

**TRPA
GOVERNING BOARD
PACKETS**

**NOVEMBER
1995**

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD AND COMMITTEE MEETINGS

NOTICE IS HEREBY GIVEN that on November 15, and 16, 1995, the Governing Board of the Tahoe Regional Planning Agency will conduct its regular meeting. The November 15 session will commence at 9:30 a.m. at the North Tahoe Conference Center, 8318 North Lake Boulevard, Kings Beach, California. The November 16 session will commence at 9:30 a.m., at the TRPA office, 308 Dorla Court, Zephyr Cove, Nevada. The agenda is attached hereto and made a part of this notice.

All Governing Board Committee items are action items unless otherwise noted.

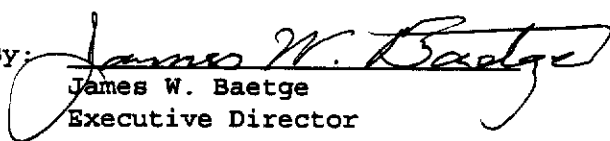
NOTICE IS FURTHER GIVEN that on November 15, 1995, commencing at 8:30 a.m. at the same location, the Finance Committee will meet. The agenda will be as follows: 1) public interest comments (no action); 2) receipt of the October financial statement and check register; 3) recommendation for use of abandoned securities; 4) policy for use of trolleys outside the Tahoe Basin; 5) receipt of FY 1994-95 TRPA audit; 6) resolution allocating FY 1995-96 Local Transportation Funds (\$349,994) to Placer County for TART Operations; and 7) member comments. (Committee: Wynn, Neft, Cole, Heller, Chairman Bennett)

NOTICE IS FURTHER GIVEN that on November 15, 1995, commencing at 8:30 a.m. at the same location, the Legal Committee will meet. The agenda will be as follows: 1) public interest comments (no action); 2) Bitterbrush settlement fund expenditure for emergency access improvements; 3) C. C. Myers, resolution of enforcement, Placer County; and 4) member comments. (Committee: Neumann, Miner, Cronk, Sevison, Waldie, Chairman DeLancy)

NOTICE IS FURTHER GIVEN that on November 15, 1995, commencing at 12:00 noon, or at the beginning of the lunch recess, at the same location, the Retirement Committee will meet. The agenda will be as follows: 1) public interest comments (no action); 2) return of retirement contributions to former employees Bruton, Gill, and Wicks; and 3) member comments. (Committee: Miner, Sevison, Solt, Baetge, Chairman Neft)

Date: November 6, 1995

By:


James W. Baetge
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.

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

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

November 15, 1995
9:30 a.m.

TRPA Office, 308 Dorla Court
Zephyr Cove, Nevada

November 16, 1995
9:30 a.m.

All items on this agenda are action items unless otherwise noted.

Page#

AGENDA

- I. PLEDGE OF ALLEGIANCE
- II. ROLL CALL AND DETERMINATION OF QUORUM
- III. PUBLIC INTEREST COMMENTS (No Action)

Any member of the public wishing to address the Governing Board on any agenda item not listed as a Project Review, Public Hearing, RTPA, Appeal, or Planning Matter item may do so at this time. However, public comment on Project Review, Public Hearing, RTPA, Appeal, and Planning Matter items will be taken at the time those agenda items are heard.

NOTE: THE GOVERNING BOARD IS PROHIBITED BY LAW FROM TAKING IMMEDIATE ACTION ON, OR DISCUSSING ISSUES RAISED BY THE PUBLIC THAT ARE NOT LISTED ON THIS AGENDA.

- IV. APPROVAL OF MINUTES
- V. APPROVAL OF AGENDA
- VI. CONSENT CALENDAR (see page 3)
- VII. PUBLIC HEARING - (* items include action on the findings plus action on the related ordinances, resolutions, environmental documents, and/or plans.)

