

Chapter 18

PERMISSIBLE USES

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18.0 Purpose: This chapter sets forth the allowable uses for the land areas within the Region. Allowable uses for the near shore, foreshore, backshore and lakezone are set forth in Chapter 51. The concept of "use" includes any activity, whether related to land, water, air or other resources of the region. The primary uses are "allowed", "special" and "nonconforming", the applicability of which terms to a particular parcel shall be determined by reference to the plan area statements and maps, community plans, redevelopment plans and specific or master plans, as the case may be. Generic primary uses are set forth in the Table of Uses in section 18.3.

18.1 Applicability: All parcels have one or more primary uses as defined in this chapter except for parcels which are undeveloped or unimproved and have no established use. Those shall be considered vacant parcels. Vacant parcels are entitled to apply for a use pursuant to the provisions of the Code. Regulation of projects and activities pursuant to primary uses shall be as follows.

18.1.A Allowed Uses: Uses listed in applicable plan area statements, community plans, redevelopment plans or specific or master plans as "allowed" ("A") are appropriate uses for the specified area, and projects and activities pursuant to such uses may be permitted. Allowed uses are assumed to be compatible with the direction of the Regional Plan and the surrounding uses.

18.1.B Special Uses: Uses listed in applicable plan area statements, community plans, redevelopment plans, or specific or master plans as "special" ("S") may be determined to be appropriate uses for the specified area, and projects and activities pursuant to such uses found to be appropriate may be permitted. To allow a special use, TRPA shall conduct a public hearing according to the procedures in the TRPA Rules of Procedure. Before issuing an approval, TRPA shall, make the following findings:

- (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.
- (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.

- (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.

18.1.C Nonconforming Uses: Uses legally commenced prior to the effective date of the Regional Plan, July 1, 1987, which would be prohibited if new, are nonconforming uses and may be continued, subject to the provisions of Section 18.5. Existing development in a special use category for which the findings in subsection 18.1.B have not been or can not be made shall be non conforming uses.

18.1.D Prohibited Uses: Proposed uses not listed in applicable plan area statements, community plans, redevelopment plans, and specific or master plans are prohibited. Also proposed special uses for which the findings in subsection 18.1.B can not be made shall be prohibited uses.

18.1.E Gaming Uses: Gaming uses which are recognized as permitted and conforming uses are set forth in Article VI(d) of the Compact.

18.1.F Dispersed Outdoor Recreation: Outdoor recreational uses which require few or no developed facilities, require no motorized vehicles, and generally occur in rural areas such as hiking; horseback riding; jogging; dispersed, primitive, or back country camping; fishing and hunting; nature study and photography; rafting and kayaking; sight seeing; dispersed beach recreation; swimming; sunbathing; and cross country skiing shall be allowed uses throughout the Region.

18.2 Accessory Uses: Accessory uses shall be regulated pursuant to the regulations applicable for the primary use upon which the accessory use is dependent. No project or activity pursuant to an accessory use may be permitted without a related primary use, existing or approved, on the same parcel.

18.2.A Accessory Use Defined: An accessory use is defined as a use, building, or other facility customarily a part of any primary use; that is clearly incidental and secondary to the primary use; that does not change the character or the intensity of the primary use; and that does not operate independent of the primary use. Additional criteria for determining commercial accessory uses for noncommercial primary uses are found in subparagraph 33.3.A(1)(b). Examples of accessory uses and related major categories of primary uses are as follows:

- (1) Residential: Accessory uses such as garages, green houses, homeowner association offices, art studios, workshops, swimming pools, storage structures, exempt home occupations, tennis courts, dog runs, emergency facilities, home occupations, secondary residence and other uses listed in the definition of a primary use as accessory.

- (2) Tourist Accommodation: Accessory uses such as garages, parking lots , swimming pools, tennis courts, bars and restaurants, equipment rental, maintenance facilities, laundries, gymnasiums, coin operated amusements, meeting rooms, managers quarters, child care facilities, emergency facilities, employee facilities other than housing, secondary residence, restricted gaming (Nevada only) and other uses listed in the definition of primary use as accessory.
- (3) Commercial: Accessory uses such as garages, parking lots, emergency facilities, maintenance facilities, employee facilities other than housing, secondary residence, restricted gaming (Nevada only), storage buildings and other uses listed in the definition of a primary use as accessory.
- (4) Public Service: Accessory uses such as garages, secondary residence, emergency facilities, accessory.
- (5) Recreation: Accessory uses such as garages, emergency facilities, child care, related commercial sales and services such as ski shops, pro shops, marine sales and repairs, parking lots, maintenance facilities, swimming pools, tennis courts, employee facilities other than housing, secondary residence, outdoor recreation concessions, bars and restaurants, and other uses listed in the definition of a primary use as accessory.

18.2.B Secondary Residence[§]: One secondary residence is considered an accessory use to the primary use it serves and may be permitted where the primary use is a permissible use. Secondary units may include a guest house; an affordable or market rate rental unit; a caretaker residence for a residential use, commercial use, public service or recreational use; and a manager's quarters for a tourist accommodation or multi-residential use. A secondary residence shall be considered a residential unit subject to the residential allocation limitations and transfer provisions. If the primary use is residential, a secondary unit may be permitted only if either subsection (1)(a) or (1)(b) below are met.

- (1) Residential Secondary Unit Parcel Size: A secondary residence may be permitted as accessory to a single family house if:
 - (a) the parcel on which the residence is located is greater in size than one acre, or
 - (b) The parcel on which the secondary residence would be located is within a jurisdiction certified by TRPA to possess an adequate local government housing program and the secondary unit is restricted to affordable housing.
- (2) TRPA Certified Local Government Housing Program: TRPA may certify by resolution a local government housing program upon a finding that it adequately addresses, at a minimum, (a) through (c) below.

[§] Amended 12/17/03

- (a) A local government adopted housing element that addresses the housing needs and issues of the jurisdiction pursuant to state standards.
- (b) Special ordinance standards for development of secondary residences, including but not limited to:
 - (i) minimum parcel size,
 - (ii) maximum unit floor area for the secondary unit,
 - (iii) parking standards, and;
 - (iv) building setback standards.
- (c) An adequately funded and staffed compliance and monitoring program. This program shall, through deed restriction, limit the project area to the approved use and restrict both rental rates and occupants' household income to affordable housing limits. Secondary units approved under this program shall be made available for long-term occupancy and shall be occupied for at least 10 months in each calendar year. Failure to comply for more than six months with use, rental rates/household income levels, or occupancy requirements shall require removal of the unit or modification of the use to bring the project area into compliance with otherwise applicable development standards.
- (d) Local government shall document and enforce the special standards through an MOU with TRPA. The MOU shall include objective compliance standards to ensure adequate funding, staff resources, permitting, compliance and monitoring consistent with the Local Government Housing Program.

18.2.C Local Utility Lines: Service drops and connections and local distribution lines are accessory to the structure which they serve, even though they are not on the same parcel, and may be permitted.

