TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION
NOTICE OF MEETING

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 Wednesday, November 12, 1997, at the Horizon Casino Resort, U.S. Highway 50, Stateline, Nevada. The agenda for the meeting is attached hereto and made a part of this notice.

November 3, 1997

[Signature]
Jerry Wells
Deputy Director

This agenda has been posted at the TRPA office and at the following post offices: Zephyr Cove and Stateline, Nevada, and Tahoe Valley and Al Tahoe, California. The agenda has also been posted at the North Tahoe Conference Center in Kings Beach, the Incline Village GID office, and the North Lake Tahoe Chamber of Commerce.
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. PUBLIC INTEREST COMMENTS (No Action)

Any member of the public wishing to address the Advisory Planning Commission on an agenda item not listed as a Public Hearing or a Planning Matter item, or on any other issue, may do so at this time. However, public comment on Public Hearing and Planning Matter items will be taken at the time those agenda items are heard.

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

IV. DISPOSITION OF MINUTES

V. PUBLIC HEARING AND RECOMMENDATION TO THE GOVERNING BOARD

A. Designation of Special Area #5 (National Avenue) of the Tahoe Vista Community Plan as a Preferred Industrial Area 1

B. Resolution Amending Goals and Policies Attachment D (TRPA-Approved Subdivisions in Conformance With Bailey Coefficients) and Attachment E (Planned Unit Development) 7

C. Douglas County, Amendment of Regional Plan Overlay Maps for Man-Modified Determination, Douglas County APN 07-130-04 (Portion of Kahle Park Site) 11

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VII. REPORTS

A. Executive Director
B. Legal Counsel
C. APC Members

VIII. ADJOURNMENT
MEMORANDUM

November 4, 1997

To: Advisory Planning Commission
From: TRPA Staff
Subject: Delegation of Special Area #5 (National Avenue) of the Tahoe Vista Community Plan as a Preferred Industrial Area

Proposed Action: At the APC's request, staff proposes to amend the Tahoe Vista Community Plan Area to designate Special Area #5 as a Preferred Industrial Area.

Staff Recommendation: Staff recommends the Advisory Planning Commission recommend the Governing Board adopt the ordinance amending the Tahoe Vista Community Plan Area to designate Special Area #5 as a Preferred Industrial Area. Please see Attachment A for proposed language changes to the Tahoe Vista Community Plan document, and Attachment B for location of Special Area #5.

Discussion: On May 28, 1997, The Governing Board adopted Ordinance 97-9, amending subsection 33.3.B(5) of the Code of Ordinance. The amendment created an incentive for additional commercial square footage in areas designated as Preferred Industrial Areas. Projects within an area given the preferred industrial area designation can double their square footage which is allocated or transferred into their project area. In order for an area to qualify for the preferred designation, Subsection 33.3.B(5) requires TRPA to find that the area has implemented area-wide Best Management Practices (BMPs), or the local government of jurisdiction has committed to implement area-wide BMPs in its five-year CIP list submitted to TRPA.

Staff conducted a site review of the National Avenue Industrial area (Special Area #5). Currently, the area has some BMPs in place, but additional measures are needed to treat runoff from the area. After consulting with Placer County and a private property owner in the area, the decision was made by Placer County Department or Public Works to include a runoff treatment project in the Placer County CIP list submitted to TRPA. The project submitted in the list is the Upper National Avenue SEZ Restoration Project. The project is being financed privately and will have a treatment component for the runoff created in the industrial area.

AGENDA ITEM V.A.

Planning for the Protection of our Lake and Land

JH/rd
Delegation of Special Area Number 5 (National Avenue) of the Tahoe Vista Community Plan as a Preferred Industrial Area

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Special Policy 1(e) of the Land Use Element of the Tahoe Vista Community Plan has demonstrated Special Area #5 as a public service/industrial area. Public service and industrial uses are encouraged by the Permissible Use list and industrial uses are encouraged to relocate in this area.

Current uses in Special Area #5 include wholesale/storage facilities, batch plant, and light industrial uses. Per the agreement with the Commercial Policy Committee, staff is notifying all property owners within Special Area #5 of the proposed amendment.

Transfers of commercial floor area out of a preferred industrial area will be reduced by 50 percent unless the floor area was acquired through a TRPA-approved transfer on a 1:1 ratio or through a community plan allocation system. Transfers within a preferred industrial area shall be at a 1:1 ratio.

Per subsection 33.3.B(5), the National Avenue Industrial area qualifies for the Preferred Industrial Designation.

Findings: Prior to amending the TRPA Code of Ordinances, TRPA must make the following findings.

Chapter 6 Findings:

1. Findings: 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.

Rationale: The amendment to the Tahoe Vista Community Plan Special Area #5, to designate it as a Preferred Industrial Area is consistent with and will not adversely affect implementation of the Regional Plan Package. The Code of Ordinance provides for designation of a preferred industrial area provided the area implements area-wide BMPs or submit a CIP list to the TRPA that includes a project that will treat runoff from the industrial area. Placer County in conjunction with a private property owner has submitted the CIP list to TRPA and the National Avenue SEZ Restoration/Treatment project is on the list. The project is slated for construction in the year 2001. Furthermore, Special Policy 1.e of the Tahoe Vista Community Plan encourages public services and industrial uses to be continued in this area and should be limited to the permissible uses.

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

Rationale: Based in the rationale listed in finding 1, the amendment will not cause environmental thresholds to be exceeded. In return for additional commercial floor area in an industrial area, the area will implement area-wide BMPs to treat runoff.

JH/rd

AGENDA ITEM V.A.
Delegation of Special Area Number 5 (National Avenue) of the Tahoe Vista Community Plan as a Preferred Industrial Area
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Furthermore, the BMP project submitted to TRPA in the CIP list includes SEZ restoration. The SEZ restoration project is listed on TRPA EIP list. Control stormwater discharge and restoration of SEZ within the Tahoe Basin are threshold requirements of the Regional Plan Package.

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

Rationale: See findings 1 and 2 above. Although the amendment to the Regional Plan is not a project, it will result in the construction of a stormwater drainage treatment project.

4. Findings: The Regional Plan, as amended, achieves and maintains the threshold.

Rationale: See findings 1 and 2 above. The amendment to the Tahoe Vista Community Plan, to designate Special Area #5 as a Preferred Industrial Area, provides an opportunity for treating stormwater runoff and provides for SEZ restoration, a threshold goal.

Environmental Documentation: Staff has prepared an Initial Environmental Checklist (IEC) for the proposed amendment. Staff proposed a Finding of No Significant Effect (FONSE) based on the Chapter 6 findings shown above and on the following:

1. From a regional; perspective, no additional land coverage or disturbance would be permitted by the amendment than is otherwise permissible under the Regional Plan; and

2. The amendment will create an incentive to treat runoff and restore SEZ in an area that currently needs additional BMPs and SEZ restoration.

Staff will begin this item with a brief presentation. Please contact John Hitchcock at (702) 588-4547, or via email: trpa@sierra.net, if you have any comments regarding this item.
CHAPTER II - LAND USE ELEMENT

PLAN DESIGNATION:

Land Use Classification: TOURIST
Management Strategy: REDIRECTION
Special Designation: PRELIMINARY COMMUNITY PLAN AREA
ELIGIBLE FOR REDEVELOPMENT PLANS
TDR RECEIVING AREA FOR:
1. Existing Development
2. Multi-Residential Units
SCENIC RESTORATION AREA
PREFERRED AFFORDABLE HOUSING AREA
MULTI-RESIDENTIAL INCENTIVE PROGRAM AREA
PREFERRED INDUSTRIAL AREA
(Special Area #5 Only)

DESCRIPTION:

Location: This includes the commercial areas along Highway 28 and Natioal Avenue in Tahoe Vista. This area is located on TRPA maps E-3 and E-4 and Placer County Zoning Map 34.

Existing Use: The majority of the commercial uses along Highway 28 are tourist oriented (i.e., motels, restaurants, and marinas). The commercial uses on National Avenue are more service-industrial. The shoreline uses are generally commercial and motel. This area is 75 percent built out.

Existing Environment: The area is classified as 80 percent low hazard, 10 percent moderate hazard, and 10 percent SEZ lands. The shoreline is a modified tolerance district 1 to the west and tolerance districts 7 and 6 to the east. The land coverage for the total area is 50 percent plus an additional 20 percent disturbed. The greater concentration of coverage is in the eastern portion.

PLANNING STATEMENT: Tahoe Vista should be redeveloped to continue to serve the commercial needs to the residents and tourists of the north shore.

PLANNING CONSIDERATIONS:

1. The upgrade and improvement of some motel facilities may help improve occupancy rates.
2000 Construction Season

Nile Road Erosion Control Project
Est. Construction Cost - $253,000
No TRPA Project Number

Beaver Street Erosion Control Project
Est. Construction Cost - $225,000
TRPA Project Number #0015 (Portion)

Lake Tahoe Park Erosion Control Project
Est. Construction Cost - $950,000
TRPA Project Number #0220 / TRPA Est. Cost $5,983,000

2001 Construction Season

National Ave / SR 28 Intersection Signal
Est. Construction Cost - $200,000
TRPA Project Number #0396 / TRPA Estimate $500,000

Kings Beach Urban Improvement Project
Est. Construction Cost - $2,500,000
TRPA Project Number #0015 (Portion)

2002 Construction Season

Upper National Avenue SEZ Restoration (Pvt Developer Funded)
Est. Construction Cost - $50,000
TRPA Project Number #0391 / TRPA Est. Cost $50,000

Lake Forest Erosion Control Project
Est. Construction Cost - $800,000
TRPA Project Number #0090 (Portion) / TRPA Est. Cost $500,000
September 29, 1997

To: Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of the Goals and Policies Attachment D (TRPA-Approved Subdivisions in Conformance With Bailey Coefficients) and Attachment E (Planned Unit Development) of the Goals and Policies

Proposed Action: Staff proposes to amend Attachment D of the TRPA Goals and Policies to update the list of TRPA-approved subdivisions in conformance with Bailey Coefficients and planned unit development that do not conform to the Bailey coefficients (Please refer to Exhibit A to see amendments to Attachment D). At this time, there are no changes proposed to Attachment E.