- A. Amendment of the Regional Plan, Man-Modified Determination, Hock, for Douglas County APN 05-181-05* 49-62
- B. Notice of Circulation, Bijou/Al Tahoe Community Plan and Draft EIR/EIS 63
- C. Notice of Circulation, U.S. Forest Service North Shore Project Draft EIS 65
- D. Draft EIS for the Lake Tahoe Shorezone Development Cumulative Impact Analysis 67
- E. Notice of Circulation, Placer County and Washoe County Community Plans and Draft EIS 69

VIII. MEETING OF THE REGIONAL TRANSPORTATION PLANNING AGENCY (RTPA)

- A. Resolution Allocating FY 1995-96 Local Transportation Fund (LTF) (\$349,994) to Placer County for TART Operations

71-73

IX. ADMINISTRATIVE MATTERS

- A. Authorization for Executive Director to Execute Master Agreement Administering TRPA and State Agency Agreement for Federal-Aid Projects

75-92

X. COMMITTEE RECOMMENDATIONS AND BOARD ACTION

A. Finance Committee

- 1. Report on Committee Meeting
- 2. Receipt of October Financial Statement and Check Register
- 3. Receipt of FY 1994-95 TRPA Audit
- 4. Policy for Use of Trolleys Outside the Tahoe Basin

B. Legal Committee

- 1. Report on Committee Meeting
- 2. Bitterbrush Settlement Fund Expenditure for Emergency Access Improvements

93-111

C. Capital Financing Committee Report

D. Rules Committee Report

E. Shorezone Policy Committee Report

F. Core Policy Statement Committee Report

G. Retirement Committee Report

XI. REPORTS

A. Executive Director

- 1. Status of Placer County's Buoy Enforcement Program
- 2. Monthly Status Report

113

B. Agency Counsel Monthly Status Report

C. Governing Board Members

XII. ADJOURNMENT

CONSENT CALENDAR

<u>Item</u>	<u>Recommendation</u>	
1. Amendment of Plan Area Statement 013, Watson Creek, to Add Local Public Health and Safety Facilities as a Special Use	Approval of Findings and Adoption of Ordinance	1-10
2. El Dorado County Department of Transportation Trout Creek Culvert Replacement and Erosion Control Project, Martin Avenue, El Dorado County Project #520-106-95	Approval With Findings And Conditions	11-24
3. Squaw Valley Sport Shop, Secondary Storage, Special Use Determination, Placer County APN 94-190-12	Approval With Findings And Conditions	25-30
4. Tanager Complex, Subdivision of Post-1987 Project, Washoe County APNs 132-222-09 and 132-222-10	Approval With Findings And Conditions	31-38
Land Capability Challenges:		
5. Robert Dutton, Washoe County APN 125-561-09	Approval	39-44
6. R. Bryan Sedway, Washoe county APN 125-132-13	Approval	45-48

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 an item be removed from the calendar, it will be taken up separately in 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

308 Dorla Court
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Zephyr Cove, Nevada 89448-1038

(702) 588-4547
Fax (702) 588-4527

MEMORANDUM

November 5, 1995

To: TRPA Governing Board

From: TRPA Staff

Subject: Amendment of Plan Area Statement 013,
Watson Creek (Conservation) To Add Local
Public Health and Safety Facilities As a
Special Use

Proposed Action: To amend Plan Area Statement (PAS) 013, Watson Creek, by adding Local Public Health and Safety Facilities to the list of Permissible Uses as a Special Use. (See Exhibits A and B).

Staff and APC Recommendation: Staff recommends that the Governing Board approve the proposed plan area amendment by adopting the attached amending ordinance. The APC voted unanimously to recommend approval of the proposed amendment at its October 11, 1995 hearing. A public hearing was conducted on this plan area amendment by the Governing Board. However, due to concerns arising over the number of California members present and the need of a quorum on this item, the Governing Board continued this item to the November Governing Board meeting and asked that it be placed on the consent calendar.

Background: The applicant proposes to amend PAS 013, Watson Creek, by adding Local Public Health and Safety Facilities as a permissible use. In September 1993 TRPA issued a temporary permit to construct a pump house, required in order to upgrade the existing water system, on Placer County APN 116-040-01. Water tanks, pumps, wells, and related facilities are considered Local Public Health and Safety Facilities as defined in chapter 18 of the TRPA Code of Ordinances.

