TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that the Advisory Planning Commission of
the Tahoe Regional Planning Agency will conduct its regular meeting at
9:30 a.m. on September 11, 1991, at the Chateau, 995 Fairway Boulevard,
Incline Village, Nevada. The agenda for said meeting is attached hereto and
made a part of this notice.

September 3, 1991

David S. Ziegler
Executive Director

This agenda has been posted at the TRPA office and at the following post
offices: Zephyr Cove and Stateline, Nevada, and Al Tahoe, Tahoe Valley,
and Tahoe City, California.
TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

The Chateau, 995 Fairway Boulevard
Incline Village, Nevada

September 11, 1991
9:30 a.m.

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

AGENDA

I CALL TO ORDER AND DETERMINATION OF QUORUM

II APPROVAL OF AGENDA

III DISPOSITION OF MINUTES

IV PLANNING MATTERS

A. Discussion on 1991 Threshold Evaluation
   Pertaining to Water Quality and Air Quality

V PUBLIC HEARING AND RECOMMENDATION

A. Amendment of Chapters 2, 4, 5, 20, 34, 37, and 53 to Make
   Technical Corrections and to Clarify Existing Provisions

B. Certification of Final Draft EIR/EIS for the
   South Lake Tahoe Loop Road Project

C. Amendment of Plan Area Statement 170 (Tahoe Park/Pineland) to
   Permit Professional Offices and Personal Services as Special Uses

D. Amendment of Plan Area Statements 009B, 017, 026, 045, 089B, 091, and
   114 With Respect to Reclassification of Day Care/Pre-School Uses

E. 1991 Evaluation, Environmental Threshold Carrying
   Capacities and the Regional Plan Package

F. Amendments to Chapter 4 Relating to Streamlining
   and Clarification of Existing Provisions

VI REPORTS

A. Executive Director
   1. Report on Recreation Concessions in the Shorezone

B. Legal Counsel

C. APC Members

D. Public Interest Comments
VII PENDING MATTERS

VIII RESOLUTIONS

A. For Former APC Members Jon Hoefer, Vivian Roberts, and Leonard Jolley

IX ADJOURNMENT
MEMORANDUM

September 3, 1991

To: TRPA Advisory Planning Commission

From: TRPA Staff

Re: Amendment of Chapters 2, 4, 5, 20, 34, 37, and 53

BACKGROUND: Over the past two years, staff has compiled a list of technical corrections that should be made to the Code for consistency and clarification. These amendments do not add new policies or change existing policies; they clarify existing provisions and make the Code more consistent and understandable.

PROPOSED AMENDMENTS: The proposed amendments are set forth with a brief explanation of the problem preceding the proposed amendment. New language is underlined.

A. Chapter 2:

(1) The definition of "derelict" is currently hidden in Chapter 34. The amendment brings it forward to Chapter 2 with the other definitions.

PROPOSED AMENDMENT: Derelict Development: See Chapter 34. An abandoned structure or other development. Abandonment is determined without regard to intent to abandon. Evidence of abandonment includes lack of maintenance, access, utility connections, habitability or ability to function in the applicable use category.

(2) The definition of "canopy" in Chapter 2 should include a "built" canopy as referenced in the setback provisions in subparagraph 30.5.D(1).

PROPOSED AMENDMENT: Canopy: The more or less continuous cover of branches and foliage formed by the crown of adjacent trees and other woody growth. A manmade structure consisting of a suspended covering or roof or similar structure.

SES: jm
9/3/91

AGENDA ITEM V A.
(3) The definition of "existing" should clearly exclude discontinued uses and expired approvals.

PROPOSED AMENDMENT: Existing: Legally present or approved on the effective date of the Regional Plan or subsequently legally constructed, commenced or approved pursuant to necessary permits. Derelict structures are not considered existing for purposes of Chapter 33, 34 and 35 nor are discontinued uses or projects whose approvals have expired.

(4) The definition of "overhang" should delete the cantilevered requirement to reflect current project review practice.

PROPOSED AMENDMENT: Overhang: The portion of a structure that is cantilevered so as to not require a structural member attached to the ground or is a deck supported by posts with no structure underneath. For a building or deck, the overhang is that portion of the structure extending beyond a line connecting the last row of structural posts or beyond a continuous foundation wall.

(5) The definition of "sedimentation" contains a misspelling.

PROPOSED AMENDMENT: Sedimentation: The process of subsidence and deposition of suspended matter carried by water, wastewater, or other liquids, by gravity. Usually accomplished by reducing the velocity of the liquid below the point at which it can transport the suspended material. Also called settling. In geology, sedimentation consists of five fundamental processes: weathering, erosion, transportation, deposition, and diagenesis or consolidation into rock.

B. Chapter 4:

(1) The provision for fire rebuilds needs to clarify that failure to apply within the deadline results in the structure losing its existing status such that a new allocation, if applicable, would be required to reconstruct. The requirement for a dual application should be deleted.

PROPOSED AMENDMENT: 4.11.C(1) Application: A written-statement-of-intent-to-repair or-rebuild-shall-be-submitted-within-one-year-of-the damage-or-destruction-resulting-from-the-calamity...
A complete application, as defined in the Rules of Procedure, shall be submitted to TRPA within eighteen months of the damage or destruction resulting from the calamity. Structures for which applications are not timely filed shall be considered derelict and not as existing structures.

C. Chapter 5:

(1) The provision which exempts projects from preparation of an EIS should clarify that IECs and EAs are not required either.

PROPOSED AMENDMENT: 5.5.A Projects Exempt From Preparation of Environmental Impact Statement: The following projects are exempt from preparation of an EIS and other environmental documents:

(2) The list of exemptions from environmental documents currently include a class of activities which are exempt from TRPA review and should be amended to exempt the lowest level of vehicle trips which constitute a project. Also, the list of exempt activities should include transfers of development rights and residential allocations since these do not result in "built" projects and are largely ministerial.

PROPOSED AMENDMENT: (2) Insufficient Changes in use consisting of minor increases in vehicle trips (See Chapter 93).

(3) Transfers of development rights and residential allocations (does not include construction of new units).

D. Chapter 20:

(1) The example of a PUD calculation should have a division sign, not a minus sign.

PROPOSED AMENDMENT: 20.3.A(3) Remaining Allowable Base Coverage (13,560) - Number of Parcels (10) = Allowable Base Coverage Per Parcel (1350).

(2) The provisions for the transfer of land coverage should include reference to IPES scores.
PROPOSED AMENDMENT: 20.3.C(3) Sending Parcels Classified As Sensitive Lands (Land Capability Districts 1-3): If land coverage is transferred from a sending parcel that is located, in whole or in part, in Land Capability Districts 1 through 3, inclusive, or is at or below the initial level defining the top rank under IPES (i.e., 725), the coverage transferred shall be permanently retired in the manner set forth in Subparagraph 20.3.C(7) and may not be returned to the sending parcel.

PROPOSED AMENDMENT: 20.3.C(4) Sending Parcels Classified As High Capability Lands (Land Capability Districts 4-7): If land coverage is transferred from a sending parcel that is located entirely within Land Capability Districts 4 through 7, inclusive, or is above the initial level defining the top rank under IPES (i.e., 725), land coverage may be returned to the sending parcel subject to the limitations of Subsections 20.3.A and 20.3.B.

(3) The Code provisions for mitigating SEZ disturbance are inconsistent with the 208 Plan and should require mitigation for all disturbance in an SEZ.

PROPOSED AMENDMENT: 20.4.B(1)(b), 20.4.B(2)(e), and 20.4.b(3)(c) The impacts of the land coverage and disturbance are fully mitigated in the manner set forth in Subparagraph 20.4.A(2)(e), with the exception that the restoration requirement in such Subsection shall apply exclusively to stream environment zone lands and shall include coverage and disturbance within the permitted Bailey coefficients.

E. Chapter 34:

(1) The definition of "derelict" should be deleted since it will be moved to Chapter 2.

PROPOSED AMENDMENT: 34.4.C(2) Transfers of use shall not be permitted for development that has become derelict. *Derelict is defined as having been abandoned—Abandonment shall be determined without regard to intent to abandon as evidenced by such evidence as lack of maintenance, access, utility*
connections, habitability, or ability to function as a facility in the category of use for which a transfer is proposed.

(2) The reference to environmental documentation for a development right transfer should be deleted consistent with the proposed amendment to Subsection 5.5.A.

PROPOSED AMENDMENT: 34.2.F----Environmental Document----The approval of a transfer shall require environmental documentation pursuant to Chapter 5.

F. Chapter 37:

(1) The IPES appeal process currently requires two applications for appeals. This procedure made sense for the initial appeals but not for the small number of appeals being received today.

PROPOSED AMENDMENT: 37.10.D The owner of a parcel who has received notification of the parcel's score under IPES may file an appeal with TRPA by submitting a complete written appeal application no later than 190 days notifying TRPA of the intent to appeal. Such notification shall be in writing and shall be filed with TRPA no later than 45 working days from the date notification, in accordance with Subparagraph 37.9.B(2), is given pursuant to TRPA's Rules of Procedure. Complete applications for appeals shall be filed with TRPA within 134 working days from the date notification, in accordance with Subparagraph 37.9.B(2). Complete applications shall include, at a minimum, identification of the IPES criteria the parcel owner feels was improperly or incorrectly applied and any data, reports, or other information in support of the appeal.

(2) Score notification should not include ranking due to the extreme administrative burden in recalculating the rankings each time a property owner requests a new score or review of an alternative building site.

PROPOSED AMENDMENT: 37.9.B(2) Once TRPA has taken action on requests for reevaluation in accordance with Subsection 37.10.C and has established the numerical level defining the top ranked
parcels in accordance with Subsection 37.9.B and the formula for determine allowable base land coverage in accordance with Section 37.11, the owners of parcels evaluated under IPES shall be notified by mail, in accordance with TRPA's Rules of Procedure, of the parcel's total score, **ranking-within-the-appropriate jurisdiction**, percentage of allowable base land coverage and the numerical value at which the line identifying the top ranked parcels is located. This notification shall also identify the score received under each element of IPES and the procedure for filing an appeal.

PROPOSED AMENDMENT: 37.9.B(3) TRPA shall notify each parcel owner of the score resulting from the procedure established in Subparagraph 37.10.B(1) once TRPA has completed its review of the appeal application. This notification shall include the parcel's total score, **ranking-within the-appropriate-jurisdiction**, percentage of allowable base land coverage, the score received under each element of IPES and the procedure for requesting that the appeal be heard by the Governing Board.

G. Chapter 53: There is a typographical error in a cross-reference.

PROPOSED AMENDMENT: 53.9.B Development Standards: In addition to the standards set forth in Chapter 54 and 55, the standards set forth in Subsection 53.7.B 53.8.B for Tolerance Districts 4 and 5 shall be applicable to Tolerance Districts 6, 7 and 8. The following standards also shall apply:

**ENVIRONMENTAL DOCUMENTATION AND FINDINGS:** Because the amendments correct or clarify existing provisions, staff recommends a finding of no significant adverse effect. With respect to the new exemptions from EISs, these exemptions clearly have no significant adverse effect because they do not involve new construction or other environmental impacts.

**RECOMMENDATION:** Staff recommends that the APC conduct a public hearing and, if appropriate, recommend adoption of the amendments to the Governing Board.
MEMORANDUM

August 30, 1991

To: Advisory Planning Commission

From: TRPA Staff

Subject: Technical Adequacy and Certification of the Final EIR/EIS for the South Lake Tahoe Loop Road Project

Proposed Action: The City of South Lake Tahoe is requesting the Advisory Planning Commission find the enclosed Final EIR/EIS for the South Lake Tahoe Loop Road Project technically adequate, and direct staff to forward a recommendation to the Governing Board for certification.

Recommendation: TRPA staff is recommending that the APC find the South Lake Tahoe Loop Road Project Final EIR/EIS technically adequate, and recommend certification of the environmental document to the Governing Board.

Discussion: The South Lake Tahoe Loop Road Project EIR/EIS documents the analysis of environmental effects associated with implementation of the preliminary design (the preferred action) and four alternatives. This EIR/EIS is tiered from the Redevelopment Plan EIR/EIS.

The Draft EIR/EIS was circulated for comments over a sixty-day period beginning on December 17, 1990 and concluding on February, 19, 1991. Copies of the Draft EIR/EIS were provided to the members of the APC at that time.

A summary of the South Lake Tahoe Loop Road Project EIR/EIS will be presented by staff at the September 11, 1991 meeting of the APC.

If you have any questions in regard to this agenda item, please contact Leif Anderson at (702) 588-6782.

AGENDA ITEM V B.

Planning for the Protection of our Lake and Land
August 30, 1991

To: Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Plan Area Statement 170, Tahoe Park/ Pineland to Permit Personal Services and Professional Offices as Special Uses

Proposed Action: The owners of a 1.3 acre developed parcel located at 2255 West Lake Blvd. in Placer County (Assessor’s Parcel Number 84-110-04) are seeking a plan area statement amendment to permit personal services and professional offices as special commercial uses. Please refer to Exhibit A, Vicinity map. The parcel is located in residential Plan Area 170, Tahoe Park/ Pineland where the only commercial use permissible is eating and drinking establishments. At the request of the applicant, this matter has been continued from the July, 1991 Advisory Planning Commission meeting.

Background: The parcel contains Clementine’s restaurant and a building at the rear of the site with nine suites totalling approximately 2,465 square feet of commercial floor area. Known as Ward Creek Village, the site has been in commercial use prior to the adoption of the Regional Plan, and is the only commercially used parcel in Plan Area 170.

Discussion: The following issues are relevant to the proposed amendment:

1. Consistency with Adopted Plan Area Statement and Regional Plan, Including the Transfer of Development into Community Plans.

The plan area contains the following special policy regarding commercial uses which affect the site:

"2. Additional commercial uses permissible in this plan area shall be limited to parcels containing such uses. No additional commercial floor area shall be approved in this plan area."

In 1987, at the time of plan area adoption, no commercial uses were permissible in the plan area. At that time, Clementine’s restaurant and Ward Creek Village were existing commercial uses. The policy, therefore, created legal noncon-
Memorandum to Advisory Planning Commission
Amendment of PAS 170, Tahoe Park/Pineland
to Permit Personal Services and Professional
Offices as Special Uses -- Page 2

Forming uses of all existing commercial uses. They were expected to eventually
be transferred into one of three nearby community plan areas, Tahoe City,
Sunnyside, or Homewood. In 1989, the TRPA Governing Board approved a plan area
amendment which permitted eating and drinking establishments as a special use in
the subject PAS. The amendment permitted Clementine's restaurant to reopen for
business after ceasing operations for a period of time.

The fundamental issue of the proposed amendment is whether to amend the plan
area statement to make existing nonconforming uses conforming. The Regional
Plan recognized existing development outside of community plan boundaries and
anticipated the transfer of a majority of it into the community plans. Con-
centrating commercial uses in community plan areas is a basic goal of the
Regional Plan with at least two benefits: reduction of Regional Vehicle Miles
Travelled (VMT) and the provision of commercial floor area to be used with the
transfer of development rights (TDR).

Refer to the transportation discussion below for Regional VMT impacts. A finite
amount of new commercial floor area is set aside for community plans and most
plans intend to distribute it using a method which requires a matching amount of
transferred floor area. The source of the transfer is anticipated to be pri-
marily from areas outside of commercial plan areas like this plan area.

Similarly, the nonconforming use provision in Chapter 18 was established to
relocate incompatible land uses from locations which were less suitable from a
Region-wide perspective, while giving property owners an opportunity to use the
property on a short term basis. Amending the plan area statement each time a
new tenant is found which cannot replace the existing nonconforming use is
inconsistent with the intent of the Regional Plan.

In terms of this development providing a neighborhood serving function, the
adjacent Sunnyside tourist plan area already serves as a neighborhood con-
venience center to the surrounding residential area as well as Sunnyside Resort
and the nearby Forest Service campground. Sunnyside is identified as a com-
munity plan area and TDR receiving area, and is a more appropriate location to
concentrate commercial and tourist uses

2. Anticipated Transportation Impacts.

A preliminary Daily Vehicle Trip Ends (DVTE) and Vehicle Miles Travelled (VMT)
analysis performed by staff indicates that transportation related impacts from
the proposed amendment would add a minimum of 52.75 new trips to the existing
level by converting the existing 1,105 square feet of vacant floor area to
personal service uses (trip rate of 47.74 trips per 1,000 gross square feet of
floor area). Using vacant space as professional offices would be expected to
add 19.55 new trips (17.7 trips per 1,000 gross square feet of floor area).
Memorandum to Advisory Planning Commission
Amendment of PAS 170, Tahoe Park/Pineland
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Offices as Special Uses -- Page 3

Approximately 167 additional VMT are expected to be generated by the personal
service use, based on an average Resident Home Based Other trip length of 3.53
miles and a ten percent diversion rate for capture of trips otherwise destined
for Tahoe City (52.75 trips x 3.53 miles/trip x .90 = 167.4 VMT).

Under Subsection 93.2.F, TRPA would determine the net change in traffic impacts
based on previous legally existing uses in a center which operated for more than
90 consecutive days within the past 24 months. The general merchandise use
(Vitamin Center) does not appear to be a legal use because there was no general
merchandise use as of July 1, 1987. TRPA would not, therefore, be able to
recognize the Vitamin Center as legally existing for purposes of traffic impact
analysis.

3. Consistency with Previously Existing Nonconforming Uses

Information supplied by the previous owner indicates the building has been
continuously used for some form of commercial use since the effective date of
the Regional Plan (July 1, 1987). Based on affidavits filed with TRPA by the
previous owner, as of the effective date of the Regional Plan, the building
contained the following uses:

a. Weststar Cable Television Company (TRPA Use: professional offices)
b. A & N Construction Company office (TRPA Use: professional offices)
c. Food catering company (TRPA Use: food and kindred products)

The applicants have submitted data indicating that present tenants include a
vitamin center (general merchandise use) and three offices (professional office
use). Refer to Exhibit B, Tenant History.

Uses legally commenced prior to the effective date of the Regional Plan 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) of the TRPA Code. Continuation of an
existing use includes a change in ownership, tenancy, or management, where the
nature and character of the existing use remains substantially unchanged. Refer
to Exhibit C, Code citation.

Uses legally commenced prior to the effective date of the Regional Plan which
would be prohibited if new, are considered nonconforming uses and may be con-
tinued, subject to the provisions of Section 18.5 of the Code. Subparagraph

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AGENDA ITEM V.C.
18.5.A(1) addresses how nonconforming uses will be treated, and states that "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."

All primary uses permitted within the land area of the Region are contained in Section 18.3, Table of Primary Uses. The applicable plan area statement determines if a primary use is an allowable, special, prohibited, or nonconforming use. As indicated previously, the commercial building is located within Plan Area 170, where commercial uses, other than 'eating and drinking places', are not permissible uses.

Based on an interpretation of Subparagraph 18.5.A(1) by Agency Counsel, the only uses that can be allowed in the commercial building are those uses that have continued to exist without a lapse of one year in use. Refer to Agency Counsel's letter in Exhibit D. This would permit the professional office use to continue without the need for a plan area amendment, but not the Vitamin Center. The use category (e.g., professional offices), as defined in the Code would be used as the test of allowable continued use and not the actual business itself (e.g., Weststar Cable Television Company).