Staff Recommendation: Staff recommends the Advisory Planning Commission recommend to the Governing Board to adopt the resolution amending Attachment D of the TRPA Goals and Policies.

Discussion: Since the adoption of the Regional Plan Package, Attachment D and E has not been updated. The list is a list of approved TRPA subdivisions in which the Bailey coefficients were used to determine the base land coverage permitted on a lot. Since the adoption of the Goals and Policies, TRPA has approved new subdivisions, discovered typographical errors, and discovered subdivisions that do not exist anymore. The amendment will clean up the list and make it consistent with Goal #3, Policy 1.A of the Land Use Subelement which states:

IN THE CASE OF SUBDIVISION APPROVED BY TRPA IN CONFORMANCE WITH THE COEFFICIENTS, COVERAGES ASSIGNED TO INDIVIDUAL LOTS SHALL BE THE ALLOWED BASE COVERAGE FOR THOSE LOTS. A LIST OF SUCH TRPA-APPROVED SUBDIVISIONS APPEARS IN ATTACHMENT D.

The proposed changes to Attachment D are shown in Exhibit A. Currently there are no changes to Attachment E, Planned Unit Development.

Findings: Prior to amending the TRPA Goals and Policies, TRPA must make the following findings.

Chapter 6 Findings

1. Findings: 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.
Rationale: The amendment to Attachment D, TRPA-Approved Subdivisions in Conformance with Bailey Coefficients, is typographical in nature. The amendment will delete subdivisions that do not exist and add subdivisions that were left out by mistake. The amendment will make the list consistent with Goal #3, Policy 1.A. of the Land Use Subelement, that requires TRPA to keep a list of approved subdivisions that conform with Bailey coefficients. The Goals and Policies allow the listed to be updated as needed by resolution to make it consistent.

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

Rationale: Based on the rationale listed in finding 1, the amendment will not cause the environmental threshold to be exceeded. Per Goal #3, Policy 1.A. of the Land Use Subelement, a list of TRPA approved subdivision that conform with the Bailey coefficients is to be kept and updated as necessarily to to be consistent with the provisions of Policy 1.A.

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

Rationale: See findings 1 and 2 above.

4. Findings: The Regional Plan, as amended, achieves and maintains the Threshold.

Rationale: See findings 1 and 2 above, furthermore, the amendment to Attachment D of the Goals and Policies will make it consistent with Goal #3, Policy 1.A.

Environmental Documentation: Staff has prepared an Initial Environmental Checklist (IEC) for the proposed amendment. Staff proposes a Finding of No Significant Effect (FONSE) based on the Chapter 6 findings shown above and on the following:

1. From a Regional perspective, no additional development would be permitted by the amendment than is otherwise permissible under the Regional Plan; and

2. The amendment will update the list, correcting typographical errors, deleting nonexisting subdivisions and adding ones that have been left out and making the list consistent with Goal #3, Policy 1.A of the Land Use Subelement.

Staff will begin this item with a brief presentation. Please contact John Hitchcock at (702) 588-4547 or by email: trpa@sierra.net if you have any comments regarding this item.
ATTACHMENT D

TRPA-APPROVED SUBDIVISIONS
IN CONFORMANCE WITH BAILEY COEFFICIENTS

The following is a list of TRPA-approved subdivision (including planned unit development) in which the Bailey coefficients were used to determine the base land coverage permitted on a lot. The approved coverages for each lot shall be the base coverage for that lot. Parcel maps of four or less units are not listed, but, may be included if it is found that they conform to the Bailey coefficients. This list may be updated by resolution of the Governing Board to be consistent with the provisions of Goal #3, Policy 1.A of the Land Use Subelement.

**Washoe County**
1. Brookstone Condominium
2. Club Tahoe
3. Crystal Bay Palisades
4. Incline Crest
5. Forest Pines
6. Miners Ridge
7. Sea Cap Villas
8. Tahoe Palisades
9. Tyrolian Village #8
10. **Lake Country Estates**
11. **Country Club Villas**
12. **Skiway Villas**
13. **Lodgepole Villas**

**Douglas County**
1. Chalet Village
2. Chimney Rock Estates
3. Edgewood Creek Estates
4. Glenbrook Units 1, 2, and 3
5. Granite Springs
6. Hansens Hilltop Estates
7. Kingsbury Glen
8. Kingsbury Heights #3
9. Lake Village Professional Building
10. Marla Bay (Pinewild)
11. Uppaway (portion in Land Capability District 4)

**Placer County**
1. Agate Bay Pines
2. Cedar Point
3. Highlands #4
4. Mein Trust Subdivision
5. Northshore Unit 2
6. Rocky Ridge - Units 4 and 5
7. **Tall Trees Tract**

**El Dorado County/South Lake Tahoe**
1. Christmas Valley Acres
2. Cove South Townhouses
3. Highland Woods
4. Pine Hill
5. Sugar Pine Townhouses
6. Tahoe Tyrol
7. Tahoe Valley Apartments
8. Lighthouse Shores
October 29, 1997

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Douglas County, Amendment of Regional Plan Overlay Maps for Man-Modified Determination, Douglas County APN 07-130-04 (Portion of Kahle Park Site)

Proposed Action: The applicant, Douglas County, requests the Advisory Planning Commission review the proposed man-modified determination and, if appropriate, recommend approval by the TRPA Governing Board.

Staff Recommendation: Staff recommends the Advisory Planning Commission review the proposed Man-Modified Determination and recommend approval of the proposed Regional Plan amendment which changes the land capability of a 6,000 square foot portion of the parcel (Exhibit 1) from land capability class 3 to land capability class 7, with the following conditions:

1. A schedule for the installation of standard BMPs be completed by the owner and a security deposit be posted prior to the acknowledgement of any permits on this parcel. All BMPs must be installed prior to October 15, 1998. Implementation of BMPs relating to, but not limited to, ripping of compacted areas, revegetation, and stabilization of fill sideslopes, shall be required as part of onsite mitigation. The owner shall post a security equal to $8,300 or 110 percent of the project cost as determined by a licensed Civil Engineer or equivalent, to ensure completion of the necessary BMPs on the parcel.

2. Prior to the acknowledgement of a permit for a new project on this parcel which relies on the increase in the allowable land coverage associated with this man-modified determination, the owner shall retire 1,500 square feet of land coverage in the same hydrologically related area as the parcel in accordance with Subsection 20.3.C (2) or pay a mitigation fee of $7,500 to the TRPA excess coverage mitigation fund. The fee is based on a per square foot value of land coverage at $5.00 per square foot. Either option would result in retirement of potential or existing coverage and shall be required as offsite mitigation.
Background: The portion of the property being considered for a man-modified determination is a 6,000 square foot portion of the parcel located along Kingsbury Grade near Stateline, Nevada. The area being evaluated is undeveloped, flat and sparsely vegetated.

Soil mapping completed in 1991 for the Nevada Stateline Community Plan, placed this portion of the APN 07-130-04 in land capability class 3 associated with the JeD (Jabu coarse sandy loam, shallow variant, 5 to 15 percent slopes) map unit. The slope gradients on this portion of the parcel range from 1 to 3 percent. The site has been extensively filled and graded. Based on evidence of grading, the land capability of the disturbed areas could not be verified without a detailed soils investigation.

An agent for the owner filed a land capability challenge on April 17, 1997. A TRPA team of experts conducted the field investigation in August 1997. The soils investigation was conducted by Joseph Pepi, Certified Professional Soil Scientist. A soils report was prepared and concluded the soils were modified by grading to the extent the land capability of the parcel had been significantly altered from its natural state.

Chapter 20, Subsection 20.2.F of the TRPA Code of Ordinances, sets forth the policy for processing man-modified determinations. A man-modified determination is appropriate when land has been altered such that it no longer exhibits the characteristics of the original mapped land capability.

Report: The following analyses are provided to complete the man-modified report:

(a) Geomorphic Characteristics - The Geomorphic Analysis of the Lake Tahoe Basin (Bailey, 1974) maps this area as geomorphic unit E-2 (Outwash, till and lake deposits) and is classified as low hazard lands. The soils identified on the parcel (see item c) are consistent with the mapped geomorphic hazard rating.

(b) Surface and Subsurface Hydrology - The parcel has no surface water drainages and there is no evidence of near surface groundwater.

(c) Physical/Chemical Soil Characteristics - The parcel is mapped as JeD (Jabu coarse sandy loam, shallow variant, 5 to 15 percent slopes) on TRPA Land Capability Map H-16.

The soils report prepared by Joseph Pepi, TRPA Soil Scientist, is attached. This report found this portion of parcel 07-130-04 to have been modified by grading. The graded area now has soils which are deep loamy coarse sands intermixed with construction debris. These soils are not similar to any of the named soils recognized in the Natural Resource Conservation Service (NRCS) Tahoe Basin Soil Survey (Rodgers, 1974).

(d) Erosion Hazard - The altered soils have been graded, are deep and would have a low runoff potential. Because of the coarse texture of the surface soils, they have a slight relative erosion hazard.
(e) **Vegetation** - The vegetative cover of the undeveloped portion of the parcel consists of Jeffrey pine, rabbitbrush, bitterbrush, whitethorn and manzanita. The vegetation on the disturbed areas is sparse, since much of it was destroyed as a result of the grading. Natural revegetation of the this disturbed area has been slow; this may be due to the soil conditions.

(f) **Land Capability District** - The graded areas are best classified as land capability class 7. There is approximately 6,000 square feet of area on the parcel identified as class 7 and allowed 30 percent land coverage.

The proposed man-modified determination does not grant a permit for any new construction. This determination solely applies to the classification of the parcel under the Bailey Land Capability Classification System, from which the amount of allowable coverage is determined.

**Required Findings:**

The following is a list of required findings as set forth in Chapters 6 and 20 of the TRPA Code of Ordinances. Following each finding, TRPA staff has briefly summarized the evidence on which the required finding may be made.

**Chapter 6 Findings**

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

   **Rationale:** The proposed amendment of the Regional Plan to amend TRPA Land Capability Overlay Map H-16 is consistent with the procedures set forth in Chapter 20 of the Code. No significant impacts on the Regional Plan, Goals and Policies, Plan Area Statements, the Code or other TRPA plans and programs are anticipated.

