |
| 5. Boland, New Commercial/Residential Building, 8445 Brock Avenue, Kings Beach, Placer County APN 90-122-19 | Approval With Findings And Conditions | 31-46 |
| 6. Graham/LaMarca, Multi-Family Triplex Dwelling, 1089 Herbert Avenue, City of South Lake Tahoe, El Dorado County APN 27-202-06 | Approval With Findings And Conditions | 47-56 |
| 7. Graham/LaMarca, Multi-Family Triplex Dwelling, 1097 Herbert Avenue, City of South Lake Tahoe, El Dorado County APN 27-202-11 | Approval With Findings And Conditions | 57-66 |
| 8. Amendment of TRPA/Caltrans Overall Work Program FY 92-93 | Approval | 67-70 |
| 9. Agate Bay Water Company, Replace and Enlarge Existing Community Water Tank, Special Use Findings, Placer County APNs 116-010-07 and -08 | Approval Of Findings | 71-76 |
| 10. Martin/Wheeler/Kraus Pier Relocation and Expansion, Multiple-Use Determination, Placer County APN 85-202-01 | Approval With Findings And Conditions | 77-94 |
| 11. La Tourette, Pier and Boathouse Repair/Modification, Multiple-Use Determination, Placer County APN 117-020-08 | Approval With Findings And Conditions | 95-110 |
| 12. U.S. Forest Service, Tahoe Mountain Timber Harvest/Hazard Reduction Project, 1,521 Acres, Resource Management, El Dorado County, File #580-101-93 | Approval With Findings And Conditions | 111 |
| 13. Release of Water Quality Mitigation Funds (\$25,021) to El Dorado County for Final Payment on Vector and Sweeper Trucks | Approval | 112-114 |

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: Garza, Bicycle Rental Business

Application Type: Commercial Change in Operation, Special Use Determination

Applicant: Ronald H. Gallagher

Applicant's Representative: Ronald H. Gallagher

Agency Planner: Craig R. Wicks, Assistant Planner

Location: 921 Highway 89, South Lake Tahoe, California

Assessor's Parcel Number/Project Number: 23-191-18 and 23-191-19/930139

Staff Recommendation: Staff recommends the Governing Board make the special use findings as outlined in Section C of this staff summary.

Project Description: The applicant proposes to use a portion of an existing paved parking lot to operate an outdoor bicycle rental business. The Bpplicant proposes to display approximately 25 bicycles. In lieu of a permanent structure, the applicant will use a portable table to operate the business. No commercial floor area is needed for the project pursuant to Subsection 33.3.B of the TRPA Code of Ordinances. All signs associated with the bicycle rental business will be reviewed by the City of South Lake Tahoe pursuant to the Memorandum of Understanding between TRPA and the City.

Site Description: The proposed bicycle rental site is located on Highway 89 approximately 800 feet north of the "Wye" intersection. The paved site, intended for use as a bicycle rental area, is an extension of the parking lot for the Casa Del Rey Restaurant located on the parcel immediately to the north. Both parcels are part of the same project area. A Class 3 bicycle path is established on Highway 89, directly adjacent to the site.

Issues: This project involves a special use, and thus requires Governing Board action in accordance with Appendix A, Chapter 4 of the TRPA Code of Ordinances. The primary project related issues are:

1. Parking and Circulation: TRPA staff required the applicant to prepare and submit a parking and circulation analysis to address parking within the project area. The parking lot will be shared by an existing restaurant and the proposed bicycle renting business. Staff has determined, based on the parking analysis, that the project area has adequate parking to accommodate the needs of both uses. A copy of the parking analysis is attached as Exhibit A.

As a condition of approval the parking spaces required in the parking analysis shall be shown on the site plan. The site plan shall also include directional arrows on the pavement to control traffic flow within the parking lot. In addition, existing parking off of Fifth Street (which currently requires patrons of the restaurant to back into the roadway when leaving the property) will be closed-off.

2. Future Site Improvements: The City of South Lake Tahoe has indicated that the permittee may be required to install landscaping, sidewalks, parking lot improvements, and other modifications to the property in the near future to meet City requirements.