18.2.D Outside Display And Storage: Unless the definition of a primary use states that outside storage or display of material or merchandise is included as part of the use, such storage or display are considered accessory uses and subject to TRPA approval. TRPA may permit accessory outside display or storage of material or merchandise, as defined below, on an over night basis only if the Plan Area lists secondary storage as a permissible use. Accessory outside display of merchandise for commercial purposes on a daily basis may be permitted by TRPA under the special use provisions of Section 18.1, provided the merchandise does not remain outside when the primary use is not in operation. Temporary outdoor sales are regulated under Chapter 7.

- (1) Accessory Outside Storage: Storage of materials and equipment outside of a walled building or under the roof of nonwalled building and which storage constitutes secondary storage.

- (2) Accessory Outside Display: Exhibition, for public view, of merchandise outside of a walled building or under the roof of a nonwalled building and which display constitutes secondary storage.

18.2.E Determination Of Accessory Use: Accessory uses not listed as accessory by example above may be considered accessory upon a finding by TRPA that the use is accessory based on the criteria in Subsection 18.2.A above.

18.2.F Living Area Associated With Residential Accessory Structures: Living area associated with a permissible residential accessory structure under Subparagraph 18.2.A(1) may be permitted for parcels ineligible for a secondary residence provided that such living area does not constitute a secondary residence. Residential accessory structures, other than an authorized secondary residence, shall not contain any of the following:

- (1) Any item listed under cooking facilities as defined in Chapter 2 or areas for the insertion of these items.
- (2) Both bathing facilities and a wet bar; either bathing facilities or a wet bar may be permitted.
- (3) More than one toilet or bathing facility.
- (4) Living area greater than 50 percent of the living area of the primary residence, or greater than 640 square feet, whichever sq. footage is less.

18.2.G Threshold Related Research Facilities: Facilities may be designated "Threshold Related Research Facilities" if they meet the following criteria:[§]

- (1) The Facilities shall be primarily used to implement social, political and scientific research relating to the Lake Tahoe Environmental Thresholds or the Lake Tahoe ecosystem.
- (2) Structures and related improvements designated as "Threshold Related Research Facilities" shall provide adequate security, such as a bond, lease requirement, deed restriction or other appropriate mechanism, to assure their removal or conversion consistent with TRPA ordinances upon discontinuance of threshold research.
- (3) "Threshold Related Research Facilities" shall be located in community plan areas unless TRPA finds that there is a demonstrated need to locate them outside a CP area, the use is designated a special use by the applicable plan area statement, and that the project area for which the threshold related research facility is proposed contains existing development.
- (4) Subject to the provisions for development rights and allocation of residential development, overnight multi-person facilities for up to 25 persons and caretaker facilities may be deemed accessory to this use.

[§] Amended 10/28/98

18.2.H Accessory Biofuel Facilities: Biofuel facilities, which are considered an accessory use, may be permitted under the special use provisions of Section 18.1.[§]

18.3 Table Of Primary Uses: The following table of primary uses is a list of all primary uses that may be permitted within the land area of the Region. Each use is defined in section 18.4. Any use not listed on this table, presently or as amended, is prohibited. Plan area statements, community plans, redevelopment plans, and specific or master plans shall determine if a use is an allowable use, a special use, a prohibited use, or a nonconforming use for a specific parcel. This table, including the definitions of the uses set forth herein, shall apply to and govern all other chapters of this Code, plan area statements, community plans, redevelopment plans, and specific or master plans. Uses listed on this table may be considered accessory uses if they are listed in section 18.2.

[§] Amended 10/22/03

Chapter 18

TABLE OF PRIMARY USES

- I. RESIDENTIAL
 - Domestic animal raising
 - Nursing and personal care
 - Employee housing
 - Residential care
 - Mobile home dwelling
 - Single family dwelling
 - Multiple family dwelling
 - Summer home
 - Multi-person dwelling

- II. TOURIST ACCOMMODATION
 - Bed and breakfast facilities
 - Time sharing (hotel/motel design)
 - Hotel, motel, and other transient dwelling units
 - Time sharing (residential design)

- III. COMMERCIAL
 - A. Retail
 - Auto, mobile home and vehicle dealers
 - General merchandise stores
 - Mail order and vending
 - Building materials and hardware
 - Nursery
 - Outdoor retail sales
 - Eating and drinking places
 - Service stations
 - Food and beverage retail sales
 - Furniture, home furnishings and equipment

 - B. Entertainment
 - Amusements and recreation services
 - Outdoor amusements
 - Privately owned assembly and entertainment
 - Gaming-nonrestricted (Nevada only)

 - C. Services
 - Animal husbandry services
 - Personal services
 - Auto repair and service
 - Professional offices

- Broadcasting studios
- Repair services
- Business support services
- Sales lots
- Contract construction services
- Schools - business and vocational
- Financial services
- Secondary storage
- Health care services
- Laundries and dry cleaning plant

D. Light Industrial

- Batch plants
- Printing and publishing
- Food and kindred products
- Recycling and scrap
- Fuel and ice dealers
- Small scale manufacturing
- Industrial services

E. Wholesale/Storage

- Storage yards
- Warehousing
- Vehicle and freight terminals
- Wholesale and distribution
- Vehicle storage & parking

IV. PUBLIC SERVICE

A. General

- Airfields, landing strips and heliports (new non-emergency sites prohibited)
- Local public health and safety facilities
- Membership Organizations
- Cemeteries
- Power generating
- Churches
- Public owned assembly and entertainment
- Collection Stations
- Cultural facilities
- Public utility centers
- Day care centers/pre-schools
- Regional public health and safety facilities
- Government offices
- Hospitals
- Schools - college
- Local assembly and entertainment
- Schools - kindergarten through secondary
- Local post office
- Social service organizations
- Threshold Related Research Facilities [Amended 10/28/98]

- B. Linear Public Facilities
 - Pipelines and power transmission
 - Transportation routes
 - Transit stations and terminals
 - Transmission and receiving facilities

V. RECREATION

- Beach recreation
- Outdoor recreation concessions
- Boat launching facilities
- Participant sports facilities
- Cross country ski courses
- Recreation centers
- Day use areas
- Recreational vehicle parks
- Developed campgrounds
- Riding and hiking trails
- Downhill ski facilities
- Rural sports
- Golf courses
- Snowmobile courses
- Group facilities
- Sport assembly
- Marinas
- Undeveloped campgrounds
- Off-road vehicle courses
- Visitor information centers

VI. RESOURCE MANAGEMENT

- A. Timber Management
 - Reforestation
 - Special cut
 - Regeneration harvest
 - Thinning
 - Sanitation salvage cut
 - Timber stand improvement
 - Selection cut
 - Tree farms

- B. Wildlife and Fishes
 - Early successional vegetation management
 - Structural fish habitat management
 - Nonstructural fish habitat management
 - Structural wildlife habitat management
 - Nonstructural wildlife habitat management

- C. Range
 - Farm/Ranch accessory structures
 - Range pasture management
 - Grazing
 - Range improvement
- D. Open Space
 - Allowed in all areas of the region
- E. Vegetation Protection
 - Fire detection and suppression
 - Prescribed fire/burning management
 - Fuels treatment management
 - Sensitive plant management
 - Insect and disease suppression
 - Uncommon plant community management
- F. Watershed Improvements
 - Erosion control
 - Stream environment zone restoration
 - Runoff control

18.4 Definitions of Uses: The uses listed in the Table of Primary Uses in section 18.3 are defined in this section. Uses accessory to the uses listed in the Table of Primary Uses are also defined and, to the extent practicable, listed in this section. Certain of the terms employed in defining the uses in this section may be defined in Chapter 2.

