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, September 10, 2008 at the TRPA Offices, located at 128 Market Street, Stateline, NV. The agenda for the meeting is attached hereto and made a part of this notice.

September 3, 2008

[Signature]

John Singlaub
Executive Director
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

Any member of the public wishing to address the Advisory Planning Commission on any item not listed on the agenda may do so at this time. Public comment on Public Hearing 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 HEARINGS

A. Public Comment on the Draft Environmental Impact Statement for the Sierra Colina project off Highway 50 and Lake Village Drive in Douglas County, NV, Sierra Colina, LLC., APN 1318-23-301-001

B. Draft Notice of Preparation (NOP) and Determination of Scope Homewood Mountain Resort CEP Project Joint Environmental Impact Statement (EIS)/Environmental Impact Report, Placer County, TRPA File No 097-130-16, CEPP 2008-0189

C. Recommendation to the Governing Board on Certification of the Final Lake Tahoe Shorezone Ordinance Amendments EIS and on the Proposed Amendments to the Shorezone Code of Ordinances, Plan Area Statements, Community Plans and other Amendments Related Thereto

VI. REPORTS

A. Executive Director

B. Legal Counsel

C. APC Members

VII. ADJOURNMENT
REGULAR MEETING MINUTES

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Meeting called to order at 9:40.

Members Present: Mr. Breuch, Mr. Donohue, Mr. Harris, Ms. Jamin, Mr. Jepsen, Mr. Smith for Ms. Kemper, Ms. Krause, Mr. Lefevre, Mr. Maurer, Mr. McIntyre, Mr. Plemel, Mr. Riley, Ms. Sertic, Mr. Tolhurst, Mr. Upton

Members Absent: Mr. Goldberg, Ms. Merchant, Mr. Szczurek, Mr. Walker, Mr. Zuckerman

II. APPROVAL OF AGENDA

Mr. Donohue moved approval with amendments.
Motion carried unanimously.

III. PUBLIC INTEREST COMMENTS

None

IV. DISPOSITION OF MINUTES

Mr. Donohue moved approval.
Motion carried.
Mr. Mauer and Ms. Krause abstained.

V. PUBLIC HEARINGS

A. Public Comment on Draft Notice of Preparation (NOP) and Determination of Scope for the Boulder Bay CEP Development Project (EIS)/Environmental Impact Statement - 2 Highway 28., Washoe County, Nevada, Assessor’s Parcel Numbers (APNs) 123-052-02, -03, -04; 123-053-02, -04, 123-054-01; 123-071-04, -034, -035, -036, -037, TRPA File No. CEPP 2008-0123 and ENVR 2008-0003

Mr. Harris disclosed that he has a relative that has a property in the Boulder Bay community and he has conferred with Legal Counsel and has been advised that because he does not have an ownership or interest in that property, he does not have a conflict of interest.

Staff member David Landry presented the draft notice of preparation for the scope of the Boulder Bay Community Enhancement Program project.

Staff member Brenda Hunt presented the concept of the Community Enhancement Program.
Rob Breuck, consultant to TRPA, presented the environmental review of the issues of each alternative that is proposed to be reviewed.

APC Discussion & Comment:

Mr. McIntyre requested that in reference to workforce housing units proposed, the environmental document should look at how many jobs will be created by each of the alternatives. There should be a correlation between the numbers of jobs created, with the number of onsite or offsite units for these workers. Also with respect to a request for additional height, what affect will that have on the ability of the fire prevention districts to serve and will that require new equipment or housing for any new equipment.

Mr. Maurer asked that in the list of alternatives, is each of those viable alternatives or items that are selected to provide a range and may be rejected at a later date because they don’t meet the project objectives or are they truly viable alternatives that are economical feasible.

Rob Breuck stated that they have to look at the no project alternative and they will be doing two no project alternatives. The applicant has reviewed the alternatives and feels they are potentially viable to take forward during the scoping process.

Mr. Breuch asked for the local jurisdiction, will this be dove-tailed environmental document?

Ms. Krause, representing Washoe County, stated that in Nevada they do not have an EIS requirement for this type of development. This is an allowed use in the Community Plan and they will be looking at it to make sure it meets all Washoe Counties’ development standards.

Mr. Breuch stated that Placer County will be responding with their comments in writing. They will look at the cumulative affects and how it will affect their jurisdiction. Mr. Breuch asked that if the commercial floor space is not completely utilized on one of the alternatives, will that stay in the Community Plan or will it be transferred to another location. This should be analyzed at some point.

Public Comment:

Al Mott stated that he is concerned about the super-sizing of Tourist Accommodation Units (TAUs) and the inconsistencies in the Code. He also asked that the comment period be extended for 30 days.

Patricia Wallop handed out a two-page outline that lays out the factual information and the page references to substantiate her 11 concerns on the deficiency of the scoping document. They are: overstated area acreage, number of proposed units, inaccurate calculation of land coverage, CFA calculations are incorrect and misleading, ERU calculation is wrong, applicant asking for items not allowed in the North Stateline Community Plan, applicant asking for amendment to the Code that increases density, doesn’t disclose proposed amendment to the Mariner agreement, vague regarding transportation alternatives, no disclosure of affiliation with Kings Beach/Ferrari family report or
Sun and Sand affiliation and no proper disclosure of the increase in population to the area.

Margaret Eatington stated that the Compact was created because of increasing urbanization threatening the ecological values of the Region. It was created to maintain the social and economic health of the Region and maintain significant scenic, recreation, educational, scientific, natural public health values provided by the Lake Tahoe Basin. She is concerned with this type of dense development that this will not meet the thresholds of TRPA. She would like to see addresses in the environmental impact statement is what has changed and why are we now proposing evening more dense development.

Harold Eastridge stated he agrees with the other speakers and he thinks that in this scoping study there should be a proper traffic study where the consultants would be hired by TRPA. The existing traffic study has been shown to be flawed. He is also concerned about the change of three residential structures on the old Marnier Property.

Samuel Kahn stated that respect to the parking garage in one of the scenario’s, 670 space garage and the attendant improvements that are suggested would require a massive amount of staging and coordination and he would request a detailed analysis of how this staging would take place during the construction period.

John Salmon asked that the scope of the projects EIS be rigorous and as comprehensive as possible for two reasons: 1) the size of this project, which is unlike anything seen in the North Shore and 2) many characterizations that have been made in pushing this project forward are not correct. The developer calls the project a destination resort, but it does not meet that destination by either the County or Federal standards.

Nicole Gergens, League to Save Lake Tahoe, stated they have a number of concerns, but the most important is the amendment to height restriction.