2. **Findings:** The project will not cause the environmental threshold carrying capacities to be exceeded.

   **Rationale:** The basis on which this finding can be made is provided in the checklist entitled, "Checklist: Article V (g) Findings", in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained in said checklist indicate compliance with the environmental threshold carrying capacities.

   All responses contained in said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist is available at the Governing Board hearing and on file at TRPA.

JP/rd
3. **Findings:** Wherever Federal, State or local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained, pursuant to Article V (d) of the TRPA Compact, the project meets or exceeds such standards.

**Rationale:** The basis on which this finding can be made is provided in the checklist entitled, "Checklist: Article V (g) Findings", in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained in said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist is available at TRPA.

4. **Findings:** The Regional Plan, as amended, achieves and maintains the thresholds.

**Rationale:** For the reasons stated in support of Findings 1, 2, and 3 above, the proposed amendment will result in the Regional Plan Package continuing to achieve and maintain thresholds.

B. **Section 20.2.F. Findings**

**Finding (a):** The land was modified prior to February 10, 1972.

The construction debris was placed on the property in the late 1960's and there is evidence that the property was graded prior to the 1972 cutoff date.

**Finding (b):** Further development will not exacerbate the problems resulting from the modification of the land and will not adversely impact sensitive lands adjacent to or nearby the man-modified area.

Development of the graded area will not increase runoff or erosion provided all new development is completed with properly conceived and designed BMPs which are properly maintained. Revegetation of the graded areas not utilized for development would enhance nutrient uptake and minimize surface erosion potential. There is no evidence of near surface groundwater and further development would not interfere with groundwater.

**Finding (c):** The land no longer exhibits the characteristics of land bearing the same original land capability classification.

The original land capability of the parcel was mapped class 3. The graded area now has a slope gradient of 1 to 3 percent which is flatter than the natural slope gradients of the surrounding lands. Due to the change in slope, the graded area now exhibits the characteristics of a land capability class 7.

**Finding (d):** Restoration of the land in question is infeasible because of factors such as the cost thereof, a more positive cost-benefit ratio would be achieved by offsite restoration, onsite restoration would cause environmental
Regional Plan Land Capability Overlay Map Pursuant
to a Proposed Man-Modified Determination, Douglas County;
APN 07-130-04, Kahle Park - Page 5

harm. Restoration onsite would interfere with an existing legal use and the
land is not identified for restoration by any TRPA program.

Onsite restoration of the graded area to the original land form and corres-
ponding slope gradient would require removal of fill material to reshape the
slope contours. Removal of fill material reshaped to the natural contours of
12 percent or greater would increase erosion potential and create large areas
of unvegetated, erodible soil. The cost to reestablish the original contours
or reshape the graded areas would exceed the costs to revegetate the graded
areas to a natural vegetative community. Restoration of the graded areas
would severely impact the existing use of the parcel. There are no current
TRPA plans for restoration of this parcel.

Finding (e): Further development can be mitigated offsite.

The major impact related to the change in land capability of this parcel
would be related to increased allowed land coverage. This increase in
allowed land coverage could be mitigated by offsite retirement of potential or
existing land coverage within the hydrologic region of the parcel. All new
land coverage would be subject to the standard TRPA water quality mitigation

Finding (f): Mitigation to offset the losses caused by the modification of
the land and pertinent land capability district shall be as follows: (i)
onsite and offsite mitigation, (ii) a maintenance program, including a
schedule of maintenance proposed by the owner and approved by TRPA and; (iii)
collection of a security, if deemed necessary by TRPA, to guarantee
mitigation.

The man-modification of this parcel has resulted in an increased benefit to the
owner in that there is an increase in allowed land coverage. The onsite
mitigation for development of land coverage would entail runoff control of
storm water by infiltration. Revegetation of disturbed areas would reduce
runoff and erosion potential onsite. Onsite mitigation measures shall be in
compliance with the TRPA BMP Handbook. The owner of the property shall include
appropriate onsite mitigation measures with any project proposal submitted to
TRPA, as a result of the change in land capability from the man-modified
determination, for review and approval.

There will be an increase of 1,500 square feet of allowable land coverage over
the allowed land coverage associated with the previous mapped land capability,
as a result of the man-modified determination. This increase in allowed
coverage would not have been available to the property owner had the parcel
remained in its natural state. This increase in land coverage can be
mitigated offsite by retirement of either potential land coverage or existing
land coverage. The retirement of land coverage in the hydrologic region of
the parcel could be accomplished by the owner acquiring other lands offsite
and retiring land coverage; or the owner could pay, on a per foot basis, an
appropriate mitigation fee to TRPA to be passed through to another entity for
retirement of potential land coverage.
The owner of the property shall include a program and schedule for maintenance of the required BMPs as a condition of approval by TRPA. The owner shall post $8,300 or 110 percent of the project cost as determined by a licensed Civil Engineer as security for completion of the necessary BMPs. The security shall be posted within 90 days of the Governing Board approval of the man-modified determination.

Conclusions: Agency staff has found that as a result of the man-modifications to the parcel, the graded areas of the parcel exhibit different land capability than what was originally mapped. The impacts of the man-modified determination are predominately associated with increased allowable land coverage. The erosion and runoff impacts associated with the grading of the parcel can be mitigated through implementation of BMPs onsite and land coverage retirement offsite.

Environmental Documentation: An environmental checklist has been filled out for this project. All responses contained in said checklist indicate compliance with the environmental threshold carrying capacities. Based on this determination, a Finding of No Significant Impact (FONSI) can be made. A copy of the completed checklist is available at TRPA.

If there are any questions related to this agenda item, please contact Joe Pepi at (702) 588-4547.
PROPOSED MAN-MODIFIED AREA

PORTION OF APN 07-130-04

Proposed Man-Modified Area
INTRODUCTION

A soil investigation was conducted on a 6,000 square foot portion APN 07-130-04, Douglas County Nevada. This area is 6,000 square feet in size and is located off Kingsbury Grade on the parcel that contains Kahle Park, near Stateline, Nevada. A detailed topographic map at a scale of 1 inch equal 10 feet shows the boundaries of the parcel. This investigation was done to obtain detailed information about the soil map units and Land Capability Classes present on this area, in order to complete a Man-Modified Determination.

ENVIRONMENTAL SETTING

TRPA Land Capability Map H-16 shows this parcel in Land Capability Class 1a. The Soil Conservation Service Soil Survey for the Lake Tahoe Basin places this property within the JeD (Jabu coarse sandy loam, shallow variant, 5 to 15 percent slopes) map unit. This parcel is mapped within geomorphic unit E-2 (Outwash, till and lake deposits, low hazard lands) in the Bailey Geomorphic Analysis of the Lake Tahoe Basin.

This area is graded and nearly flat and is located in the south west corner of the parcel. The vegetation consists of scattered Jeffrey pine, rabbitbrush, bitterbrush, whitethorn, and manzanita.

These soils are coarse textured and are mixed with construction debris deposited on the parcel in the late 1960’s. They are deep and are somewhat excessively drained.

PROCEDURES

A soil pit was dug on the flat graded area using a backhoe and the soils were examined to determine the soil map unit present. This profile was examined and described in detail. A copy of this soil descriptions is included in this report. Slopes were measured using a clinometer.

FINDINGS

One soil map unit was found on this parcel. The soil is characterized is mixed with construction debris, including pieces of concrete and asphalt, old water pipe, cable, and steel reinforcement bar. The soil itself is a brown gravelly loamy coarse sand surface layer over a yellowish brown gravelly loamy coarse sand lower surface layer. The underlying layer is a dark grayish brown gravelly loamy coarse sand and brown gravelly sandy loam. The slope on this portion of the parcel is 1 to 3 percent. This soil is not recognized in the
Soil Survey for the Lake Tahoe Basin. This soil is classified in the A Hydrologic Group and has a low runoff potential and a slight relative erosion hazard.

CONCLUSIONS

The soil map unit and land capability class found in this detailed soil investigation for a portion of APN 07-130-04 is not identified in the Soil Survey for the Lake Tahoe Basin and the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974). However, based on the criteria found on page 20 of the Bailey report, soil with the characteristics found during the soil investigation, would best be classified as land capability class 7.

Joseph Pepi
Certified Professional Soil Scientist
ARCPACS No. 2372

Enclosures
Representative Soil Profile:

Soil Classification: sandy, mixed, frigid, Entic Xerumbrept

Soil Series: Unnamed in the Tahoe Basin (Soil contains large volume of construction debris).

Ap1- 0 to 15 inches; brown (10YR 5/3) gravelly loamy coarse sand, brown (10YR 4/3) moist; massive; soft, very friable, nonsticky and nonplastic; many very fine and fine interstitial pores; 25 percent gravel; medium acid; clear wavy boundary. (Large stone and boulder size pieces of concrete, asphalt, cable, reinforcement bar, water pipe).

Ap2 -15 to 35 inches; dark yellowish brown (10YR 5/4) gravelly loamy coarse sand, dark brown (10YR 3/3) moist; massive; soft, very friable, nonsticky and nonplastic; many very fine and fine interstitial pores; 25 percent gravel; medium acid; clear wavy boundary. (Large stone and boulder size pieces of concrete, asphalt, cable, reinforcement bar, water pipe).

Ap3 -35 to 50 inches; dark grayish brown (10YR 4/2) gravelly loamy coarse sand, dark yellowish brown (10YR 3/4) moist; massive; soft, very friable, nonsticky and nonplastic; few medium and coarse roots; many very fine and fine interstitial pores; 25 percent gravel; medium acid; clear smooth boundary. (Large stone and boulder size pieces of concrete, asphalt, cable, reinforcement bar, water pipe).

Ap4- 50 to 60 inches; brown (10YR 5/3) cobbly loamy coarse sand, dark brown (10YR 3/3) moist; massive; soft, very friable, nonsticky and nonplastic; many very fine and fine interstitial pores; 25 percent gravel and 20 percent cobble; medium acid.
MEMORANDUM

October 29, 1997

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Prim, Amendment of Regional Plan Overlay Maps for Man-Modified Determination, Douglas County
APN 07-120-08 (U.S. Highway 50 and Kingsbury Grade)

Proposed Action: The applicant, Wayne Prim, requests the Advisory Planning Commission review the proposed Man-Modified Determination and, if appropriate, recommend approval to the TRPA Governing Board.