The uses are defined as follows:

Airfields, Landing Strips and Heliports: Transportation facilities used for the landing or take off of aircraft, including helicopters; also, any appurtenant areas used for airport buildings and accessory facilities, including terminals, aircraft sales and rentals, and fueling facilities. This definition includes uses such as airports, heliports, helipads, and seaplane bases. Outside storage or display is included as part of the use.

Amusements and Recreational Services: Establishments providing amusement or entertainment for a fee or admission charge, such as: arcades and coin operated amusements; card rooms, billiard and pool halls, bowling alleys; ice skating and roller skating; dance halls, clubs and ballrooms which are principal uses rather than being subordinate to an eating or drinking place; gymnasiums, reducing salons, health and athletic clubs; indoor sauna, spa or hot tub facilities; tennis, handball, racquetball, indoor archery and shooting ranges, and other indoor sports activities; and motion picture theaters.

Animal Husbandry Services: Establishments primarily engaged in performing services for animals, such as veterinary services, animal hospitals, and animal kennels, except publicly operated animal control and wildlife care which is included in "Local Public Health and Safety Facilities."

Auto, Mobile Home and Vehicle Dealers: Retail trade establishments selling new and used automobiles, boats, vans, campers, trucks, mobile homes, recreational and utility trailers, motor cycles, golf carts, snowmobile and jet skis (except bicycles and mopeds, which are included under "General Merchandise"). Such businesses are considered a primary use when the establishment sells more than six (6) vehicles per calendar year. Also includes establishments selling new automobile parts, tires and accessories (including tire recapping establishments), as well as establishments dealing in used automobiles exclusively. Includes automobile repair shops only when maintained by an establishment selling new vehicles on the same site. Does not include establishments dealing exclusively in used parts, see "Recycling and Scrap." Does not include outside sales, see "Secondary Storage" or "Sales Lots."

Auto Repair and Service: Service establishments engaged in repair, alteration, painting, washing or waxing of automobiles as a principal use. Also includes storage and maintenance yards for rental of cars, trucks, or trailers. Does not include: automobile parking (classified in "Transportation"); repair shops subordinate to and maintained by a vehicle dealer ship; service stations (which are separately defined); or automobile wrecking yards (which are included under "Recycling and Scrap." Outside storage or display is included as part of the use.

Batch Plant: Manufacturing establishments for the production of paving materials or concrete. Does not include quarrying operations supplying material for the production of such materials. Outside storage or display is included as part of the use.

Beach Recreation: Recreational use of a beach, supported by developed facilities such as sanitation facilities, parking, and picnic sites, and nearshore facilities such as multiple-use piers and buoys. Nearshore and foreshore facilities are included in Chapter 51.

Bed and Breakfast Facilities: Residential type structures which have been converted to, or constructed as, tourist accommodation facilities where bedrooms without individual cooking facilities are rented for overnight lodging, where at least one meal daily is provided. Does not include "Hotels and Motels," which are defined separately; nor rooming and boarding houses which are included under "Multi-Family Dwellings."

Boat Launching Facilities: Recreational establishments which provide boat launching, parking and short term trailer storage for the general public. Storage, mooring and maintenance of boats is included under "marinas." Raft launching is included under "day use areas." Outside storage or display is included as part of the use.

Broadcasting Studios: Communication establishments such as telegraph, telephone, radio and television broadcasting and receiving stations and studios, contained entirely within buildings. Transmission and receiving apparatus, such as towers, lines, reflectors and antennas are included under the definition for "Transmission and Receiving Facilities."

Building Materials and Hardware: Retail trade establishments within buildings primarily engaged in selling lumber and other building materials including paint, wallpaper, glass, hardware, nursery stock, lawn and garden supplies. Includes all such stores selling to the general public, even if contractor sales account for a larger proportion of total sales. Establishments primarily wholesaling plumbing, heating, and air conditioning equipment and electrical supplies are classified in "Wholesale and Distribution." Outside storage or display is included as part of the use.

Business Support Services: Service establishments within a building, providing other businesses with services including maintenance, repair and service, testing, rental. This includes establishments such as outdoor advertising services, mail advertising services (reproduction and shipping); blue printing, photocopying, photofinishing, computer related services (rental, repair, and maintenance), commercial art and design (production), film processing laboratories, services to structures such as window cleaning, exterminators, janitorial services, and business equipment repair services.

Cemeteries: Internment establishment engaged in subdividing property into cemetery lots and offering burial plots or air space for sale. This includes establishments such as animal cemeteries; cemetery associations; cemetery, mausoleum and columbarium operations. (Excludes funeral parlor, cemetery real estate operations, and related facilities listed under "Personal Services").

Churches: Religious organization facilities operated for worship or promotion of religious activities, including churches and incidental religious education. Other establishments maintained by religious organizations, such as full time educational institutions, hospitals and other potentially related operations (such as a recreational camp) are classified according to their respective activities.

Collection Stations: Establishments engaged in the temporary accumulation and storage of recyclable or discarded materials including toxic and hazardous wastes, which are subsequently transported to recycling centers or solid waste disposal sites for further processing on a regular, and consistent schedule. (Does not include automobile wrecking yards or any recycling processing facilities, which are listed under Recycling and Scrap. Does not include regional solid waste transfer stations which are listed under Recycling which are listed under Regional Public Health and Safety Facilities). Outside storage or display is included as part of the use.

Contract Construction Services: Service establishments primarily engaged in construction, such as new development, additions, alterations, and repairs. Construction activities are generally administered or managed from a relatively fixed place of business, but actual construction work is performed at one or more different sites that may be dispersed geographically. Three broad types of construction activity are covered: (a) building construction by general contractors or by operative builders; (b) other construction by general contractors; and (c) construction by special trade contractors such as electrical, air conditioning and plumbing contractors, or others such as well drilling services. Establishments engaged in the installation of prefabricated buildings and equipment also are included. An office not associated with a construction site or without secondary storage is considered under "professional offices". Outside storage or display is included as part of the use.

Cross Country Skiing Courses: Land or premises used as a commercial operation for nordic skiing. Outside storage or display is included as part of the use.