Staff Recommendation: Staff recommends that the Advisory Planning Commission deny the proposed plan area statement amendments for the following reasons:

1. The nonconforming provision of the Code was established to relocate incompatible and poorly located commercial uses into community plan areas capable of receiving development rights. The property in question fits the intent of this provision.

2. The original plan area statement was correctly drafted. The lack of commercial uses included in the use list combined with Special Policy #2 as set forth above, intended the existing floor area on this site to be transferred out of the residential plan area and into a community plan area. Amending the plan area statement to legitimize additional commercial uses would be directly inconsistent with the Regional Plan's intent.

3. The proposed amendment could cause DVTE and VMT to increase above existing levels as discussed above.

Please contact Andrew Strain at (702) 588-4547 if you have any questions or comments regarding this item.

8/30/91  AGENDA ITEM V.C.
TENANT HISTORY

The building contains 9 separate office "suites" with the largest being 543 square feet and smallest 184 square feet. The owners purchased this building in November of 1990 and have limited knowledge of the past uses. The following past uses and estimated time periods have been obtained from reviewing TRPA materials, interviewing the former owner, and a review of letters from attorney Greg Lien.

Current Uses:

Suite H & I: Vitamin Center: retail store
Suite F: CRP Partnership: professional office
Suite B: Bill Collins: professional office
Suite C: Pickering Laboratories: professional offices
Suite A, D, E, and G: vacant

Uses as of 12/1/90:

Suite H & I: Vitamin Center: retail store
Suite F: CRP Partnership: professional office
Suite B: Bill Collins: professional office
Suite C: Piano Repair
Suite A, D, E, and G: vacant

Uses from 1989 through 1990 (from interview w/ previous owner)

Suite H, I & A: Pizza and Video
Suite B: Piano Repair Company
Suite C, D, E: Pine Lane Design & Art Studio
Suite F & G: vacant

Uses as of November 1989 (taken from TRPA Staff Memo)

All suites occupied (actual suite numbers are unknown)
Weststar Cable Company
Pottery and Gift Store
Ferris Realty
A & N Construction Co.
Tahoe Water Company
Charles Dodd Computers
Jewelry Manufacture and Sales
Interior Design
Clothing Studio
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 are recognized as existing uses and may be continued, except as otherwise set forth in subparagraphs 19.5.A(1) and 19.5.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.
Special Uses: Uses identified as special uses and for which the required findings pursuant to subsection 19.1.B have been made by TRPA, may be changed, expanded or intensified subject to Subsection 19.1.B. Special uses for which the required findings have not been made may not be changed, expanded or intensified except in accordance with subparagraph 19.5.8(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.
TAHOE REGIONAL PLANNING AGENCY

195 U.S. Highway 50
Round Hill, Zephyr Cove, NV

August 27, 1991

Margaret A. Leonard
Attorney at Law
740 Front Street, Suite 325
Santa Cruz, CA 95060

Re: Richardson Plan Area Amendment Application, Placer County APN 84-110-04

Dear Ms. Leonard:

This letter is in response to your letter of July 23, 1991, to Andrew Strain of this office. Your letter requested confirmation of the status of existing professional office uses legally existing at the Ward Creek Office Building owned by your client, John Richardson.

For the record, professional offices and food and kindred products were the only two uses recognized by TRPA as legally existing as of the effective date of the Regional Plan. Section 18.5 of the Code provides that legally existing uses in place as of the July 1, 1987 effective date of the Regional Plan may continue even if the present list of permissible uses for the plan area in which the use is located does not permit the use. There are two specific exceptions to this rule:

1. The nonconforming use must not lapse for a period of one year or more.

2. The nonconforming use must not be subject to a specific program requiring discontinuance or modification.

Professional uses have remained in existence since the effective date at Ward Creek Village, or have not lapsed for a period greater than one year. The food and kindred products use has been discontinued for more than 12 months and may not restart without a plan area statement amendment. The actual square footage involved for each use will not be limited. If there were originally five nonconforming uses, three of which no longer exist, the remaining two can occupy the rest of the building space.

In summary, professional offices, as defined by the TRPA Code of Ordinances, is the only legal use available for the Ward Creek Office Building. Please contact...
me or Andrew Strain at (702) 588-4547 if you have any further questions regarding this matter.

Sincerely,

Jeffrey S. Blanck
Agency Counsel

JSB: jm

Enclosure

cc: John Richardson
    Andrew Strain, TRPA
    Bill Combs, Placer County Planning Department
MEMORANDUM

August 30, 1991

To: Advisory Planning Commission

From: TRFA Staff

Subject: Amendment of Permissible Uses in Plan Area Statements 009B, 017, 026, 045, 089B, 091, and 114 to Include Day Care/Pre-School Uses

Proposed Action: Amend the applicable Plan Area Statements to reflect the August 28, 1991 Governing Board Ordinance 91-13 adoption that classified schools/pre-schools as a public service use along with day care centers.

The proposed plan area amendments include:

1. Deleting schools/pre-schools from the commercial use category.
2. Combining pre-schools with day care centers in the public service use category, and
3. Classifying day care centers/pre-schools as a special use in plan areas 009B, 017, 026, 045, 089B, 091, and 114.

Recommendation: Staff recommends that the Advisory Planning Commission conduct a public hearing and, based on the outcome, recommend that the Governing Board adopt the proposed Plan Area Statement amendments.

Background: In August 1991, the Governing Board adopted Ordinance 91-13 that classified schools/pre-schools as a public service use along with day care centers. The purpose of the ordinance amendment was to combine child care under a single public service use not subject to commercial floor area limitations. The amendment should help provide additional child care services in the Region.
Memorandum to Advisory Planning Commission
Amendment of Permissible Uses in Plan Area Statements
009B, 017, 026, 045, 089B, 091, and 114 to Include Day
Care/Pre-School Uses -- Page 2

There are currently 7 Plan Area Statements that list schools/pre-schools as an
allowed or special use in the commercial use category that do not coincide with
the day care center use in the public service use category.

In Plan Area Statements 009B, 017, 045, 089B, and 091, schools/pre-schools are a
special use and day care centers are an allowed use. To provide an opportunity
for public comment regarding compatibility of use in these plan areas, staff
recommends that day care centers/pre-schools be classified as a special use.

In Plan Area Statement 026-Kings Beach Industrial, schools - pre-schools are an
allowed use while day care centers are classified as a special use. Commercial
service and light industrial uses are encouraged in this plan area. Since day
care centers/pre-schools are a public service use, which may not be compatible
in commercial service and industrial use districts, staff recommends that the
day care center/pre-schools be classified as a special use in Plan Area 026.

In Plan Area Statement 114-Bonanza, located adjacent to the South Tahoe Wye,
schools/pre-schools are an allowed use in Special Area #1, while day care
centers are classified as a special use in the general list of permissible uses.
Special Area #1 is bisected by Highway 50/89 and is a transitional area of mixed
uses. Staff recommends that day care centers/pre-schools be classified as a
special use in Special Area #1 to provide an opportunity for public comment to
help determine use compatibility in this mixed use area. Day care center/pre-
schools would remain a special use in the remaining plan area.

The proposed use amendments in Plan Area Statements 009B, 017, 026, 045, 089B,
091, and 114 implements the August Governing Board action by combining
school/pre-school and day care center uses under a single applicable use.

Proposed Amendment Language: The following amendment language reflects the
typical changes for Plan Area Statements 009B, 017, 026, 045, 089B, 091, and
114.

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 con-
sidered 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.

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AGENDA ITEM V D.
Memorandum to Advisory Planning Commission
Amendment of Permissible Uses in Plan Area Statements
009B, 017, 026, 045, 089B, 091, and 114 to Include Day Care/Pre-School Uses -- Page 3

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

Residential
Multiple family dwelling (S), nursing and personal care (S), residential care (S), and single family dwelling (S).

Commercial
Eating and drinking places (A), food and beverage retail sales (A), furniture, home furnishings and equipment (S), general merchandise stores (A), nursery (A), outdoor retail sales (S), service stations (A), privately owned assembly and entertainment (S), broadcasting studios (A), financial services (A), health care services (A), personal services (A), professional offices (A), schools—pre-schools—(S), secondary storage (S), and small scale manufacturing (S).

Public Service
Cemeteries (S), churches (A), cultural facilities (A), day care centers/pre-schools (A), government offices (A), local assembly and entertainment (A), local post office (A), local public health and safety facilities (A), membership organizations (S), publicly owned assembly and entertainment (S), public utility centers (S), schools—kindergarten through secondary (S), social service organizations (S), pipelines and power transmission (S), transit stations and terminals (S), transportation routes (S), and transmission and receiving facilities (S).

Findings: Prior to amending the Code, TRPA must make certain findings.

Chapter 6 Findings

Findings 1: The project is consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and Maps, the Code, and other TRPA plans and programs.

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Rationale: The day care centers/pre-schools in Plan Area Statements 009B, 017, 026, 045, 089B, 091, and 114 would be regulated by the plan area designation of special use. The special use designation would provide an opportunity for public comment and Governing Board consideration for the establishment of specific land-use planning direction consistent with the regional plan. Day care centers/pre-schools would also be reviewed under applicable state, local, and regional plans, policies, codes, and licensing requirements.

Finding 2: The project will not cause the environmental thresholds to be exceeded.

Rationale: As a special use in the Plan Area Statements, day care centers/pre-schools would be subject to a public hearing and the required Chapter 18 findings. The intent of the public hearing is to provide an opportunity for adjacent land owners to make comment regarding a proposed project. The required findings include compatibility of use, public health, safety and welfare, and applicable regional plan goals and policies. All day care centers/pre-schools would be reviewed at the project review level. The review would include the V(g) checklist and applicable Code requirements to assure that thresholds will not be exceeded.

Finding 3: 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(g) of the Compact, the project meets or exceeds such standards.

Rationale: See Findings 1 and 2 above.

Finding 4: The Regional Plan and all its elements, as implemented through the Code, Rules, and other TRPA plans and programs, as amended, achieves and maintains the thresholds.

Rationale: See Findings 1 and 2 above.

Ordinance 87-8: The required Ordinance 87-8 findings and brief rationales are set forth below:

1. That the amendment is consistent with the Compact and with the attainment or maintenance of the thresholds.
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Rationale: See Findings 1 and 2 above.

2. One or more of the following:

a) There is demonstrated conflict between provisions of the Regional Plan Package and the conflict threatens to preclude attainment or maintenance of thresholds;

b) That legal constraints, such as court orders, decisions or Compact amendments, require amendment of the Goals and Policies or Code;

c) That technical or scientific information demonstrates the need for modification of a provision of the Goals and Policies or Code;

d) That the provision to be amended has been shown, through experience and time, to be counter-productive to or ineffective in attainment or maintenance of the thresholds;

e) That implementation of the provision sought to be amended has been demonstrated to be impracticable or impossible because of one or more of the following reasons:

   1) The cost of implementation outweighs the environmental gain to be achieved;
   2) Implementation will result in unacceptable impacts on public health and safety; or
   3) Fiscal support for implementation is insufficient and such insufficiency is expected to be a long-term problem.

f) That the provision to be amended has been shown through experience to be counter-productive or ineffective and the amendment is designed to correct the demonstrated problem and is an equal or better means of implementing the Regional Plan Package and complying with the Compact.

Rationale: Finding (f) is recommended for the reason of updating the applicable Plan Area statements to reflect the August 28, 1991 Governing Board ordinances 91-13 adoption and to correct the conflict of use classification between schools/pre-schools and day care centers. The proposed day care centers/pre-school use classifications are consistent with the existing Plan Area Statements land-use planning direction.

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Environmental Documentation: Based on the completion of an Initial Environmental Checklist, staff proposes a Finding of No Significant Effect (FONSE) for combining schools/pre-schools with day care centers under one use classification. The proposed day care centers/pre-schools use classification implements the August Governing Board action and is consistent with the Regional Plan.

Staff will begin this item with a presentation. Please contact Don Sargent at (702) 588-4547 if you have any questions or comments.
MEMORANDUM

September 4, 1991

To:        Advisory Planning Commission

From:      Agency Staff

Subject:  Results of the 1991 Evaluation of Environmental Threshold Carrying Capacities and the Regional Plan Package

Introduction

Upon completion of the briefings to the APC on water quality and air quality, the focus of the 1991 Evaluation turns to the comprehensive evaluation report and its technical appendices. The Governing Board will issue the comprehensive report on the 1991 Evaluation.

Staff Recommendation

Staff recommends that the APC review the following documents, and conduct a public hearing to obtain public comments:

1. 1991 EVALUATION -- Environmental Threshold Carrying Capacities and the Regional Plan Package, Executive Summary (attached).


3. Mark-up of the assembled control measures of the Regional Plan, most of which the Governing Board has adopted pursuant to Chapter 32 of the Code of Ordinances (attached).

4. Other handouts and evidence provided by the staff at the September meeting.

Upon completion of the public hearing, the staff requests that the APC either (1) make a recommendation to the Governing Board regarding the issuance of the 1991 Evaluation report, or (2) give direction to staff regarding processing of the 1991 Evaluation report.

DZ:mmi
9-4-91

Agenda Item V.E
Discussion

Prior to the public hearing on this item, the staff will make a brief presentation covering: (1) the thresholds themselves, and recommendations regarding the thresholds, (2) the status of attainment of the thresholds and applicable federal and state standards, (3) the strengths and weakness of implementation programs, and recommendations for changes in this area, and (4) recommended time-lines for responding to the various recommendations.

The August 28 draft of the 1991 Evaluation report is incomplete in several areas. The staff continues to prepare summaries of all available data, some of which reflects conditions as of August, and will present additional data to the APC at the September meeting.

If you have any questions or comments about the 1991 Evaluation report, please contact John Hoole or Dave Ziegler at (702) 586-4547.
1991 EVALUATION

Environmental Threshold Carrying Capacities and
the Regional Plan Package

DRAFT

Tahoe Regional Planning Agency
September 4, 1991
EXECUTIVE SUMMARY

... and at last the lake burst upon us—a noble sheet of blue water lifted six thousand three hundred feet above the level of the sea, and walled in by a rim of snow-clad mountain peaks that towered aloft full three thousand feet higher still! It was a vast oval, and one would have to use up eighty or a hundred good miles in traveling around it. As it lay there with the shadows of the mountains brilliantly photographed upon its still surface I thought it must surely be the fairest picture the whole earth affords.

The forest about us was dense and cool, the sky above us was cloudless and brilliant with sunshine, the broad lake before us was glassy and clear, or rippled and breezy, or black and storm-tossed, according to Nature's mood; and its circling border of mountain domes, clothed with forests, scarred with landslides, cloven by canons and valleys, and helmeted with glittering snow, fitly framed and finished the noble picture. The view was always fascinating, bewitching, entrancing. The eye was never tired of gazing, night or day, in calm or storm; it suffered but one grief, and that was that it could not look always, but must close sometimes in sleep.

So singularly clear was the water, that where it was only twenty or thirty feet deep the bottom was so perfectly distinct that the boat seeming floating in the air! Yes, were it was even eighty feet deep. Every little pebble was distinct, every speckled trout, every hand's-breadth of sand... [T]he water was not merely transparent, but dazzlingly, brilliantly so.

-- excerpts from
Roughing It, by
Mark Twain (1871)
The Tahoe Region is a special place. To those who have visited Lake Tahoe and its surroundings, from earliest pre-history to the present, the Region is an exceptional, inspiring place of spiritual proportion.

The Tahoe Region was once a place of inestimable beauty. The American author Samuel Clemens ("Mark Twain") wrote of its beauty over a century ago. The famous photographer Ansel Adams captured its essence in his photographs.

Yet, like other natural places in California and the Great Basin, its beauty has been severely compromised. As at Yosemite, Pyramid Lake, the lakes and marshes of the Pacific flyway, San Francisco Bay and the California Delta, the progress of modern life has diminished the unique values that make the Tahoe Region so extraordinary.

With ever-increasing pressure upon the Region as a recreational resource and an urban center, preservation of the values of the Tahoe Region is vitally important and—at the same time—immensely difficult. The Region acts as a haven from the urbanized and urbanizing areas surrounding it, and for others who travel from afar to appreciate it. Ironically, those millions who enjoy the area simultaneously endanger it with their automobiles, their structures, and their very presence.

About the Tahoe Region

Located between the Carson Range on the east and the Sierra Nevada on the west, the Tahoe Region is bisected by the California-Nevada state line. Approximately one-third of the Region is in Nevada, and two-thirds in California. The total land area of the Region is over 207,000 acres, with about 75 percent in public ownership.

Lake Tahoe is the dominant feature of the Region, and is world renowned for its crystal clear water and beautiful setting. Lake Tahoe is approximately 12 miles wide and 22 miles long, with a surface area of 192 square miles and 71 miles of shoreline. With a maximum depth of 1,645 feet, Lake Tahoe is the tenth deepest Lake in the world. Maximum elevation of the Lake's surface is 6,229 feet above sea level.
The topography of the Region consists chiefly of steeply sloping mountains with a few flat or moderately sloping areas where most development has occurred. Elevations of the peaks surrounding Lake Tahoe range from about 8,000 feet to almost 11,000 feet above sea level.

The climate of the Region is characterized by long, relatively mild winters with short, dry summers. Precipitation normally falls as snow during the winter months. During the summer, there are infrequent thunderstorms. The western side of the Region receives about twice the precipitation of the eastern side.

The development and urbanization of the Tahoe Region is generally recognized as occurring during and following the Squaw Valley winter olympics in 1960. Since that time, the population of the Region has increased over five times, with about 80 percent of the population residing in California.

The land use pattern is already established, with little likelihood of major modifications in the future. There are about 20 developed towns and communities, however, the City of South Lake Tahoe is the only incorporated city. The Region is home to about 24,500 single-family homes; 14,100 multi-family units; 12,000 tourist accommodation units; and 2,000 campground units.

Casino gaming areas are located at the north and south stateline areas, and in Incline Village. These areas provide tourist, commercial, and indoor entertainment facilities.

The undeveloped areas of the Region are predominantly publicly owned. Public ownership is increasing, largely through the efforts of federal and state land acquisition programs. Outdoor recreation use of the Region is extensive.

The dominant transportation system in the Region is the highway system. There are seven highways that allow access to the Region, four in California and three in Nevada. The dominant form of transportation is the private
automobile, but some trips are accommodated by buses, taxis, and other modes. The Region is served by the South Tahoe Airport located in the City of South Lake Tahoe.

Effects of Human Activity

There is extensive evidence of the adverse impacts of human activity in the Tahoe Region. Lake Tahoe itself suffers from cultural eutrophication, an increase in algal productivity that will continue until the Lake's nutrient budget is balanced, which will take many years under any management strategy. Nutrients are carried to Lake Tahoe by runoff from the watershed and through the air.