As a condition of the temporary permit, the permittee was required to obtain a permanent approval for the pump house, which included obtaining a Plan Area Statement amendment.

The land use classification for Plan Area Statement 013 is Conservation and the management strategy is Mitigation. The existing uses on the parcels adjoining APN 116-040-01 are forest conservation to the south, west, and north, with residential uses to the east. Currently the Agate Bay Homeowner's Association maintains tennis courts for its members on the subject parcel.

/cs
11/05/95

CONSENT CALENDAR ITEM NO. 1

1

Discussion: In evaluating proposed plan area amendments, staff uses a three-step procedure. The first step is to determine whether a mistake was made in mapping the original plan area boundaries and assigning permissible uses to the area. The second step is to determine whether something has changed in terms of character at this location or pattern of land use to warrant amending the list of permissible uses. The third step is to determine whether the amendment to the plan area would change land use patterns such that attainment and maintenance of environmental thresholds is improved or enhanced.

Of the 15 plan areas whose land use classification is Conservation, only 6 (including Watson Creek) do not allow Local Public Health and Safety Facilities as a Permissible Use. Staff has concluded that within this particular plan area, not including Local Public Health and Safety Facilities as a Special Use was an oversight. Currently the only local public health and safety facilities permissible in the plan area are transmission receiving facilities and pipelines, and power transmission, both of which are Special Uses.

Chapter 18 of the TRPA Code of Ordinances defines Local Public Health and Safety Facilities as follows: "Facilities operated by public or quasi-public entities for the local protection of the public, such as fire stations and other fire prevention facilities; police and sheriff substations; satellite highway maintenance and snow removal facilities; water tanks, pumps, wells and related facilities; monitoring facilities; sewage pumps and related facilities; and emergency services."

TRPA staff is recommending that Local Public Health and Safety Facilities be added to the list of Permissible Uses in PAS 013 as a Special Use rather than an Allowed Use. This way the required special use findings will assure that only projects that are compatible with the surrounding uses and character of the neighborhood will be approved.

Findings: Prior to amending the Plan Area Statement, TRPA must make certain findings.

Chapter 6 Findings

1. The project will not cause the environmental thresholds to be exceeded.

Rationale: The proposed addition of local public health and safety facilities to the list of permissible uses will not cause the Environmental Threshold Carrying Capacities to be exceeded because at the time of any project submittal, the applicant will have to provide supporting evidence that all environmental thresholds will be attained and maintained.

2. Wherever federal, state, and local air and water quality standards applicable to the Region, whichever are stricter, must be attained and maintained pursuant to Article V(d) of the Compact, the project meets or exceeds such standards.

Rationale: The proposed amendment will have no negative effects on air or water quality. Any project that is proposed as a consequence of this plan area amendment will be required to analyze traffic and trip increases based on the type and extent of project. Any project proposed based on this amendment would also be required to comply with all Code standards as they pertain to water quality, including impact mitigation. Therefore, amending Plan Area Statement 013 will have no negative impact on federal, state, and local air or water quality standards.

3. That the Regional Plan, as amended, achieves and maintains the thresholds.

Rationale: See Findings 1 and 2 above.

Environmental Documentation: Based on the above analysis and the completion of the initial environmental checklist (IEC), staff proposes a finding of no significant effect.

Required Actions: Staff recommends the Governing Board approve the addition of Local Public Health and Safety Facilities to the list of Permissible Uses as a Special Use in Plan Area 013, Watson Creek. In addition, staff recommends the Governing Board adopt the attached amending ordinance.

Staff will begin this item with a brief presentation. If you have any questions or comments regarding this agenda item, please contact Coleen Shade at (702) 588-4547.

013 -- WATSON CREEK

PLAN DESIGNATION:

Land Use Classification	CONSERVATION
Management Strategy	MITIGATION
Special Designation	NONE

DESCRIPTION:

Location: This is a large Plan Area that covers the backdrop country between Dollar Point and Flick Point and is located on Agency maps D-4, D-5, D-6, E-3, E-4 and the Martis Peak Quadrangle.

Existing Uses: The Plan Area is mostly undeveloped and in public ownership. Existing uses are mostly limited to dispersed-types of recreation and to timber management

Existing Environment: This area has a good mixture and distribution of plant communities, but mature fir trees still dominate the overall plant composition. Much of the area has good land capability.