Cultural Facilities: Permanent public or quasi-public facilities generally of a noncommercial nature such as art exhibitions, planetariums, botanical gardens, libraries, museums, archives, and arboretums.

Day-care Centers/Pre-Schools: Establishments used for the care of 7 or more children residing elsewhere.

Day-use Areas: Land or premises, other than participant sports, designated by the owner to be used by individuals or the general public, for a fee or otherwise, for outdoor recreation purposes on a daily basis such as regional and local parks, picnic sites, vista points, snow play areas, rafting facilities, and playgrounds.

Developed Campgrounds: Land or premises designed to be used, let, or rented for temporary occupancy by campers traveling by motorized vehicle and which contain such facilities as camp sites with parking area, barbecue grills, tables, restrooms, and at least some utilities.

Domestic Animal Raising: The keeping, feeding or grazing of animals as an avocation, hobby, or school project, secondary to the principal residential use of a property greater than two acres. Includes species commonly considered as farm animals, but does not include exotic animals. Household pets, such as dogs and cats, are included when such animals are being bred for commercial reasons. Outside storage or display is included as part of the use.

Early Successional Stage Vegetation Management: The application of a combination of actions that results in an area being converted to and/or being maintained in an early successional stage such as a meadow.[§]

Eating and Drinking Places: Restaurants, bars and other establishments selling prepared foods and drinks for on-premise consumption, as well as facilities for dancing and other entertainment that are accessory to the principal use of the establishment as an eating and drinking place. Also includes drive-in restaurants, lunch counters and refreshment stands selling prepared goods and drinks for immediate consumption.

Employee Housing: Residential units owned and maintained by public or private entities for purposes of housing employees of said public or private entity.

Erosion Control: Structural or nonstructural techniques applied to a particular site or region to prevent or minimize over land loss of soil or nutrients.

Farm/Ranch Structures: An uninhabited structure or building designed and built to provide cover for cattle, horses, and other related ranch animals, or for storage of farm or ranch implements, supplies, and products; contains no residential use and is not open to the public. Outside storage or display is included as part of the use.

Financial Services: Service establishments primarily engaged in the field of finance such as banks and trust companies; lending and thrift institutions, credit agencies; brokers and dealers in securities and commodity contracts; security and commodity exchanges; holding (but not predominantly operating) companies; vehicle finance (equity) leasing agencies and other investment companies.

Fire Detection and Suppression: Facilities for the detection and suppression of wild fire to protect life, property, public safety and resource values. Included is the operation of look out towers, aircraft, or other surveillance techniques.

[§] Amended 1/28/04

Food and Beverage Retail Sales: Retail trade establishments primarily engaged in selling food for home preparation and consumption, as well as the retail sale of packaged alcoholic beverages for consumption off the premises. This includes establishments such as grocery stores, convenience stores, and liquor stores. Such establishments may include no more than two gas pumps as an accessory use.

Food and Kindred Products: Manufacturing establishments producing or processing foods and beverages for human consumption and certain related products for distribution within the region such as meat and poultry processing, dairy products processing, beverages and liquors processing, and miscellaneous food preparation from raw products. Outside storage or display is included as part of the use.

Fuel and Ice Dealers: Retail trade establishments primarily engaged in the sale to consumers of ice, bottled water, fuel oil, butane, propane and liquefied petroleum gas (LPG), bottled or in bulk, as a principal use. Outside storage or display is included as part of the use.

Fuels Treatment: Activities required to treat fuels in order to reduce potential for damaging wildfires and secondarily enhance visual quality. Included are tree cutting, treating slash by lopping and scattering, piling and burning, chipping, hauling slash to another area for utilization, burning or burial, and broadcast burning. Fuels treatment also includes pruning limbs, removing ladder fuels such as brush and small diameter trees, thinning for adequate crown spacing, removing ground and surface fuels, etc. Any treatment that disrupts the vertical and horizontal continuity of fuels could be included. "Fuels Treatment" is equivalent to the following terms: "Fuels Treatment Management", "Fuels Management", "Fire Hazard Reduction", "Fuel Hazard Reduction", and "Hazardous Fuels Reduction".[§]

Furniture, Home Furnishings, and Equipment: Retail trade establishments primarily engaged in selling home furnishings such as furniture, floor coverings, draperies, glass and chinaware, domestic stoves, refrigerators, and other household electrical and gas appliances including televisions and home sound systems. Also included is the retail sale of office furniture.

Gaming-Nonrestricted (Nevada only): Establishments, regulated pursuant to Article VI (d) through (i) of the Compact, which deal, operate, carry on, conduct, maintain or expose for play any banking or percentage game played with cards, dice or any mechanical device or machine for money, property, checks, credit or any representative of value. It does not include social games played solely for drinks, or cigars or cigarettes served individually, games played in private homes or residences for prizes, or games operated by charitable or educational organizations to the extent excluded by state law. Restricted gaming is permissible only as an accessory use.

General Merchandise Stores: Retail trade establishments such as department stores, variety stores, drug and discount stores, and general stores engaged in retail sales of one or more lines of new and used merchandise, including: dry goods, apparel and accessories; small wares; sporting goods and equipment; bicycles and mopeds, parts and accessories. Also includes sales of miscellaneous shopping goods such as: books; stationery; jewelry; hobby materials, toys and games; cameras and photographic

[§] Amended 1/28/04

supplies; gifts, novelties and souvenirs; luggage and leather goods; fabrics and sewing supplies; florist and house plant stores; cigar and news stands; artists supplies; orthopedic supplies; religious goods; handcrafted items (stores for which may include space for crafting operations when such area is accessory to retail sales); and other miscellaneous retail shopping goods.

Golf Courses: An area of land laid out for the game of golf, driving ranges, and putting greens. A golf course may include accessory uses such as an eating and drinking place, clubhouse and general merchandise store. Outside storage or display is included as part of the use.

Government Offices: Buildings containing offices for public agencies including administrative offices, meeting rooms, and regional post offices, but does not include offices that are incidental and accessory to another government use, such as transit terminals, vehicle storage, campground, or storage yards.

Grazing: Utilizing natural forage as subsistence for livestock.

Group Facilities: Establishments which provide overnight accommodations and outdoor recreation to organized groups such as recreational camps, group or organized camps, religious camps.

Health Care Services: Service establishments primarily engaged in furnishing medical, mental health, surgical and other personal health services such as medical, dental and psychiatric offices (mental health-related services including various types of counseling practiced by licensed individuals other than medical doctors or psychiatrists, or unlicensed individuals, are included under Professional Offices); medical and dental laboratories; out patient care facilities; and allied health services. Associations or groups primarily engaged in providing medical or other health services to members are included. Nursing homes and similar long-term personal care facilities are classified in "Nursing and Personal Care."

Hospitals: Establishments primarily engaged in providing diagnostic services, extensive medical treatment including surgical and other hospital services; such establishments have an organized medical staff, inpatient beds, and equipment and facilities to provide complete health care.