Staff Recommendation: Staff recommends approval of the proposed Regional Plan amendment which changes the land capability of a 37,924 square foot portion of the parcel (Exhibit 1) from land capability class 3 to land capability class 7, with the following conditions:

1. A schedule for the installation of standard BMPs be completed by the owner and a security deposit be posted prior to the acknowledgement of any permits on this parcel. All BMPs must be installed prior to October 15, 1998, or as extended by TRPA staff. Implementation of BMPs relating to, but not limited to, ripping of compacted areas, revegetation, and stabilization of fill sideslopes, shall be required as part of onsite mitigation. The owner shall post a security equal to $65,000 or 110 percent of the project cost as determined by a licensed Civil Engineer or equivalent, to ensure completion of the necessary BMPs on the parcel.

2. Prior to the acknowledgement of a permit for a new project on this parcel which relies on the increase in the allowable land coverage associated with this man-modified determination, the owner shall retire 9,481 square feet of land coverage in the same hydrologically related area as the parcel in accordance with Subsection 20.3.C (2) or pay a mitigation fee of $47,406 to the TRPA excess coverage mitigation fund. The fee is based on a per square foot value of land coverage at $5.00 per square foot. Either option would result in retirement of potential or existing coverage and shall be required as offsite mitigation.

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The remainder of the parcel would fall into land capability classes 7 and 1a, associated with the Efb (Elmira-Gefo loamy coarse sands, 0 to 5 percent slopes), the TrE (Toem-Rockoutcrop complex, 9 to 30 percent slopes), and the TrF (Toem-Rockoutcrop complex, 30 to 50 percent slopes) soil map units (Exhibit 2).

Background: The portion of the property being considered for a man-modified determination is a 37,924 square foot portion of the parcel located between U.S. Highway 50 and Kingsbury Grade near Stateline, Nevada. The area being evaluated for this man-modified determination, is undeveloped, nearly flat and sparsely vegetated.

On the land capability map (H-16) for this parcel, there are two soil map units and land capability classes. These map units are, JeD (Jabu coarse sandy loam, shallow variant, 5 to 15 percent slopes) and the Efb (Elmira-Gefo loamy coarse sand, 0 to 5 percent slopes) soil map units. These map units are land capability classes 3 and 7, respectively.

The slope gradients on this parcel range from 1 to 60 percent. The site has been extensively filled and graded. Based on evidence of grading, the land capability of the disturbed areas could not be verified without a detailed soils investigation.

An agent for the owner filed a land capability challenge on April 17, 1997. A TRPA team of experts conducted the field investigations in August 1997. The soils investigation was conducted by Joseph Pepi, Certified Professional Soil Scientist. A soils report was prepared and concluded the soils on a 37,924 square foot portion of the parcel were modified by grading to the extent the land capability of the parcel had been significantly altered from its natural state.

Chapter 20, Subsection 20.2.F of the TRPA Code of Ordinances, sets forth the policy for processing man-modified determinations. A man-modified determination is appropriate when land has been altered such that it no longer exhibits the characteristics of the original mapped land capability.

Report: The following analyses are provided to complete the man-modified report:

(a) **Geomorphic Characteristics** - The Geomorphic Analysis of the Lake Tahoe Basin (Bailey, 1974) maps this area as geomorphic unit E-2 (Outwash, till and lake deposits) and is classified as low hazard lands. The soils identified on the parcel (see item c) are consistent with the mapped geomorphic hazard rating.

(b) **Surface and Subsurface Hydrology** - The parcel has no surface water drainages and there is no evidence of near surface groundwater.
(c) Physical/Chemical Soil Characteristics - The parcel is mapped as JeD (Jabu course sandy loam, shallow variant, 5 to 15 percent slopes) and EeB (Elmira-Gefo loamy coarse sands, 0 to 5 percent slopes) soil map units on TRPA Land Capability Map H-16.

The soils report prepared by Joseph Pepi, TRPA Soil Scientist, is attached. This report determined that a portion of parcel 07-120-08 to have been modified by grading. The graded area now has soils which are deep loamy coarse sands intermixed with construction debris. These soils are not similar to any of the named soils recognized in the Natural Resource Conservation Service (NRCS) Tahoe Basin Soil Survey (Rodgers, 1974).

(d) Erosion Hazard - The altered soils have been graded, are deep and would have a low runoff potential. Because of the coarse texture of the surface soils and the slope, they have a slight relative erosion hazard.

(e) Vegetation - The vegetative cover on the flat graded portion of the parcel consists of Jeffrey pine, rabbitbrush, bitterbrush, whitethorn and manzanita. The vegetation on the disturbed areas is sparse, since much of it was destroyed as a result of the grading. Natural revegetation of the this disturbed area has been slow; this may be due to the soil conditions.

(f) Land Capability District - The flat portion of the graded area are best classified as land capability class 7. There is approximately square feet of area on the parcel identified as class 7 and allowed 30 percent land coverage.

The proposed man-modified determination does not grant a permit for any new construction. This determination solely applies to the classification of the parcel under the Bailey Land Capability Classification System, from which the amount of allowable coverage is determined.

Required Findings: The following is a list of required findings as set forth in Chapters 6 and 20 of the TRPA Code of Ordinances. Following each finding, TRPA staff has briefly summarized the evidence on which the required finding may be made.

Chapter 6 Findings

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

Rationale: The proposed amendment of the Regional Plan to amend TRPA Land Capability Overlay Map H-16 is consistent with the procedures set forth in Chapter 20 of the Code. No significant impacts on the Regional Plan, Goals and Policies, Plan Area Statements, the Code or other TRPA plans and programs are anticipated.
2. Findings: The project will not cause the environmental thresholds to be exceeded.

Rationale: The basis on which this finding can be made is provided in the checklist entitled, "Checklist: Article V (g) Findings", in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained in said checklist indicate compliance with the environmental threshold carrying capacities.

All responses contained in said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist is available at the Governing Board hearing and on file at TRPA.

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

Rationale: The basis on which this finding can be made is provided in the checklist entitled, "Checklist: Article V (g) Findings", in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained in said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist is available at TRPA.

4. Findings: The Regional Plan, as amended, achieves and maintains the Threshold.

Rationale: For the reasons stated in support of Findings 1, 2, and 3 above, the proposed amendment will result in the Regional Plan Package continuing to achieve and maintain thresholds.

B. Section 20.2.F. Findings

Finding (a): The land was modified prior to February 10, 1972.

The construction debris was placed on the property in the late 1960's and there is evidence that the property was graded prior to the 1972 cutoff date.

Finding (b): Further development will not exacerbate the problems resulting from the modification of the land and will not adversely impact sensitive lands adjacent to or nearby the man-modified area.
Development of the graded area will not increase runoff or erosion provided all new development is completed with properly conceived and designed BMPs which are properly maintained. Revegetation of the graded areas not utilized for development would enhance nutrient uptake and minimize surface erosion potential. There is no evidence of near surface groundwater and further development would not interfere with groundwater.

Finding (c): The land no longer exhibits the characteristics of land bearing the same original land capability classification.

The mapped land capability of the proposed man-modified area was mapped class 3. The graded area now has a slope gradient of 1 to 3 percent which is flatter than the natural slope gradients of the surrounding lands. Due to the original removal and subsequent replacement of fill made up mostly of construction debris, and the change in slope gradients, the graded area now exhibits the characteristics of a land capability class 7.

Finding (d): Restoration of the land in question is infeasible because of factors such as the cost thereof. A more positive cost-benefit ratio would be achieved by offsite restoration. Onsite restoration would cause environmental harm, restoration onsite would interfere with an existing legal use and the land is not identified for restoration by any TRPA program.

Onsite restoration of the graded area to the original landform and corresponding slope gradient would require importation of fill material to reshape the slope contours. Importation of additional fill material reshaped to the natural contours of 12 percent slope or greater would increase erosion potential and create large areas of unvegetated, erodible soil. The cost to reestablish the original contours or reshape the graded areas would exceed the costs to revegetate the graded areas to a natural vegetative community. Restoration of the graded areas would severely impact the proposed use of the parcel. There are no current TRPA plans for restoration of this parcel.

Finding (e): Further development can be mitigated offsite.

The major impact related to the change in land capability of this parcel would be related to increased allowed land coverage. This increase in allowed land coverage could be mitigated by offsite retirement of potential or existing land coverage within the hydrologic region of the parcel. All new land coverage would be subject to the standard TRPA water quality mitigation.

Finding (f): Mitigation to offset the losses caused by the modification of the land and pertinent land capability district shall be as follows: (i) onsite and offsite mitigation, (ii) a maintenance program, including a schedule of maintenance proposed by the owner and approved by TRPA and; (iii) collection of a security, if deemed necessary by TRPA, to guarantee mitigation.
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The man-modification of this parcel has resulted in an increased benefit to the owner in that there is an increase in allowed land coverage. The onsite mitigation for development of land coverage would entail runoff control of storm water by infiltration. Revegetation of disturbed areas would reduce runoff and erosion potential onsite. Onsite mitigation measures shall be in compliance with the TRPA BMP Handbook. The owner of the property shall include appropriate onsite mitigation measures with any project proposal submitted to TRPA, as a result of the change in land capability from the man-modified determination, for review and approval.

There will be an increase of 9,481 square feet of allowable land coverage over the allowed land coverage associated with the previous mapped land capability, as a result of the man-modified determination. This increase in allowed coverage would not have been available to the property owner had the parcel remained in its natural state. This increase in land coverage can be mitigated offsite by retirement of either potential land coverage or existing land coverage. The retirement of land coverage in the hydrologic region of the parcel could be accomplished by the owner acquiring other lands offsite and retiring land coverage; or the owner could pay, on a per foot basis, an appropriate mitigation fee to TRPA to be passed through to another entity for retirement of potential land coverage.

The owner of the property shall include a program and schedule for maintenance of the required BMPs as a condition of approval by TRPA. The owner shall post $65,000 or 110 percent of the project cost as determined by a licensed Civil Engineer as security for completion of the necessary BMPs. The security shall be posted within 90 days of the Governing Board approval of the man-modified determination.