Ann Nichols stated that there are many items that are misleading. For example, the existing coverage figures are different on the scoping document than is disclosed on their project application. They are including public roads, which is not countable as coverage if you don’t own them.

Ron Grasse, Co-Chair of the Sierra Club, stated that this project is so over the top that he is surprised that TRPA would even accept it. This project is supposed to go from 120,000 sq. feet to over 600,000 sq. feet plus build a 250,000 sq. ft garage and it will go from 92 rooms to over 400 rooms and it will add approximately 2,000 people to this small community.

Susan Gearhart stated that she understands that this is considered smart growth and she supports that concept, but she thinks that because of so many Community Enhancement projects we need to look at the cumulative impacts of all of them.

Paul Riddles stated that they are neighbors to this project and they would hope that people look at the positive aspects of this program and the positive environmental impacts of this program and not only the negatives.
Jackie Chandler stated that if the applicant feels that the demand of their visitors is under accommodated a watershed responsible response might be to look at the 70% build out footprint that sits empty. Where is the hosting heart strategy of the local residents?

Frank Wright stated that he lives close to the Cal Neva and he can’t imagine 8 more buildings that are 80 feet high. He has a concern with the existing road structure as the road does not adequately handle the traffic, especially during peak times.

Scott Keich stated that all elements of this project should be analyzed for the cumulative affects on the entire Plan Area.

Bob Hecock stated that he is submitting, in writing, a list of items that need to analyzed and added to the EIS document. He believes that the notification within 300 feet is not far enough, as this impacts people beyond this distance in for a project of this size.

Tim Delaney stated that he grew up in this area but had to move away because they could not provide for themselves. They could not make a living in the Tahoe Basin. He feels that the three minute limit to speak before the commission is not adequate for the many concerns that he has about the size of this project.

Don Stark stated that he thinks that the scope of the project is very large and this needs to be reconsidered and the TAU units need to be addressed on a one-to-one basis. The traffic study also needs to be updated.

Reuben Hills stated that he is concerned about the size of the project.

Tom Tousher stated that he has concerns on the environmental impact of the increased traffic on the existing traffic light.

Nat Goldharbor, co-founder of the Brockway Homeowners’ Association, stated that he hope that you take into consideration the following: 1) the issue of Speedboat Beach, which used to be a small beach used by the local residents. The Biltmore and Cal Neva suggested to their clientele that this was an appropriate place for them to access the lake. This has had significant environmental impact on this beach. He would urge a specific environmental impact study on the effect on this beach or determine an alternative path for resident and guest of this proposed project to access the lake; 2) there are significant siltation problems and run offs from the area that already are being carefully studied by the County. He would like to have this also studied for this project and what mitigation will be done to address this issue; and 3) he would like to see a detailed study done on the incremental numbers of workers required to service these new higher end residential and non-residential hotel facilities.

Mark Leksander stated that the public has been supplied a flawed document. He requests that they be provided factual documents. He feels that the primary access roads are not adequate and should be studied.

Assistant Legal Counsel, Ms. Rinke stated for the record that the notice of preparation was distributed 30 days before the close of the comment period, so
it is not just a five day period from this day forward for comment. Also the
document that was handed out to the audience is not inaccurate, but is missing
the footnote page is missing and not photocopied, but is in the Advisory Planning
Commission packet. This was available to the public a week in advance of this
meeting on our website.

APC Discussion and Comments:

Mr. McIntyre stated that he is proposing a 30 day extension to the deadline.

Mr. Tolhurst stated that there are other public venues to testify on this matter,
including in front of the Governing Board. He agrees with the extension of the
deadline.

Mr. Plemel stated that the public has asked for more time to review the traffic
study, the plan and he asked for clarification so the public understands what is
currently available.

Staff member David Landry stated that we have a full compliment of materials,
hard line drawings, the notice of preparation, the initial environmental checklist,
application materials, and the traffic study and is available in electronic and hard
copy form at our offices.

Mr. Upton asked if the Governing Board will be listening to this any further.

Executive Director Singlaub stated no, this is the public hearing for the notice of
preparation.

Mr. Upton stated that most of what he has heard today is about the project and
not scoping. There have been points made that need to be analyzed on the
document. He feels that the document should analyze economically feasible, so
the community will know what its choices are as far as the alternatives for this
project.

Mr. Breuch stated that the public should contact staff member David Landry for
any additional information that they may want. This process for the Community
Enhancement Program that will inform the Regional Plan and there is
uniqueness with this program. He also supports looking at noticing the public
further than the required 300 feet for a project of this size.

Executive Director Singlaub stated for the record that the noticing was 300 feet
from the Boulder Bay boundary plus effective property owners within 1,000 feet
on the northern side.

Mr. Smith stated when the water quality impacts are studied, he requests that
you need to look at more than storage capacity of the 20 year, 1 hour storm and
look at actually treating the water. It is important from the TMDL study that we
remove the fine sediment and uptake the nitrogen and phosphorus. He also
suggests that the document look at the need for fertilizers and try to reduce that
need. He also suggests that the document look at the soils and not strictly focus
on the water quality aspect.
Ms. Sertic stated that she agrees with Mr. Smith and she added that there are two other projects within that area and they would like to see an evaluation of the storm water infiltration and treatment for the entire area.

Mr. Harris moved for the extension of time through close of business on Tuesday, September 2, 2008 and that the comments of the public and the Advisory Planning Commission are considered in preparation of the environmental impact statement.

Motion carried unanimously.

B. Recommendation to the Governing Board on Amendment to Section 4.7 of TRPA’s Code of Ordinances Regarding Project Approvals and Appeals; Amendment to TRPA’s Rules of Procedure to Include Attendance Rules for Non-Compact Designated Members of the Advisory Planning Commission and Governing Board; and to Provide for Other Matters Related Thereto.

Assistant Agency Counsel Nicole Rinke presented the proposed amendment to the Code of Ordinances regarding project approvals and appeals and an amendment to the rules of procedure regarding attendance rules for non-compact members of the APC & Governing Board.

APC Discussion & Comment:

Mr. McIntyre stated that if he wants an alternate, it would have to be appointed by the Tahoe Transportation District.

Executive Director Mr. Singlaub stated yes and then that is approved by the Governing Board.

No Public Comment

Mr. Harris moved to recommend to the Governing Board TRPA’s Rules of Procedure be adopted to include Attendance Rules for Non-Compact Designated Members of the Advisory Planning Commission. Motion carried unanimously.

Mr. Maurer moved to recommend to the Governing Board the amendment to Section 4.7 of TRPA’s Code of Ordinances Regarding Project Approvals and Appeals. Motion carried unanimously.