Violations of water quality standards and guidelines for tributary streams and urban runoff are common. Water quality is the best in watersheds draining relatively undeveloped areas. (See Chapter 1, Water Quality, for more discussion of this point.) Accidental discharges from sewage collection and treatment systems, and discharges of toxic and hazardous substances during transport or storage, have occurred, and endanger water quality and public health and safety.

The Region has many examples of soil conservation problems: erosion and runoff associated with urbanization; unstable cut and fill slopes, particularly associated with roads; denuded and compacted areas; stream channelization; and damage from outdoor recreation, off-road vehicles, and grazing.

A portion of the Region in California does not attain the federal, state, and TRPA air quality standards for carbon monoxide, due to the presence of a "hot spot" near the Stateline-California monitoring station. Stringent state and TRPA ozone standards have been exceeded in recent years. Although the Region appears to meet standards for visual range, fine particles found in the air include high proportions of wood smoke and dust.
Traffic congestion is common in certain parts of the Region in both summer and winter. TRPA estimates that 1.81 million vehicle miles were travelled in the Region on an average peak summer day in 1987. The land use pattern suffers from strip development; loss of view corridors; inefficiency in the distribution of uses; and automobile dependency.

Vegetation in the Region suffers from poor diversity, a result of the even-aged timber stand left by logging in the late 1800's and of current fire suppression practices. Insects have attacked the forest, already weakened by stress, and have killed hundreds of millions of board feet of trees. Human disturbance has decreased the value of fish habitat and wildlife habitat.

The tranquility of the Tahoe Region is affected by both single-event and cumulative noise. Although most communities meet noise criteria, some suffer from elevated noise levels caused by traffic, the dominant noise source in the area.

The outstanding scenic attributes of the Region are reduced by roads, buildings, signs, powerlines, and fences. The Regional Plan designates about 50 areas for scenic restoration. Outdoor recreation facilities are heavily used during peak winter and summer periods. During peak summer periods, there is a shortage of developed campsites, day use facilities, and trails. During peak winter days, capacity constraints at developed ski areas and the highway system are sometimes exceeded.

Concern, Preservation, and Remediation

Although Tahoe has its problems, it also has a long history of concern for environmental quality, preservation of its unique values, and remediation of its most serious problems. TRPA, the California Tahoe Regional Planning Agency (CTRPA), and their forerunners in the 1960's have prepared a series of comprehensive plans for the Region. The U.S. Forest Service and state parks departments have preserved and managed large tracts of land.
The Forest Service, through the Burton-Santini program, the California Tahoe Conservancy, and the Nevada Division of State Lands have purchased thousands of environmentally sensitive parcels to place them under the protection of public ownership. These same agencies have contributed mightily to the ongoing program of erosion and runoff control in the watershed, and have led the way with pilot projects to restore stream environment zones.

From a very small program in the early 1960's, interagency monitoring efforts have grown to include almost 30 permanent water quality monitoring sites and five air quality monitoring sites, using the most up-to-date equipment and analysis, with a cost of about $1 million annually. These monitoring programs provide information to direct and evaluate the control measures of the Regional Plan.

The City of South Lake Tahoe has been a leader in redevelopment of sub-standard urban areas, and redevelopment programs in North Lake Tahoe are now under discussion.

These are just a few examples of the long history of concern for environmental quality, and environmental action, in the Tahoe Region.

Institutional Arrangements

Numerous public agencies govern the Tahoe Region, and other agencies assist with the provision of public services. The Water Quality Management Plan for the Region identifies 24 agencies with responsibilities in water quality alone. A partial list of the cooperating agencies follows:

**Federal Agencies:** Environmental Protection Agency, Forest Service, Soil Conservation Service, Army Corps of Engineers

**State Agencies:** CALTRANS, California Air Resources Board, California Department of Forestry, California Department of State Parks, California Regional Water Quality Control Board—Lahontan Region, California State Lands Commission, California State Water Resources Control Board, California
Tahoe Conservancy, Nevada Department of Transportation, Nevada Division of State Parks and Recreation, Nevada Division of Environmental Protection, Nevada Division of Forestry, Nevada Division of State Lands

Local Government: City of South Lake Tahoe, Douglas County, El Dorado County, Placer County, Washoe County

Other Local Agencies: Douglas County Sewer Improvement District, El Dorado County Air Pollution Control District, Incline Village General Improvement District, Nevada Tahoe Conservation District, North Tahoe Public Utility District, Placer County Air Pollution Control District, South Tahoe Public Utility District, Tahoe City Public Utility District, Tahoe Resource Conservation District

Regional Agencies: Tahoe Regional Planning Agency, Tahoe Transportation District
FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

Water Quality and Soil Conservation

Findings

- Over the entire 25-year period of record, the clarity of the deep pelagic waters of Lake Tahoe displays a declining trend which is highly statistically significant. The average loss of clarity is about 0.3 meters per year. The loss of clarity over the period of record is about 20 percent. While shorter-term trends are not statistically significant, they seem to indicate that clarity stabilizes during drought periods.

- Over the entire 25-year period of record, the algal productivity of the pelagic waters of Lake Tahoe displays an increasing trend which is highly statistically significant. The increase in algal productivity over the period of record is over 200 percent.

- Given the short period of record at the turbidity monitoring sites in the shallower littoral zone of Lake Tahoe, no trends can be discerned. However, no data on littoral Lake Tahoe includes turbidity values that exceed the TRPA threshold standards.

- California-side tributaries which have been monitored exceeded the state standards for annual average total nitrogen concentrations 60 percent of the time, total phosphorus 86 percent of the time, and total iron 100 percent of the time. The lowest concentrations were consistently found on General Creek, which drains a relatively undisturbed watershed.

- Nevada-side tributaries which have been monitored exceeded the applicable state standards for annual average soluble phosphorus concentrations 69 percent of the time, and total soluble inorganic nitrogen 69 percent of the time. The lowest concentrations were found on Logan House Creek, which drains a relatively undisturbed watershed.
In recent sampling of discharges of surface runoff, nitrogen concentrations and turbidity exceed the state and TRPA guidelines for discharge to surface waters in a large majority of the samples. However, monitored parameters attain the guidelines for discharges to groundwater through infiltration facilities in a large majority of the samples.

Implementation of BMPs within the Region appears to meet interim performance standards established in 1988, based on a stratified random sample of properties.

Conclusions and Recommendations -- Water Quality and Soil Conservation

Threshold standards and applicable state standards for Lake Tahoe's water clarity and algal productivity are not being attained, and will not be attained for many years. Interim performance targets for 1991 were attained.

Threshold standards for littoral zone turbidity are being attained. The units of the threshold standard should be changed from JTU to NTU.

Applicable state standards for tributary water quality are frequently exceeded on monitored streams. Efforts to protect and enhance tributary water quality must be continued and, where possible, strengthened. The California standard for total iron is unrealistic.
Surface runoff in the Tahoe Region is generally not in attainment of state and TRPA standards for discharges to surface waters. Detention and infiltration of runoff should be encouraged wherever possible. TRPA should continue to implement source control measures designed to improve the quality of surface runoff, e.g., Best Management Practices.

The Tahoe Region is in attainment of the threshold standard for impervious land coverage, through implementation of the policies of the Regional Plan. TRPA should investigate additional opportunities to allow for transfers of land coverage, in part to increase regulatory flexibility and reduce the tendency of property owners to create unauthorized land coverage. TRPA should continue to encourage the creation of a Nevada-side land bank (or banks).

Although progress has been made, the Region does not attain the threshold standard for Stream Environment Zones (SEZs), and will not attain the threshold for many years, when more restoration projects are constructed. TRPA should update and expand the SEZ Restoration Program, and include it in the integrated environmental improvement program for the Region.

TRPA should continue to require implementation of BMPs through the policies of the Region Plan; continue and enhance monitoring of BMP implementation; and continue public education efforts at a high level.

Overall, public agencies are making very good progress in implementing the capital improvements program (CIP) for erosion and runoff control. Financing improvements is a constant challenge. TRPA should take a leadership role in coordinating the CIP; become an advocate for project financing; set new performance targets for 1996; and continue to monitor progress. TRPA should update and expand the CIP, and include it in the integrated environmental improvement program for the Region.
Air Quality

Findings

- Federal, state, and TRPA 8-hour CO standards are being exceeded at the Stateline-California station. In 1989, CO concentrations at Stateline-California exceeded the federal standard on six days, and the more-stringent state and TRPA standard on 66 days. Steady reductions have been seen in the concentrations of CO and the number of days the standards were exceeded, despite increases in traffic volumes.

- Since 1982, no exceedances of the federal 1-hour ozone standard have been recorded. In 1989, ozone concentrations exceeded the California 1-hour standard for the first time on record, at the Lake Tahoe Boulevard station. Ozone concentrations at the Stateline-Nevada station exceeded the state 1-hour standard twice since 1982. Exceedances of the most-stringent 1-hour standard, TRPA's 0.08 ppm, have been recorded every year since the threshold was adopted at one or more of the monitoring stations. There is no apparent trend in ozone concentrations, and TRPA presumes that transport of pollutants from upwind areas contributes significantly to ozone concentrations.

- Standard Visual Range (SVR) measurements indicate that the regional and subregional visibility thresholds are being attained. The Region does not attain the California 24-hour PM$_{10}$ standard. Monitoring indicates that visibility and particulate concentrations have improved since the thresholds were adopted. The five major constituents of visibility reducing particles in the air are: organic carbon, water, soil, ammonium sulfate, and ammonium nitrate, in order of importance.

- Winter evening traffic volumes at Park Avenue and U.S. 50 in South Lake Tahoe were 19 percent higher in 1986-87 than in 1980-81, but only three percent higher in 1989-90. Upon completion of the Loop Road, TRPA forecasts that traffic on U.S. 50 will be reduced 62 percent, and that carbon monoxide concentrations at all locations on the Loop Road system will attain applicable standards.
From 1981 to 1987, TRPA calculates that peak summer day VMT (vehicle miles travelled) increased 10 percent, from 1.65 to 1.81 million miles. Estimates of future VMT are extremely sensitive to estimates of the number of vehicles entering the Region at the seven entry points. TRPA forecasts that peak summer day VMT will continue to increase, given mitigation programs identified to date, despite the threshold standard calling for a 10 percent reduction from 1981.

It appears that the Tahoe Region is attaining the interim performance target for atmospheric deposition of algal nutrients in Lake Tahoe, based on monitoring of particulate nitrate at the Lake Tahoe Boulevard station.

Conclusions and Recommendations -- Air Quality

The Tahoe Region does not attain the TRPA threshold standard for CO, nor does it attain applicable federal and state 8-hour CO standards. However, trends are positive, and TRPA predicts attainment of all applicable standards in this decade, based on feasible and realistic control measures.

The Region does not attain the threshold standard for ozone. TRPA should implement the control measures of the Air Quality Plan, recognizing there are strong indications that transport from upwind areas is a significant contributor. TRPA should support additional research in this area.

Visual range and particulate concentrations in the Region meet all but one of the applicable standards, and appear to be improving. The main controllable sources of visibility degradation and suspended fine particulate matter are wood smoke and suspended soil particles.
The Region has not attained the threshold standard for winter evening traffic volumes on the U.S. 50 corridor, but traffic modeling indicates that, in the vicinity of the Stateline-California air quality monitor, traffic volumes will be dramatically reduced upon completion of the Loop Road system.

TRPA predicts that VMT will continue to increase in the Region, despite an expansive proposed program of mass transit and other transportation control measures. To attain and maintain the threshold standard of a 10 percent reduction from the 1981 value will take many years, large capital investments, and major shifts in the way people travel to, and within, the Region. Because traffic and transportation problems are perceived as Tahoe's highest priority environmental problems, TRPA should continue to do everything in its power to reduce reliance on the private automobile, as mandated in the Tahoe Regional Planning Compact.

The Region is in attainment of the interim performance target for atmospheric deposition. Data indicate that nitrate concentrations at the Lake Tahoe Boulevard station may have been reduced significantly since 1981. TRPA should continue to monitor and study atmospheric deposition.
Vegetation Preservation

Findings

- Since the thresholds were adopted in 1982, there have been no significant changes in species richness or relative abundance of common vegetation in the Region. The proportion of other-than-mature yellow pine and red fir forests does not attain the threshold standard. Forest pattern attains the threshold standard for forest openings.

- With respect to uncommon plant communities, scientists are concerned that the deepest of the rare plant beds at depths greater than 300 feet in Lake Tahoe may be threatened by loss of clarity in the Lake. The condition of other uncommon plant communities attains threshold standards.

- No significant impacts on listed sensitive plant species have been documented since the thresholds were adopted. TRPA now believes that one sensitive species may have been listed in error, and that two additional sensitive plants should be listed.

Conclusions and Recommendations -- Vegetation Preservation

- The threshold for relative abundance of common vegetation is not in attainment. In cooperation with other land management agencies, TRPA should identify lands suitable for active vegetation management.

- TRPA's technical advisory committee recommends adding a common vegetation threshold to maintain at least 15 percent old growth forest.
o TRPA should continue to monitor deepwater plant beds in Lake Tahoe; other uncommon plant communities are being adequately protected.

o The threshold for sensitive plants appears to be in attainment, with the following recommended changes: Carex paucifructus should be removed, and Arabis rigidissima v. demota and Silene invisa should be added.

Wildlife

Findings

o In the area of special interest wildlife species: none of the mapped goshawk sites was found to be active; eight active osprey nests were found; the winter population of bald eagles appears to be stable; no active bald eagle or golden eagle nests were found; no peregrine falcons are known to be nesting in the Region; waterfowl are generally doing well; and deer habitat has been protected.

Conclusions and Recommendations -- Wildlife

o There is qualified cause for concern about goshawks; the fact that no active sites were documented cannot be explained at this time. Data do not indicate that the threshold for nesting bald eagle habitat is being attained. It is too early to tell whether Forest Service efforts to establish a nesting pair of peregrine falcons will be successful. Threshold standards for other special interest species are being attained.

o A technical correction to the wildlife thresholds for special interest species would be appropriate. Adding a common vegetation threshold calling for preservation of old growth forest would also be helpful to wildlife.
Fisheries

Findings

- [Finding, stream habitat, reserved]

- TRPA has not yet established specific instream flow standards as part of the Regional Plan. A study of flow requirements in 10 streams was completed in 1987.

- In 1988, TRPA declined to approve a permit for the California Department of Fish and Game to use to the pesticide rotenone to help reintroduce the Truckee River strain of Lahontan cutthroat trout to the Upper Truckee River. The Department then focused its reintroduction efforts in Alpine County, outside TRPA jurisdiction.

- The most direct impact on fish habitat in Lake Tahoe is the physical disturbance of rocky substrate, which is sometimes removed or rearranged to create jetties and sandy beaches. In some areas, this type of disturbance is widespread.

Conclusions and Recommendations -- fisheries

- Since 1982, many remedial projects have improved stream habitat, and many others are being planned. However, TRPA cannot conclude that the Region is in attainment of the threshold standard.

- TRPA and other involved agencies should continue to identify opportunities for fish habitat enhancement. The habitat restoration program should be included in an integrated environmental improvement program for the Region.
The Region attains the threshold standard for instream flows. Monitoring of instream flows could be improved.

TRPA should support reintroduction of Lahontan cutthroat trout in the Tahoe Region if California's recent attempts outside the Region are successful.

About 300 acres of disturbed Lake habitat need to be improved to excellent status to attain the threshold standard for Lake habitat. TRPA should consider more stringent control measures to encourage the restoration of Lake habitat.

Noise

Findings

[Finding, single-event noise, reserved]

The primary noise source in the Tahoe Region is traffic noise.

Recent monitoring of cumulative noise levels showed: two of fourteen high-density residential areas exceeded the CNEL criteria; two of eight low-density residential areas exceeded the CNEL criteria; no commercial/public service or tourist area exceeded the CNEL criteria; one of five urban recreation areas exceeded the criteria; one of two rural outdoor recreation areas exceeded the criteria; and one wilderness area exceeded the criteria. 13 of 14 transportation corridors attained the CNEL criteria.
Conclusions and Recommendations -- Noise

- The CNEL criteria for high-density residential, low-density residential, tourist, urban and rural outdoor recreation areas, and transportation corridors are appropriate. The CNEL criteria for commercial/public service uses should be lowered to maintain existing noise levels in those areas. The CNEL criteria for wilderness and roadless areas is unrealistic, and should be raised to the range of 40 to 45 dBA.

- TRPA should amend the language of the cumulative noise level threshold to eliminate the requirement that noise not exceed 1982 levels. TRPA should develop a noise mitigation program for those areas that exceed the established criteria, to reduce noise impacts to the extent feasible, and include this program in an integrated environmental improvement program for the Region.

Recreation

Findings

- In the opinion of TRPA's committee of recreation specialists, the opportunity for high quality recreation is available throughout the Region, and recreational facilities are being expanded and upgraded. However, it may not be possible to satisfy peak recreational demand within environmental constraints, demand is increasing, and funds to construct recreational facilities are often in short supply.

- Also in the opinion of the committee, the Region is complying with the threshold policy to insure that a fair share of the Region's capacity for recreation is available to the general public. There is adequate sewer and water capacity to serve recreational areas, and more land has come into public ownership for recreation since 1982, particularly in the shorezone.
Conclusions and Recommendations -- recreation

- Since the high quality recreation threshold is a narrative standard which can't be objectively measures, it is difficult to make conclusions about threshold attainment. Many factors (e.g., funding, site acquisition, land use conflicts) will constrain future recreation projects.

- The threshold standard related to recreation capacity available to the general public is being attained. This situation could change, however, if other development proceeds without commensurate recreation development.

- TRPA should amend the recreation thresholds to make it clear that developed and urban recreation, as well as dispersed recreation, should be preserved and enhanced.

- TRPA should coordinate the development of a recreation improvements plan, and include it in the integrated Environmental Improvements Program for the Region.

Scenic Resources

Findings

- The same 23 roadway units not in attainment of the travel route rating threshold in 1986 remain not in attainment. There are now five shoreline units not in attainment; in 1986 there were four. Overall, travel route ratings generally tended to improve in urban roadway travel units, and decrease in transitional roadway and shoreline units.
In the area of scenic quality ratings, three roadway units improved, and two roadway and four shoreline units decreased in scenic quality. Improvements can be traced to completion of projects in affected areas, while decreases can be traced to cumulative, incremental effects of residential build-out.

TRPA has not adopted numerical standards to maintain or improve the visual quality of views from bike paths and outdoor recreation areas, as called for in the threshold standards.

Conclusions and Recommendations -- scenic resources

Travel route ratings in urban nonattainment units are generally improving, while travel route ratings in transitional areas—including both attainment and nonattainment units—have declined. TRPA should amend the Regional Plan to reflect updated ratings, and to encourage greater use of the Design Review Guidelines.

TRPA should develop separate threshold attainment scores for each of the three regional visual environments: urban, rural transition, and rural.

TRPA should make technical and substantive changes to the thresholds for scenic quality ratings to facilitate project review and reflect updated ratings.

TRPA should adopt the numerical standards reflecting ratings of views from bike paths and outdoor recreation areas, and implement them in a manner similar to that used for the scenic quality ratings.
Economics

Findings

- The Tahoe Region lacks a coordinated program for the collection and assessment of economic information.