Conclusions: Agency staff has found that as a result of the man-modifications to the parcel, the graded areas of the parcel exhibit different land capability than what was originally mapped. The impacts of the man-modified determination are predominantly associated with increased allowable land coverage. The erosion and runoff impacts associated with the grading of the parcel can be mitigated through implementation of BMPs onsite and land coverage retirement offsite.

Environmental Documentation: An environmental checklist has been filled out for this project. All responses contained in said checklist indicate compliance with the environmental threshold carrying capacities. Based on this determination, a Finding of No Significant Impact (FONSI) can be made. A copy of the completed checklist is available at TRPA.

If there are any questions related to this agenda item, please contact Joe Pepi at (702) 588-4547.
PROPOSED MAN-MODIFIED
APN 07-120-08
INTRODUCTION

A soil investigation was conducted on a 2.6 acre parcel, APN 07-120-08, Douglas County Nevada, located between U.S. Highway 50 and Kingsbury Grade on the parcel to the immediate west of the Douglas County Government Center Building, near Stateline, Nevada. This investigation was done to obtain detailed information about the soil map units and Land Capability Classes present on this area, in order to complete a Man-Modified Determination.

ENVIRONMENTAL SETTING

TRPA Land Capability Map H-16 shows this parcel in Land Capability Class 3 and 7, associated with the JeD (Jabu coarse sandy loam, shallow variant, 5 to 15 to 15 percent slopes), and the SfB (Elmira-Gefo loamy coarse sands, 0 to 5 percent slopes) soil map units. This parcel is mapped within geomorphic unit E-2 (Outwash, till and lake deposits, low hazard lands) in the Bailey Geomorphic Analysis of the Lake Tahoe Basin.

This parcel consists of step rock outcrop areas along the southern and eastern boundaries of the parcel. The southwestern corner of the parcel is characterized by shallow soils, areas of rock outcrop and moderately steep slopes. The central portion is graded and filled, and the soil is gently sloping unvegetated and compacted. On the remainder of the parcel the vegetation consists of scattered Jeffrey pine, rabbitbrush, bitterbrush, whitethorn, and manzanita.

The soils on the unvegeted compacted portion of the parcel are coarse textured and are mixed with construction debris deposited on the parcel in the late 1960's. They are deep and are well drained.

PROCEDURES

Two soil pits were dug on the flat graded area using a backhoe and several other pits were dug using hand tools on the remainder of the parcel. The soils were examined and described in detail to determine the soil map units present. One profile was chosen as representative for each of the soils examined, and these were described in detail. Copies of these soil descriptions are included in this report. Slopes were measured using a clinometer.

FINDINGS

Three soil map units were found on this parcel. The soil on the flat graded and compacted portion of this parcel is characterized is mixed with construction debris including pieces of concrete and asphalt, old water pipe, cable and steel reinforcement bar. The soil itself is a yellowish brown gravelly loamy coarse sand surface layer over a yellowish brown loamy coarse sand lower surface layer. The underlying layer is a yellowish brown and
brown loamy coarse sand. Weathered granite bedrock is found at a depth of 42 inches. The slope on this portion of the parcel is 1 to 3 percent. This soil is not recognized in the Soil Survey for the Lake Tahoe Basin. This soil is classified in the B Hydrologic Group and has a moderately low runoff potential and a slight relative erosion hazard.

The soil on the steep cut slopes on the south and west boundary are shallow to granitic bedrock. The slope on this portion of the parcel is 40 to 60 percent. This soil is recognized in the Soil Survey for the Lake Tahoe Basin, and would fit the TrF (Toem-Rock outcrop complex, 30 to 50 percent slopes) soil map unit. This soil has a high runoff potential and a high relative erosion hazard.

On the remaining portion of the parcel are remnants of the original land surfaces present on the site prior to excavation. These areas would fall into the TrE (Toem-Rock outcrop complex, 9 to 30 percent slopes), and the Efb (Elmira-Gefo loamy coarse sands, 0 to 5 percent slopes) soil map units. The Toem soil has a moderately high runoff potential and a high relative erosion hazard. The Elmira-Gefo soils have a low runoff potential and a slight relative erosion hazard.

CONCLUSIONS

The soils found in the large flat graded portion of the parcel is not identified in the Soil Survey for the Lake Tahoe Basin and the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974). However, based on the criteria found on page 20 of the Bailey report, soil with the characteristics found during the soil investigation, would best be classified as land capability class 7.

A portion of the parcel mapped as land capability 7, associated with the Efb (Elmira-Gefo loamy coarse sand, 0 to 5 percent) soil map unit, will remain as class 7.

The portion of the parcel in the southwestern corner will fall into land capability class 1a, associated with the TrE (Toem-Rock outcrop complex, 9 to 30 percent slopes) soil map unit.

The soils on the steep cut slope areas are best placed land capability class 1a, associated with the TrF (Toem-Rock outcrop complex, 30 to 50 percent slopes) soil map unit.

Joseph Pepi
Certified Professional Soil Scientist
ARCPACS No. 2372

/jp

Enclosures

030
Representative Soil Profile No. 1:

Soil Classification: sandy, mixed, frigid, Entic Xerumbrept

Soil Series: Unnamed in the Tahoe Basin (Soil contains large volume of construction debris).

Ap1 - 0 to 10 inches; yellowish brown (10YR 5/4) loamy coarse sand, brown (10YR 4/4) moist; massive; soft, very friable, nonsticky and nonplastic; many very fine and fine interstitial pores; 10 percent gravel; medium acid; clear wavy boundary. (Large stone and boulder seize pieces of concrete, asphalt, cable, reinforcement bar, and water pipe).

Ap2 - 10 to 25 inches; dark yellowish brown (10YR 5/4) loamy coarse sand, dark yellowish brown (10YR 4/4) moist; massive; soft, very friable, nonsticky and nonplastic; many very fine and fine interstitial pores; medium acid; clear wavy boundary. (Large stone and boulder size pieces of concrete, asphalt, cable, reinforcement bar, water pipe).

Ap3 - 25 to 33 inches; brown (10YR 5/3) loamy coarse sand, dark yellowish brown (10YR 4/3) moist; massive; soft, very friable, nonsticky and nonplastic; many very fine and fine interstitial pores; medium acid; clear wavy boundary. (Large stone and boulder size pieces of concrete, asphalt, cable, reinforcement bar, water pipe).

Ap4 - 33 to 42 inches; yellowish brown (10YR 5/4) loamy coarse sand, dark yellowish brown (10YR 4/4) moist; massive; soft, very friable, nonsticky and nonplastic; many very fine and fine interstitial pores; medium acid.

Cr - 42 inches; weathered granite bedrock.
Representative Soil Profile No. 2:

Soil Classification: frigid, shallow, Dystric Xeropsamment

Soil Series: Toem

Oi 2 to 0 inches; Jeffrey pine needles and twigs

A1 0 to 4 inches; very dark grayish brown (10YR 3/2) loamy coarse sand, very dark brown (10YR 2/2) moist; single grain structure; soft, very friable, nonsticky and nonplastic; few very fine and fine roots; common very fine and fine interstitial pores; 5 percent gravel; medium acid; clear wavy boundary.

A2 4 to 10 inches; dark brown (10YR 3/3) loamy coarse sand, dark brown (10YR 3/3) moist; single grain structure; soft, very friable, nonsticky and nonplastic; common very fine and fine and few medium and coarse roots; many very fine and fine interstitial pores; 5 percent gravel; medium acid; clear smooth boundary.

C 12 to 17 inches; yellowish brown (10YR 5/4) loamy coarse sand, dark brown (10YR 3/3) moist; massive; soft, very friable, nonsticky and nonplastic; few very fine and fine roots; common very fine and fine interstitial pores; medium acid; abrupt smooth boundary.

R 17 inches; Hard granodiorite bedrock.
Representative Soil Profile No. 3:

Soil Classification: mixed, frigid, Alfic Xeropsamment

Soil Series: Elmira

Ci -- 3 to 0 inches; Jeffrey pine needles and twigs

A -- 0 to 6 inches; dark brown (10YR 3/3) loamy coarse sand, very dark grayish brown (10YR 3/2) moist; weak fine granular structure; soft, very friable, nonsticky and nonplastic; many very fine and common fine roots; many very fine and fine interstitial pores; 5 percent gravel; medium acid; clear wavy boundary.

AC -- 6 to 22 inches; yellowish brown (10YR 5/4) loamy coarse sand, very dark grayish brown (10YR 3/2) moist; weak fine granular structure; soft, very friable, nonsticky and nonplastic; few medium and coarse roots; many very fine and fine interstitial pores; 5 percent gravel; medium acid; gradual wavy boundary.

C1 -- 22 to 43 inches; yellowish brown (10YR 5/4) loamy coarse sand, dark brown (10YR 4/3) moist; massive; soft, very friable, nonsticky and nonplastic; few coarse roots; many very fine and fine interstitial pores; 5 percent gravel; medium acid; clear wavy boundary.

C2 -- 43 to 52 inches; yellowish brown (10YR 5/4) loamy coarse sand, brown (10YR 5/3) moist; massive; soft, very friable, nonsticky and nonplastic; few very fine and fine roots; many very fine and fine interstitial pores; 5 percent gravel; medium acid; clear wavy boundary.

C3 -- 52 to 59 inches; yellow (10YR 7/6) loamy coarse sand, yellowish brown (10YR 5/4) moist; massive; soft, very friable, nonsticky and nonplastic; few very fine and fine roots; many very fine and fine interstitial pores; 5 percent gravel; strongly acid; clear smooth boundary.

C4 -- 59 to 65 inches; brownish yellow (10YR 6/6) gravelly coarse sand, yellowish brown (10YR 5/6) moist; massive; soft, very friable, nonsticky and nonplastic; many very fine and fine interstitial pores; 30 percent gravel; strongly acid.
November 4, 1997

TO: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Chapter 26 (Signs) to Incorporate Revisions to the Placer County Substitute Sign Standards

Proposed Action: Placer County proposes that TRPA amend Chapter 26 of its Code of Ordinances (Signs) to:

1. Make minor amendments to its existing substitute sign ordinance currently in effect in adopted community plan areas within Placer County; and

2. Make it applicable within the entire Placer County portion of the Tahoe Region, except for the Placer County portion of Plan Area 032, North Stateline, where substitute sign standards already exist and will not be modified by this amendment.