C. Recommendation to the Governing Board on Amendments to the Code of Ordinances Chapter 20, Land Coverage, Chapter 2, Definitions, and 25, Best Management Practices to allow for the Conversion of Turf Athletic Grass to Synthetic Turf for Public Athletic Fields and Provide for Other Matters Related Thereto

Staff member Phil Scoles presented the proposed amendment to the Code of Ordinances regarding conversion of turf athletic grass and synthetic turf.

APC Discussion & Comments:

Mr. Tolhurst stated he is not sure there is science to defend all these things.
Staff member Phil Scoles stated there was a study done here in the Basin, the Village Green Athletic Field, and they were looking at specifically how much nutrients are coming off of those fields. They built a number of sequential ponds to help treat the water coming off this. It is well documented that we are actually getting a nutrient off of these fields. This system gave them the opportunity to study what was leaching through the field and what was running off the field.

Staff member Gabby Barrett stated that the artificial turf is a better BMP for this soft coverage. It is coverage and we are just using a different way of absorbing the water and treating it.

Mr. Upton stated that when you are not putting nutrients on these fields, it makes sense not to be doing what we are currently doing. He suggested that we incentivize people to put in fields of synthetic turf and not go through the process of having the impact first before it can be fixed.

Mr. Smith stated that synthetic turf is something that Lahontan is supporting. The reason he likes this is it is a go slow approach and allow the really compacted fields to address and increase the infiltration and reduce the amount of fertilizers.

Mr. Harris asked if we are talking about the equivalent of storm water run off detention basin.

Staff member Phil Scoles stated that in some cases the answer is yes. When you put in a synthetic turf field, you are putting in materials that have no abilities to soak up any kind of nutrients. Our objective is not to just create an opportunity for rainfall to quickly get its way down to ground water. We would like to be able to have that water that gets captured by a drainage system moves through a treatment wetland.

Mr. Lefevre stated that he believes this will be cheaper. Related to this does the mitigation costs make it not attractive economically for a school district?

Staff member Phil Scoles stated it is a cost that they can reasonably budget for.

Mr. Donohue suggested that turf be added to the definition of structural construction costs.

Staff member Phil Scoles stated that would be possible.

Ms. Jamin stated that the new athletic field next to the college has reduced the wear and tear on the old field and maintenance costs associated with it. It has an indirect in that way as well.

Public Comment:

Jim Phelan stated that he hopes that no one abuses this, as we are trying to do the right thing with this amendment. He stated that along the shoreline there are a lot of properties that use a lot of fertilizer and he believes that artificial turf in these instances is a viable alternative to reduce the amount of water and fertilizer being used.
Mr. Upton moved to approve the required findings with the addition of the word mitigation in Paragraph D and a request to clarify the structural construction definition.

Motion carried unanimously.

Mr. Upton moved to approve the TRPA Code of Ordinances amendment including the conforming changes.

Motion carried unanimously.

D. Recommendation to Governing Board on Amendment of Plan Area Statement 082, Upper Kingsbury, to Add “Eating and Drinking Places”, “General Merchandise Stores”, and “Outdoor Recreation Concessions” to the Permissible Use List, and Providing for other Matters Properly Related Thereto

Staff member Lief Larson presented the amendment of Plan Area Statement 082, Upper Kingsburg.

Paul Kaletta, representing Basin Strategies, stated that the applicant is in agreement with the agencies proposed uses. The applicant was hoping that this could be an allowed use because it is the only property in the Plan Area Statement instead of special use findings as currently proposed.

APC Discussion & Comments:

Mr. Smith would hope that there was a way to slow down traffic in the area, as it is a dangerous intersection.

Mr. Breuch stated he would support a special use permit in the future.

No Public Comment:

Mr. Maurer moved approval of the required findings.
Motion carried unanimously.

Mr. Maurer moved approval of the proposed amendment as revised by staff.
Motion carried unanimously.

E. Recommendation to the Governing Board on (1) Certification of the Beach Club on Lake Tahoe Final Environmental Impact Statement (EIS) and (2) Finding of Consistency for the Beach Club on Lake Tahoe Project with EIS Recommended Mitigation - Douglas County, California, TRPA Project Number 1318-22-002-002, TRPA File Number 20030691

Staff member Theresa Avance presented information on the certification of the final Environmental Impact State on the Beach Club on Lake Tahoe.

Lew Feldman, representing the applicant, presented the proposed project.

Nanette Hansel, EDAW, presented the environmental process and environmental findings.
APC Discussion & Comment:

Ms. Jamin asked regarding the Aspen Grove Apartment Building, will there be remodeling done to this building and what kind of condition is it in. This is where the affordable units that are to be deed restricted.

Mr. Feldman stated that yes. The property has been upgraded but they are not proposing to close and entirely remodel it.

Ms. Jamin stated that it was indicated that the moderate units will be offsite and she asked where they would be located.

Mr. Feldman stated that the expectation is that they will be located in Douglas County.

Mr. Maurer clarified that the replacement housing is not creating any new housing but just deed restricting existing units. Is that correct?

Mr. Feldman stated that is correct and they are deed restricting current moderate rate units that are not restricted.

Mr. Maurer asked what is the comparable rents between the current apartments and what will be deed restricted.

Mr. Feldman stated that part of the approval by TRPA will be renting of 80% of the median income for Douglas County; which is HUD requirements.

Public Comment:

Mike Noole stated that he feels that this is being sugar coated. There are 50 of the residents left and they have title to their homes. The applicant wants to put us in Aspen Grove which he owns. They just want to be compensated fairly for their homes.

Frank Liperiani stated that he was hoping to stay in the location that he purchased, but under the new project, there won't be 15 units available onsite.

Jan Kustason stated that this has always been a community. They feel that they have been treated unfairly and want only to be compensated fairly.

APC Discussion & Comment:

Mr. Maurer stated that he is concerned about the affect on existing housing stock in the Basin and the requirements for relocation of the residents. He also has concerns regarding visibility from the lake and he wants to make sure that staff is comfortable that the landscaping will adequate screen the project.

Mr. Plemel stated that this is an emotional issue, but Nevada state law provides for relocation and compensation. Regardless of what we do as a Commission, the property owner under Nevada revised statutes has the ability to relocate the residents and the applicant has to meet these requirements.
Mr. Smith suggested that it needs to be noticed that the project is significantly over covered by almost 400,000 sq. feet. So removing coverage in an SEZ and restoring is the single most important and effective method that we know for treating storm water, especially for lake clarity needs. This project is going above and beyond what is required by TRPA Code today, which is a very good thing, but it still has a considerable amount of coverage in the most sensitive SEZ around the lake. He would also request that adaptive management be included in the permit. He would also suggest a winter road sweeping and management plan and a fertilizer management plan.