- Visitation will be the primary source of continued economic health in the Region. Growth will continue in the primary markets for Lake Tahoe visitation. This growth offers the opportunity to expand visitation, which is the base of the Region's economy.

- The visitor-oriented economy results in jobs paying relatively low wages, necessitating the provision of moderate-income employee housing in the Region.

- Future expansion of visitation will require alteration of the product the Region has to offer. Dampeners on visitation include: a lack of high quality visitor accommodations, strip development, sprawl, lack of coordinated recreation opportunities, and traffic congestion.

- Economic leakage will continue because of the increasing number of the Region's employees who live outside the Region, and the lack of outlets selling durable goods. Opportunities exist for new commercial operations focusing on goods and services with high local capture rates.

- Allocations of additional residential development have positive economic impacts in terms of stability, assessed valuation, and—to a limited degree—housing.
Conclusions and Recommendations -- economy

- Economic assessments should become part of TRPA's annual work program. TRPA should coordinate data gathering and assessment with state and local governments and the business community.

- Allocations of additional residential development should continue, based in part on their positive economic impacts.
MEMORANDUM

To: Advisory Planning Commission

From: Dave Ziegler 9-4-91

Subject: MARK-UP OF THE LIST OF CONTROL MEASURES OF THE REGIONAL PLAN

Based on the ongoing evaluation of the status of attainment of the thresholds and applicable federal and state standards, TRPA will make amendments to the control measures of the Regional Plan.

Attached is my mark-up of the assembled control measures, most of which were adopted as part of the documentation required by Chapter 32 of the Code of Ordinances. Those portions of the list that have NOT been adopted are identified; they should be adopted in conjunction with the 1991 Evaluation process.

After you have reviewed the 1991 Evaluation report or its executive summary, please look over this mark-up of the control measures, and be prepared to make comments or suggestions at the APC meeting.

You will probably notice that the mark-up is not particularly extensive. This is the result of two factors, in my opinion: (1) in many areas, the Regional Plan is working well, or options for improving the control measures are limited, and (2) although many persons have ideas for amending the control measures, I have limited this mark-up to only those changes that flow from the evaluation of threshold attainment.

I look forward to receiving your comments on this mark-up.

/dz
(05) Existing limitations: California (SMCD) Landmarks Board and Nevada (NED) have limited opportunities to limit land use due to existing Liabilities of urban drainage and disposal activities. A land use monitoring program is implemented to ensure compliance with the requirements of the Handbook of Best Management Practices.

(06) Benchmark: Existing BMPs include cover crops, grass strips, and wetlands. The BMPs are described in the Handbook of Best Management Practices.

(07) Existing limitations: The BMPs are not included in the Handbook of Best Management Practices, and in many cases, they are not required by local governments.

(08) Existing limitations: The implementation of BMPs is not mandatory in all regions. The Handbook of Best Management Practices provides guidance but is not uniformly followed in all jurisdictions.

(09) Existing limitations: The implementation of BMPs is not consistent across different regions. Some regions have more stringent requirements than others.

(10) Existing limitations: The implementation of BMPs is not consistent across different regions. Some regions have more stringent requirements than others.

(11) Existing limitations: The implementation of BMPs is not consistent across different regions. Some regions have more stringent requirements than others.

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(17) Existing limitations: The implementation of BMPs is not consistent across different regions. Some regions have more stringent requirements than others.

(18) Existing limitations: The implementation of BMPs is not consistent across different regions. Some regions have more stringent requirements than others.

(19) Existing limitations: The implementation of BMPs is not consistent across different regions. Some regions have more stringent requirements than others.

(20) Existing limitations: The implementation of BMPs is not consistent across different regions. Some regions have more stringent requirements than others.
Limitations on new subdivisions: No new divisions of land are permitted within the Tahoe Basin which would create development potential inconsistent with the Goals and Policies. (See the Goals and Policies, p. 113.) TRPA’s intent is to avoid the impacts of new lots and block subdivisions while allowing mechanisms such as re-subdivision to lessen the potential impacts of existing approved but unbuilt subdivisions.

Land use planning and controls: TRPA’s land use plan, set forth in the Goals and Policies and the Plan Area Statements and Maps, directs development to already-urbanized areas of consistent land use. Specific land use policies are implemented through the use of Plan Area Statements, specific community plans, and in some instances master plans. See the Goals and Policies (pp. 11–2 through 5) and Chapters 13, 14, 15, 16 and 18 of the Code of Ordinances.

Residential development priorities (IPES): The Individual Parcel Evaluation System (IPES) evaluates parcels eligible for additional single-family development with respect to their relative suitability for development, and directs additional development first to the most suitable parcels. IPES is set forth in the Goals and Policies (pp. 11–3 through 7) and Chapter 37 of the Code.

Limits on land coverage for new development: All new development must conform to the coefficients of allowable land coverage set forth in the Bailey Report. In some instances, provisions are made to allow additional coverage on a given parcel by transfer programs. See the Goals and Policies (pp. 11–12 through 15) and Chapter 20 of the Code.

Transfer of development: To provide more flexibility for planning new development and mitigating existing problems, four types of transfer programs are provided in the Regional Plan: transfers of residential development rights, transfers of existing development, transfers of land coverage, and transfer of residential allocations. See the Goals and Policies, pp. 11–14 and VII–14.

Restrictions on SEZ encroachment and vegetation alteration: No new land coverage or other permanent disturbance is permitted in SEZs except for certain public outdoor recreation facilities, public service facilities, projects which require access across SEZs, new development in non-modified SEZs, and SEZ restoration and erosion control projects, provided the TRPA makes required findings and offsetting restoration is provided. See Chapter 20 of the Code.

SEZ restoration program: The SEZ restoration program is set forth in Volume II of the 200 plan.
(15) SEZ setbacks: All new development must be set back from the edge of SEZs to preserve the integrity of the SEZ and the important values of the edge zone created by the SEZ and surrounding vegetation types. Required setbacks are identified in Chapter 37 of the Code.

(16) Fertilizer reporting requirements: TRPA may request uses that require regular fertilizer maintenance (e.g., golf courses, parks, cemeteries, ball fields, and residential yards) to submit fertilizer management plans for review and approval. Large users of fertilizer shall initiate a tracking program for lands under their control and present annual reports to TRPA. See Chapter 81 of the Code.

B. AIRBORNE NUTRIENTS

(17) Improved mass transportation: See in-place compliance measures for air quality 01, 02, 03, 04, 05, 06, 07, 08, 09.

(18) Redevelopment and redirection of land use: Certain plan area statements are designated for redirection of development to improve environmental quality, community character, and efficiency of transportation systems. See the Goals and Policies, pp. II-1, II-4, and II-12, and Chapter 15 of the Code of Ordinances.

(19) Combustion heater rules, stationary source controls, and related rules: Rules regarding emissions from combustion heaters and stationary sources are set forth in Chapter 91 of the TRPA Code.

(20) Transfer of development: See in-place water quality compliance measure (12).

C. WASTE MANAGEMENT

(21) Elimination of accidental sewage releases: The discharge of wastewater to the surface or groundwaters of the Tahoe Region is prohibited, except for existing development operating under approved plans for wastewater disposal. Sewage collection, conveyance, and treatment districts shall have approved spill contingency, prevention, and detection plans. (See the Goals and Policies, pp. II-41, 43.)

(22) Reduction of sewer line exfiltration: All agencies which collect or transport sewage should have plans for detecting and correcting exfiltration problems, and shall be required to implement such plans as a condition of TRPA project approvals. (See Goals and Policies, p. II-44.)

(23) Effluent limitations: State agencies issue effluent limitations under their existing authorities to entities collecting and treating wastewaters. All the existing sewage collection and treatment entities in the Tahoe Region are covered by NPDES permits or California waste discharge requirements (MDCs).
(24) Regulation of wastewater disposal at sites not connected to sewers: Wastewater discharge prohibitions apply equally to discharges in rural or remote areas. TRPA may approve holding tanks or other no-discharge systems in some situations where normal operation would not create adverse impacts. See Chapter 81 of the Code.

(25) Prohibition on solid waste disposal: The disposal of solid wastes in or on the land within the Tahoe Region is prohibited. See p. II-45 of the Goals and Policies.

(26) Mandatory garbage pick-up: Garbage pick-up is mandatory in the Tahoe Region and should be structured to encourage clean-ups and recycling. See p. VI-3 of the Goals and Policies.

(27) Hazardous materials/waste programs: Underground storage tanks for sewage, fuel, or other potentially harmful substances shall meet TRPA standards and shall be installed, maintained, and monitored in accordance with the BMP Handbook. TRPA will cooperate with other agencies on preparation, evaluation, and implementation of toxic and hazardous spill control plans. All persons handling, transporting, using, or storing toxic or hazardous substances shall comply with applicable state and federal laws. See pp. II-44 and 45 of the Goals and Policies and Chapter 81 of the Code.

(28) BMP implementation program—snow and ice control practices: The BMP Handbook addresses snow disposal practices. The implementation program is set forth in Chapter 25 of the Code and involves voluntary, regulatory, and remedial aspects. Snow removal is limited to structures, paved areas, an areas necessary for parking or safe pedestrian access. Snow removal from dirt roads is subject to TRPA regulation. See Chapter 81 of the Code.

(29) Reporting requirements, highway abrasives and deicers: Institutional users of road salt shall keep records on salt application. Major users of salt and abrasives shall initiate a tracking program and present annual reports to TRPA. (See Goals and Policies, p. II-44 and Chapter 81 of the Code.)

(30) BMP implementation program—roads, trails, skidding, logging practices: The BMP Handbook and Chapter 71 of the TRPA Code identify the required BMPs for roads, trails, skidding, and logging. The program of implementation is set forth in Chapter 25 of the Code.

(31) BMP implementation program—outdoor recreation: Outdoor recreation uses are subject to the BMP requirements of Chapter 25 of the Code. The required practices are described in the BMP Handbook.
(32) BMP implementation program—livestock confinement and grazing: Application of BMPs is required of owners and operators of livestock confinement (corrals) and grazing uses. The implementation program is set forth in Chapter 15 of the Code. The required practices are described in the BMP Handbook.

(33) BMP implementation program—pesticides: The use and storage of insecticides, fungicides, and herbicides must be consistent with the BMP Handbook. See also in-place water quality compliance measure (47).

(34) Land use planning and controls—timber harvesting: Reforestation, regeneration harvest, sanitation salvage cut, selection cut, special cut, thinning, timber stand improvement, tree farms, early successional stage management, fire detection and suppression, fuels treatment and management, insect and disease suppression, and prescribed fire management are primary resource management uses and are permissible as set forth in the TRPA Plan Area Statements (Code of Ordinances, Chapter 18).

(35) Land use planning and controls—outdoor recreation: Beach recreation, boat launching facilities, cross-country skiing courses, developed campgrounds, golf courses, group facilities, off-road vehicle courses, outdoor recreation concessions, marinas, RV parks, riding and hiking trails, rural sports, skiing facilities, snow mobile courses, undeveloped campgrounds, and visitor information centers are primary recreational uses and are permissible uses as set forth in the Plan Area Statements (Code, Chapter 18). Expansion of existing ski facilities must be based on an approved master plan.

(36) Land use planning and controls—OHV use: Off-road vehicle use is prohibited in the Region except on specified trails, roads, or designated areas where impacts can be mitigated. (See Goals and Policies, p. V-3.)

(37) Land use planning and controls—livestock confinement and grazing: Farm and ranch structures, grazing, range pasture management, and range improvement are primary resource management uses and are permissible as set forth in the Plan Area Statements (Code, Chapter 18). TRPA approval is required for any new grazing or confinement project. (See Code, Chapter 73.)

(38) Control of encroachment and coverage in sensitive areas: Public outdoor recreation facilities may encroach into sensitive lands provided TRPA makes required findings designed to protect water quality and the mitigation of impacts. Projects that, by their nature, need not be sited in sensitive lands are identified in the 200 plan, Table 16.
Pesticide substance and operator certification: Only chemicals registered with EPA and the appropriate state agency may be used for pest control, and only for their registered application. No detectable concentration of any pesticide shall be allowed to enter any SEZ unless TRPA finds application is necessary to attain and maintain thresholds. (See Chapter 81 of the Code.)

E. LAKE TAHOE AND THE SHOREZONE

Control on shorezone encroachment and vegetation alteration: All vegetation at the interface between the backshore and foreshore shall be undisturbed. The use of lawns or ornamental vegetation in the shorezone is discouraged. (Goals and Policies, p. IV-16.) There are eight shorezone tolerance districts along the shoreline of Lake Tahoe, Fallen Leaf Lake, and Cascade Lake; specific rules apply to each district. (Code Chapter 53.)

BMP implementation program—shorezone areas: The BMP Handbook includes special BMPs for the shorezone. The program of implementation is set forth in Chapter 25 of the Code.

BMP implementation program—dredging and construction in Lake Tahoe: The BMP Handbook includes BMPs for construction and dredging in Lake Tahoe. The program of implementation is set forth in Chapter 25 of the Code.

Restrictions and conditions on filling and dredging: Filling and dredging are subject to TRPA ordinance provisions to protect water quality and the natural function and dynamics of the shorelines and lakeshores. See Chapter 54 of the Code.

Protection of stream deltas: Stream deltas shall be protected from encroachment and disturbance as described under SEZ protection provisions, in-place water quality compliance measures (13).

Marina master plans: Expansion of marinas is limited until TRPA adopts a master plan for the marina (Code, Section 16.1).

Additional pump-out facilities: Liquid and solid wastes from boats shall be discharged at approved pump-out facilities. Pump-out facilities shall be provided by marinas and launching facilities as required by Chapter 25 of the Code and the BMP Handbook.

Controls on anti-fouling coatings: The BMP Handbook incorporates California and federal restrictions on the use of paints containing tributyl tin (TBT). The program of implementation is set forth in Chapter 25 of the Code. The Lahontan Board also enforces the California restrictions.
II. WATER QUALITY/SOIL CONSERVATION (SUPPLEMENTAL)

A. URBAN RUNOFF AND EROSION

(01) Restrictions on rate and/or amount of additional development: This is a contingency measure not presently enacted by the TRPA. Such restrictions could include restrictions on additional development in all categories or certain categories, including residential, commercial, recreational, and public service. Restrictions could be applied Region-wide, by jurisdiction, by watershed, or by other appropriate sub-unit. Restrictions could be placed on public service uses not currently covered by allocations by establishing allocation limits, setting priorities, or prohibiting certain uses in the Region.

(02) Improved BMP implementation/enforcement program: This is a contingency measure not presently enacted by the TRPA. An improved program could include subsidized BMP applications from grants, annual budgets, or fees; or mandatory compliance with BMPs upon sale of property.

(03) Additional restrictions on fertilizer use: This is a contingency measure not presently enacted by TRPA. Additional restrictions on fertilizer use could include bans on fertilizer applications in some situations, such as golf courses in SEZs, or requirements to use only certain types of fertilizers, such as slow-release fertilizers in some applications.

(04) More stringent coverage transfer requirements: This is a contingency measure not presently enacted by TRPA. More stringent requirements could include elimination of transfers of potential coverage; elimination of transfers of soft coverage; increased coverage transfer rates; or restriction on TRPA’s ability to substitute transfers of soft or potential coverage for hard coverage in commercial transfers.

(05) More stringent SEZ encroachment rules: This is a contingency measure not presently enacted by TRPA. More stringent SEZ encroachment rules could include reducing or eliminating the exceptions to the prohibitions on SEZ encroachment.

(06) Controls on outdoor water use: This is a contingency measure not presently enacted by TRPA. In conjunction with more stringent fertilizer controls, this compliance measure would help reduce nutrient loading to ground and surface waters via fertilizer application.

(07) Increased funding for CIP for erosion and runoff control: Increased funding could come from grants, annual budgets, bonding, or fees. This measure is consistent with the CIP, Volume IV of the 208 plan.
(08) Artificial wetlands/runoff treatment program: This compliance measure would include a more active program to identify major points of discharge of surface runoff and provide treatment through the installation and maintenance of artificial wetlands. The program should involve pilot projects prior to full-scale implementation. The program is consistent with the 208 plan.

(09) Transfer of development from SEEs: This is a contingency measure not presently enacted by TRPA. Removal of existing structures from SEEs could be accomplished by establishment of a specific transfer program, with incentives.

(10) Improved excess coverage mitigation program: This is a contingency measure not presently enacted by TRPA. An improved program could include adjustment of fees—up or down—to optimize revenues from excess coverage mitigation.

(11) Modifications to list of exempt activities: This is a contingency measure not presently enacted by TRPA. Activities presently exempt from requirements for TRPA permits but which are found to have adverse impacts may be removed from the list of exempt or qualified exempt activities.

(12) Modifications to IPES: This is a contingency measure not presently enacted by TRPA. The Goals and Policies contemplate adjustments in IPES based on results of a special component of the TRPA monitoring program to evaluate IPES. Modifications to IPES could include further restrictions or safeguards on movement of the IPES line.

B. AIRBORNE NUTRIENTS

(13) Increased idling restrictions: This is a contingency measure not presently enacted by TRPA. Increased restrictions could include restrictions on diesel engines or all engines, in certain locations or in all locations within the Region.

(14) Control of upwind pollutants: Future compliance measures implemented by upwind jurisdictions will have a beneficial effect on transport of nitrogen compounds to the Tahoe Region. The 208 plan contains a strategy for encouraging controls on upwind NOx emissions.

(15) Additional controls on combustion heaters: This is a contingency measure not presently enacted by TRPA. This compliance measure could include requirements to install certified combustion heaters upon sale of a home, or sooner.
C. WASTE MANAGEMENT

16. Improved exfiltration control program: This is a contingency measure not presently enacted by TRPA. An improved program could include monitoring and reporting requirements and compliance schedules for correction of problems.

17. Improved infiltration control program: This is a contingency measure not presently enacted by TRPA. An improved program could include monitoring and reporting requirements and compliance schedules for correction of problems.

18. Water conservation/flow reduction program: This is a contingency measure not presently enacted by TRPA. Such a program could include a problem assessment, strategy development, improvement program, and implementation program.

D. NATURAL AREA MANAGEMENT

19. Additional land use controls: This is a contingency measure not presently enacted by TRPA. It could include amendments to the Plan Area Statements to restrict areas in which certain uses are allowed or special uses.

20. Improved BMP implementation/enforcement program: See supplemental compliance measure (02), above.

21. Restrictions on rate and/or amount of additional development: See supplemental compliance measure (01), above.

E. LAKE TAHOE AND THE SHOREZONE

22. Improved BMP implementation/enforcement program: See supplemental compliance measure (02), above.
Table 1B
COMPLIANCE MEASURES IN PLACE
(DESCRIPTIONS)

I. AIR QUALITY
A. MASS TRANSPORTATION

(01) South Tahoe Area Ground Express (STAGE): STAGE provides fixed route, scheduled, service within the City of South Lake Tahoe. Ridership is presently at approximately 445,000 annual passengers. STAGE is operated by Area Transit Management under contract to the City of South Lake Tahoe.