Currently the project, as conditioned, meets TRPA requirements for parking and scenic quality. However, the modifications required by the City will require TRPA review and approval prior to implementation. TRPA will require that the project area (after modification) shall meet TRPA requirements for scenic quality, traffic, parking, water quality improvements, and use.

Staff Analysis:

- A. Environmental Documentation: TRPA Staff 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 110, South "Y". 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. Required Findings: The following is a list of the required findings as set forth in Chapter 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, 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 properties in the surrounding area are predominantly commercial and tourist accommodation. A restaurant, automobile dealership, and motel are in the immediate vicinity. The proposed bicycle rental facility is smaller in size and scale than the existing activities in the area.

2. 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 current parking along Fifth Street, which requires business patrons to back into the traffic flow, will be prohibited. Arrow indicators and parking space striping will be applied to the pavement to identify the entrance and exit to the parking area, improve the efficiency of the lot, and increase safety. The applicant shall be required to install Best Management Practices (BMPs) on the subject parcels by October 15, 1997 in accordance with TRPA retrofit requirements.

3. 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.

This project involves the placement of a table, approximately 25 bicycles, and a fixed, freestanding sign on an existing section of paved parking area in a commercial neighborhood. The project is not within an adopted community, specific or master plan area.

- D. Required Actions: Agency staff recommends that the Governing Board make the following motions based on this staff summary and the evidence in the record:
 - I. A motion based on this staff summary, for the findings contained in Section C above, and a finding of no significant environmental effect.
 - II. A motion to direct staff to complete review of the project, and if appropriate, approve the project with the following special conditions:

Special Conditions:

1. By acceptance of this permit, the permittee acknowledges that the TRPA Code of Ordinances requires that the owner of this property, located within a priority 2 watershed group, install and maintain all required Best Management Practices (BMPs) prior to October 15, 1997.
2. Prior to commencement of the use, the following special conditions must be satisfied:
 - A. An Air Quality Mitigation Fee of \$540 shall be paid to TRPA. This fee is based on 27 daily vehicle trip ends multiplied by \$20 per trip.
 - B. The site plan shall be revised to indicate:
 - (1) The parking spaces described by the parking analysis prepared by Basin Systems in their report dated May 10, 1993. At a minimum, this shall include three employee spaces and eleven customer spaces for the shared use of the restaurant and the bicycle rental business. All parking spaces shall be on existing pavement.
 - (2) Elimination of the existing parking spaces off of Fifth Street. Methods to satisfy this condition shall be approved by TRPA.
 - (3) Directional arrows for the parking lot entrance and exit.
 - (4) Identification of employee and handicapped parking spaces.
 - (5) Parking barriers to prevent access to any unpaved portions of the project area. Additional parking barriers shall be installed between the restaurant structure and Fifth Street.
 - C. The permittee shall consolidate lots 18 and 19 into one legal lot of record pursuant to applicable City subdivision ordinances and State subdivision laws.
 - D. The permittee shall paint the parking lot striping and arrows in accordance with the approved site plan.
3. By acceptance of this permit, the property owner agrees to allow patrons of the bicycle rental business to use the rest rooms located in the restaurant.

4. By acceptance of this permit, the permittee acknowledges that future work required by the City of South Lake Tahoe (such as landscaping improvements, modifications to the parking areas, new sidewalk requirements, etc.) require TRPA review and approval. The permittee shall retain adequate parking spaces for the restaurant and bicycle rental business after any such required modifications.

Basin Systems

May 10, 1993

Parking and Traffic Discussion

Project: Gallagher / Garza Bicycle Rental, APN 023-191-18 & 19

The applicant, Mr. Ron Gallagher, proposes to rent up to 25 bicycles at the above referenced location. APN 023-191-18 is a quarter acre parcel occupied by the Casa Del Rey restaurant. APN 023-191-18 is also a quarter acre parcel and presently has most of the parking for the Casa Del Rey restaurant. Both parcels have a significant amount of land coverage in the form of buildings, paving, and disturbance.

The site is located on S.R. 89 approximately one quarter mile north of the South Tahoe Wye.

Although 25 bicycles are available, it is rare for all bicycles to be rented. Several years of observation has noted that bicycle rental operation usually have bicycles available regardless of the day of the week or holiday. This discussion will assume 20 bicycles rented for the parking discussion.