Ms. Sertic asked that there be an emphasis on the street sweeping program with efficient sweepers to handle particulate matter. She also encourages further communications between the developer and KGID as construction proceeds.

Mr. Upton moved to recommend the Governing Board make the Compact Article VII (d) finds for the final EIS.

Motion carried.
Mr. Riley abstained.

Mr. Upton moved to recommend the Governing Board certify the final EIS for the Beach Club on Lake Tahoe project.

Motion carried.
Mr. Riley abstained.

Mr. Upton moved to recommend that the Governing Board find a find that the proposed project is consistent with the EIS based on the staff summary.

Motion carried.
Mr. Riley abstained.

Mr. Upton moved to recommend that the Governing Board that changes or alterations have been made that avoid or reduce the significant adverse environmental effects for all potential impacts.

Motion carried
Mr. Riley abstained.

Mr. Upton moved to recommend that the project subject to the draft permit is consistent with the EIS with the following additions: 1) water quality monitoring, 2) winter road sweeping and management plan and 3) fertilizer management plan that prohibits phosphorus.

Motion carried.
Mr. Riley abstained.

VI. REPORTS

A. Executive Director

Executive Director Singlaub gave the Executive Director’s report.
B. Legal Counsel

No report.

C. APC Members

Mr. Donohue informed the Commission that the Nevada TRPA voted to elect R. J. Clason as the Nevada-at-Large member of the TRPA to serve out Coe Swobe’s term.

Mr. Breuch stated that it was mentioned to have local jurisdictions review major project first before they go to the Governing Board. They will make every effort, but there are timelines that they need to meet for CEQA and other items. He also stated that there are huge ramifications with Sherman Homes, which they will be addressing in writing to TRPA.

Mr. Upton stated that the Annual August Forum Event will be this weekend.

Mr. Smith stated that the Lake Tahoe TMDL CEQA scoping session was conducted last month and the public comment period closes on August 18.

VII. ADJOURNMENT

Chairman Tolhurst adjourned the meeting at 3:55 p.m.

Respectfully submitted,

Judy Nikkel
Clerk to the Board

The above meeting was taped in its entirety. Anyone wishing to listen to the tapes of the above mentioned meeting may call for an appointment at (775) 589-5277. In addition, written documents submitted at the meeting are available for review at the TRPA Office, 128 Market Street, Stateline, Nevada.
MEMORANDUM

To: TRPA Advisory Planning Commission

From: TRPA Staff

Date: September 3, 2008

Subject: Public Comment on the Draft Environmental Impact Statement for the Sierra Colina Village Project at Lake Village Drive and Highway 50 in Douglas County, NV, Sierra Colina, LLC., APN 1318-23-301-001

Requested Action: There is no action required on this item at this time. Staff is requesting that the Advisory Planning Commission (APC) provide comments and solicit public comments on the Sierra Colina Village Project Draft Environmental Impact Statement (DEIS). A copy of the document was mailed to the Advisory Planning Commission and Governing Board members on August 13, 2008. A presentation of the project and DEIS will be provided at the APC meeting.

Comment Period: In accordance with Article 6.13(b) of the Tahoe Regional Planning Agency (TRPA) Rules of Procedure, the public comment period for the Sierra Colina Village Project DEIS commenced on August 13, 2008, and will conclude on October 13, 2008. The purpose of the sixty-day comment period is to allow public comment on the alternatives, issues, mitigations, and analysis of impacts in the Draft Environmental Impact Statement. Additional public comments were solicited at the August 27-28, 2008, meeting of the Governing Board. Final TRPA action on the EIS and project will be scheduled at a later date.

Background: In late 2006, staff publicly ‘scoped’ this project at three separate meetings: An evening meeting at TRPA on October 17, 2006; the October 24, 2006 Governing Board meeting; and the November 8, 2006 APC meeting. An Administrative Draft EIS was released for Agency review in April 2007 and again in December of 2007. Since December of 2007, TRPA and the applicant have been working to finalize the DEIS for public release. A summary of the proposed project, the impacts associated with each development alternative, and the proposed mitigations begin on page S-1 of the DEIS.

Discussion: The project area, located east of Highway 50 between Lake Village Drive and Kahle Drive, consists of an 18-acre undeveloped parcel (APN 1318-23-301-001). The undeveloped parcel is forested with areas of shrubby vegetation and rock outcrops and boulders. The parcel has been verified as Land Capability Classes 1a, 1b, 1c, 2, 4, 5, and 6. All proposed development will be located within the high capability portions of the parcel (Classes 4, 5, and 6). The parcel is located within Special Area #1 of Plan Area Statement (PAS) 73 – Lake Village, which has a residential land use classification. The site is accessed via Lake Village Drive.

The project site is bordered by Lake Village Professional Building and a 325-unit Lake Village condominium complex to the north, United States Forest Service parcel and the
Kingsbury Middle School to the east, various commercial and recreation uses to the south, and Highway 50 and United States Forest Service (Burke Creek (Rabe) Meadow) to the west.

The DEIS analyzes the environmental impacts associated with implementing the proposed alternative (Alternative 1), and four separate alternatives.

- **Alternative 1 (Proposed Alternative)** - 41 market rate residential units, 9 moderate-income residential units, roadway improvements, four linear public facilities, and utility infrastructure improvements. The residential units would consist of single and duplex-style buildings, and would be subdivided into single family dwellings.

- **Alternative 2 (Grand Estate)** - A single-family dwelling, with a guesthouse, various recreational buildings, sports courts, and caretaker home.

- **Alternative 3 (Reduced Density)** - 37 market rate residential units, roadway improvements, four linear public facilities, and utility infrastructure improvements. The residential units would consist of single and duplex-style buildings, and would be subdivided into single family dwellings.

- **Alternative 4 (Increased Density)** - 42 market rate residential units, 12 moderate-income residential units, roadway improvements, four linear public facilities, and utility infrastructure improvements. Most of the market rate residential units would consist of single and duplex-style buildings, the remaining market rate and moderate-income units would be within a single lodge-style building, and all residential units would be subdivided into single family dwellings.

- **Alternative 5 (No Project)** - Parcel remains undeveloped in a natural state and inaccessible to the public.

Alternatives that were considered but rejected are identified beginning on page 3-21 of the DEIS.