PLANNING STATEMENT: This planning area should be managed with an emphasis on providing improved opportunities for dispersed recreation and timber harvest.

PLANNING CONSIDERATIONS:

1. There is an over abundance of unimproved roads.
2. There is good capability land for long range relocation of recreational development. However, the potential for developed recreational sites is constrained due to lack of the necessary infrastructure such as sewer, water, and improved roads.
3. The lack of significant natural features such as large streams or lakes limit the attractiveness of the area for campsite development.
4. The legal status of the North Rim Subdivision is uncertain.

SPECIAL POLICIES:

1. The development or relocation of recreational facilities should be limited to good capability lands within close proximity to urban services.
2. Some bank stabilization and fish passage barrier removal work should be performed on Watson Creek.

PERMISSIBLE USES: Pursuant to Chapter 18 PERMISSIBLE USES and if applicable, Chapter 51 PERMISSIBLE USES AND ACCESSORY STRUCTURES IN THE SHOREZONE AND LAKEZONE, the following primary uses may be permitted within all or a portion of the Plan Area. The list indicates if the use is allowed (A) or must be considered under the provisions for a special use (S). Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited within this Plan Area.

General List: The following list of permissible uses is applicable throughout the Plan Area.

Residential	Summer homes (S).
Public Service	Transmission and receiving facilities (S) and pipelines and power transmission (S), <u>and public health and safety facilities (S).</u>
Recreation	Day use areas (S), developed campgrounds (S), off-road vehicle courses (S), outdoor recreation concessions (S), riding and hiking trails (A), rural sports (S), group facilities (S), undeveloped campgrounds (S), and snowmobile courses (S).
Resource Management	Reforestation (A), regeneration harvest (A), sanitation salvage cut (A), selection cut (A), special cut (A), thinning (A), timber stand improvement (A), tree farms (S), early successional stage vegetation management (A), nonstructural fish habitat management (A), non-structural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), farm/ranch accessory structures (S), grazing (S), range pasture management (A), range improvement (A), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), prescribed fire management (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).

ADDED

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<u>USE</u>	<u>MAXIMUM DENSITY</u>
Residential	
Summer Homes	1 unit per parcel
Recreation	
Developed Campgrounds	8 sites per acre
Group Facilities	25 persons per acre

RESIDENTIAL BONUS UNITS: Pursuant to Chapter 35, the maximum number of residential bonus units which may be permitted for this Plan Area is 0 units.

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL.

ADDITIONAL DEVELOPED OUTDOOR RECREATION: The following are the targets and limits for additional developed outdoor recreation facilities specified in Chapter 13 to be located within this Plan Area. Specific projects and their timing are addressed in the TRPA Five-Year Recreation Program pursuant to Chapter 33 Allocation of Development. The following additional capacities allowed are measured in persons at one time:

SUMMER DAY USES 0 PAOT WINTER DAY USE 0 PAOT OVERNIGHT USES 400 PAOT

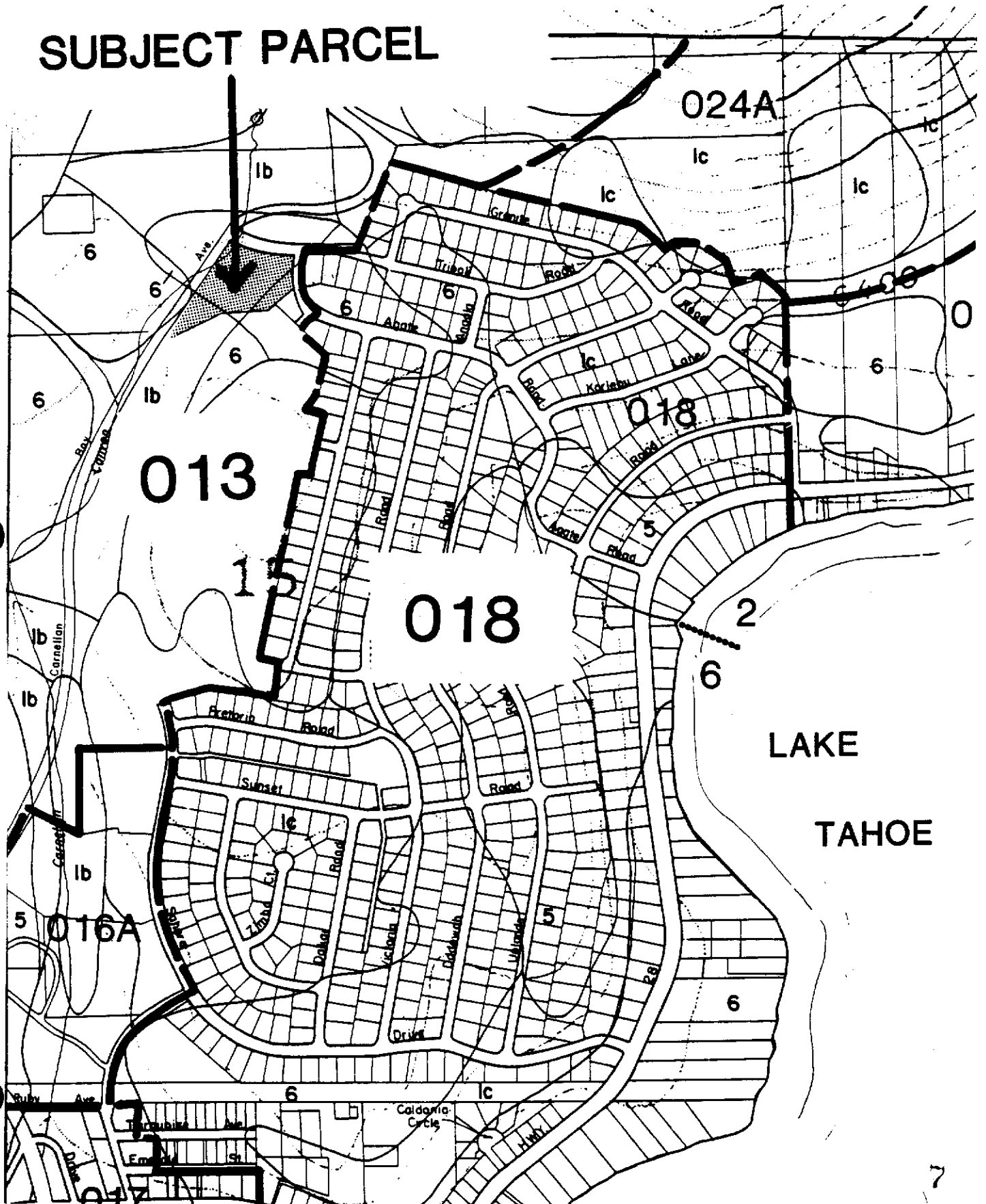
OTHER: Seven miles of trail.

IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan for this area shall be implemented. The improvements include, but are not limited to, the following:

1. Stream zone restoration as indicated in the Stream Environment Zone Restoration Program. (To be completed.)

PROJECT LOCATION MAP

SUBJECT PARCEL



TAHOE REGIONAL PLANNING AGENCY
ORDINANCE NO. 95-_____

AN ORDINANCE AMENDING ORDINANCE NO. 87-9, AS AMENDED, BY AMENDING THE REGIONAL PLAN OF THE TAHOE REGIONAL PLANNING AGENCY; AMENDING PLAN AREA STATEMENT 013, WATSON CREEK, TO AMEND THE LIST OF PERMISSIBLE USES BY ADDING LOCAL PUBLIC HEALTH AND SAFETY FACILITIES AS A SPECIAL USE; AND PROVIDING FOR OTHER MATTERS PROPERLY THERETO.