Hotels, Motels and Other Transient Dwelling Units: Commercial transient lodging establishments including hotels, motor-hotels, motels, tourist courts or cabins, primarily engaged in providing overnight lodging for the general public whose permanent residence is elsewhere. It does not include bed and breakfast facilities or vacation rentals[§].

Industrial Services: Service establishments providing other businesses with services including maintenance, repair, service, testing and rental. This includes establishments such as welding repair, armature rewinding and heavy equipment re pair (except vehicle repair which is included under "Auto Re pair and Service"); research and development laboratories, including testing facilities; soils and materials testing laboratories; equipment rental businesses that are entirely within buildings (equipment rental yards

[§] Amended 3/24/04

are included under "Sales Lots"), including leasing tools, machinery and other business items except vehicles; and other business services of a "heavy service" nature. Outside storage or display is included as part of the use.

Insect and Disease Suppression: Activities, including use of biological or chemical means, required to suppress wildland infestations of insects or disease where silvicultural and other management practices have been insufficient to prevent loss of resources.

Laundries and Dry Cleaning Plants: Service establishments primarily engaged in high volume laundry and garment services such as power laundries (family and commercial); garment pressing and dry cleaning; linen supply; diaper service; industrial laundries; carpet and upholstery cleaners. Does not include coin-operated laundries or dry cleaning pick-up stores without dry cleaning equipment, which are classified in "Personal Services."

Local Assembly and Entertainment: Facilities for public assembly and entertainment for the local community not to exceed a capacity of 300 people, such as community centers, meeting halls, and multi-purpose centers.

Local Post Office: Establishments providing local neighbor hoods with mail service and delivery such as postal substations and neighborhood delivery centers.

Local Public Health and Safety Facilities: 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. Outside storage or display is included as part of the use.

Mail Order and Vending: Establishments primarily engaged in retail sale of products by catalog and mail order. Also includes vending machine distributorships and suppliers. Does not include product manufacturing, which is included under the appropriate manufacturing use.

Marinas: Establishments primarily providing water-oriented services such as yachting and rowing clubs; boat rentals; storage and launching facilities; sport fishing activities, excursion boat and sight seeing facilities; and other marina-related activities, including but not limited to fuel sales and boat and engine repair. Marinas contain water-oriented facilities and structures which are regulated and defined in Chapter 51. Condominiums, hotels, restaurants, and other such uses with accessory water oriented multiple use facilities are not considered marinas. Outside storage or display is included as part of the use.

Membership Organizations: Permanent, meeting facilities for organizations operating on a membership basis for the promotion of the interests of the members such as business associations; professional membership organizations; labor unions and similar organizations; civic, social and fraternal organizations (not including lodging, which is under "Multi-person Dwelling"); political organizations and other membership organizations. Does not include country clubs in conjunction with golf courses, which are included under "Golf Courses." Does not include religious organizations which are defined under "Churches".)

Mobile Home Dwelling: A vehicular structure which is built on a chassis or frame, is designed to be used with or without a permanent foundation, is capable of being drawn by a motor vehicle and is used as a residential dwelling when connected to utilities.

Multiple Family Dwelling: More than one residential unit located on a parcel. Multiple family dwellings may be contained in separate buildings such as two or more detached houses on a single parcel, or in a larger building on a parcel such as a duplex, a triplex, or an apartment building. Vacation rentals are included, up to but not exceeding a fourplex, provided they meet the Local Government Neighborhood Compatibility Requirements as defined in Chapter 2[§]. One detached secondary residence is included under secondary residence.

Multi-Person Dwelling: A building designed primarily for permanent occupancy by individuals unrelated by blood, marriage or adoption in other than single family dwelling units or transient dwelling units. A multi-person dwelling includes, but is not limited to, facilities such as dormitories and boarding houses, but not such facilities as hotels, motels and apartment houses.

Nonstructural Fish Habitat Management: Implementing activities that maintain or improve fish habitat of any species through non-structural means. The primary purpose is to perpetuate the cold water fisheries resource through management of their habitat. Includes stream barrier removal, human access control, protection and enhancement of riparian vegetation, and beaver control.

Nonstructural Wildlife Habitat Management: Implementing activities that maintain or improve wildlife habitat of any species through nonstructural means. The primary purpose is to perpetuate viable populations of wildlife species native to the area through management of their habitat. Included are activities such as prescribed burning, snag protection, seeding and planting, maintenance of canopy closure, control of livestock and access control.

Nursery: Commercial retail and wholesale establishments where plants are grown or stored for transplanting at other sites. Outside storage or display is included as part of the use.

Nursing and Personal Care: Residential establishments providing nursing and health-related care as a principal use with in patient beds such as skilled nursing care facilities; extended care facilities; convalescent and rest homes; board and care homes.

Off-Road Vehicle Courses: Areas authorized by the Agency for the use of off road vehicles; including, but not limited to, dirt bike, enduro, hill climbing or other off-road motorcycle courses; also, areas authorized by the Agency for competitive events utilizing four wheel drive vehicles. Off road vehicle use does not include the use of vehicles associated with timber harvest activities on approved skid trails or maintenance vehicles.

Open Space: Land with no land coverage and maintained in a natural condition or landscaped condition consistent with Best Management Practices, such as, deed restricted properties and designated open space areas.

[§] Amended 3/24/04

Outdoor Amusements: Commercial establishments for outdoor amusement and entertainment such as amusement parks, theme and kiddie parks, go cart and miniature auto race tracks, moped, bicycle, and skate rentals, and miniature golf courses. Outside storage or display is included as part of the use.

Outdoor Recreation Concessions: Facilities which are dependent on the use of outdoor recreation areas such as onsite food and beverage sales, onsite recreational equipment rentals, para-sailing, rafting, and onsite recreation instruction. This also includes outfitter or guide service establishments whose base facilities are located on or near a recreation area such as horse packing outfitters or snowmobiling outfitters. Outside storage or display is included as part of the use.

Outdoor Retail Sales: Retail trade establishments operating outside of buildings on a daily or weekly basis, such as road side stands; flea markets; swap meets; seasonal sales involving Christmas trees, fireworks, pumpkins or other seasonal items; regular sales of art or handcrafted items in conjunction with community festivals or art shows; and retail sales of various products from individual motor vehicles locations outside the public right-of-way, not including bakery, ice cream and similar vending vehicles that conduct all sales within the right-of-way and do not stop in any location except on customer demand. Outside storage or display is included as part of the use.

Participant Sports Facilities: Facilities for various outdoor sports and recreation including, but not limited to, tennis courts, swim and tennis clubs, ice skating rinks, and athletic fields (non professional). Outside storage or display is included as part of the use.

Personal Services: Establishments primarily engaged in providing non medically related services generally involving the care of persons including beauty and barber shops; shoe repair shops; saunas and hot tubs; laundromats (self-service laundries); dry cleaning pick-up stores and small-scale dry cleaners without pick-up and delivery services; clothing rental; dating and escort services; funeral parlors, cemetery real estate sales and related facilities, offsite rental of sporting equipment, and wedding chapels. These uses may also include accessory retail sales of products related to the services provided.