**Issues/Concerns**: Sections S.4 and S.5 of the DEIS summarize issues and areas of controversy. Table S-1, on page S-6 of the DEIS, summarizes potential environmental impacts of each alternative and proposed mitigation measures and monitoring requirements. Technical appendices for the document are found in the CD included in the back of the DEIS.

The cumulative impacts associated with the past, present and probable future projects in the vicinity of the proposed project are discussed and analyzed in Section 4.15 of the document. For purposes of this analysis, these projects are those that have occurred or are reasonably planned to occur within the Douglas County and South Lake Tahoe portions of the Tahoe Basin.

Representatives from EDAW, the consulting firm who prepared the DEIS, and Sierra Colina, LLC. will be present at the APC meeting to answer any questions.
If you have any questions or wish to submit comments regarding this item, please contact:

Theresa Avance, AICP, Senior Planner
Tahoe Regional Planning Agency
P.O. Box 5310
Stateline, NV 89449
Email: tavance@trpa.org
(775)589-5224
MEMORANDUM

Date: September 2 2008

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Notice of Preparation (NOP) and Determination of Scope, for a joint Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) with Placer County; for the Homewood Mountain Resort Master Plan and Community Enhancement Program, 5154 West Lake Boulevard, Placer, County, California, Assessor’s Parcel Numbers (APNs) 097-130-05, TRPA File Number CEPP2008-0189

Requested Action: Staff is notifying the APC that a Notice of Preparation has been issued for the Homewood Mountain Resort Master Plan and Community Enhancement Program, (Attachment A). Staff requests an APC recommendation to the TRPA Executive Director on the determination of the Scope for a joint Environmental Impact Statement (EIS)/Environmental Impact Report (EIR), for the Homewood Mountain Resort Master Plan and Community Enhancement Program, as described in the Notice of Preparation (NOP).

Staff Recommendation: Staff recommends that the APC recommend to the Executive Director approval of the topics and alternatives identified for environmental review in the attached NOP.

Required Motion(s): An APC motion to recommend approval of the proposed action requires:

1) A motion to recommend approval of the determination of the Scope for the joint Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) for the Homewood Mountain Resort Master Plan and Community Enhancement Program as set forth in the Notice of Preparation and the project alternative description. (see Attachments A and B).

Project Description/Background: The applicant is proposing to pursue a Master Plan development for the Homewood Mountain Resort through the Community Enhancement Program (CEP). The goal of the CEP is to seek out projects which will demonstrate revitalization opportunities for local communities in a manner and context of the needs of those communities in which they are proposed to be located. Through the CEP program, specific criteria were developed for perspective projects designed to promote mixed-use and transit-oriented development for incentives of commercial floor area and potential modifications to current height and density standards, the effect of which will need to be studied in the proposed Environmental Impact Statement (EIS)/Environmental Impact Report (EIR).

The proposed Homewood Master Plan will target mixed-use redevelopment within its base area to the north, residential development of the base area to the south, and the development of a lodge and beginner ski area at mid-mountain. The proposed development will include the following land use elements, development incentives or land use amendments;
Residential Elements;
Residential condominiums, Single Family Residential building envelopes and Multi-family housing which is currently not allowed in Plan Area Statement (PAS) 158 McKinney Tract, (160) Homewood Residential. In order to include Multi-family residential uses, within the aforementioned Plan Areas, a Plan Area Statement (PAS) amendment will need to be approved.

Commercial Elements;
The Master Plan proposal targets the expansion and intensification of existing commercial uses within the Homewood Commercial PAS (159) adding a small grocery store, hardware store, resort retail shop, and ice cream parlor. These uses are identified in Subsection 18.4 of the TRPA Code and the Plan Area Statement as Eating and Drinking Places; Food and Beverage retail sales; and General Merchandise stores. These are “special uses” in the Plan Area Statement (PAS). The Master Plan proposal also targets the continuation of wedding/reception activities, (Personal Services), thought to have been a grandfathered activity is proposed to be added to the PAS as part of the proposed Plan Area amendment.

Mid Mountain Commercial/Recreation
The proposal seeks to replace the temporary facilities at the Mid-mountain with a new 14,000 square foot Lodge. This lodge will house the upper station of the gondola, food service for both winter and summer uses, a private club area for exclusive use of owners of the condominiums, condo-hotel units, interval ownership units, and their guests. Adjacent to the Mid-mountain Lodge will be the swimming pool intended for west shore residents’ summer use. The pool is proposed as a recreational amenity for west shore residents, while the private club is proposed as an accessory use to the residential/tourist use and thus not open to the public. The summer indoor dining area, which will serve wedding/reception uses, and 50 percent of the kitchen area, are anticipated to be commercial floor area with the CFA coming from a portion of the commodities reserved through Community Enhancement Program.

Tourist Accommodation Elements
Tourist Accommodation–Hotel/Motel - Timeshare residential uses are currently not a permissible use within the PAS 158 McKinney Tract or PAS 160 Homewood/ Residential. A plan area amendment approval will be necessary in order to introduce this use into the specified Plan Area.

This is a scoping meeting intended to elicit comments from APC members and the general public on the content and potential issues as they relate to the proposed Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) Homewood Mountain Resorts Community Enhancement Program (CEP), as initially identified in the TRPA Initial Environmental Checklist (IEC) and Placer County’s Initial Study and Checklist. The EIS/EIR is intended to specifically meet the substantive and procedural requirements of the Tahoe Regional Planning Compact as set forth in TRPA’s Code of Ordinances and Rules of Procedure (see Attachment B for process), and the California Environmental Quality Act (CEQA). The EIS/EIR will also identify any potential environmental or other impacts that could occur as a result of the implementation of the Master Plan and Community Enhance Program.

Potential Alternatives: Per TRPA Code of Ordinances Subsection 5.8.A(2) all environmental documents shall describe appropriate alternatives of action for any project which involves unresolved conflicts concerning alternative uses of available resources.
Alternatives for evaluation in the EIR/EIS will be developed in consultation with Placer County and TRPA staff based on input received from the members of the TRPA Advisory Planning Commission and general public.

As described in the Notice of Preparation, potential alternatives to the project may include, but not be limited to, the following:

- **No Action**: No redevelopment of the existing site. The project site would retain existing conditions with the requirement that BMPs be installed.

- **No Code or Plan Amendments for Building Height or Density**: Uses consistent with existing height and density restrictions would be developed.

- **Modified Mix of Uses**: A mixed-use Master Plan with an alternative mix of uses or numbers of residential units, commercial, or ski resort uses, requiring Code and PAS amendments.