Parking. There are two methods to calculate the parking demand for a proposed use. First, published data or standards can be used. Second, a quantitative analysis may be done using the preceding data or standards and other information. This discussion will briefly discuss both options.

City Standards. The City of South Lake Tahoe parking standards are applicable in this case. City staff has determined that three parking spaces would meet their criteria.

Quantitative Analysis. The average vehicle occupancy for Visitor Home Base Recreation trip purposes is approximately 3.46 persons per vehicle (Basin Systems et al, 1990 through 1993). At one person per bicycle, this results in 6 customer vehicle and, occasionally, one employee vehicle. There may be some overlap between half day renters and full day renters, but this overlap should be infrequent.

Based on the preceding, three to seven parking spaces would be necessary.

Traffic. Published traffic generation data are not available for a bicycle rental operation. Therefore, this discussion will attempt to derive a worse-case estimate. Assuming that 20 bicycles will be rented twice each day, and using the above vehicle occupancy, the proposed operation will generate 23.1 customer vehicle trips and, occasionally, two to four employee vehicle trips. This results in a worse case of 27 daily vehicle trip ends (DVTE). 27 DVTE is an insignificant increase in traffic generation and no further analysis is required.

Recommendation. The applicant and the property owner intend to develop a permanent parking design in conjunction with required BMP improvements. For this season, the applicant should aggressively market to motel properties within walking distance or those providing shuttle service; a preliminary arrangement has been made with Embassy Suites. A fourth parking space should be made available on the site or stacked parking should be utilized to increase customer parking to approximately six vehicles.

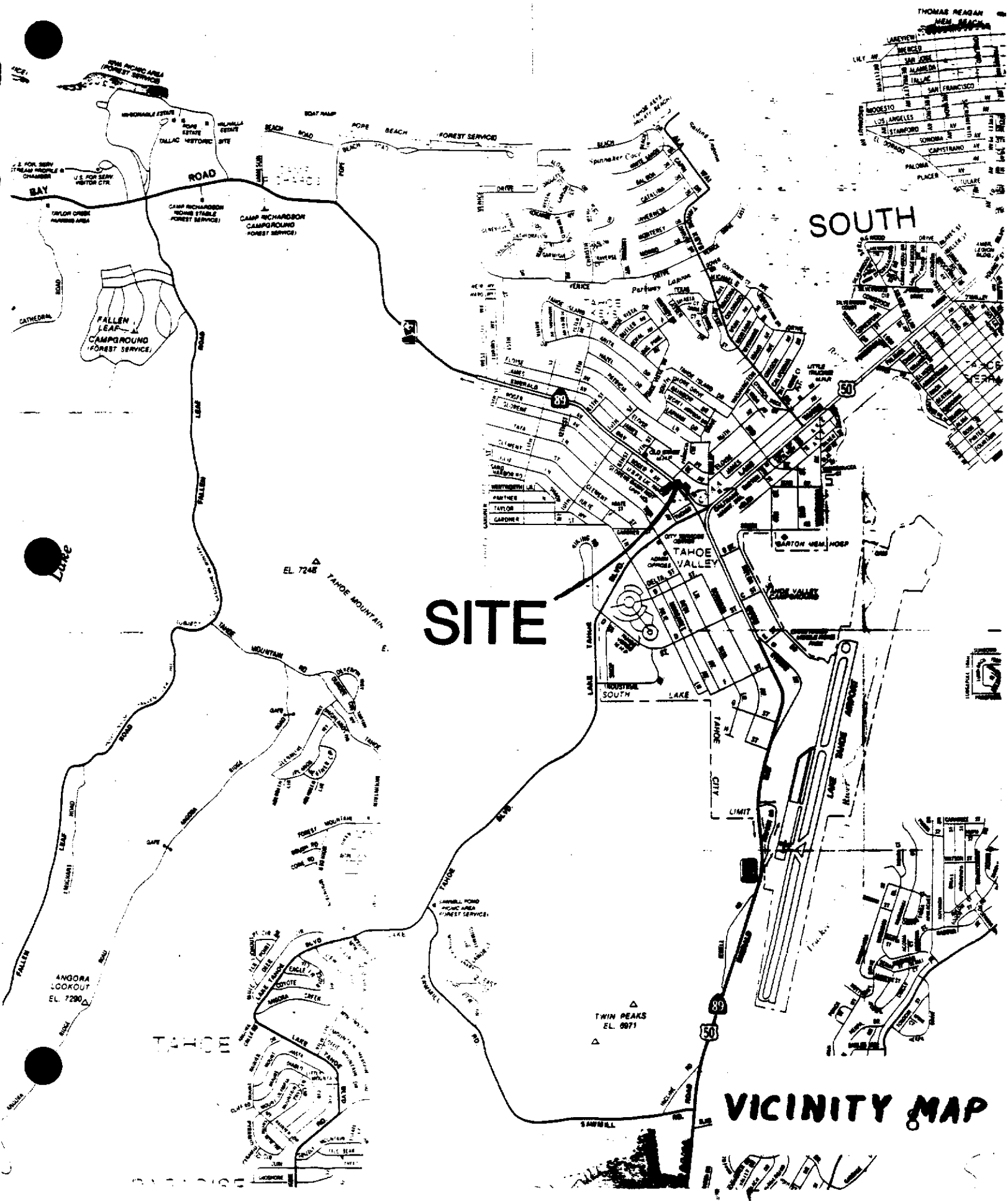
The restaurant parking should be signed or striped to maximize its efficiency and, if possible, the existing picnic tables should be moved to an unpaved portion of the property. Employees should also utilize stacked parking in front of the existing garage.