Pipelines and Power Transmission: Transportation facilities primarily engaged in the pipeline transportation of refined products of petroleum such as gasoline and fuel oils; natural gas; mixed, manufactured or liquified petroleum gas; or the pipeline transmission of other commodities. Power transmission includes facilities for the transmission of electrical energy for sale, including transmission and distribution facilities; not including offices or service centers (classified in "Professional Offices"), equipment and material storage yards (classified under "Storage Yards"), distribution substations (classified under "Public Utility Centers"), power plants (classified under "Power Generating Plants"). Outside storage or display is included as part of the use.

Power Generating:[§] Establishments engaged in the generation of electrical energy for sale to consumers, including biofuel facilities, hydro facilities, gas facilities, and diesel facilities. Biofuel facilities accessory to a primary use are not included in the definition of Power Generating. Transmission lines located off the site of the power plant are included under "Pipelines and Power Transmission." Electrical substations are included under "Public Utility Centers." Outside storage or display is included as part of the use.

[§] Amended 10/22/03

Prescribed Fire Management: Planned burning under controlled conditions to dispose of slash or fuels, control unwanted vegetation, stimulate the growth of vegetation, control insects and pathogens, and maintain natural ecological succession in order to achieve vegetation and wildfire habitat management goals.

Printing and Publishing: Establishments engaged in printing onsite by letterpress, lithography, gravure, screen, offset or other common process including electrostatic (xerographic) copying and other "quick printing" services; and establishments serving the printing trade such as book binding, typesetting, engraving, photo engraving and electro-typing. This group also includes establishments manufacturing business forms and binding devices.

Privately Owned Assembly and Entertainment: Commercially operated facilities for public assembly and group entertainment with a capacity of greater than 300 people such as: auditoriums; exhibition and convention halls; theaters, meeting halls and facilities for "live" theatrical presentations or concerts by bands and orchestras; amphitheaters; meeting halls for rent, and similar public assembly uses.

Professional Office: A place where the following kinds of business are transacted or services rendered such as engineering, architectural and surveying services; real estate agencies; educational, scientific and research organizations; accounting, auditing and bookkeeping services; writers and artists; advertising agencies; photography and commercial art studios; publishing with offsite printing facilities, employment, stenographic, secretarial and word processing services; off premise concessions (OPC); reporting services; data processing and computer services; management, public relations and consulting services; organizational offices; detective agencies; professional services; attorneys; and counseling services (other than licensed psychiatrists which are included under "Health Care Services"). Incidental offices are considered accessory uses to a primary use.

Public Utility Centers: Public and quasi-public facilities serving as junction points for transferring utility services from one transmission to another or to local distribution and service. These uses include: electrical substations and switching stations; major telephone switching centers; natural gas regulating and distribution facilities; public water system wells, treatment plants and storage; and community wastewater treatment plants and settling ponds. These uses do not include office or service centers (classified in "Professional Offices or Government Offices"). Outside storage or display is included as part of the use.

Publicly Owned Assembly and Entertainment: Facilities owned and operated by a public or nonprofit entity for public assembly and group entertainment with a capacity of greater than 300 people such as public auditoriums; exhibition and convention halls; civic theaters, meeting halls and facilities for "live" theatrical presentations or concerts by bands, choirs, and orchestras; meeting halls for rent; community centers; and similar public assembly uses.

Range Improvement: Structural and nonstructural improvements and their maintenance designed to increase the forage, make forage areas accessible, provide water, and control livestock movement. Includes prescribed burning, irrigation, fertilization, water developments, fencing, noxious plant control, type conversion, seeding, etc.

Range Pasture Management: Activities required to manage the use of pastures for grazing. The primary purpose is to utilize a fenced closure, or other type of confined area, and the available forage therein, for livestock, such as pack and saddle horses, mules and cattle.

Recreation Centers: Indoor recreation establishments operated by a public or quasi-public agency providing indoor sports and community services such as swimming pools, ice skating rinks, multi-purpose courts, weight rooms, and meeting and crafts rooms.

Recreational Vehicle Parks: Transient lodging establishments engaged in renting, leasing or otherwise providing overnight sites for trailers, campers and recreation vehicles with individual utility hookups, this also includes accessory facilities such as public restrooms, swimming pools, and manager's quarters.

Recycling and Scrap: Establishments engaged in assembling, breaking up, sorting, temporary storage and distribution of recyclable or reusable scrap and waste materials, including auto wreckers engaged in dismantling automobiles for scrap. Does not include terminal waste disposal sites, which are prohibited, and does not include temporary storage of toxic or radioactive waste materials. Outside storage or display is included as part of the use.

Reforestation: Reestablishment of trees on forest land to perpetuate tree cover. Included are ground preparation prior to natural seed fall, artificial seeding or planting, fertilizing and protecting young plants until established. Both mechanical and chemical techniques may be used. In heavily used recreation areas, special tending techniques may be necessary.

Regeneration Harvest: (Patch cutting, clearcutting, seed tree cutting, shelter wood cutting.) Removal of all trees in one or more cuts from an area for the purpose of creating a new even-aged stand especially species intolerant of shade. Openings created by regeneration harvests will be reforested by natural seeding, artificial seeding, or through planting.

Regional Public Health and Safety Facilities: Regional facilities operated by public or quasi-public entities for protection of the public, such as fire stations and other fire prevention facilities, water and sewage facilities, transportation maintenance/storage facilities, police and sheriff substations and headquarters, including secondary county short-term incarceration facilities, and solid waste transfer stations which TRPA finds to be regionally serving. Secondary county short-term incarceration facility means a county jail, not a state or federal prison facility, that is not the primary jail for the county.

Repair Services: Service establishments where repair of consumer products is the principal business activity, such as electrical repair shops; television and radio and other appliance repair; watch, clock and jewelry repair; boat repair; small engine repair; reupholstery and furniture repair. Does not include businesses serving the repair needs of heavy equipment, which are included under "Industrial Services." An out door storage yard associated with these uses is considered under "Secondary Storage."

Residential Care: Establishments primarily engaged in the provision of residential social and personal care for children, the aged, and special categories of persons with some limits on ability for self care, but where medical care is not a major element. Including, but not limited to, children's homes, halfway houses, orphanages, rehabilitation centers, and self-help group homes.

Riding and Hiking Trails: Planned paths for pedestrian and equestrian traffic, includes trail heads.

Runoff Control: Structural or nonstructural practices designed to provide reasonable assurance that the runoff water quality standards to the surface or ground waters will be achieved.

Rural Sports: Establishments which provide for special outdoor recreation group activities such as outdoor archery, pistol, rifle, and skeet clubs and facilities (indoor shooting facilities are included under the definition of "Amusements and Recreational Services"); hunting and fishing clubs; and equestrian facilities, stables, and exhibition facilities.