In addition to the list of alternatives above, there is a possibility that the proposed HMR Master Plan may need to be modified based on potential land capability conflicts. The results from soil borings taken in the existing gravel parking lot located at the north base indicate that a portion of the gravel lot may be located within a Stream Environment Zone (SEZ). If the TRPA land capability verification process concludes that the area is SEZ, the HMR Master Plan facilities located in the affected area would have to be relocated. A revised site demonstrating the potential Master Plan change for the affected area will be available to the public and at the public scoping issues/concerns.

**Issues/Concerns**: The key impact areas are described in the attached NOP. In addition, there are five issues that need to be discussed.

- Public Review and Comment Process
- Size and Scale of the proposed project and the alternative descriptions
- Cumulative Effects
- TRPA Threshold Carrying Capacities
- Compliance with the CEP Resolution 2008-11 conditions
- Approval of an Alternative Master Plan process

**Environment Document Compliance**: A Notice of Preparation has been circulated in preparation of moving forward with the joint Environmental Impact Statement/Environmental Impact Report. The joint document is an EIS prepared by the Tahoe Regional Planning Agency pursuant to its Compact and Chapter 5 of the TRPA Code of Ordinances and an EIR prepared by Placer County pursuant to the California Environmental Quality Act (CEQA). The public scoping process will consist of a hearing before the APC, Governing Board if necessary, and a public hearing with Placer County.

If you have any questions, please contact David L. Landry, Senior Planner at dlandry@trpa.org or 775-588-4547 ext. 214.

**Attachments:**

- Notice of Preparation (Attachment A)
- TRPA Project EIS Process (Attachment B)
- Proposed Master Plan and Alternatives (Attachment C)
- Resolution 2008-11 conditions (Attachment D)
- Compliance with the CEP Resolution 2008-11 Response (Attachment E)
This notice is being issued jointly by the County of Placer, California (Placer County) and the Tahoe Regional Planning Agency (TRPA) and meets CEQA and TRPA noticing requirements for a Notice of Preparation.

NOTICE OF PREPARATION

To: California State Clearinghouse
   Nevada State Clearinghouse
   Responsible and Trustee Agencies
   Interested Parties and Organizations
   Affected Property Owners (within 300 feet of the proposed Homewood Mountain Resort boundaries)


Lead Agencies:

Tahoe Regional Planning Agency
P.O. Box 5310
128 Market Street
Stateline, NV 89448
Contact: David Landry, Project Manager
Phone: (775) 588-4547, ext. 214
Fax: (775) 588-4527
Email: dlandry@trpa.org

County of Placer
Community Development Resource Agency
Environmental Coordination Services
3091 County Center Drive, Suite 190
Auburn, CA 95603
Contact: Maywan Krach, Community Development Technician
Phone: (530) 745-3132
Fax: (530) 745-3003
Email: cdraecs@placer.ca.gov

Project Title: Homewood Mountain Resort Master Plan (HMR Master Plan)

Project Applicant: Homewood Village Resorts, LLC

Public Scoping:

The County of Placer (Placer County) and the Tahoe Regional Planning Agency (TRPA) are preparing a joint EIR/EIS to inform agency decision makers about the potential environmental effects of the proposed HMR Master Plan. This joint document will serve as an EIR prepared by the County of Placer pursuant to the California Environmental Quality Act (CEQA) and an EIS prepared by TRPA pursuant to its Compact and Chapter 5 of the Code of Ordinances. This notice meets the CEQA and TRPA noticing requirements.
for a Notice of Preparation (NOP). The purpose of this NOP is to inform agencies and the general public that this environmental document is being prepared for this project and to invite specific comments on its scope and content.

The views of interested persons, organizations, and agencies as to the scope and content of the information to be included and analyzed in the EIR/EIS are requested. Agencies should comment on the elements of the environmental information that are relevant to their statutory responsibilities in connection with the proposed project. The project description, location, alternatives to be evaluated in the EIR/EIS, and potential environmental effects of the proposed project and alternatives (to the extent known) are provided below and contained in Attachment A, Initial Study and Checklist.

In compliance with the time limits mandated by TRPA and CEQA, responses should be sent at the earliest possible date, but not later than by October 2, 2008 to the TRPA or Placer County contact person listed above. If you represent a public agency, private firm or other entity, please indicate a contact person on your response. Duplicate responses to both lead agencies are not required.

In addition to the opportunity to submit written comments, public scoping meetings are being conducted to provide an opportunity to learn more about the proposed project and to express oral comments about the content of the EIR/EIS. The scoping meetings will be held at the following times and locations:

- **Wednesday, September 10, 2008**
  - Meeting Begins at 9:30 AM
  - TRPA Advisory Planning Commission
  - TRPA Board Rooms
  - 128 Market Street
  - Stateline, NV 89449

- **Tuesday, September 23, 2008**
  - 4:00 PM to 6:00 PM
  - Public Scoping Workshop
  - Granlibakken Resort
  - 725 Granlibakken Road
  - Tahoe City, CA 96145

**Signature:** ________________________________  **Date:** August 29, 2008

David Landry, Environmental Review Services, TRPA

**Signature:** ________________________________  **Date:** August 28, 2008

Gina Langford, Community Development Resource Agency, Environmental Coordination, Placer County
Summary: Homewood Village Resorts, LLC seeks the study and approval of the HMR Master Plan in order to develop and upgrade a mixed-use base area to the north, a residential base area to the south, and a mid-mountain lodge and support facilities. The HMR Master Plan is a mixed-use project developed under the guidelines included in TRPA Community Enhancement Program, August 2007. During the past several years, Homewood Village Resorts, LLC held a number of workshops with residents of the West Shore communities, homeowner’s associations, and civil organizations with over 1,000 persons participating and providing input to the development of the HMR Master Plan concept. Additionally, Homewood Village Resorts, LLC met with TRPA and Placer County staff to discuss the concept and incorporate place-based planning and visioning input received during the preparation of TRPA’s Regional Plan Update.

Project Location: The 1,200-acre HMR Master Plan area lies in the Tahoe region of the Sierra Nevada Mountains west of Lake Tahoe and is located approximately six miles south of Tahoe City within Placer County, California. The HMR Master Plan area is bound by State Route (SR) 89 and Lake Tahoe to the east, Ellis Peak to the southwest, and Blackwood Ridge to the north. The project area is typically accessed via Interstate 80 to West Lake Boulevard (SR 89). The TRPA assessor parcel numbers for the proposed project include: 097-060-024, 097-140-003, 097-140-033 and 097-130-034. Figure 1 illustrates the extent of the project location.
PROJECT OBJECTIVES

The HMR Master Plan has been developed to optimize the quality of the existing winter ski experience and improve the year-round use of the site while responding to changes in technology, market trends and user preferences.