(02) Tahoe Area Regional Transit (TART): TART provides fixed route, scheduled service from Tahoe to Incline Village (Winter) with seasonal extensions to Meeks Bay and Sand Harbor (Summer). Ridership is presently at approximately 88,000 annual passengers. TART is operated by Placer County.

(03) Social Service Transportation Providers: Transportation services for the elderly and handicapped residing within the Region are provided by a variety of public and private agencies.

(04) Ski Shuttle Services: Ski shuttles are buses or vans transporting skiers from lodging to ski areas. Almost all ski areas in and around the Region provide ski shuttles. Ridership is presently at approximately 236,900 seasonal passengers. The services are provided by public and private providers on a contract basis or with vehicles purchased by the ski areas.

(05) Intercity Bus Services: Intercity bus services include charters, "Gambler's specials", and airporters. A number of private carriers serve the Region with charter or scheduled service. Approximately 1,350,000 visitors per year arrive by bus.
(06) Waterborne excursions: Waterborne excursions are one to four hour boat trips, usually to Emerald Bay. There are four vessels with a capacity of greater than 100 passengers, and a number of smaller vessels. All are privately operated.

(07) Waterborne point-to-point service: There are only limited point-to-point services operating on Lake Tahoe. The primary service is a ski shuttle service provided by the Tahoe Queen from south shore to Tahoe City several days per week.

(08) Commercial air carrier operations: Lake Tahoe Airport is served by three American Airline flights per day (usually 737-300 aircraft) with approximately 135 passengers per flight.

(09) Commuter/air taxi operations: Lake Tahoe Airport is served by up to ten American Eagle flights per day (usually Metroliner III aircraft) with approximately 19 passengers per flight.

B. NON-MOTORIZED TRANSPORTATION

(10) Bikeways: Bikeways consist of separated right-of-ways, restricted right-of-ways, and shared right-of-ways. Bikeways can serve transportation and recreation purposes. All types of bikeways are found in the Region.

(11) Pedestrian facilities: Pedestrian facilities (sidewalks, etc.) around Lake Tahoe are discontinuous and sporadic.

C. TRANSPORTATION SYSTEMS MANAGEMENT

(12) Employer programs: A number of employers in the Region offer subsidized transit fares to employees, or provide limited transit (shuttle) service. Car pooling is limited due to flexible work hours at major employers (casinos).
(13) neighborhood mail delivery centers (NDCs): NDCs are small (300 to 500 box), limited service, postal facilities offering decentralized mail delivery. Three NDCs have been built in the south shore.

(14) home mail delivery: Home delivery is presently offered only in a limited portion of Incline Village.

D. TRANSPORTATION-RELATED MEASURES

(15) indirect source review/air quality mitigation: All projects which may impact traffic or air quality are required to mitigate their impacts to a less than significant level. This program is described in Chapter 91 of the Code.

(16) idling restrictions: Idling restrictions limit idling in a portion of the south shore to no more than 30 minutes, with limited exceptions. This program is described in Chapter 91 of the Code.

(17) vehicle emission limitations (state/federal): The federal government and the state of California both have ongoing programs to reduce the emissions from new automobiles.

E. NON-TRANSPORTATION RELATED MEASURES

(18) OHV controls: OHV controls are programs to limit OHVs to designated areas and trails. OHV controls can reduce airborne dust in the Region.

(19) wood heater controls: Wood heater controls require new wood heaters, or replacements of existing wood heaters, to meet certain limitations for wood smoke. This program is described in Chapter 91 of the Code.

(20) gas heater controls: Gas heater controls require new gas heaters, or replacements of existing gas heaters, to meet certain limitations for oxides of nitrogen. This program is described in Chapter 91 of the Code.
(21) **stationary source controls**: Stationary source controls require new or modified stationary sources to meet certain limitations for a number of pollutants. This program is described in Chapter 91 of the Code.

(22) **open burning controls**: Open burning controls limit the type of material that may be burned in the Region, and the circumstances which will allow open burning. This program is described in Chapters 72 and 91 of the Code.

(23) **BMP and revegetation practices**: Best management practices and revegetation practices reduce erosion from project areas and, therefore, can reduce airborne dust.
I. AIR QUALITY

A. MASS TRANSPORTATION

(01) Short Range Transit Plan--South Shore Fixed Route: The SRTF consists of six fixed routes, four operating 24 hours, and 10 to 15 minutes headways on portions of U.S. 50. Programmed for the next one to five years; no startup date is forecast.

(02) Short Range Transit Plan--South Shore demand-responsive zones: The SRTF consists of demand-responsive zones outside of the fixed routes. Programmed for the next one to five years; no startup date is forecast. Gradual improvements in service are occurring.

(03) Short Range Transit Plan--North Shore Fixed Route: The SRTF consists of improvements to headways from 60 to 30 minutes for most of the daylight hours. Programmed for the next one to five years; no startup date is forecast.

(04) Short Range Transit Plan--North Shore demand-responsive zones: The SRTF consists of demand-responsive zones outside of the fixed routes. Programmed for the next one to five years; no startup date is forecast. Gradual improvements in service are occurring.

(05) improved ski shuttle coordination: Increased coordination between ski areas and additional public and private transportation providers should be developed in the area of scheduling to promote usage. Programmed for the next one to five years; no startup date is forecast.

(06) Tahoe City intrazonal shuttle: This is a short headway, minimal fare, summer time service. Although programmed for the next one to five years; no startup date is forecast.
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<td>(07) Kings Beach/Tahoe Vista intrazonal shuttle: This is a short headway, minimal fare, summer time service. Although programmed for the next one to five years; no startup date is forecast.</td>
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<td>(08) Improved beach bus headways: Headways on existing services to USFS south shore beaches would be improved. Programmed for five to ten years.</td>
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<td>(09) Kingsbury Grade fixed route service extension: This is an expansion of existing south shore fixed route service into Kingsbury Grade residential and commercial neighborhoods. Programmed for five to ten years.</td>
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<td>(10) Zephyr Cove fixed route service extension: This is a summer only extension of existing south shore fixed route service to Zephyr cove. Programmed for five to ten years.</td>
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<td>(11) Improved Tahoe Keys-to-casino core headways: This improvement would be targeted to serve recreation and work trips. Programmed for five to ten years.</td>
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<td>(12) North Star to Kings Beach service: This would be either a fixed route extension or a shuttle service, operating during peak seasons only. Programmed for five to ten years.</td>
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<td>(13) Heavenly Valley to Stateline people mover or aerial tram: Programmed for five to ten years.</td>
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<td>(14) TART extension to Truckee: This would be an extension of TART fixed route services to Truckee along S.R. 89, and it would serve the Alpine Meadows and Squaw Valley accesses, as well as existing campgrounds. Programmed for five to ten years; service may start as early as 1990.</td>
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Table 28 (Continued)

(15) El Dorado County fixed route service extension: This expansion of existing south shore fixed route service would primarily run along U.S. 50, Pioneer Trail, and Lake Tahoe Blvd. Programmed for five to ten years.

(16) Improved Roundhill/Nevada Beach-to-casino core headways (summer): Programmed for five to ten years.

(17) Expanded waterborne excursion service: Expansion of existing excursion services where continued improvements in VMT may be realized. Programmed for the next one to five years; no expansions have been formally proposed.

(18) Point-to-point waterborne service linking Tahoe City, Kings Beach, Incline Village, and the south shore: Programmed for the next one to five years; no startup date is forecast.

(19) Implementation, Lake Tahoe Airport master plan: The master plan has not been adopted. Programmed for the next one to five years; no startup date is forecast.

(20) South shore fixed guideway/light rail service: This service would, at a minimum, extend west from the stateline area in an unknown distance using unknown technology. As a study item in the RTP, it is not presently programmed.

B. STREETS AND HIGHWAYS

(21) Right turn lane, U.S. 50 west to Tahoe Keys Blvd.: Programmed for the next one to five years; no startup date is forecast. Utility relocation and right-of-way acquisition are presently being researched by the City of South Lake Tahoe and Caltrans.
Table 2B (Continued)

(22) Free right turn and signal timing, U.S. 50, Pioneer Trail to Park Ave., City of South Lake Tahoe: This project is a condition of approval for the construction of the California portion of the Loop Road. The condition was modified to postpone construction until October, 1988. It will not be constructed on time.

(23) Circulation improvements, South Lake Tahoe Redevelopment Plan: At present, this involves the extension of Montreal to Pioneer Trail at Needle Peak, and completion of the northwest California Loop Road. Construction is partially dependent on a transient occupancy tax scheduled for November 8, 1986.

(24) Realignment, intersection of Kingsbury Grade and U.S. 50: This project includes a free right turn lane from Kingsbury Grade onto U.S. 50 and two left turn lanes from Kingsbury Grade onto U.S. 50. Programmed for the next one to five years; some improvements were made in 1986.

(25) Right turn lane, California 89 south to Lake Tahoe Blvd.: Programmed for the next one to five years; no startup date is forecast.

(26) Right turn lane, Lake Tahoe Blvd. north to U.S. 50: Programmed for the next one to five years; no startup date is forecast.

(27) Corridor improvements, U.S. 50, Kingsbury Grade-to-Loop Road: This project has not been defined. Programmed for ten to twenty years.

(28) Corridor improvements, California 28, Tahoe City: This project includes parking reconfiguration and a parking lot connector. Programmed for the next one to five years; currently in design and funding phase.

(29) Intersection improvements, California 28 and Grove St., Tahoe City: Programmed for the next one to five years; construction would coincide with implementation of the community plan.
Table 2B (Continued)

(30) realignment, California 89 south of Fanny Bridge, Tahoe City: This project would move the intersection of S.R. 28 and S.R. 89 west to the Caltrans maintenance yard. Programmed for the next one to five years; construction would coincide with implementation of the community plan.

(31) intersection improvements, California 28 and 267, Kings Beach: This project includes free left and right turn lanes. Programmed for the next one to five years; may be constructed as early as 1989.

(32) center turn lane, Nevada 28, Lakeshore-to-Lakeshore, Incline Village: Programmed for the next one to five years; no startup date is forecast. NDOT has developed proposals for expansion in the near future.

C. NON-MOTORIZED TRANSPORTATION

(33) class I bikeway, Kingsbury Grade to Roundhill: Programmed for the next one to five years; no startup date is forecast.

(34) class I or II bikeway, Roundhill to Cave Rock: Programmed for the next one to five years; no startup date is forecast.

(35) class I or III bikeway, Park Avenue and the Loop Roads: Programmed for the next one to five years; construction would coincide with implementation of the redevelopment plan.

(36) completion of class II bikeway, Pioneer Trail to Meyers: Programmed for the next one to five years; no startup date is forecast.

(37) class I bikeway, Meyers: Programmed for the next one to five years; construction may begin in 1990.

(38) class II bikeway, Lake Tahoe Blvd. and Upper Truckee River Rd.: Programmed for five to ten years.

(39) class III bikeway, California 89, Meyers to Luther Pass: Programmed for five to ten years.
<table>
<thead>
<tr>
<th>Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>(40)</td>
<td>Class I bikeway, Meeks Bay recreation area: Programmed for five to ten years.</td>
</tr>
<tr>
<td>(41)</td>
<td>Class I bikeway, Tahoe City to Squaw Valley: Programmed for five to ten years.</td>
</tr>
<tr>
<td>(42)</td>
<td>Class I bikeway, Dollar Hill to Incline Village: Programmed for five to ten years.</td>
</tr>
<tr>
<td>(43)</td>
<td>Class I bikeway, Incline Village to Marlette Creek: Programmed for five to ten years.</td>
</tr>
<tr>
<td>(44)</td>
<td>Class I, II, III bikeways, Incline Village local streets: Programmed for five to ten years.</td>
</tr>
<tr>
<td>(45)</td>
<td>Separate pedestrian facility, California 28, Tahoe City: Programmed for one to five years; construction would coincide with implementation of the community plan.</td>
</tr>
<tr>
<td>(46)</td>
<td>Separate pedestrian facility, redevelopment area, South Lake Tahoe: Programmed for the next one to five years; construction would coincide with implementation of redevelopment.</td>
</tr>
<tr>
<td>(47)</td>
<td>Pedestrian separation, High Sierra Casino-to-Caesars Casino: This project, either above ground or below ground, would eliminate the present pedestrian signal. It is a condition of approval for two casino-hotels. Programmed for the next one to five years; no startup date is forecast.</td>
</tr>
<tr>
<td>(48)</td>
<td>Pedestrian facility, casino core to Kingsbury Grade: Programmed for the next one to five years; construction may start in 1989.</td>
</tr>
<tr>
<td>(49)</td>
<td>Pedestrian facility, Pioneer Trail, Needle Peak to U.S. 50: Programmed for the next five to ten years; construction may coincide with implementation of redevelopment.</td>
</tr>
<tr>
<td>(50)</td>
<td>Separate pedestrian facilities, California 28, Kings Beach: Programmed for five to ten years; although construction may coincide with implementation of the community plan.</td>
</tr>
</tbody>
</table>
D. TRANSPORTATION SYSTEMS MANAGEMENT

(51) education programs utilizing local media: Programmed for the next one to five years; no startup date is forecast.

(52) transit ridership incentives: This incentives include fare subsidies or free days. Programmed for the next one to five years; no startup date is forecast.

(53) casino employee van pools: Programmed for the next one to five years; no startup date is forecast.

(54) transit shelter and turn-out improvements: Programmed for the next one to five years; these improvements are regularly implemented.

(55) automobile metering from ski area parking lots: Metering involves releasing cars only at the rate that feeder routes can handle the capacity. Programmed for the next one to five years; no startup date is forecast.

(56) traffic signal synchronization, U.S. 50 corridor: This project involves coordinating signals across the stateline. Programmed for the next one to five years; some degree of coordination may begin as early as 1989.

(57) additional NDCs—south shore: This involves the study of an additional eight locations for NDCs. Programmed for the next one to five years; the existing NDCs are currently being evaluated prior to expansion of the program.

(58) additional NDCs—north shore: This involves the study of an additional three locations for NDCs. Programmed for the next one to five years; the existing NDCs are currently being evaluated prior to expansion of the program.

(59) additional improvements in mail delivery: This program is related to evaluation of the NDCs, and includes alternatives such as home mail delivery expansion. Programmed for five to ten years.
Table 2B (Continued)

(60) community plan improvements—pedestrian movement, access control, parking, system integration: Programmed for five to ten years.

(61) additional improvements—social services transportation: This alternative involves the funding of a number of improvements, including new equipment and services. Programmed for the next one to five years; some improvements are ongoing.

E. TRANSPORTATION-RELATED MEASURES

(62) alternative fuels—fleet vehicles: This involves the fueling of heavy duty fleet vehicles with fuels such as compressed natural gas and methanol, and the fueling of light duty vehicles with alcohol based fuels and propane. Implementation is ongoing.

(63) alternative fuels—private automobiles: This involves the introduction of oxygen rich gasoline to local service stations. It is currently being researched by Washoe County and TRPA.

(68) more stringent idling restrictions: This involves reducing the limit from 30 minutes to 15 minutes and/or expanding the boundaries of the current limit. The City of South Lake Tahoe is currently adopting a 15 minute limit for buses in the City. TRPA research is ongoing.

F. NON-TRANSPORTATION RELATED MEASURES

(64) home weatherization/energy conservation improvement program: No efforts beyond state and local requirements are presently programmed.

(65) control of upwind pollutants: TRPA is limited to continued support of efforts by upwind districts to attain applicable standards and reduce stationary source emissions. Significant benefits may come from a cleaner vehicle fleet upwind of the Region. This strategy is identified in the 1988 "208" plan.

REPLACE WITH LIST FROM DRAFT PLAN, 9-91
(66) improved BMP implementation/enforcement program: This program would step up implementation of BMPs, and may reduce airborne dust. (Also see Water Quality/Soil Conservation Supplemental Compliance Measures 02 & 20).

(67) improved highway maintenance practices/dust and aggregate control: This program includes reviewing existing maintenance and snow removal/sanding practices, and may result in changes to the list of exempt activities (Section 4.2). Devices such as vacuum sweepers, which may reduce airborne dust, could be employed.

(69) wood heater retrofit program: This program would require existing wood heaters to be replaced with certified heaters on (eg) the sale of a home. Washoe County currently implements such a program. (Also see Water Quality/Soil Conservation Supplemental Compliance Measure 15).
SUPPLEMENTAL CONTROL MEASURES

I. TRANSPORTATION

A. Mass Transportation

(01) STAGE expansion
(02) Kingsbury service
(03) Meyers service
(04) South Wye trolley
(05) South Shore beach/campground trolley
(06) TART expansion
(07) Kings Beach shuttle
(08) Kings Beach/Truckee service
(09) Truckee/Tahoe service
(10) Reno airport shuttle
(11) summer Lake tour service
(12) free-to-user transit
(13) Heavenly/Stateline gondola
(14) South Shore light rail/people mover
(15) Alpine Meadows/Tahoe City gondola

B. Transportation Demand Management

(16) employer-based trip reduction programs
(17) parking management
(18) shuttle programs
(19) transit incentives
(20) ride-sharing facilities
(21) vehicle rental programs
(22) postal delivery system improvements

C. Transportation System Management

(23) intersection improvements—South Shore
(24) intersection improvements—North Shore
(25) access control and turn lanes
(26) vehicle turnouts
(27) passing lanes
(28) high occupancy vehicle (HOV) lanes
(29) on-street parking controls
(30) roadway designs for non-vehicular traffic
D. Bikeways and Pedestrian Facilities

(31) pedestrian facilities—South Shore  
(32) pedestrian facilities—North Shore  
(33) bicycle facilities—South Shore  
(34) bicycle facilities—North Shore  

E. Aviation and Waterborne Services

(35) expansion of commercial air service  
(36) expansion of waterborne excursion service  
(37) expansion of waterborne point-to-point service  

F. Streets and Highways

(38) completion of Loop Road system  
(39) Montreal Road extension, South Loop to Needle Peak/Pioneer  
(40) improved connection, Kingsbury Grade to South Loop Rd  
(41) Pioneer Trail upgrading, Meyers to Needle Peak  
(42) California 28 improvements, Tahoe City  
(43) California 89 realignment, Tahoe City  
(44) circulation improvements, North stateline  
(45) other streets and roads  

G. Social Services Transportation

(46) specialized transportation services  
(47) accessible public transit vehicles  
(48) accessible demand-responsive services  
(49) accessible public transit facilities

II. AIR QUALITY

(01) alternative fuels  
(02) supplemental transportation control measures  
(03) enhanced combustion heater controls  
(04) enhanced implementation program, Best Management Practices
III. VEGETATION

(01) Chapter 65. Vegetation Protection During Construction
(02) Chapter 71. Tree Removal
(05) Chapter 73. Prescribed burning
(06) Chapter 74. Livestock Grazing
(08) Chapter 74. Remedial Vegetation Management
(09) Chapter 76. Sensitive and Uncommon Plant Protection and Fire Hazard Reduction
(17) Chapter 77. Revegetation
(09) Chapter 9. Remedial Action Plans
(11) Restrictions on SDE encroachment
(22) BMP Requirements
(12) SDE Restoration program
(13) Shorezone protection programs
(14) Control of ornamental vegetation in shorezone
(15) Project Review
(16) Compliance inspections
(17) Chapter 55. Development Standards in the Backshore
(18) Chapter 26. Land Coverage Standards

Table 1B

Compliance Measures In Place

(Description)

III. VEGETATION

(01) Chapter 65. Vegetation Protection During Construction: Limits disturbance of vegetation at project sites and provides for protection and revegetation of areas disturbed by construction.