Sales Lots: Outdoor sales area for permanent display of motor vehicles, recreational vehicles, mobile homes, construction equipment, farm machinery or other heavy equipment; outdoor equipment rental yards (not including recreational equipment rental); large scale permanent outdoor sales activities such as livestock auctions and sales. Outside storage or display is included as part of the use.

Sanitation Salvage Cut: Removal of dead, dying, deteriorating or highly susceptible trees where insects, disease, fire or wind has caused damage. Quick treatment prevents further losses and allows salvage of wood before it deteriorates.

Schools - Business and Vocational: Business and secretarial schools and vocational schools offering specialized trade and commercial courses. Includes specialized non-degree granting schools including, but not limited to, music schools; dramatic schools; language schools; driver education schools; ballet and other dance studios; seminaries and other establishments exclusively engaged in training for religious ministries; and establishments furnishing educational courses by mail.

Schools - College: Junior colleges, colleges, universities and professional schools granting associate arts degrees, certificates, undergraduate and graduate degrees and requiring for admission at least a high school diploma or equivalent general academic training.

Schools - Kindergarten to Secondary: Kindergarten, elementary and secondary schools serving grades up to 12, including denominational and sectarian.

Secondary Residence: A permanent residential dwelling that is secondary to the primary use of the property. This includes a caretaker residence that is used for housing a caretaker employed on the site to take care of the primary use, structures, and land of the owner. A secondary residence is considered a residential unit.[§]

Secondary Storage: The outdoor storage of various materials or the public display of merchandise on the same site as a principal building or use, which supports the activities or conduct of the principle use and does not increase the intensity of the use. This does not apply to primary uses which include outside storage and display as part of the use.

Selection Cut: A method for maintaining, or producing an uneven aged stand preferably of mixed species. In the Lake Tahoe Basin the method may be applied to convert even aged stands to an uneven aged condition, to maintain scenic quality, to pre pare an area

[§] Amended 12/17/03

for use as a developed recreation site, or to maintain tree cover within a developed recreation site. Practices may include annual or periodic removal of individual or small groups of trees in order to realize the yield and establish a new crop. Regeneration cutting, improvement cutting, and tending of the immature stand are accomplished at each entry to obtain a high level of timber production.

Sensitive Plant Management: Activities or improvements intended to protect, enhance, perpetuate or increase the habitat of plant species listed by the state, federal government, or the TRPA as threatened, endangered, rare, or sensitive such as protective fencing and cages, livestock control, public education, direct control of people access, rerouting of trails, and other protective measures deemed appropriate to secure the survival of the species.

Service Stations: Retail trade establishments primarily engaged in the sale of gasoline, which may also provide lubrication, oil change and tune-up services and the sale of automotive products incidental to gasoline sales. May also include towing, mechanical repair services, car washing and waxing, and trailer rental, as accessory uses but does not include storage of wrecked or abandoned vehicles, paint spraying body and fender work. Does not include the retail sale of gasoline as a accessory use to food and beverage retail sales when limited to not more than two pumps.

Single Family Dwelling: One residential unit located on a parcel. A single family dwelling unit may be contained in a detached building such as a single family house, or in a sub divided building containing two or more parcels such as a town house condominium. Vacation rentals are included provided they meet the Local Government Neighborhood Compatibility Requirements as defined in Chapter 2.[§] A caretaker residence is included under secondary residence.

Skiing Facilities: Uses and facilities pertaining to ski areas, including but not limited to, runs, trails, lift-lines cables, chairs, cars, warming huts, care taking quarters, parking, vehicles, day lodges, shops for sale and rental of ski equipment, ski pro shop, first aid stations, ski school facilities and assembly areas, day nurseries, maintenance facilities, lounges, eating and drinking establishments, and other ski oriented shops. Uses and facilities serving non-skiing activities or operating year-round such as tennis courts, swimming pools, hot tubs, restaurants, bars, and retail sales constructed on lands which serve or are utilized in the operation of a ski area shall be considered under the appropriate use classification in this Chapter. Outside storage or display is included as part of the use.

Small Scale Manufacturing: Establishments considered to be light manufacturing or cottage industry which produce jewelry, silverware and plated ware; musical instruments; toys; sporting and athletic goods; pens, pencils, and other office and artists' materials; buttons, costume novelties, miscellaneous notions; brooms and brushes; caskets; and other miscellaneous manufacturing industries. Also included are artisan and craftsman-type operations which are not home occupations, and which are not secondary to on-site retail sales. Also includes small-scale blacksmith and welding services and the manufacture of trusses. Outside storage or display is included as part of the use.

[§] Amended 3/24/04

Snow Mobile Courses: Mapped areas, pathways, and trails utilized in, and approved for, commercial snowmobile operations.

Social Service Organizations: Public and quasi-public establishments providing social services and rehabilitation services, counseling centers, welfare offices, job counseling and training centers, or vocational rehabilitation agencies, serving persons with social or personal problems requiring special services and the handicapped and the disadvantaged. Includes organizations soliciting funds to be used directly for these and related services. Also includes establishments engaged in community improvement and neighborhood development.

Special Cut: The cutting of trees for other than for timber production purposes, for reasons such as: (1) maintenance of a healthy forest so that losses due to insect, disease or fire will not result in harmful effects to watershed or visual quality on land of capability levels 1a, 1c, 2 and SEZ where conventional logging techniques may cause unacceptable water quality impacts or permanent soil damage; (2) maintenance of a healthy forest, remove dangerous trees, and enhance foreground views on land developed for recreational, administrative or private purposes, or intensively used for dispersed recreation; and (3) provision of ski trails, convert meadow encroachments, provide vista openings, increase water yield, or increase range and wildlife forage. Harvesting may require aerial techniques, and cutting without removal for consumption may be necessary. Cut trees may be utilized on site for fuel wood, wildlife habitat, traffic barriers, or for other purposes.

Sport Assembly: Commercial facilities for spectator-oriented, specialized, sports assembly that do not exceed a 5000 person seating capacity such as stadiums, arenas, and field houses.

Storage Yards: Service establishments primarily engaged in the outdoor storage of motor vehicles, construction equipment, materials or supplies, fire wood lots, farm machinery or industrial supplies on a parcel. Outside storage or display is included as part of the use.

Stream Environment Zone Restoration: The reestablishment of the natural functions of areas that prior to modification were directly influenced by the presence of surface water or near surface groundwater and which have been identified by TRPA as a stream environment zone. Reestablishment includes activities such as the removal of fill material or other encroachments, recontouring or revegetation. The natural functions of an SEZ include the provision of wildlife habitat, protection of the soil resource and filtration of nutrients and sediments from tributary or storm runoff.

Structural Fish Habitat Management: Improvements, such as channel stabilization, fish ladders, the construction and operation of dams, and removal of barriers to fish movement, to benefit specific fish species by replacing or repairing habitat features that have been diminished or altered.