With adequate barriers to prevent access to unpaved portions of the lot, parking impacts will be confined to paved surfaces onsite and, occasionally, offsite. No significant impacts are expected.

If there are any questions regarding this discussion, please contact Curtis Jordan.

/cj

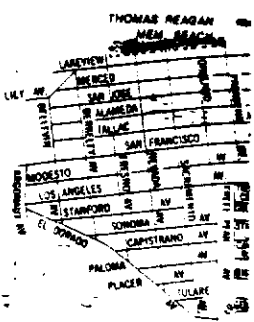
SOUTH

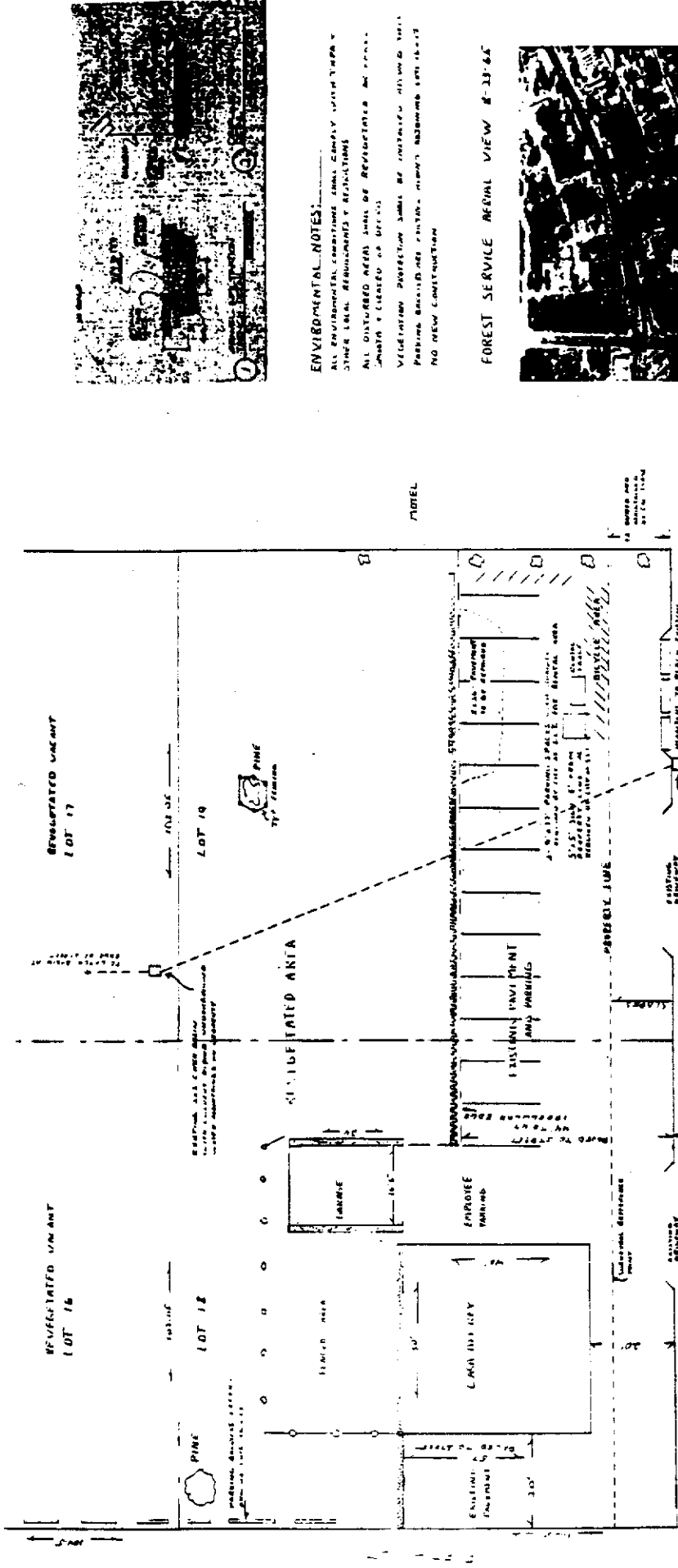


SITE

SOUTH

VICINITY MAP





SITE PLAN
 1" = 10' SCALE

DATA
 PROPERTY: [illegible]
 ADDRESS: [illegible]
 APR 23-73: [illegible]
 FORWARDED: [illegible]
 APR 11-73: [illegible]
 PREPARED BY: [illegible]
 DATE: [illegible]

LABORABILITY
 LOT 16: [illegible]
 LOT 17: [illegible]
 LOT 18: [illegible]
 LOT 19: [illegible]

CONVEYANCES
 RECORD: [illegible]
 RECORD: [illegible]
 RECORD: [illegible]

PARKING
 2 SPACES FOR LOT 16, 17
 1 SPACE FOR LOT 18, 19
 3 SPACES FOR HOTEL AND DRIVE



ENVIRONMENTAL NOTES:
 ALL ENVIRONMENTAL CONCERNS HAVE BEEN FULLY ADDRESSED SINCE THE INITIAL SUBMITTAL AND REVISIONS.
 ALL DISTURBED AREAS SHALL BE REVEGETATED AND STABILIZED WITHIN 90 DAYS OF COMPLETION.
 VEGETATION RESTORATION SHALL BE CONDUCTED WITHIN 90 DAYS OF COMPLETION.
 NO NEW CONSTRUCTION

FOREST SERVICE AERIAL VIEW 8-13-68



TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Layton Commercial Building

Application Type: Commercial Floor Area Addition

Applicant: Betty Layton

Applicant's Representative: Tony Remenih

Agency Planner: Kathy Canfield, Associate Planner

Location: 8325 North Lake Boulevard, Kings Beach, Placer County

Assessor's Parcel Numbers: APN 90-075-21, 22 & 23

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 remove three existing commercial buildings on the site with 1,200 square feet of existing commercial floor area and construct a new two-story commercial building with associated parking and walkways. The applicant has received a recommendation from Placer County for an allocation of 1,087 square feet of additional commercial floor area. With the allocation, the proposed commercial building will have approximately 2,287 square feet of commercial floor area. The applicant proposes retail/general merchandise businesses on the lower floor and a professional office on the second floor. A previous CTRPA permit for the site acknowledged 4,800 square feet of existing land coverage. The applicant will be required to remain within the approved land coverage limit. Best Management Practices and landscaping will be added to the site.

Site Description: The project site is located between Deer and Bear Streets, directly across Highway 28 from the North Tahoe Conference Center in Kings Beach. The project site is relatively flat with some vegetation along the north property line adjacent to Trout Street. The project area currently has three existing one-story commercial buildings and associated parking on the site, which will be removed as a result of the project. Surrounding land uses include commercial buildings to the east and west, the North Tahoe Conference Center and commercial buildings to the south, and multi-family residences to the north.

Issues:

The proposed project involves an allocation of commercial floor area and therefore requires Governing Board review in accordance with Chapter 4,