(02) Chapter 71. Tree Removal: Specifies standards for tree removal, tree cutting practices, logging in SDEs, and variances. Specifies permissible reasons for tree removal and minimum acceptable stocking levels. Limits the size of patch cuts.

ADD MORE ACTIVE VEG. MANAGEMENT PROGRAM
(6) Chapter 71: Prescribed burning. Regulates the use of prescribed burning, limiting it to aerial; stage management, well management, wildlife habitat management, agriculture or best cultural.

(64) Chapter 73: Livestock Grazing. Regulates livestock grazing in order to control soil erosion, water pollution, and destruction of vegetation, and to limit competition with wildlife. Prohibits livestock in areas where sensitive plants could be jeopardized.

(65) Chapter 74: Remedial Vegetation Management. Provides for remedial management of vegetation to achieve environmental threshold for sensitive plant communities and structural diversity in vegetation and to maintain the health of vegetation.

(66) Chapter 75: Sensitive and Uncommon Plant Protection and Fire Hazard Reduction. Specifies standards for all sensitive plants and uncommon plant communities. Prohibits all projects or activities likely to jeopardize sensitive plants or their habitat. Provides for measures to protect sensitive plants and their habitat such as fencing, restrictions of use, project modification to avoid adverse impacts, dedication of open space, and habitat restoration. Requires that uncommon plant communities be managed and protected to preserve their values and prohibits projects and activities that could create significant adverse impacts.

(67) Chapter 76: Revetement. Provides for revegetation for soil stabilization, replacement of removed vegetation, or rehabilitation where runoff or soil erosion needs to be controlled. Sets forth standards for revegetation plans, requires compliance with BMPs in using native and adapted plants.

(68) Chapter 9: Remedial Action Plans. Provides for TRPA to request or require a problem assessment to identify situations which adversely affect attainment of or maintenance of a threshold and provides for implementation of a remedial action plan to abate the problem.

(69) Restrictions on SEZ encroachment and vegetation alteration: No new permanent disturbance is permitted in SEZs except for certain facilities and then only provided that TRPA makes the required findings and offsetting restoration is provided. See Chapter 20 of the Code.

(70) Shorezone BMPs require protection of existing vegetation, erosion control, and protection from other disturbances which could adversely affect sensitive coastal plant and their habitat.

(71) SEZ restoration program: The SEZ restoration program is set forth in Volume III of the 201 Plan.

(72) Shorezone protection: Prohibits vehicular access to the shorezone except where TRPA finds that such access will not cause environmental harm.

REVIEIIV THIS FOR MORE ACTIVE VEG. MANAGEMENT; BETTER COORDINATION. INCLUDE IN INTEGRATED IMP. PERM.
(13) Control of ornamental vegetation in shorezone. All vegetation at the interface between the backshore and foreshore shall be undisturbed. The use of lawns or ornamental vegetation in the shorezone is discouraged. (Goals and Policies, p 11-16)

(14) Project Review. Reviews project plans for conformance with the Code and sets forth conditions for approval, including provisions related to vegetation.

(15) Compliance Inspections. Provides for inspections to determine and enforce compliance with the law or conditions of approval.


(18) GRASS LAKE, RESEARCH NATURAL AREA DESIGNATION, U.S.F.S.
Table 1A
Compliance Measures In Place
(Short Titles)

WILDLIFE

(01) Chapter 78: Wildlife Resources
(02) Restrictions on SED encroachment and vegetation alteration
(03) Riparian vegetation protection
(04) SED restoration program
(05) Stream restoration programs
(06) BMP and revegetation practices
(07) O&M limitations
(08) Livestock grazing limitations
(09) Remedial action plans
(10) Project review

Table 2
Compliance Measures In Place
(Description)

WILDLIFE

(01) Chapter 78: Wildlife Resources: Regulates projects and activities which could affect basic wildlife habitat needs. Protects SEDs, migration corridors, and other critical habitat. Provides for protection of snags suitable for wildlife habitat. Sets term standards for protection of disturbance zones for special interest species, and permits special conditions of project approval to protect special interest species or any threatened, endangered, or rare species.

(02) Restrictions on SED encroachment and vegetation alteration: Protects the quality of wildlife habitats of special significance by prohibiting permanent disturbance to SEDs except for certain facilities and those only provided that EPA make the required findings and offsetting restoration is provided. See Chapter 20 of the Code.

(03) Riparian vegetation protection: Protection of riparian areas prevents degradation of wildlife habitats of special significance and for special interest wildlife species. The USFWS aerial photography program makes it possible to track condition of wildlife habitat areas.

(04) SED restoration program: The SED restoration program is set forth in Volume II of the SED plan.
Table 13: continued

6. Stream restoration program - The U.S. Forest Service has an ongoing program for stream restoration which provides food and cover for stream-oriented wildlife.

7. BMP and revegetation practices - Best management practices and revegetation practices protect and enhance wildlife habitat.

8. OHV limitations - OHV users are regulated and are prohibited where they at locations or during sensitive seasons where they could have an adverse impact on wildlife.

9. Livestock grazing limitations - Livestock are to be excluded from stream banks where soil erosion is a problem. Range improvements are prohibited from interfering with migration routes of over and other wildlife. (See Chapter 73 of the Code.)

10. Chapter 6, Remedial Action Plans - Provides for TRPA to request or require a problem assessment to identify situations which adversely impact attainment of a threshold and provides for implementation of a remedial action plan to abate the problem.

11. Project Review: Reviews project plans for conformance with the Code and sets forth conditions for approval including provisions related to vegetation.

(11) California Dept. of Parks & Rec.; Goshawk Study

(12) Peregrine Falcon Reintroduction Program

EXPAND; TRPA TAKE THE LEAD; INCLUDE IN INTEGRATED IMPROV. PROGRAM.

EXPAND OHV CONTROLS
Table 1A
Compliance Measures in Place

*Short Titles*

IV. FISHERIES

- Chapter 7A. Fish Resources
- Chapter 7B. Tree Removal
- Shorezone BMPs
- Restrictions and conditions on dredging and filling
- Locating standards for structures in the shorezone
- Restrictions on SEI encroachment and vegetation alteration
- SEI restoration programs
- Stream restoration programs
- Riparian restoration
- Livestock grazing limitations
- BMP and revegetation practices
- Fisheries study
- Chapter 5. Remedial Action Plans
- Chapter 9. Mitigation Per Requirements
- Compliance Inspections

Table 1B
Compliance Measures in Place

*Description*

IV. FISHERIES

(CA) Chapter 7A. Fish Resources: Provides for protection and enhancement of fish habitat in Lake Tahoe, its tributaries and other lakes. Permits limitations to projects and activities in the shorezone having adverse impacts on fisheries. Specifies measures for protection and enhancement of lake habitat and provides standards for protection and enhancement of instream habitat. Provides for establishment of instream flow standards and for enhancement of instream flows through transfer of diversion points to the lake. Requires stream flow assessment for projects involving flow diversions.

CC) Chapter 7B. Tree Removal: Specifies standards for tree removal, tree cutting practices, logging in SEIs, and yarding. Specifies permissible stream crossings, prohibits placing materials in stream beds, and requires special conditions to protect instream values and habitat diversity.

(C) Shorezone BMPs: Provides for protection of vegetation, erosion control, and other practices which would protect lake fish habitat from degradation from disturbance or siltation.

ADOPT INSTREAM FLOW STDs.
Table 11 continued

(14) Restrictions and conditions on dredging and filling. Filling and dredging are strictly limited thus preventing for protection of fish habitat from degradation by such projects. (See Chapter 9 of the TRPA Code)

(15) Location Standards for structures in the shoreline. Set limits on placement of structures in the shoreline where they could have adverse impacts on fish habitat or access to spawning streams. (See Chapter 9 of the TRPA Code)

(16) Restrictions on SEL encroachment and vegetation alteration. Protects the quality of in-stream fish habitat by prohibiting permanent disturbance or permits SELs except for certain facilities that are open as provided in Chapter 24 of the Code.

(17) SEL restoration program. The SEL restoration program is set forth in Volume III of the 208 plan.

(18) Stream restoration program. The U.S. Forest Service has an ongoing program for restoration of habitat for resident and migratory fish species and improving fish passage at natural and man-made barriers.

(19) Riparian restoration. Restoration of riparian areas reduces erosion, protects stream banks, and provides cover to enhance in-stream fish habitat.

(20) Livestock grazing limitations. Livestock are to be excluded from banks of streams where soil erosion problems exist, protecting the integrity of stream banks and in-stream habitat.

(21) BMP and revegetation practices. Best management practices and revegetation practices reduce erosion from project areas, thus reducing siltation which degrades fish habitat.

(22) Fish habitat study. A study of shoreline and lake fish habitats is being conducted to identify projects and activities which affect fish habitats, now to prevent or mitigate adverse impacts.

(23) Chapter 5 Remedial Action Plans. Provides for TRPA to request or require a problem assessment to identify situations which adversely impact attainment of a threshold and provides for implementation of a remedial action plan to abate the problem.

(24) Chapter 5 Mitigation fee requirements. Provides for fees to be study, restore, or to mitigate any degradation of fish habitat.

(25) Compliance inspection. Provides for inspections to determine and enforce compliance with the law and conditions of approval.

(26) Public Educ. Program. RE LAHONTAN CUTTHROAT TROUT

(27) Discourage Introduction of Non-Native Fish.
Control Measures in Place

(01) Airport Noise Enforcement Program: The City of South Lake Tahoe enforces noise standards at the airport. TRPA enforces these standards at heliports and seaplane bases.

(02) Boat Noise Enforcement Program: Marinas and boat launching facilities open to the public shall post conspicuous notices of single-event noise standards. Rental and excursion operators shall not operate or offer for use of rent marine craft not in compliance with single-event noise standards.

(03) Motor Vehicle/Motorcycle Noise Enforcement Program:

(04) ORV Restrictions: Public agencies responsible for the administration of public lands and recreation areas shall post notices of the single-event noise standards in conspicuous locations at access points to use areas. Rental and excursion operators shall not operate or offer for rent or use any off-road vehicle not in compliance with single-event noise standards.

(05) Snowmobile Restrictions: Public agencies responsible for the administration of public lands and recreation areas shall post notices of the single-event noise standards in conspicuous locations at access points to use areas. Rental and excursion operators shall not operate or offer for rent or use any over-snow vehicle not in compliance with single-event noise standards.

(06) Land Use Planning and Controls: Plan area statements set CNEL criteria according to land use classification, presence of transportation corridors, and applicable thresholds.

(07) Vehicle Trip Reduction Programs:

(09) Transportation Corridor Design Criteria: TRPA shall provide design guidelines to reduce transmission of noise from transportation corridors.

(09) Airport Master Plan: The City of South Lake Tahoe is preparing an airport master plan pursuant to Chapter 16 of the Code of Ordinances

(10) Loudspeaker restrictions: No person shall use loudspeakers or similar devices for amplifying sound outdoors for the purpose of advertising products or services to attract patrons.
(11) Project Review: TRPA shall not approve a project which causes a CNEL standard to be exceeded. Based upon completion of an initial environmental checklist (IEC), TRPA may require a noise impact report prior to approving a project.

(12) Complaint System: Upon receipt of a noise compliant or upon detection of a possible violation of a noise standard, TRPA may conduct a monitoring study in accordance with Chapter 24 of the Code of Ordinances. Based on the results of the monitoring study, TRPA shall implement appropriate corrective measures under the provisions of Chapters 8 and 9 of the Code. TRPA may delegate all or part of these activities to another public entity through a memorandum of understanding.

(13) Transportation Corridor Compliance Program: If TRPA determines that noise standards are not being met in transportation corridors, TRPA, in cooperation with other local entities, shall develop a compliance program to ensure attainment and maintenance of the noise thresholds.

(14) Exemptions to Noise Limitations: Single-event and cumulative noise standards shall not apply to safety signals, warning devices, emergency pressure relief valves, other similar devices, emergency work to protect life or property, and fireworks used in accordance with a state or local permit.

**Supplemental Control Measures**

(01) Integrated Environmental Improvement Program—Noise Element: TRPA shall include improvement projects in the Integrated Environmental Improvement Program specifically to reduce the transmission of noise from transportation corridors. Projects shall include, but not be limited to, vegetative screening projects.

(02) Jet Ski Noise Controls: TRPA shall conduct research into possible application of single-event and/or cumulative noise criteria applicable to jet skis. Upon completion of research, TRPA shall adopt and enforce standards and control measures as appropriate.

(03) Interagency Noise Enforcement M.O.U.
Table 1A
Compliance Measures In Place
(Short Titles)

VIII: RECREATION

1. Chapter 15, Allocation of Development
2. Land Use and Planning - Recreation
3. The five year recreation list
4. Master plan guidelines
5. Lake access improvement
6. Permissible recreation uses in the shorezone and lakezone
7. Public outdoor recreation facilities in sensitive lands
8. Bikeways
9. Ski shuttle service
10. Recreation transit access
11. Hiking and riding facilities
12. BMP implementation - outdoor recreation
13. Scenic quality of recreation facilities
14. Density Standards
15. Bonus Incentive Program

Table 1B
Compliance Measures In Place

(Description)

16. Chapter 15, Allocation of Development: Reserves a fair share of the basin's capacity for additional recreational development. The basin's capacity will provide for additional and upgraded facilities for summer and winter day use and overnight recreational use.

17. Land Use Planning: Recreation. Beach recreation, boat launching facilities, cross-country ski courses, ski areas, developed campgrounds, golf courses, sport facilities, off-road vehicle areas and trails, outdoor recreation concessions, marinas, restaurant sports facilities, recreation centers, 24 hour riding and skiing trails, rural sports, skiing facilities, snowmobile courses, sport venues, undeveloped campgrounds, and visitor information centers are all permissible uses as set forth in the Plan Area Statements. (See Chapter 15 of the Code)
Table 18 (continued)

03) The five-year recreation list: The five-year recreation list provides for tracking of recreation development and assists in coordinating development of recreation facilities.

04) Master plan guidelines: Master plan guidelines are being prepared for ski areas, marinas, and other major recreation facilities. These guidelines will assist in meeting high standards for new or upgraded facilities.

05) Lake access improvement: Purchase programs by the California Tahoe Conservancy and the USFS have been instrumental in securing sensitive lands adjacent to Lake Tahoe which provide open space and public access to the Lake.

06) Permissible recreation uses in the shorezone and lakezone: Beach recreation, boat launching facilities, marinas, water-oriented outdoor recreation concessions, buoys, piers, floating docks and platforms, boat ramps, and recreational boating. (See Chapter 51 of the Code.)

07) Public outdoor recreation facilities in sensitive lands: Public outdoor recreation facilities which by their very nature must be located on sensitive lands may be permitted under certain circumstances, but they must be mitigated by BMPs and must be mitigated at a 1:5:1 ratio.

08) Bikeways: Separate or restricted bikeways and shared right-of-ways serve recreational and transportation purposes.

09) Ski shuttle service: Busses or vans transport skiers from lodging to ski areas.

10) Recreation transit access: Tahoe Area Regional Transit provides seasonal service to Meeks Bay and Sand Harbor recreational facilities.

11) Hiking and riding facilities: Hiking or riding trails and rural roads serve many parts of the basin.

12) BMP implementation - outdoor recreation: Outdoor recreation uses are subject to the BMP requirement. The required practices are described in the BMP Handbook.

13) Scenic quality of recreation facilities: Recreation facilities are to meet scenic standards as related to screening from undesirable features, landscaping, and exterior lighting. (See Chapter 30)

14) Density standards: Recreation development shall comply with the density standards set forth in Chapter 21 and the plan area statements.

15) Bonus incentive program: Public access to recreation areas, streams, lakes, or vista points may count toward bonus points and mitigation for tourist accommodation units.
ATTACHMENT A

Table 1A

Compliance Measures In Place
(Short Titles)

VI. SCENIC RESOURCES

(01) Chapter 22, Height Standards
(02) Chapter 24, Driveway and Parking Standards
(03) Chapter 26, Signs
(04) Chapter 29, Historic Resources
(05) Chapter 30, Design Standards
(06) Chapter 53, Shorezone Tolerance Districts and Development Standards
(07) Chapter 54, Development Standards Lakeward of High Water
(08) Chapter 64, Grading Standards
(09) Chapter 65, Vegetation Protection During Construction
(10) Chapter 77, Revegetation
(11) Chapter 81, Water Quality Control
(12) Design Review Guidelines
(13) Scenic Quality Improvement Program

Table 1B

Compliance Measures In Place
(Descriptions):

VI. SCENIC RESOURCES

(01) Chapter 22, Height Standards: Regulates building heights based on roof pitch and building site slope. Findings required for additional height for buildings and other structures include that ridgeline views are not obstructed, that buildings visually remain within the forest canopy, and that buildings are adequately screened using distance, color and materials from threshold viewpoints.

(02) Chapter 24, Driveway and Parking Standards: Regulates the amount of driveway entries and related curb cuts along highways thereby minimizing impacts to thresholds related to the number of roadway distractions.

AMEND AS APPROP.

DEVELOP ACCESS PLAN.
INCLUDE IN INTEGRATED IMP. P&RM.
103 Chapter 26, Signs: Regulates the amount and location of temporary and permanent signage within the Region based on plan area types. In addition, Chapter 26 establishes minimum sign standards applicable to all signs, including an amortization schedule for non-conforming signs along threshold travel routes.

104 Chapter 29, Historic Resources: Regulates the construction, reconstruction, repair and maintenance of structures identified on TFRP's Historic Resources map overlay. Provides sign guidelines for those activities using the Secretary of Interior's Guidelines for Rehabilitation of Historic Buildings.

105 Chapter 10, Design Standards: Regulates physical site planning and design for all uses within the Region, including site design, snow storage, screening, setback of structures, building design, landscaping, and exterior lighting.

106 Chapter 53, Shorezone Tolerance Districts and Development Standards: Regulates the color on all applicable structures located within the shorezone in order to minimize the apparent visual contrast with the natural landscape. Also regulate roofing materials and fencing materials on applicable structures located within the shorezone.

107 Chapter 54, Development Standards: Lakeside of High Water: Regulates the physical design and location of certain structures lakeside of high water including piers, boat ramps, floating docks and platforms, multiple use facilities, jetties and breakwaters, marinas, and shoreline protective structures.

108 Chapter 64, Grading Standards: Regulates the amount and location of physical site disturbance and grading. Requires minimum standards for cutting and filling activities and setbacks thereof in conjunction with the Uniform Building Code.