It is presently in effect in Tahoe City, Kings Beach, Kings Beach Industrial, Carnelian Bay, and Tahoe Vista. Placer County also proposes to amend the existing sign implementation MOU with TRPA to implement and enforce the standards throughout Placer County. This may require a related amendment to Chapter 4 of TRPA’s Code.

The proposed language amending the sign ordinance is shown in Exhibit A of this staff report. Proposed language amending Chapter 26 is shown in Exhibit B.

Staff Recommendation: TRPA staff recommend the APC conduct the public hearing as noticed and, based on its outcome, recommend approval of the amendments to the TRPA Governing Board with the addition of the revisions as shown and discussed in the Discussion section below. These modifications are necessary for TRPA to find that the proposed amendments are "equal or superior to" the TRPA standards, and to preserve the ability to attain and maintain the applicable environmental thresholds. The recommendations have been discussed with Placer County staff who generally concur with them.

Background: TRPA Code of Ordinances, Chapter 26 (Signs), allows local governments and/or specific community plan areas to propose substitute sign standards in lieu of TRPA’s Region-wide ordinance. TRPA may adopt substitute standards provided it finds that the substitute standards are "equal or superior" to TRPA’s standards with respect to attaining and maintaining scenic resources and community design thresholds.
Amendment of Chapter 26 (Signs) to Incorporate Revisions
to the Placer County Substitute Sign Standards
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Placer County presently has two versions of a substitute ordinance in effect: one version in Tahoe City, and a slightly different version in the four North Tahoe Community Plan Areas (Kings Beach, Kings Beach Industrial, Tahoe Vista, and Carnelian Bay). The Tahoe City standards have been in place since the adoption of the Tahoe City Community Plan in 1994, while the North Tahoe Community Plan areas have been in place since April 1996. Placer County presently implements and enforces the substitute standards in these areas through an existing MOU with TRPA.

In 1996, Placer County convened an advisory committee to review the existing ordinance for clean up, streamlining, and recommend changes. The County also wanted to merge its two separate ordinances into a single, more streamlined version. In June 1997, revisions were adopted by the Placer County Board of Supervisors. TRPA adoption is also necessary for the amendments to become effective.

Discussion: Changes are proposed to several sections of the ordinance and are summarized below. Staff recommendations for additional modifications are shown to sections which are necessary to make the the "equal or superior" findings required by Chapter 26. Refer to the actual language in Exhibit A.

Section C. Freestanding Signs: Allows signs to be closer to the public right-of-way and establishes maximum area and setback standards for two classes of multi-tenant buildings (small and large). Refer to Discussion in Section F. below.

Section D. Building Signs: Specifies maximum heights for building signs where previously none was specified. A maximum height of 14 feet for building signs except on buildings which are greater than 50 feet from a roadway which would be allowed to be placed up to 26 feet above grade provided Placer County makes TRPA findings allowing the additional height which are contained in Chapter 22 of TRPA's Code (Height of Buildings and Other Structures). Specifies building sign area for uses within a multi-tenant building.

Staff Recommendation: Delete the provision for building signs to be located up to 26 feet high on buildings greater than 50 feet from a public road. Adding a maximum building sign height of 15 feet was a recommendation which was adopted as part of TRPA's 1996 Threshold Evaluation Report. This is the Region-wide standard for signs on buildings. There was no recommendation for higher building sign heights particularly in Placer County, where commercial buildings tend not to exceed two stories. Additionally, the provision relies on Placer County making TRPA additional height findings from Chapter 22 which are for buildings and structures and are not applicable to signs.

Section F. Setbacks: Reduces the minimum setback for freestanding signs in community plan areas and (County) commercial land use districts from 10 to 5 feet.
Staff Recommendation: Maintain the setback standards as they are currently written; merge the setback standards with Section C so that one streamlined standard is provided; apply the 10 foot setback county-wide rather than just in TRPA commercial plan areas and County land use districts. The provision for hardship would be maintained as shown in Section F and should be clarified to require signs located closer than 10 feet could only be a maximum of 8 feet high.

The Region-wide setback standard for freestanding signs is a sliding scale formula which increases the size and height of a sign the further it is moved back from the edge of the right-of-way, when specifically for the purpose of no "clutter" in the foreground with a row of freestanding signs competing for people's attention. It is recognized that some sites in the more urbanized areas do not have complete flexibility in placing freestanding signs, however, many do have flexibility and should set the signs back further. As many of the urban areas become more "pedestrianized" through implementing Community Plan EIP improvements, the need for freestanding signs close to the right-of-way will diminish.

Section H. Sign Illumination: Allows the use of neon lighting which was previously prohibited.

Section J. Directory Signs: Exempts larger directory signs from the calculation of maximum allowable sign area.

Section M. Temporary Signs: Permits temporary banners for up to 30 days per year for individual private businesses (previously prohibited) and specifies size, height, and location standards for "Community Events" temporary signs. Adds provisions to regulate election campaign signs under the county-wide ordinance.

Staff Recommendation: Delete the provision for temporary banners for private businesses. Enforcing banners is a major problem throughout the Region and throughout many communities. Banners are a direct cause for the lack of progress toward threshold attainment. Cumulatively, they cause visual clutter, and often times competing merchants will try to "outdo" one another with temporary banners. It is virtually impossible to accurately track the amount of time banners are up given a 30-day time limit for each use.

The 1996 Threshold Evaluation Report concluded that banners were a significant visual problem, particularly in the Region's commercial areas where they can actually "double" the amount of signage per individual business. Each community plan may designate one permanent location to place community events banners to advertise upcoming civic functions.
Section S. Off-Premise Signs: Allows off-premise signs to be used to identify public facilities "which would otherwise not easily be located by the general public...", and to identify three business and commercial districts which are not located along SR 28 or 267 (Lake Forest, National Avenue, and Kings Beach Industrial). Off-premise signs are presently not allowed. Actual sign design and size for these signs are to be left to a "site specific analysis for compliance with scenic threshold objectives."

Staff Recommendation: Revise the portion of the language which establishes "Sign area shall be determined by Placer County and/or TRPA, based on site specific analysis for compliance with scenic threshold objectives.", to state that the sign area, sign height and placement shall be determined by Placer County and TRPA.

Minor amendments are also proposed to Section K. Window Signs, Section T. Marina Gasoline Price Signs, Section V. Prohibited Signs, and Sign Lighting Guidelines. Refer to Exhibit A.

It is well recognized that signs play an important role to individual businesses, yet it is also well documented that they also play a critical role in attaining and maintaining adopted scenic and community design thresholds. It is also recognized that community support is a key element in implementing and enforcing a sign ordinance. This is generally very difficult to achieve as individual businesses do not often recognize the cumulative adverse effects to both the visual and economic well-being of the community which are created by each use placing as many signs as large as possible as close to the road as possible for individual benefit.

All commercial areas in Placer County presently do not attain the threshold and are behind schedule with the adopted interim attainment targets; therefore, loosening up the sign standards without some clear offsetting action (Environmental Improvement Program) will further impede the ability to meet the adopted thresholds. The Region-wide sign amortization regulation has also been delayed until July 2001, thereby further delaying threshold attainment efforts.

Additional sign enforcement by Placer County will be necessary as they take over the entire county. Sign enforcement by the TRPA and Placer County staffs has been upon receipt of a complaint. To help address this problem, Placer County has recently created a new, full-time, permanent Code Enforcement position at Lake Tahoe.

Required Findings: The following findings must be made prior to adopting the proposed amendments:

A. Chapter 6 Findings:

1. Finding: 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.
Rationale: The proposed standards and guidelines were evaluated and found to be equal or superior to the standards found in Chapter 26 of the Code, provided the TRPA staff recommended modifications are incorporated into the proposal. If the modifications are not incorporated, then the proposed action is not consistent with and will adversely affect implementation of the Regional Plan.

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

Rationale: Staff recommended modifications must be incorporated into the proposed action otherwise it will cause the environmental thresholds to be exceeded.

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

Rationale: Not applicable.

B. Chapter 26 Findings:

1. Finding: A scenic quality analysis using appropriate methods of visual simulation has been provided and indicates the substitute standards do not result in adverse impacts on applicable scenic resources and community design thresholds.

Rationale: TRPA staff performed a scenic quality analysis. Because these were considered to be relatively minor amendments at the outset, no visual simulations were prepared. Provided the staff recommendations described in the staff report are incorporated into the proposed action, the amendments are not expected to result in adverse impacts on applicable scenic resources and community design thresholds.

2. Finding: The substitute ordinance, in combination with the applicable elements of TRPA's Scenic Resource Management Plan and adopted community plans, redevelopment plans or other TRPA-approved master plans, results in a threshold travel route rating for applicable threshold travel routes of at least 16 for roadway travel routes, or a shoreline travel route rating of at least 8, by July 1, 2007, and does not result in a decline of applicable roadway or shoreline scenic quality ratings.
Rationale: The substitute ordinance, as modified, is expected to result in travel route threshold attainment and scenic quality threshold maintenance by July 1, 2007 provided it is combined with aggressive implementation of the Placer County Community Plans' Scenic Restoration Elements.

C. Ordinance 87-8 Findings: Section 2.40 of Ordinance 87-8 requires the following findings prior to Code amendments. The proposed amendment provides for an equal or better means of attainment or maintenance of the thresholds. The required findings and their rationales are:

1. The amendments are consistent with the Compact and with attainment or maintenance of the thresholds. The evaluation considered the proposed standards in regard to threshold attainment and found them to be equal or superior. The coordination with local government should enhance implementation of the standards and guidelines.

2. One of the following findings:
   a. There is a demonstrated conflict between provisions of the Regional Plan package, and the conflict threatens to preclude attainment or maintenance of thresholds; or
   b. 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; or
   c. Legal constraints, such as court orders, decisions or Compact amendments, require amendment of the Goals and Policies or Code; or
   d. Technical or scientific information demonstrates the need for modification of a provision of the Goals and Policies or Code; or
   e. 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; or
   f. 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.