The overall density of the proposed HMR Master Plan is guided by three principles or objectives that developed as a result of extensive input from the West Shore communities. These principles include:

- Consistency with the scale and character of Homewood, California;
- Enhance the lifestyle and property values of west shore residents; and
- Generate sufficient revenues to support the proposed environmental and fire safety improvements and ensure the continued viability of the ski operations.

DETAILED PROJECT DESCRIPTION

The HMR Master Plan is a conceptual plan to redevelop a mixed-use base area to the north, a residential base area to the south, and a mid-mountain lodge and beginner ski area. The proposed project is shown on the mapping in Attachment B and includes the following:

**North Base Area.** The approximately 18-acre north base area will include up to 16 residential condominiums, up to 40 fractional ownership units, up to 30 penthouse condominium units (upper floors of the hotel), and up to 75 traditional hotel rooms. Additionally, up to 40 two-bedroom for sale condominium/hotel units (up to 20 of which will have one-room lock-offs), and up to 25,000 square feet of commercial floor space and up to 12 workforce housing units will be requested. An approximately 28,000 square foot base mountain facility will replace existing day skier services and will include food and beverage service, adult and children’s ski school services, rental, shop, locker facilities, restrooms, first aid, and mountain administration and operations offices.

There will be approximately 810 parking spaces provided at the North Base, including approximately 300 day use parking spaces in a three-level parking structure, approximately 60 limited surface parking spaces at the retail and skier drop off area, and around 450 underground parking spaces directly below the building foot print of the hotel and skier services facility. The commercial floor space and workforce housing are designed to front the residential neighborhood and a day skier parking structure.

The up to 75 room hotel/lodge will be a high quality boutique-style hotel, coupled with high level amenities to attract guests. The boutique-style hotel rooms will be combined with up to 40 proposed two-
bedroom condominium/hotel units (up to 20 with one-room lock-offs). The condominium/hotel units will be individually owned and owners will be offered full services.

The top floor of the hotel/lodge building will include approximately 30 individually owned, penthouse condominium units. The lodge will also include a full service restaurant and a spa and fitness facility. In addition to the lodge building, another 16 residential condominiums and up to 40 fractional ownership units will be spread between 1, 2 and 3-story buildings throughout the north base. Some of these units will be located in mixed-use buildings above the village retail space.

Also proposed are 12 workforce housing apartments with two bedrooms each with the ability to sleep up to four employees in each apartment unit.

The north base proposal has been accepted into and will be designed under the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) for Neighborhood Pilot Program.

**South Base Area.** The approximately 6-acre south base area will include up to 99 residential condominiums. The residential condominiums will be spread throughout the south base area in four buildings that will not exceed three stories. The residential units will replace the current children’s facilities, ski school and day lodge buildings. Additionally, a rubber tire vehicle maintenance facility will replace the existing full vehicle shop/maintenance facility with all snow based equipment being relocated to a new mid-mountain located facility.

All existing South Base day-skier access will be relocated to the North Base to reinforce the sense of a neighborhood residential area. There will be up to 177 underground parking spaces located directly below the residential footprints, which utilizes the excavation required for the building foundations and allows for more pervious landscape surfaces around the buildings in lieu of surface parking.

The south base will be transformed into a mini village to serve existing area residents and new homeowners and although not part of the LEED pilot program will be designed using the LEED criteria as a template. During peak seasons, the area will include a restaurant in one of the residential buildings that will also be restricted to south base residents.

**Between North and South Base Areas.** Above Sacramento Road there is a 2.5-acre Planned Development lot where 11 single-family building envelopes will be developed by Homewood Village Resorts, LLC. The street will terminate at the single-family area and will be used by only the seven existing homes and the 11 new residents.
**Mid-Mountain:** The mid-mountain will include: a new approximately 15,000 square foot day-use lodge with a gondola terminal; a new learn to ski lift; a food & beverage facility with outdoor dining; small sundry outlet; and an outdoor swimming facility for use during the summer months. The new mid-mountain lodge replaces the white tent structure and the existing concrete foundation located near the mid-mountain. As part of the new development, the existing composting toilet/restroom will be removed and replaced with connection to public sewer system as required by Placer County Health and Human Services Department. The snow based vehicle shop/maintenance facility (coverage relocated from the south base area) will be relocated to the mid-mountain. Two water storage tanks will also be located at mid-mountain above the vehicle shop/maintenance facility.

**Accessory buildings.** Several small accessory buildings will be associated with snowmaking operations (e.g., new/updated pump houses) and micro-hydro generation. There will be retaining walls and slope stabilization associated with various buildings. All buildings are designed to minimize cut and fill slopes and overall impacts.

**Roads.** On-site roads that are not decommissioned and restored will be used for mountain operations during summer. The private extension of Tahoe Ski Bowl Way may be used year round. Off-site roads to be evaluated for improvements include SR89, Silver, Fawn, Sacramento, and Tahoe Ski Bowl Way. Per County standards, roadways plans shall include appropriate street improvements (e.g., existing pavement limits and proposed), existing and proposed right-of-way, and any necessary measures (e.g., drainage facilities, cut and fill slopes, street cross sections)

**Utilities.** Power lines (32 KV or less) will be installed underground within the project area and along the SR 89 corridor. An overhead power utility corridor currently exists, and will be utilized for future sub-surface placement of electric power, in collaboration with Sierra Pacific Power Company. HMR will participate in the funding for planning and construction of the sub-surface electric lines within the proposed development boundary.

**Linkages, etc.** The project will integrate a TCPUD bike path into the North Base area. A proposed 8-passenger gondola will bring guests up to the mid-mountain area. The existing TART stops will be furnished with shelters, and proposed dial-a-ride, shuttle, and water taxi services will expand alternative transportation options to reduce vehicle miles traveled (VMTs). Offsite improvements necessary to mitigate identified impacts, if any, will also be included in the environmental analysis.

**People at One Time (PAOT).** TRPA requires an allocation of PAOTs for expansion of ski areas that include increased uphill lift capacity. At present, HMR does not expect to increase uphill lift capacity.
However, as options for transporting skiers to and around the mountain are evaluated, it may be necessary to increase uphill capacity to improve skier flow on the mountain. Should increased lift capacity be proposed, a PAOT allocation would be required for the Master Plan.

**Additional Recreation.** A new outdoor amphitheater is proposed for hosting outdoor concert events and will serve as the permanent home of the Lake Tahoe Music Festival. A cross-country ski connection, which is an extension of the old Olympic course, is proposed. Other recreational opportunities include existing downhill skiing and snowboarding, fishing, and walking trails. Proposed recreation includes ice skating, a community swimming pool, biking, and an antique miniature golf course during the summer months where the ice pond is located.