109 Chapter 65, Vegetation Protection During Construction: Regulates the type and location of vegetation protection/disturbance activities which may occur during site development. Requires protection of existing vegetation outside of the construction area and revegetation of areas disturbed during construction.

110 Chapter 77, Revegetation: Regulates revegetation, soil stabilization, and improvement activities on disturbed sites. Establishes minimum standards for acceptable plant materials, fertilizer use, soil stabilization materials, and grading.

111 Chapter 61, Water Quality Control: Regulates snow removal and snow disposal locations for all public and private snow removal operations.
Design Review Guidelines: The guidelines are a comprehensive manual of design and site planning recommendations to assist project proponents in meeting adopted design standards. Application of Design Review Guidelines of individual projects will help to maintain and improve the overall visual quality of the region's built environment. The guidelines provide specific solutions in 11 different areas of adopted design standards in TRPA's Code of Ordinances.

Scenic Quality Improvement Program: The Scenic Quality Improvement Program (SQIP) is the regional scenic threshold attainment program. Included in the SQIP are updated scenic quality threshold rates for all roadway and shoreline travel routes in both scenic threshold rating categories. The SQIP focuses on the 23 roadway and 4 shoreline travel routes which currently are not in attainment with the travel route rating threshold. Specific visual inventories for each unit are included along with a set of design and site planning recommendations to attain the travel route rating threshold in each unit (Technical Appendix B). Possible funding sources and other incentives which could be offered in order to stimulate physical improvements are identified.
Attachment A

Proposed Supplemental Compliance Measures

(Short Titles)

VI. SCENIC RESOURCES

(01) Formation of Scenic Tahoe, Inc.
(02) Use of Visual Magnitude/Color Contrast rating system for all projects within threshold travel route viewsheds
(03) Nevada-side overhead utility line undergrounding program

Proposed Supplemental Compliance Measures

(Descriptions)

(01) Formation of Scenic Tahoe, Inc.: This compliance measure would establish a non-profit regional entity which would develop funding sources and distribute funds exclusively for scenic quality improvement projects which TRPA has identified as necessary in order to attain minimum threshold standards in non-attachment roadway and shoreline units. This measure is expected to be moderately effective with a low cost to develop and implement.

(02) Use of Visual Magnitude/Color Contrast rating system for all projects within threshold travel route viewsheds: This compliance measure would place additional design guidelines on all projects within roadway and shoreline threshold travel route viewsheds. The system would establish guidelines for visual magnitude/color contrast ratings for those projects, or for individual segments of roadways and shoreline landforms. Application of the system to projects within threshold travel route viewsheds would ensure that new or modified structures or uses would be compatible with existing natural landscape elements in terms of form, line, color, and texture. This measure is expected to be highly effective with a moderate cost to develop and implement.
Nevada-side overhead utility line undergrounding program. This compliance measure would develop a program on the Nevada side including funding and implementation schedules to place underground all overhead utility lines and related structures in nonattainment roadway travel routes which contain overhead utilities. The program could be developed and administered in a manner similar to California Public Utilities Commission utility undergrounding program. The program would be implemented along U.S. 50, Nevada 29, and Nevada 207. Funding for the program would be derived from a portion of the rate payers' tariff, similar to the funding source on the California side. The program could be administered cooperatively between the State of Nevada, local governments, utility companies, and TRPA. This measure is expected to be highly effective with a high cost to develop and implement.
MEMORANDUM

August 30, 1991

To: Advisory Planning Commission

From: TRPA Staff

Subject: Amendments to Chapter 4

Proposed Action: To amend Chapter 4 of the TRPA Code of Ordinances as set forth in the attached draft ordinance. Additional provisions are underlined and deletions are shown with strikeovers.

Recommendation: Staff recommends that the APC conduct a public hearing and, if appropriate, recommend adoption of the Chapter 4 amendments to the Governing Board.

Background: Over the past year, Agency staff has periodically met to consider possible Code amendments to resolve conflicts between various Code sections, provide clarification, and further the Governing Board's desire to streamline the Agency permit process. Amendments proposed by staff are intended to:

1. Clarify and simplify existing provisions;

2. Expand the list of exempt activities to include additional minor activities having insignificant environmental impacts; and

3. Reduce the number of projects which require Governing Board action (Appendix A).

Discussion: To provide a brief explanation of the most significant Code amendments being proposed please refer to the following overview. All other amendments are considered to be of a "house cleaning" nature and should not affect current regulations.
1. **Exempt Activities (4.2):** The most significant change, found at the top of page 4-2, exempts interior remodeling activities from TRPA review and approval. All exempt sign provisions have been relocated to Code Chapter 26. Mail box standards dealing with post size and height have been deleted because those items are controlled by federal standards. All other changes to this section are designed to simplify and streamline current regulations.

2. **Qualified Exempt Activities (4.3):** The most significant changes in this section include:

   1) The relocation of some activities from this category to the list of Exempt Activities (4.2);
   2) The $5,000 limit for exempt repair and remodeling projects has been removed; and
   3) Construction of certain structures over existing hard coverage, such as dormers, bay windows, decks, etc., would be exempt.

3. **Other Subsections:** The provisions of sections 4.4 and 4.5 are designed to simply, clarify, and streamline current regulations relative to our relationship with the City of South Lake Tahoe, and MOUs with other agencies.

4. **Appendix A:** Appendix A revisions will reduce the number of minor activities which require Board approval. A number of project categories, typically considered insignificant in nature have been deleted from the Governing Board Action List. Your attention is directed to subsection 4.7.C (page 4-13), which provides that any project may be directed to the Governing Board for consideration. Said subsection provides a safeguard for those general projects which are of such a scope and scale that Governing Board consideration is warranted.

8/30/91

**AGENDA ITEM V F**
CHAPTER 4
PROJECT REVIEW AND EXEMPT ACTIVITIES

Chapter Contents

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4.0 Purpose: This chapter implements Article VI(a) of the Compact requires TRPA to prescribe, by ordinance, those activities which it has determined will not have substantial effect on the land, water, air, space or any other natural resources in the Tahoe Region and therefore will be exempt from its review and approval. This chapter also implements Compact provisions relating to projects and permits.

4.1 Applicability: Special provisions for activities in the shorezone and for signs are set forth in Chapters 26 and 52. This chapter sets forth which activities may have a substantial effect on the land, air, water, space or any other natural resources and therefore are projects subject to TRPA review and approval. This chapter also sets forth which activities will not have a substantial effect on the land, air, water, space and any other natural resource in the Region and therefore are exempt from TRPA review and approval. Exemption of activities from TRPA review and approval shall not be construed to exempt such activities from applicable provisions of the Code.

4.2 List Of Exempt Activities: The following activities are not subject to review and approval by TRPA provided they do not result in the creation of additional land coverage or relocation of land coverage, and comply with all restrictions set forth below.
4.2.A General Activities: The following residential, general commercial, tourist, accommodation, public service, recreation and resource management activities are exempt:

(1) Interior remodeling provided there is no change or intensification of use, and no increase in density.

(2) Ordinary maintenance and repair, which is the upkeep, or preservation of the condition of property and includes: painting; reroofing; replacement of windows, siding, doors, floor coverings; interior ceiling and wall coverings and decorations; health and safety devices; noncombustion heaters; appliances; construction of overlays upon existing paved surfaces, air conditioning, sewer, water and electrical equipment, and other fixtures.

(3) Maintenance of existing landscaping and gardening. Maintenance of existing landscaping does not include the creation or replacement of lawns or plants except that the placement or replacement of bedding plants, or plants from the TRPA approved plant list, is exempt.

(4) Repair of or replacement of existing fences not located in SEZs or bodies of water.

(5) Replacement, repair, or service connection, including reinforcement of telephone lines in connection with a service connection of utilities provided any excavation associated with the activity is exempt pursuant to subparagraph (6) below as pursuant to subparagraph 4.3.A(6).

(6) Excavation and backfilling for grave sites, or for a volume not in excess of three cubic yards is exempt provided the activity is completed within a 48 hour period and the excavation site is stabilized to prevent erosion. This exemption shall not be construed to exempt a series of excavations, which, when viewed as a whole, would constitute a project.

(7) Removal of dead trees on parcels of five acres or less, and removal of dead limbs, and removal of live limbs not resulting in material damage to a tree.

(8) Seasonal lighting displays which are part of a program implemented by a community service organization which conform to TRPA's Design Review Guidelines for seasonal lighting displays which do not flash or blink, and which are displayed between
Thanksgiving and March 1 of the following year. Seasonal lighting displays shall be removed no later than March 1 of each year.

Demolition of structures, improvements, or facilities, less than 50 years of age, provided any associated excavation and backfill is exempt pursuant to Subparagraph 4 above. To obtain credit for coverage or existing development TRPA approval is required.

4.2.8 Residential Activities: The following activities in connection with a residential use are exempt from TRPA review and approval:

++ (8) Landscaping and gardening provided any associated excavation or backfill is exempt pursuant to subparagraph 4 above. The use of native plants and adapted species, as listed on the TRPA approved plant list, is encouraged.

++ (9) A home occupation customarily conducted entirely within a dwelling by the residents thereof, provided the occupation is clearly incidental and secondary to the use of the dwelling for residential purposes, and provided there is or are:

(a) No sales of products not produced on the premises, unless the sales are done by written order with no commodities or displays on the premises.
(b) No employment of more than one person other than the residents of the dwelling;
(c) No signs or structures advertising the occupation;
(d) No outside storage of materials or supplies incidental to the home occupation; and
(e) No more than one home occupation is carried on in a dwelling.

For guidance, the following uses are examples of home occupations: consultative professional occupations, whose function is one of rendering a service; a secondary business office; the making of clothing; the giving of music lessons; the creation of crafts.

(10) Construction of new residential fences, provided the fence is not more than six feet high, does not obstruct the public's view of Lake Tahoe and is not located in an SEZ of body of water.

(11) Parcel consolidations, provided deed restrictions permanently consolidating the parcels are recorded by the affected owners.
(12) Replacement of combustion heaters (water or space) and woodstoves with units on TRPA's list of approved combustion heaters.

(Moved to 4.2.6(7))

4.2.6---Demolition Activities:---Demolition of structures improvements or facilities less than 50 years of age is exempt provided any associated excavation and backfill is exempt pursuant to Subparagraphs 4.2.6(5) or 4.3.6(6). To obtain credit for coverage, existing development, TRPA approval pursuant to Chapter 34 is required.

(Moved to Chapter 26)

4.2.8---Sign Activities:---The following sign activities are exempt:

(1)---The changing of the advertising copy of message on a lawfully changeable copy sign.

(2)---Maintenance or cleaning of a sign: This exception shall not include any structural, electrical, or color changes of a sign.

(3)---For each street frontage of the primary use, one sign not over one square foot in area advertising that credit is available.

(4)---For each parcel, one identification sign containing no advertising matter, non electrical, non illuminated, two square feet or less in area, which is permanently affixed in a plane parallel to a wall located entirely on private property.

(5)---For each parcel, one temporary sign per street frontage which is not greater than 12 square feet in area, is not internally illuminated, and is not displayed for more than 30 days in a calendar year, except that for 60 days preceding a general or special election more than one such sign may be placed on each parcel, provided they are removed immediately after the election.

(6)---Construction site identification signs which may identify the project, the owner or developer, architect or other designer, engineer, contractor and subcontractors, funding sources, and other related information. Not more than one such sign shall be erected per site, and it shall not exceed 32 square feet in area or eight feet in height. Such signs shall not be erected prior to the issuance of a building permit and shall be removed within ten days of site or building occupancy.

(7)---Signs or tablets with names of buildings and dates of erection, when cut into masonry surface or when constructed of bronze or other metals.
(8)—Signs-of-public-service-entities—indicating-danger
and/or-service-and-safety-information.

(9)—In—residential-areas,—signs—not—exceeding—four
square-feet-in-area-such-as—(i)—signs—giving—pro-
erty-identification-names-or-numbers—of—occupants,—(ii)—signs-on-mailboxes—or-newspaper
tubes,—(iii)—signs—posted—on—private—property
relating-to-private-parking—or—warning—the—public
against-trespassing—or—danger—from-animals;

(10)—Any—sign—not-visible-from-a-street—public—recrea-
tion-area—bicycle—trail—or—from—bike—NTAHes;

(11)—Any—sign—which—is—located—within—a—building—and
which—is-clearly-intended—to—be—visible—primarily
to—people—located—within—the—building;

(12)—Signs—located—within—structures—including—inside
window—signs—intended—to—be—seen—from—outside-of
the—building—when—such—signs—are—limited—to-five
percent—(14)—of—the—area—of—each—window.—See—also
Subsection—26:1—R.7

(13)—Signs—on—private—property—12"—x—18"—or—smaller
which—limit—access—provide—direction—parking
admittance—or—pertaining—security—provisions—signs
18"—x—18"—or—smaller—defining—entrance—or—exit—and
octagonal—stop—signs—24"—or—smaller;

(14)—Signs—which—are—reviewed—and—approved—consistent
with—this—Code—(except—Subparagraph—
26:1—R.6—(10))—by—the—US—Forest—Service—or—state
agency—or—a—local—government—pursuant—to—a—memor-
andum—of—understanding—with—TRPA;

(15)—Signs—which—are—reviewed—and—approved—by—a—local
government—provided—the—standards—used—in—the
review—and—approved—are—adopted—as—substitute
standards—by—TRPA—pursuant—to—Section—26:3;7

(16)—Until—January—31—1997—signs—which—are—reviewed—and
approved—consistent—with—the—interim—sign—standards
established—in—Ordinance—87—87—by—a—local—gov-
ernment—pursuant—to—a—memorandum—of—understanding
signed—before—January—25—1997—and

(17)—Replacement—of—street—signs—and—other—regulatory—or
directional—signs—when—the—are—or—height—of—the
replacement—sign—does—not—exceed—the—are—or—height
of—the—sign—to—be—replaced—and—when—the—sign
conforms—to—the—applicable—standards—of—the—Manual
Mail Delivery Activities: The following mail delivery activities are exempt:

(1) Mail delivery receptacles which are designed and installed in accordance with design standards which are part of a TRPA-approved area wide mail delivery program.

(2) Mail delivery receptacles and support structures which comply with the following standards:

(a) One mail box for each parcel or project area which:

(i) is mounted on a single post the exterior dimensions of which do not exceed 4" x 4" and

(ii) has a maximum external box size of 8" x 21" by 10" (equal to complies with all U.S. Postal Service standards; boxes #1 and #2); and a maximum cantilevered arm length of 48"

(iii) has a maximum height of 42" from finished grade to the bottom of the box; and

(iv) is located in such a manner and place that can be accessed by mail delivery vehicles such that the vehicles will not cause compaction or disturbance of previously uncompacted or undisturbed road or driveway shoulders or aprons; and

(v) if located within a scenic highway corridor pursuant to Section 30.13, is colored using dark shades of earthtone colors and matte finish.

(b) One set of cluster boxes where the number of boxes is equal to the number of parcels or project areas being served which:

(i) meets the design and location scenic standards listed in 4.2.8 (2)(a)(i) through (v) (iii), inclusive; and

(ii) has a maximum of four mail boxes per cluster where the overall length of the cluster does not exceed 42".
(3) Mail-delivery receptacles and support structures which are mounted flush with an existing building wall.

(4) One individual mail box per primary use mounted on an existing building wall which does not exceed two cubic feet in volume and which does not increase the building footprint.

(5) One cluster of mail boxes per project area containing more than one primary use which:
   (a) does not exceed ten cubic feet in volume exclusive of a roof,
   (b) has a non-reflective finish, and
   (c) is mounted on an existing building wall in such a manner that does not increase the building footprint or
   (d) is ground mounted over existing land coverage and is set back at least 20 feet from the right-of-way of roadways which are rated in TRPA's Scenic Resources Inventory.

4.2.C Temporary Activities: The following temporary activities are exempt.

(1) A temporary activity which:
   (a) Does not cause parking on unpaved areas;
   (b) Does not create or relocate land coverage or disturbance;
   (c) Does not require closure of a traffic lane or intersection of a state or federal highway for more than one hour, or the closure of U.S. 50 at any point between the South Wye and Kingsbury Grade for any period of time;
   (d) Does not create noise in excess of the limits in Chapter 23;
   (e) Does not exceed fourteen consecutive days in duration and will not occur more than four times in a calendar year; and
   (f) If the temporary activity, other than the parking, is located on unpaved areas, the temporary activity does not occur on an unpaved area which has been used for temporary projects more than four times in the past calendar year.

(2) Temporary activities in TRPA-approved special event areas in accordance with the TRPA approval.

(3) Temporary activities which are reviewed and approved by a local government, the Forest Service, or a state agency pursuant to a memorandum of understanding with TRPA consistent with Chapter 7.
4.3 List of Qualified Exempt Activities: The following activities are not subject to review and approval by TRPA provided the applicant certifies on a TRPA qualified exempt form provided by TRPA, that the activity fits within one or more of the following categories and the activity does not result in the creation of additional land coverage or relocation of existing land coverage and complies with all restrictions set forth below. The statement shall be filed with TRPA at least one working day before the activity commences, except as required for demolition activities in Subsection 4.3.F below, and shall be made under penalty of perjury. TRPA may provide for collection of statements by the local building departments. --Exemption of activities from TRPA review and approval shall not be construed to exempt such activities from applicable provisions of the Code.

4.3.A General Activities: The following activities are qualified exempt provided a statement is filed in accordance with Section 4.3 above and the activity complies with the criteria set forth below:

1. Structural repair, or remodeling, less-than-65,000 per-year, or additions to existing structures which does not result in excavation and backfilling in excess of that exempted by paragraph 46 (3) below, additional--land--coverage; an increase in the dimensions of a structure including--height--a visible from any TRPA-designated scenic threshold travel route, a height greater than that allowed by Table A of Chapter 22 of the TRPA Code, an intensification or change in use, an increase in commercial floor area, or an increase in density, and is located on legally existing hard coverage.

2. Construction--of--overlays--upon--existing--paved surfaces--provided--there--is--no--additional--land coverage.

3. Replacement--of--combustion--heaters--(water-or-space) and woodstoves with units on TRPA's list of approved combustion heaters.

4. Creation--or--replacement--of--lawns--with--species--on the TRPA-approved-plant-list.

5. Replacement of an existing mobile home in a legally-established mobile home space, which does not result in a change in use or additional land coverage.

6. Excavation and backfilling for an area not in excess of seven cubic yards is exempt provided the activity occurs during the grading season (May 1 to October 15) in Land Capability Districts 4, 5, 6, or 7, or on parcels with IPES scores above the line, and the excavation site is stabilized and revegetated within 72 48 hours to prevent erosion.
This exemption shall not be construed to exempt a series of excavations which, when viewed as a whole, would constitute a project.

Cutting, moving, removing, killing or materially damaging a live tree six inches d.b.h. or larger, or the removal of dead trees on parcels greater than five acres, provided the tree is approved and marked by the appropriate state forestry agency pursuant to a memorandum of understanding between the state agency and TRPA, and the tree removal does not constitute substantial tree removal as defined in Subsection 71.3.1. The memorandum of understanding shall be consistent with the standards in Chapter 71.