Rationale: Finding b states the rationale for the proposed amendments.

Environmental Documentation: Staff has prepared an Initial Environmental Checklist (IEC) for the proposed action. Staff recommends that a Finding Of No Significant Effect (FONSE) be made based on:

1. Incorporating the recommended revisions into the substitute standards as shown above; and

2. The addition of the new Placer County Code Enforcement position which will address sign enforcement.

Please contact Andrew Strain at (702) 586-4547 if you have any questions or comments regarding this matter.
Chapter 18

Signs

NOTE: UNDERLINED AND SHADED LANGUAGE IS TO BE ADDED; LANGUAGE TO BE DELETED IS STRICKEN.

A sign's basic function is to communicate a message to the viewer. Basically, a sign should be unobtrusive, convey its message clearly, be vandal-proof and weather-resistant, and, if lighted, not be unnecessarily bright.

The intent of the Sign Ordinance is to achieve a good relationship between the sign, the building, and the neighborhood. The Sign Ordinance permits each business a certain amount of signage based upon the zoning, lot size, lot frontage length, total building size, and building frontage length.

STANDARDS:

A. The following ordinance shall apply to all properties within the area subject to these standards. All signs shall comply with the applicable standards set forth in this Ordinance.

1. A Sign Permit is required for all signage under the jurisdiction of the Placer County Planning Department and Tahoe Regional Planning Agency (TRPA) Code. A Design Site Agreement approved by Placer County which includes a sign submittal may serve as a Sign Permit.

2. A sign initially approved and for which a permit is allowed shall not thereafter be modified, altered or replaced, nor shall any design element of any building or lot upon which such sign is maintained be modified, altered or replaced if any such design element constituted a basis for approval of such sign, without an amended or new permit therefor first being obtained.

B. Definitions:

1. Sign - Anything whatsoever placed, erected, constructed, posted, printed, or otherwise affixed or made visible for outdoor advertising purposes in any manner whatsoever, on the ground or on any tree, wall, post, fence, building, or structure.

2. Free-standing Sign - A sign not attached to a building.

3. Building Sign - A sign which is attached flat against a building and does not project outward or extend above the principal roof line.

4. Projecting Sign - A sign attached to a building that projects outward and does not extend above the principal roof line.

5. Sign Permit - A permit issued through the Planning Department, authorizing the use of a free-standing, building, projecting, or window sign.
C. Free-standing Signs:

Each building or cluster of buildings (i.e., shopping centers) in a commercial district shall be permitted one free-standing sign.

The total area of an outdoor free-standing sign shall not exceed one (1) square foot of sign area for each two (2) feet of street frontage occupied by the business or enterprise. The maximum permissible aggregate sign area is fifty (50) square feet for all free-standing, directional, projecting, and building signs, with the exception of multiple-tenant projects and multiple-frontage buildings as described in Section D(2). Free-standing signs are permitted a maximum height of fourteen (14) feet, or no higher than the principal roofline of the structure on the property, whichever is less, provided the sign is located no closer than 105 feet from the front property line. For signs within 105 feet of the front property line, a maximum height of 8 feet is allowed. Free-standing signs must be incorporated into a landscaped design theme or planter area unless there is insufficient space to provide for that. For free-standing signs that incorporate additional structural features, such as a roof or support frame, height shall be measured at the highest point of such a structure. Free-standing signs in multi-tenant buildings are permitted a maximum of 25 sq. ft. for a building with four or fewer tenants, and a maximum of 50 sq. ft. for five or more tenants.

D. Building Signs:

1. One (1) building sign may be maintained upon each building frontage of a main building. Each such building sign may be allowed either an area of one (1) square foot of sign area for each linear foot of the width of such building frontage or as specified in the following table. The maximum aggregate sign area for all signs, free-standing building signs, and projecting, shall not exceed fifty (50) square feet, with the exception of multiple-tenant projects and multiple frontage buildings as described in Section D(2).

<table>
<thead>
<tr>
<th>Floor Area (sq. ft.)</th>
<th>Sign Area (sq. ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-1,000</td>
<td>10</td>
</tr>
<tr>
<td>1,000-2,000</td>
<td>20</td>
</tr>
<tr>
<td>2,000-5,000</td>
<td>30</td>
</tr>
<tr>
<td>5,000-10,000</td>
<td>40</td>
</tr>
<tr>
<td>10,000</td>
<td>50</td>
</tr>
</tbody>
</table>

The maximum height of a building sign shall be 15 1/2 feet if located within 50 feet of the property line. Buildings located more than 50 feet from the property line may have signs up to a maximum height of 26 feet, provided the findings for additional height in the TRPA Code can be made.

2. Multiple Tenant Buildings - Each primary use in a multi-tenant building may be allowed one square foot of sign area for each one linear foot of building frontage up to a maximum of 30 square feet per use of sign area for building frontage. A maximum of four (4) building signs may be permitted per primary use. Multi-tenant buildings may exceed the 50 sq. ft. maximum aggregate area that would otherwise apply.

In instances where the primary use has no building frontage, but does have a frontage without a public entrance on a street, building signage may be erected upon that alternate frontage. The sign area shall be calculated based upon that alternate frontage.

March 20, 1996

Signs
3. Projecting Signs - Projecting signs may be permitted according to the same specifications as building signs listed in Section D(1). Projecting signs may project up to 42 inches from the face of the building, must have at least eight (8) feet of ground clearance, and cannot be higher than the building to which they are attached. Projecting signs may not extend beyond the applicant's property. The provisions for height under Section D.4 shall also apply.

E. Sign Area:

The area of a sign shall include the entire area within any type of perimeter or border which may enclose the outer limits of any writing, representation, emblem, figure, or character. The structure surrounding the sign should be kept to a minimum size.

The area of the second side of a two sided sign, if identical to side one, shall not count as additional signage.

F. Setbacks:

The setback for a free-standing sign in community plans and/or commercial land use districts shall be a minimum of ten (10) feet from all property lines. The Design Review Committee and County staff may decrease the setback to a minimum of five (5) feet if it is determined that the public will be better served with a sign located closer than 10 ft. to the property line, due to site specific conditions such as steep terrain, heavy vegetation, or existing structures on the site or adjoining properties. Signs legally existing as of the date of this Ordinance, non-conforming only in terms of setback requirements, need not be relocated or removed under the provisions of Section X of this Ordinance.

G. Signage Plans:

Buildings, or clusters of buildings, shall provide a signage plan for the entire structure. This plan shall be prepared by the owner of the building(s) or their agent. The signage plan must be designed so that it establishes a common theme or design, uses similar construction methods, has identical or compatible colors, lettering, lettering style, symbols, scale and size of signs and/or common background. Total signage area within the plan is subject to the maximum size.

H. Sign Illumination:

No spotlight, floodlight, or lighted sign shall be installed in any way which will permit the rays of such sign light to penetrate beyond the property on which such light or lighted sign is located. The light source shall not be visible to pedestrians or vehicles. Illuminations of all signs shall be by diffused light which is constant in intensity and color at all times. With the exception of the use of neon lighting, which may be used if kept constant in intensity and color (subject to Design Review approval).

I. Permitted Materials:

Signs may be constructed of wood, metal, glass, stone, concrete, or brick and, in some circumstances, cloth. Plastic back-lit signs are not allowed, with the exception of plastic back-lit individual letters, when mounted on one of the aforementioned permitted materials, where such letters do not exceed 18 inches in height.
J. Directional/Directory Signs:

An entrance/exit or other directional sign is allowed at each approved driveway opening provided that each sign is not larger than two (2) square feet and no taller than three (3) feet, and must be compatible with the other signs on the property. This signage need not be deducted from the sign area otherwise permitted.

Directory signs which display the names of tenants in a multi-tenant project may be permitted as either free-standing or building signs. Such signs shall not be counted against permitted sign area and are restricted to no more than ten (10) sq. ft. for buildings with four or fewer tenants; and 20 sq. ft. for 5 or more tenants, and no more than eight (8) feet in height.

K. Window Signs:

Window signs may be placed in or upon any window, provided that no more than twenty percent (20%) of the total transparent area of the window is obscured. This will be counted in the signage area. Products displayed in windows are permitted provided the product does not change frequently, and does not include signage, either in the display, or on the window surface.

L. Sign Copy:

Changeable copy signs may only be used in conjunction with theaters or master address identification signs in conjunction with a signage plan, schools, churches, community centers, or community recreation centers.

M. Temporary Signs:

1. Signs promoting events sponsored by civic, charitable, educational, community recreational, or other non-profit organizations may be erected up to two (2) weeks in advance of the event being promoted. These signs shall be removed within two (2) days following the conclusion of the event. No such signs shall be permitted on public property or within public rights-of-way unless authorized by the responsible landowner. The maximum allowed size for such signs is 50 sq. ft. including aggregate area for more than one sign, and the maximum allowed height is 15 ft. Signs must not be placed to block views of Lake Tahoe.

Temporary banners of this nature are subject to the review and approval of the appropriate local Design Review Committee, as well as County staff.

2. Private commercial enterprises are permitted temporary building signs, not to be used in excess of 30 days per year, advertising grand openings or special events. Such signs are subject to the terms of this Ordinance. The size of such signs shall not exceed the area of a permanent sign that would be permitted for that circumstance.

3. Election campaign signs shall be subject to the county-wide regulations for such signs, pursuant to Section 10.094(B) of the Placer County Zoning Ordinance.

N. Abandoned Signs:

Signs advertising businesses that have vacated a location for a period of longer than one (1) year shall be the responsibility of the property owners for removal, which shall be accomplished within 60 days thereafter.

March 20, 1996

Signs
O. **Neighborhood Identification Signs:**

Not more than two (2) permanent signs containing copy of not more than fifty (50) square feet in aggregate sign area and not more than six (6) feet in height shall be allowed to identify a neighborhood or other residential area comprising not less than three (3) acres in size.

P. **Institutional Signs:**

Two signs not exceeding twenty-four (24) square feet in aggregate sign area shall be allowed for a church, school, community center or other public or institutional use. One (1) of such signs may be maintained integral with a building and the other sign may be affixed to the ground provided that the top of the sign does not exceed a height of six (6) feet from the finished grade of the lot and is set back at least five (5) feet from any property line.