The Governing Board of the Tahoe Regional Planning Agency does ordain as follows:

Section 1.00 Findings

- 1.10 It is necessary and desirable to amend TRPA Ordinance No. 87-9, as amended, relating to the Regional Plan of TRPA, by amending Plan Area Statement 013, Watson Creek, to amend permissible uses, in order to further implement the Regional Plan pursuant to Article VI(a) and of the applicable provisions of the Tahoe Regional Planning Compact.
- 1.20 This amendment has been determined not to have a significant effect on the environment, and is therefore exempt from the requirement of an environmental impact statement pursuant to Article VII of the Compact.
- 1.30 The Governing Board, prior to adoption of this ordinance, conducted a noticed public hearing, at which hearing oral testimony and documentary evidence were received and considered by the Board. The Advisory Planning Commission (APC) also conducted a noticed public hearing at which oral testimony and documentary evidence were received. The APC has recommended adoption of the amendments to Plan Area Statement 013, Watson Creek.
- 1.40 The Governing Board finds that, prior to the adoption of this ordinance, the Board made the findings required by Section 6.4 of the Code of Ordinances and Article V(g) of the Compact.
- 1.50 The Board further finds that the amendments adopted hereby continue to implement the Regional Plan, as amended, in a manner that achieves and maintains the adopted environmental threshold carrying capacities as required by Article V(c) of the Compact.
- 1.60 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.00 Amendment to Plan Area Statement 013 (Watson Creek)

Subsection 6.10(2) of TRPA Ordinance No. 87-9, as amended, is hereby amended to add subparagraph (oo) as follows:

6.10 Plan Documents

- (2) Plan Area Statements for Plan Areas 001A through 175, inclusive, which statements are set forth in the document entitled: Regional Plan for the Lake Tahoe Basin, Plan Area Statements: Carson City, City of South Lake Tahoe, Douglas County, Placer County, Washoe County, Tahoe Regional Planning Agency, January 7, 1987, including the amendments to the Plan Area Statement as set forth in:

Added (oo) Exhibit A dated October, 25, 1995, which amendments shall be incorporated into the Plan Area Document dated January 7, 1987, referred to in this ordinance.

Section 3.00 Interpretation and Severability

The provisions of this ordinance and the amendments adopted hereby shall be liberally construed to effect their purposes. If any section, clause, provision or portion of this ordinance or the amendments adopted hereby is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance, or the amendments, shall not be affected. For this purpose, the provisions of this ordinance and the amendments are hereby declared respectively severable.

Section 4.00 Effective Date

Pursuant to Subsection 13.7.B, this ordinance shall become effective 60 days after its adoption.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held November __, 1995 by the following vote:

Ayes:

Nays:

Abstentions:

Absent:

John E. Upton, Chairman
Tahoe Regional Planning Agency

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Trout Creek Culvert Replacement and Erosion Control Project

Application Type: Public Service

Applicant: El Dorado County Department of Transportation (El Dorado DOT)

Applicant's Representative: Dave Zander, El Dorado DOT

Agency Planner: Paul Pettersen, Senior Planner

Location: Martin Avenue at Trout Creek, El Dorado County

Project Number/File Number: 520-106-95 / 950690

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

Project Description: The applicant is proposing to replace the existing culvert which conveys Trout Creek under Martin Avenue, and to construct erosion control improvements along a 1/4 mile length of Martin Avenue. The culvert replacement includes widening of the road at the culvert from 19.5 feet wide to 35 feet wide. Other improvements include guard rail, curb and gutter and various water quality improvement features. The typical proposed width for the remainder of the project is thirty-two feet from curb to curb, with no additional traffic lanes proposed. The majority of this additional pavement replaces existing soft coverage. For traffic safety and to ensure the success of revegetation, 3:1 fill slopes are proposed. New land coverage and disturbance will be mitigated as required by the TRPA Code of Ordinances. The project is not within a TRPA scenic unit.

Site Description: The project is located in un-incorporated El Dorado County on Martin Avenue between Barbara Avenue and Black Bart Avenue. The existing concrete box culvert was constructed sometime prior to 1960. The concrete is deteriorating and the structure is considered unsafe by El Dorado County DOT. The culvert is also hydraulically undersized. Flood waters overtopped Martin Avenue as recently as February 1986. The project area also includes an existing disturbed soil borrow pit which will be restored by recontouring the existing cut slopes to reduce slope angles which will allow for better revegetation establishment. A water quality infiltration basin will also be constructed at the existing borrow pit location.