Structural Wildlife Habitat Management: Improvements, such as installation of nest structures, creation of snags from green trees, water impoundments, guzzlers, shelters, and fencing, to benefit specific wild life species by replacing or repairing habitat features that have been diminished or altered.

Summer Home: A cabin-type single family house intended primarily for intermittent vacation use and located in USFS summer home tracts or other remote recreation sites. Such structures are generally located in areas of restricted winter access.

Thinning: Reducing the number of trees in a stand to achieve the desired density for healthy, vigorous, fast growing trees. See also Selection Cut.

Threshold Related Research Facilities: Public or non-profit research establishments primarily engaged in implementing social, political and scientific research relating to the Lake Tahoe Environmental Thresholds or the Lake Tahoe ecosystem. The use includes laboratories, monitoring stations, scientific interpretive centers, research and training classrooms, and related support facilities. It does not include facilities not related to threshold related research such as general college administrative offices and classrooms which are listed under Schools-College and government administrative offices which are listed under Government Offices or non threshold related research (which may be conducted under the Professional Office use). Overnight multi-person facilities, outside storage, and caretaker facilities may be considered as accessory to this use. [Amended 10/28/98]

Timber Stand Improvement: Release, weeding, pre commercial thinning, pruning, fertilization and other investment type treatments, mechanical or chemical, intended to improve the composition, constitution, condition and growth rate of a timber stand increasing its future value.

Timeshare (Hotel/Motel Design): A right to exclusively use, occupy or possess a tourist accommodation unit of a hotel/motel design without kitchen units, according to a fixed or floating time schedule on a periodic basis occurring annually over a period of time in excess of three years.

Timeshare (Residential Design): A right to exclusively use, occupy or possess a tourist accommodation unit of a residential design with kitchen units, according to a fixed or floating time schedule on a periodic basis occurring annually over a period of time in excess of three years.

Transit Stations and Terminals: Passenger stations for vehicular and mass transit systems; also terminal facilities providing maintenance and service for the vehicles operated in the transit system. Including, but not limited to, buses, taxis, railway, ferries, etc. Outside storage or display is included as part of the use.

Transmission and Receiving Facilities: Communication facilities for public or quasi-public, commercial, and private electronic, optic, radio, microwave, electromagnetic and photo-electrical transmission and distribution such as, repeater and receiving facilities, feeder lines, and earth stations for satellite communications for radio, television, telegraph, telephone, data network and other microwave applications. Includes local distribution facilities such as lines, poles, cabinets, and conduits. Does not include uses described under Broadcasting Studios. Outside storage or display is included as part of the use.

Transportation Routes: Public right-of-ways which are improved to permit vehicular, pedestrian, and bicycle travel.

Tree Farms: An area where trees or other vegetation on the TRPA approved species list are grown for commercial harvest. Tree farms may include establishments where Christmas trees are cultivated or where other native trees and plants are grown for harvest at a later date.

Uncommon Plant Community Management: Activities or improvements designed to protect, enhance, or perpetuate and ensure the normal ecological processes of a plant community which is of local, regional, state or national interest.

Undeveloped Campgrounds: Land permanently established to be used for temporary occupancy by campers traveling by foot or horse, which may contain tent sites, fire rings, and sanitary facilities, but does not contain utilities.

Vehicle and Freight Terminals: Transportation establishments furnishing services incidental to transportation such as freight forwarding services; transportation arrangement services; packing, crating, inspection and weighing services; freight terminal facilities; joint terminal and service facilities; trucking facilities, including transfer and storage; and postal service bulk mailing distribution centers. Outside storage or display is included as part of the use.

Vehicle Storage and Parking: Service establishments primarily engaged in the business of storing operative cars, buses or other motor vehicles. Includes both day use and long-term public and commercial garages, parking lots and structures. Does not include wrecking yards (classified in "Recycling and Scrap"). Outside storage or display is included as part of the use.

Visitor Information Centers: Nonprofit establishments providing visitor information and orientation.

Warehousing: Establishments primarily engaged in the storage of furniture, household goods, or other commercial goods such as warehouses and storage or mini-storage facilities offered for rent or lease to the general public. Does not include warehouse facilities where the primary purpose of storage is for goods for wholesaling distribution. Does not include terminal facilities for handling freight (classified in "Vehicle and Freight Terminals"). Outside storage or display is included as part of the use.

Wholesale and Distribution: Establishments engaged in the storage of merchandise for sale to retailers; to industrial, commercial, institutional, farm, or professional business users; or to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies. Includes such establishments as: merchant wholesalers; agents, merchandise or commodity brokers, and commission merchants; and assemblers. Outside storage or display is included as part of the use.

18.5 Existing Uses: The following rules apply to existing uses:

18.5.A Right To Continue Existing Uses: Uses legally commenced prior to the effective date of the Regional Plan, July 1, 1987, are recognized as existing uses and may be continued, except as otherwise set forth in subparagraphs 18.5.A(1) and 18.5.A(2). Continuation of an existing use includes a change in ownership, tenancy, or management, where the nature and character of the existing use remain substantially unchanged. Short-term or seasonal uses

existing pursuant to legally issued TRPA permits may continue only for the duration of the permits authorizing them. Neither this section nor this chapter shall be construed as a limitation upon TRPA's authority to regulate all uses, present or future, by permit, prohibition or otherwise.

- (1) Nonconforming Uses: If an existing nonconforming use is discontinued for a period of one year or more, any subsequent use shall comply with the use regulations set forth in the plan area statement. In the event a use is discontinued because a structure destroyed by fire or other calamity is being reconstructed, the period of time between the calamity and completion of reconstruction shall not be considered a discontinuance of use.
- (2) Uses Subject To A Specific Program Requiring Discontinuance Or Modification Of The Uses: Uses subject to a specific program requiring discontinuance or modification of the use shall be discontinued or modified in accordance with the requirements of such program.

18.5.B Changes, Expansions Or Intensifications Of Existing Uses: Expansions and intensifications of existing uses, or changes in uses, to the extent permitted by this chapter, are subject to the requirements for a permit set forth in Chapter 4. Modifications, expansions and other changes to structures are governed by other provisions of this Code and also are subject to the requirements of Chapter 4.

- (1) Allowed Uses: Uses identified as allowed uses may be changed, expanded or intensified in conformance with this Code. Any change, expansion or intensification, resulting in a special use, shall be subject to the special use requirements.
- (2) Special Uses: Uses identified as special uses and for which the required findings pursuant to subsection 18.1.B have been made by TRPA, may be changed, expanded or intensified subject to Subsection 18.1.B. Special uses for which the required findings have not been made may not be changed, expanded or intensified except in accordance with subparagraph 18.5.B(3).
- (3) Nonconforming Uses: Uses identified as nonconforming shall not be expanded or intensified beyond the use existing on the effective date of the Regional Plan. A nonconforming use may not be changed unless the new use conforms to the use regulations set forth in the Code. Expansions of structures containing a nonconforming use shall not be permitted. Modifications may be permitted only when TRPA finds that the modifications do not increase the extent of nonconformity.