(Moved to Chapter 26) Installation--or-replacement-of-subdivision-identification--names-or-letters, provided the name or lettering is installed on an existing wall or similar structure, is not over 12 inches high, and is not internally illuminated.

(Moved To Chapter 26) Replacement-of-sign-faces-on-signs-approved-by-TRPA pursuant to Chapter 26, provided the new sign face remains in compliance with Chapter 26.

(5) Demolition of structures, improvements or facilities, 50 years or greater in age, provided the structure, improvement, or facility is not designated, or pending for designation, on the Historic Resource Map, and a statement is filed pursuant to Section 4.3 at least three working days in advance of the activity. To obtain credit for coverage or existing development, TRPA approval is required.

(6) Commercial.--Public.--Service.--And.--Recreation Activities: Changes in operation resulting in generation of less than 100 additional vehicle trips, in connection with a commercial, recreation or public service use, are exempt provided there is no change from one major use classification to another and the resulting use is an allowed use and a statement is filed pursuant to Section 4.3.

(7) An outdoor retail sales use associated with a state or federal holiday, provided the use does not cause parking on unpaved areas, does not operate for more than six consecutive weeks in a twelve month period and is located in a plan area designated commercial, public service or tourist.
(Moved to 4.2.A(8))

4.3.G - Landscaping - Replacement or creation of landscaping in connection with a commercially public service, tourist accommodation, or recreation use is exempt provided no additional land coverage is created, it is in accordance with Section 30-7, fertilizer use is in compliance with Chapter 21, and a statement is filed pursuant to Section 4.3.7.

(Moved to 4.2.A(3))

4.3.D - Resource Management Activities - Reconstruction of existing corrals and other animal enclosures is exempt provided no additional land coverage is created, the structures are not located in a SBA or no additional land coverage is created and a statement is filed pursuant to Section 4.3.7.

(Moved to 4.2.A(11))

4.3.B - Parcel Consolidations - Parcel consolidations are exempt provided deed restrictions permanently consolidating the parcels are recorded by the affected owners and a statement is filed pursuant to Section 4.3.7.

(Moved to 4.3.A(5))

4.3.F - Demolition Activities - Demolition of structures, improvements or facilities 50 years or greater in age is exempt provided the structure, improvement or facility is not designated or pending for designation on the Historic Resource Map and a statement is filed pursuant to Section 4.3.7. at least three working days in advance of the activity. To obtain credit for coverage of existing development, TRPA approval pursuant to Chapter 34 is required.

(Moved to 4.2.A(10))

4.3.G - Residential - Construction and reconstruction of residential fences is exempt provided the fence is not more than six feet high, does not obstruct the public's view of Lake Tahoe, is not located in a SBA or body of water, and a statement is filed pursuant to Section 4.3.7.

(Moved to 4.3.A(7))

4.3.H - Holiday Outdoor Retail Sales - An outdoor retail sales use associated with a state or federal holiday is exempt provided the use does not cause parking on unpaved areas, does not operate for more than six consecutive weeks in a twelve-month period, is located in a plan area designated commercially public service or tourist and a statement is filed pursuant to Section 4.3.7.

4.4 Activities Reviewed By Local Government: This Chapter may be amended to exempt certain residential The following activities which are reviewed and approved in accordance with the TRPA Regional Plan and Code of Ordinances by a local government pursuant to a memorandum of understanding and are therefore exempt from TRPA review and approval.

4.4.A. MGH With City of South Lake Tahoe: New Single Family Dwelling Activities Within the City of South Lake Tahoe (CST) - The following residential activities reviewed and approved by the City of South Lake Tahoe are exempt
Temporary Activities Within the City of South Lake Tahoe (CSLT): As set forth in the Memorandum of Understanding regarding exemption of temporary activities from TRPA review and approval between the CSLT and TRPA dated June 30, 1988, as may be amended by resolution of the Governing Board.

Sign Activities Within the City of South Lake Tahoe (CSLT): As set forth in the Memorandum of Understanding regarding exemption of sign activities from TRPA review and approval between the CSLT and TRPA dated March 13, 1990, as may be amended by resolution of the Governing Board.

Shoresome Activities: The shoresome activities which are exempt from TRPA review and approval, qualified or otherwise, are set forth in Chapter 52.

Temporary Projects: The following activities are not subject to review and approval by TRPA provided they do not result in the creation of additional land coverage or disturbance or relocation of land coverage. Exemption of activities from TRPA review and approval shall not be construed to exempt such activities from the provisions of the Code.

Temporary Activities: The following temporary activities are exempt:

1. A temporary activity which:
   a. Does not cause parking on unpaved areas;
   b. Does not create or relocate land coverage or disturbance;
   c. Does not require closure of a traffic lane or intersection of a state or federal highway for more than one hour or the closure of U.S. 50 at any point between the South Yuba and Kingsbury Grade for any period of time;
   d. Does not create noise in excess of the limits in Chapter 23;
   e. Does not exceed fourteen consecutive days in duration and will not occur more than four times in a calendar year; and
   f. If the temporary activity other than the parking is located on the unpaved area, the temporary activity does not occur on an unpaved area which has been used for temporary projects more than four times in the past calendar year.

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4.7 Structures-Housing-Gaming—(Reserved)

4.5 Memoranda of Understanding: This chapter may be amended to exempt those activities of public and quasi-public entities as set forth in the following memoranda of understanding (MOUs) between TRPA and such entities are exempt:

4.5.A MOU with California Tahoe Conservancy: The following activities of the California Tahoe Conservancy are exempt from TRPA review and approval upon execution of an MOU with CTC. As set forth in Appendix B to this Chapter.

4.5.B MOU with Nevada Division of State Parks: The following activities of the Nevada Division of State Parks (NBSDP) are exempt from TRPA review and approval upon execution of an MOU with NBSDP. As set forth in Appendix C to this Chapter.

4.5.C MOU with California Department of Parks and Recreation: The following activities of the California Department of Parks and Recreation (BFR) are exempt from TRPA review and approval upon execution of an MOU with BFR. As set forth in Appendix D to this Chapter.

4.5.D MOU with the United States Forest Service: The following activities of the United States Forest Service are exempt from TRPA review and approval upon execution of an MOU with the United States Forest Service. As set forth in Appendix E to this Chapter.

4.5.E MOU with Pacific Bell: The following activities of Pacific Bell are exempt from TRPA review and approval upon execution of an MOU with Pacific Bell. As set forth in Appendix F of this Chapter.

4.5.F MOU with California Department of Transportation: The following activities of the California Department of Transportation (Caltrans) are exempt from TRPA review and approval upon execution of an MOU with the California Department of Transportation. As set forth in Appendix G of this chapter.

4.5.G MOU with Nevada Department of Transportation: The following activities of the Nevada Department of Transportation (NDOT) are exempt from TRPA review and approval upon execution of an MOU with the Nevada Department of Transportation. As set forth in Appendix H of this Chapter.
4.5.H MOU with Tahoe City Public Utility District: The following activities of the Tahoe City Public Utility District (TCPUD) are exempt from TRPA review and approval upon execution of an MOU with the TCPUD As set forth in Appendix I of this chapter.

4.5.I MOU with South Tahoe Public Utility District: The following activities of the South Tahoe Public Utility District (STPUD) are exempt from TRPA review and approval upon execution of an MOU with the STPUD As set forth in Appendix J of this chapter.

4.5.J MOU with Incline Village General Improvement District: The following activities of the Incline Village General Improvement District (IVGID) are exempt from TRPA review and approval upon execution of an MOU with the IVGID As set forth in Appendix K of this chapter.

4.5.K MOU with Sierra Pacific Power Company: The following activities of Sierra Pacific Power Company are exempt from TRPA review and approval upon execution of an MOU with Sierra Pacific Power Company As set forth in Appendix M of this chapter.

4.5.L MOU with Douglas County: The following activities of Douglas County are exempt from TRPA review and approval upon execution of an MOU with Douglas County As set forth in Appendix N of this chapter.

4.6 Loss Of Exemption: An exempt activity shall be considered a project if TRPA finds that, because of unusual circumstances, the activity may have a substantial effect on the land, air, water, space, or any other natural resources in the Region.

4.7 Projects: An activity which is not exempt from TRPA review and approval pursuant to Sections 4.2 through 4.9, inclusive, is a project subject to TRPA review and approval.

4.7.A Project Review: Projects shall be reviewed by TRPA in accordance with TRPA's Rules of Procedure and pursuant to the applicable Code provisions. Projects approved by TRPA shall be issued permits in accordance with the Rules of Procedure.

4.7.B Governing Board Action: Categories of projects and matters listed in Appendix A or as otherwise required by law shall require Governing Board approval. The Governing Board hereby delegates to the Executive Director review and final action on the projects and matters not listed in Appendix A requiring Governing Board approval.

4.7.C Unusual Circumstances: The Executive Director may determine that a project or matter not listed on Appendix A, because of unusual circumstances, warrants Governing Board review and action and may schedule the project for Governing Board consideration.
Appeals: The final action of the Executive Director may be appealed to either the Governing Board pursuant to TRPA's Rules of Procedure or to a court of competent jurisdiction pursuant to Article VI (j) of the Compact.

4.8 Special Provisions: The following special provisions apply to certain projects:

4.8.A Emergency Projects: Emergency projects shall be reviewed and acted upon in accordance with the Rules of Procedure.

4.8.B Certain Repair, Reconstruction, Modification or Expansion:
---Structural repairs or remodeling, $5,000 or less per year, and reconstruction, modification or expansion, of structures may be permitted subject to the following criteria:

---Structures that comply with site development provisions, structural repairs or remodeling, in excess of $5,000 per year, and reconstruction, modification or expansion, of structures that comply with site development provisions, may be approved provided the structure, including any expansion, remains in compliance with all applicable site development provisions.

4.8.B Structures That Do Not Comply With Site Development Provisions: Structural Repair or remodeling, in excess of $5,000 per year, and reconstruction, modification or expansion, of structures that do not comply with site development provisions, may be approved provided TRPA finds that:

(1) The structure is not subject to a specific program of removal or modification pursuant to the site development provisions or other implementing programs of TRPA, or that the structure shall comply with the requirements of the applicable programs;

(2) The repair or remodeling, reconstruction, modification, or expansion does not increase the extent to which the structure does not comply with the site development provisions; and

(3) Any expansion complies with all applicable site development provisions.

4.8.C Buildings Damaged Or Destroyed By Fire Or Other Similar Calamity: Buildings damaged or destroyed by fire or other similar calamity may be repaired or rebuilt, except as prescribed by Chapter 28 in areas of identified avalanche or mass instability danger, and except as set forth in Chapters 50-56, inclusive, in the shorezone, with no requirement for excess coverage mitigation or height reduction, by fee or otherwise. Repair or re-
construction shall be in substantial conformance with the
original structure, with no increase in floor area, land
coverage, height, or volume.

1 Application: A written statement of intent to
repair or rebuild shall be submitted within one
year of the damage or destruction resulting from
the calamity. In addition, a complete application,
as defined in the Rules of Procedure, shall be
submitted to TRPA within eighteen months of the
damage or destruction resulting from the calamity.

2 Findings: TRPA may approve such projects provided
TRPA finds that:

(a) The repair or reconstruction does not increase
the extent to which the structure does not
comply with the site development provisions;
(b) There is no increase in height, floor area,
land coverage, or volume of the structure; and
(c) A written statement and application were filed
in accordance with Subparagraph 4.11.C.(1).

4.12 4.9 Expiration Of TRPA Approvals: Approval by TRPA of any project
expires three years after the date the approval is granted by
TRPA, as defined in TRPA's Rules of Procedure, or December 19,
1980, whichever is later, unless construction is begun within that
time and diligently pursued thereafter, or the use or activity has
commenced.

by operation of law. Failure to give notice of expiration shall not affect the applicability of this pro-
vision.

4.12.B 4.9.B Commencement Of Construction: Commencement of construc-
tion shall be the pouring of concrete for a foundation,
or work of a similar nature upon the permitted structure.
Commencement of construction does not include grading,
plan preparation, installation of utilities or land-
scaping.

4.12.C 4.9.C Diligent Pursuit: Diligent pursuit is defined as follows:

(1) Diligent pursuit shall be defined by the condition
of approval relating to completion of the project.
Project approvals shall state the time for comple-
tion of the project.

(2) For projects approved without a condition of
approval relating to completion of the project,
diligent pursuit shall be defined as reasonable
onsite progress toward completion of the project
each building season beginning with the building
season in which construction is commenced. Failure
to accomplish onsite progress toward completion in any building season after construction has commenced and the three year approval period has passed shall result in expiration of the approval for failure to diligently pursue construction. Failure to give notice of such expiration shall not affect the applicability of this section.

472EB 4.9.D Single Family Homes: Construction of new single family homes shall be completed within two years from the date of the TRPA pregrading inspection. The two year period may be extended once for up to one year provided the request is made in writing prior to the expiration of the two year period, a security is posted to ensure completion or abatement of the project and TRPA makes either of the following findings:

(1) The project was diligently pursued, as defined in subparagraph 4.12.C(2), during each building season (May 1 - October 15) since commencement of construction.

(2) That events beyond the control of the permittee, which may include engineering problems, labor disputes, natural disasters or weather problems, have prevented diligent pursuit of the project.

472EB 4.9.E Other Projects: Construction of projects other than new single family homes shall be complete by the date set forth in the conditions of approval. Extension of a completion schedule for a project other than a single family home may be granted provided the request is made in writing prior to the expiration of the completion schedule, a security is posted to ensure completion or abatement of the project and TRPA makes either of the following findings:

(1) The project was diligently pursued, as defined in subparagraph 4.12.C(2), during each building season (May 1 - October 15) since commencement of construction.

(2) That events beyond the control of the permittee, which may include engineering problems, labor disputes, natural disasters or weather problems, have prevented diligent pursuit of the project.

472EF 4.9.F Completion Of Project: Completion of a building shall be defined as a fully enclosed structure with all permanent drainage improvements, slope stabilization, and revegetation installed. Completion of projects which do not consist of a building or buildings, shall be defined as commencement of the use or activity permitted and installation of all permanent drainage improvements, slope stabilization and revegetation.
CHAPTER 4
APPENDIX A

PROJECTS AND MATTERS TO BE APPROVED BY GOVERNING BOARD

I. GENERAL

1. Project for which an EIS was prepared and EIS certification (Chapter 5)
2. Plan amendments, ordinances and resolutions
3. Special uses, including changes, expansions or intensifications of existing uses (Chapter 18)
4. Community Plans, including preliminary plan or work program, redevelopment, master or special plans
5. Problem assessments and remedial action plans (Chapter 9)
6. Land capability challenges and man-modified challenges, except land capability challenges pursuant to Subsection 20.2.D submitted under the special provisions for designated land banks (Chapters 20 and 53).
7. Additional coverage in excess of 1000 square feet in land capability districts 1-3, except for relocation of less than 500 square feet of excess and coverage in accordance with Subsection 20.5.C and the creation of less than 500 square feet of additional land coverage pursuant to Subsection 20.4.A(4)
8. Increase in supply of land coverage (Chapter 20)
9. Memoranda of understanding
10. New logging roads, except for temporary skid-trails
11. Substantial harvest or tree removal plans (71.2.B and 71.3.I)
12. Tree removal for scenic views
13. New or expanded livestock grazing
14. Modifications to SEZs, excluding modifications resulting in less than 500 square feet of additional land coverage in an SEZ for stream crossings for residential projects in accordance with Subsection 20.4.B(4) and involving erosion control and other environmentally oriented projects and facilities in accordance with Subsection 20.4.B(4)
15. Stream diversions
16. Holding tanks and other no-discharge sewage systems (Chapter 81)
17. Spill contingency plans (Chapter 81)
18. Pesticide, salts and abrasives, and long-term fertilizer use (Chapter 81)
19. Offsite-WQ and AQ mitigation in lieu of mitigation fees (Chapters 82 and 83)
20. Mitigation fund expenditures and projects (Chapters 82 and 93)
21. Permit revocation (Chapter 8)
22. Designated historic resource determinations (Chapter 29)
23. Additions, repairs, maintenance, reconstruction, or demolition of historic resources (Chapter 29)
24. List of approved multi-use commercial centers (Chapter 93)
Additional height for structures, except for single-family homes, cross-slope and pitch, and modifications to any existing roof structures consistent with Table A in excess of that provided for in Table A (Chapter 22)

Projects with multi-residential bonus units (Chapter 35)

Projects requiring traffic analyses resulting in significant increases in traffic (Chapter 93)

Allocation systems (Chapter 33)

Recreation and Public Service 5-Year Lists (Chapter 33)

Establishing the level defining the top ranked parcels pursuant to Subsection 37.8.B, lowering the line defining the top ranked parcels pursuant to Subsection 37.8.C and determining allowable base land coverage pursuant to Subsection 37.11.A

RESIDENTIAL PROJECTS (new, expansion or transfer) INVOLVING:

1. Affordable or employee housing
2. Mobile home developments
3. Multi-residential greater than four units

TOURIST ACCOMMODATION PROJECTS (new or transfer) INVOLVING:

1. Allocation of units
2. Bed-and-breakfast
3. Transfer of units

COMMERCIAL PROJECTS (new or transfer) INVOLVING:

1. Allocations of gross floor area
2. Transfer of floor area

PUBLIC SERVICE PROJECTS (new or transfer) INVOLVING:

1. New facilities and additions involving over 1,000 sq. ft. of floor area or 3,000 sq. ft. of land coverage, except linear public facilities, driveways and parking facilities, involving over 1,000 sq.-ft. of additional land coverage
2. Transfers of coverage (over 1,000 sq.-ft.) for linear public facilities and highways, streets and roads
3. Airport expansion

RECREATION PROJECT (new or transfer) INVOLVING:

1. New facilities or additions involving over 1,000 sq. ft. of floor area or 3,000 sq. ft. of land coverage, except streets, driveways and parking facilities involving over 1,000 sq.-ft. of additional land coverage
2. PACTs allocation

RESOURCE MANAGEMENT PROJECTS INVOLVING

1. Substantial tree removal
VIII. SHOREZONE PROJECTS INVOLVING

1. Expansion of existing nonconforming structures, except low level boatlift additions and reconfigurations of existing structures to increase conformance (Chapter 52)

2. New structures, including mooring buoy fields, boat ramps, breakwaters and jetties, fences below highwater, floating docks and platforms, piers and shoreline protective structures and water intake-lines.

3. Tour boat operations (new or expansion)

4. Salvage operations (new or expansion)

4a. Waterborne transit (new or expansion)

5. Seaplane operation (new or expansion)

6. Marinas (new or expansion)

7. Changes-in-use except allowed uses

8. Recognition of multiple-use facilities (Chapter 54)
MEMORANDUM

September 3, 1991

To: Advisory Planning Commission
From: The Staff
Subject: Report on Recreation Concession in the Shorezone

At the request of the APC, staff will make a brief oral report pertaining to the permit requirements and compliance status of certain recreation concessions in the shorezone.

If you should have any questions on this matter, please contact David Ziegler or Jerry Wells at (702) 588-4547.