Q. **Real Estate Signs:**

One temporary sign not over eight (8) square feet in area shall be allowed for any lot or two (2) or more contiguous lots in single ownership (whether or not such lot or lots have been or are to be subdivided) containing appurtenant sign copy advertising the sale, rental, or lease of the property (the lot or lots and/or the improvements, if any, thereon) upon which such sign is located. Such signs shall be exempt from Sign Permit requirements.

R. **Increases in Maximum Allowed Sign Area:**

Sign area for building and free-standing signs which are visible from highways with a posted speed limit of 45 miles per hour or greater may be increased up to 20 percent over the maximum allowable area for each sign as calculated based on the applicable provisions of this Ordinance.

S. **Off-premise Signs:**

No sign shall be erected or maintained on a parcel or project area other than the parcel or project area on which the use or activity advertised by the sign is located, with the exception of: (1) signs advertising public facilities, such as government offices or public recreational facilities which would otherwise not be easily located by the general public, and (2) use of "international symbols" which relay information in graphic form and which contain no copy advertising business names. Sign area shall be consistent with the maximum amounts allowed for free standing signs. (See Item 4) determined by Placer County and/or TRPA, based on site specific analysis for compliance with scenic threshold objectives. Off-premise signs may also be used to identify the location of a business district, where such districts is located away from primary arterial roads. Such signage shall not identify specific individual businesses. Such signage is permitted for the following areas only, which meet this criteria: (1) Lake Forest business district, (2) National Avenue commercial district in Tahoe Vista, and (3) Kings Beach Industrial Community Plan area.

T. **Gasoline Price Signs:** Signs for gasoline or other motor fuel price signs shall conform to the following standards:

**Motor Vehicles**

A use which includes selling motor vehicle fuel to the public may be allowed one (1) gasoline price sign on each street frontage providing direct vehicular entrance to the use. Such signs may be incorporated into free-standing signs, however, the gasoline price sign shall not exceed ten (10) feet in height and fifteen (15) square feet in area for each side. Gasoline price signs shall have no more than two (2) sides. Portable gasoline price signs are prohibited. Sign area utilized
for gasoline prices that is kept at the minimum area required by law shall not be included in the
total permitted sign area. Any price signing in excess of the minimum required by law shall be
included in the total permitted area.

**Marina Gasoline Price Signs**

A marina which sells motor fuel to the public may be allowed one (1) gasoline price sign. Such
sign may be incorporated into a free-standing sign, however, the gasoline price sign shall not
exceed eight (8) feet in height and nine (9) square feet in area for each side. Gasoline price
signs shall have no more than two (2) sides. Portable gasoline price signs are not allowed. Sign
area utilized for gasoline prices that is kept at the minimum area required by law shall not be
included in the total permitted sign area. Any price signing in excess of the minimum required
by law shall be included in the total permitted area.

**U. State of Repair:**

All signs and components thereof, including supports, braces, and anchors, shall be kept in a
state of good repair.

**V. Prohibited Signs:** No person shall erect, alter, maintain, or relocate any sign specified in
Sections 1 through 14 as follows:

1. **Signs Creating Traffic Hazards** - No signs shall be erected at or near any public street
or the intersection of any streets in such a manner as to create a traffic hazard by
obstructing vision or any location where it would interfere with, obstruct the view of, or
be confused with any authorized traffic sign.

2. **Hazardous Signs** - No sign shall be erected or maintained which, due to structural
weakness, design defect, or other reasons, constitutes a threat to the health, safety, and
welfare of any person or property.

3. **Signs Resembling Traffic Signals or Signs** - No sign shall be constructed, erected, or
maintained which purports to be or resembles an official County, State or Federal traffic
sign or signal except those signs officially authorized and installed by Placer County, or
the California Department of Transportation. This section shall not apply to signage in
parking lots.

4. **A-frame Signs** - Any portable sign or structure composed of two (2) sign surfaces
mounted or attached back to back in such a manner as to form a basically triangular
vertical cross section through the faces.

5. **Flashing Signs** - Any sign which contains an intermittent or flashing light source, or
which includes the illusion of intermittent or flashing light by means of animation, or an
externally mounted intermittent light source. Automatic changing signs, such as public
service time, temperature and date signs, are not classified as flashing signs.

6. **Electronic Message Signs** - A permanent free-standing roof, wall, or other sign which
changes copy electronically using switch and electric lamps.

7. **Off-premise Signs and Billboards** - Outdoor advertising signs which advertise goods,
products, or services not sold on the premises on which said sign is located.
8. **Roof Signs** - Any sign erected partly or wholly on or over the roof of a building, including ground signs that rest on or overlap a roof.

9. **Animated Signs** - A rotating or revolving sign, all or a portion of which moves in some manner.

10. **Wind Signs** - Any propeller, whirling, or similar device which is designed to flutter, rotate, or display other movement under the influence of the wind. This shall include flags, banners, and pennants.

11. **Illuminated Signs** - Standards "cabinet" illuminated signs.

12. **Mobile or Portable Signs** - A sign not permanently attached to the ground or building. Signs painted on, or placed on vehicles with directional information about the location of the business are prohibited the purpose of directing customers to a business location, and serving as a free-standing sign. (This does not include a prohibition on signs painted on vehicles which include the name and address of such business.)

13. **Video Signs** - Animated visual messages which are projected on a screen.

14. **Tree Sign** - Any type of sign whatsoever attached to a tree.

W. **Amortization of Non-Conforming Signs**: This section sets forth requirements for the amortization schedule for the removal or alteration of signs that do not conform to the provisions of this Ordinance.

1. An existing sign is a sign that is legally existing or approved on the effective date of this Ordinance.

2. A non-conforming sign is a sign that is existing as of the effective date of this Ordinance which does not comply with the applicable standards set forth in this Ordinance.

3. A conforming sign is a sign that is existing as of the effective date of this Ordinance which complies with the standards set forth in this Ordinance.

4. **Removal of Non-conforming Signs** - Non-conforming signs shall be conformed, if conforming is possible, or removed as follows in Placer County adopted Redevelopment Project areas:

   a. Where available funds can be obtained through grants or special programs that will compensate sign owners for a minimum of 75% of the cost of conforming or replacing the sign, conformity shall be achieved within one (1) year from the effective date of this Ordinance. Replacement cost compensation shall be made only for signs legally approved through the appropriate permit process.

If no such funding program is established, conformity shall be achieved within three (3) years from the effective date of this Ordinance.

Sign values, for the purpose of determining replacement cost, shall be determined based on an actual sales receipt for the sign, a cost estimate for the replacement cost provided by a qualified professional, or the replacement cost as determined in the current edition of the Signwriters Guide to Easier Pricing, whichever is greater.
b. As business change ownership or name at a given location, any and all signage proposed shall be designed to conform with the provisions of this Ordinance.

c. As new signage is proposed without a change in the business at a given location, signage proposed shall be designed to conform with the provisions of this Ordinance.

d. At such time as a business or person requests approval of a discretionary nature from Placer County, non-conforming signage shall be replaced as a condition of such approval.

5. Amortization Outside of Redevelopment Project Areas: For areas located outside of adopted Placer County Redevelopment project areas, the amortization requirements of Section 26.12 of the Tahoe Regional Planning Agency Code of Ordinances shall apply.

6. TRPA Amortization: Amortization requirements of Section 26.12 of the TRPA Code shall apply.

X. Variances: Variances may be granted to the standards set forth in this Ordinance for signs legally existing prior to the adoption of this Ordinance, provided the following findings can be made:

1. Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the Sign Ordinance deprives such property of privileges enjoyed by other property in the vicinity and other identical zoning classifications.

2. The exception is in harmony with the purpose and intent of the Sign Ordinance.

3. There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property that are not contemplated or provided for by this Ordinance.

4. The approval of the exception will not be materially detrimental to the public health, safety, and welfare.

5. Alternative signage concepts that comply with the provisions to which the exceptions requested have been evaluated, and undue hardship would result if the strict adherence to the provision is required.

6. A scenic quality analysis demonstrates that the exception, if approved, will be consistent with the threshold attainment findings listed in the Scenic Resources Management Package Final Environmental Impact Statement, 1989.

7. The exception which is approved shall not increase the number, area, and height of the existing sign or signs for which the exception is requested; and

8. The exception is the minimum departure from the standards.

Y. Permit Issuing Authority:

Upon making the requisite findings by TRPA under the provisions of Section 26.3.C of the Code of Ordinances, Placer County shall assume lead responsibility for permit issuance and
enforcement of these sign regulations as set forth in the County’s Enforcement Ordinance. TRPA shall retain responsibility for the amortization requirements required under Chapter 26 of the Code and for the review and enforcement of state and federal signage exempt from Placer County review authority.

GUIDELINES:

A. Signs should be designed and located to be compatible with their surroundings in terms of size, shape, color, texture, and lighting.

B. Signs should be simple in design and easy to read, with the number of lettering styles and amount of copy kept to a minimum — preferably giving only the name of the business.

C. Reflective, fluorescent, and primary colors should be avoided. Reader boards are prohibited, with the exception of theaters, master identification signs in conjunction with a signage plan, schools, churches, community centers, or community recreation centers.

D. Architectural details of a building often suggest a location, size, or shape for a sign. Signage should complement the architectural details of the building. Signs which violate the architectural integrity of the building to which it is attached will not be allowed. Signs should also help to establish a visual continuity with adjacent store fronts and store signs relating directly to the store entrance.

E. Signs should be oriented toward pedestrians or vehicles in close proximity.

F. Lighting for architectural highlighting is conditionally permitted, subject to the design review process, but is not to be used to outline sign copy, or to be placed on poles or trees. Such lighting shall be consistent with the requirements of Chapter 30 of the TRPA Code.
Language to be added is underlined; language to be deleted is stricken

MEMORANDUM

November 4, 1997

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Status Report on the Environmental Improvement Program (EIP)

Staff will be making an oral presentation on the EIP at the November meeting.

jf
11/4/97

AGENDA ITEM VI.A.

Planning for the Protection of our Lake and Land