**Restoration and Water Quality.** Water quality improvements will be coordinated with Caltrans water quality improvements and Placer County Homewood Erosion Control Project to treat runoff from SR 89, local streets, and HMR. HMR is exploring the potential for reuse of this treated water. Homewood creek, which is currently collected and piped under the north-south extension of Tahoe Ski Bowl Way will be day-lighted and riparian habitat restored. The current conceptual plan includes removal of the culvert, widening of the overall stream cross-section and increasing flow length through incorporation of additional meanders within the stream channel. A bridge will be used to cross the stream while allowing for maximum stream function. Native vegetation will be used exclusively and will mimic the species composition currently in place in the undisturbed portions of the creek.

Up to 500,000 square feet of existing coverage is planned to receive BMP retrofits and water quality improvements. State grant monies in the amount of $650,000 have been awarded to Homewood to study potential mitigation measures for reducing sediment runoff in the Homewood watersheds. The monies will be used to continue the on-mountain restoration and revegetation projects. Approximately 50,000 square feet of restoration and revegetation work is planned for the summer of 2008.

**Alternative Transportation Plan.** The Alternative Transportation Plan, one of a series of transportation strategies, is planned to include the year-round, winter and summer program elements. These elements are listed below.

**Year-Round**
- Extension of West Shore Bike Trail
- Employee Shuttle Bus
- Employee Public Bus Transit Fares
- Scheduled Shuttle Service
Homewood Mountain Resort
Notice of Preparation and Determination of Scope
Page 12 of 40

- North Base-South Base Shuttle Service
- Electric/Hybrid Car Rental Service
- Free “Bicycle Share” Service

**Winter Program**
- Winter West shore Dial-a-Ride Service
- Skier Intercept Shuttle Service

**Summer Program**
- Water Taxi Service
- Summer West Shore Dial-A-Ride Service

Additional transportation strategies of the HMR Master Plan include:
- Intercept Existing Vehicle Trips
- Accommodate Summer Boat Trailer Parking on Skier Lots
- Day Skier Parking Control
- Transportation Information Exchange
- Partnering to Achieve Regional Transportation Solutions

**Land Coverage.** Homewood Mountain has over 1,780,000 square feet of TRPA verified existing land coverage. Over 400,000 square feet of this coverage is hard coverage associated with parking and ski facilities, lodges, etc., while the balance represents roads and trails on the mountain. In 2006 and 2007, HMR restored approximately 100,000 square feet of roads and trails on the mountain and plans to continue to restore unnecessary roads and trails. A significant percentage of this restored coverage will be permanently retired. The balance will be banked for possible use on the resort, or transfer to desirable uses as permitted by the TRPA Code of Ordinances.

**Reservation of Commodities.** Homewood has requested that up to 25,000 square feet of commercial floor space, 50 tourist accommodation bonus units (TABU) and 12 multi-residential bonus units (MRBU) be reserved by TRPA under the Community Enhancement Program for implementation of the proposed Master Plan.

**Environmental Improvement Project (EIP).** EIP implementation includes, but is not limited to Project Number 632 (Homewood Ski Area Master Plan), Project Number 86 (Scenic Roadway Unit 11-Homewood), and Project number 775 (Homewood Area Pedestrian Facilities) and participation in Project Number 855 (“Y” Realignment).
**Code/Plan Amendments.** TRPA will require a Code of Ordinance Amendment for height and density. TRPA and Placer County will require Plan Area Amendments for plan area boundaries, allowable uses, height and density, and special policies.

**POTENTIAL ALTERNATIVES**

Project Scoping is conducted to develop the scope and content of the information to be included and analyzed in the EIR/EIS. TRPA Code of Ordinances Subsection 5.8.A(2) requires that an EIS study, develop and describe appropriate alternatives to recommended courses of action for any project that involves unresolved conflicts concerning alternative uses of available resources. Alternatives for evaluation in the EIR/EIS will be developed in consultation with Placer County and TRPA staff based on input received from the members of the TRPA Advisory Planning Commission and general public. Potential alternatives to the project may include, but not be limited to, the following:

- No Action: No redevelopment of the existing site would occur. The project site would retain existing conditions with the requirement that BMPs be installed.

- No Code or Plan Amendments for Building Height or Density: Uses consistent with existing height and density restrictions would be developed.

- Modified Mix of Uses: A mixed-use Master Plan with an alternative mix of uses or numbers of residential units, commercial, or ski resort uses.

In addition to the list of alternatives above, there is a potential that the proposed HMR Master Plan site plan above may have to be modified based on potential land capability conflicts. The results from soil borings taken in the existing gravel lot located at the north base indicate that a portion of the gravel lot may be Stream Environment Zone (SEZ). If the TRPA land capability verification process concludes that the area of concern is SEZ, the HMR Master Plan facilities located in the affected area would have to be relocated to avoid the mapped SEZ and its setbacks. A revised site plan to show the potential HMR Master Plan change for the affected area will be available online (www.trpa.org) and at the public scoping meetings listed on page 2 of this document.

**LAND USES (TRPA PLAN AREAS, PLACER COUNTY ZONING, ETC.)**

Currently, the project area is exclusively used for a ski operation along with its accessory food & beverage and rental/retail uses. Seasonal summer uses such as wedding receptions, concerts and farmers markets and other special uses have occurred on an annual basis. The majority of the resort is located in
TRPA Plan Area Statement (PAS) 157 “Homewood/Ski Homewood Area.” A portion of the project area is located in TRPA PAS 158 “McKinney Tract”. The Placer County General Plan Land Use Classification is Recreation with a Mitigation Management Strategy. The Placer County West Shore Area General Plan also addresses appropriate development within TRPA Plan Areas 157 and 158. The surrounding land uses are predominantly Residential with the remaining uses being largely Commercial/Tourist. Both of these land use designations are typically concentrated along the adjacent SR 89 corridor. Since the project area is best characterized as a “mountain,” the topography has a wide-range of values, although the actual project (proposed development) areas range from reasonably flat (1 to 10%) upwards to slopes equal to or less than 30%. Special features onsite include, but are not limited to, Watersheds (Homewood Mountain contains all or a portion of 3 watersheds), Lakes (Quail Lake and more than half of Lake Louis), and Mixed-Conifer forests.

**POTENTIAL ENVIRONMENTAL EFFECTS**

Potential environmental effects associated with the Proposed Project are disclosed in the *Initial Study and Checklist* prepared by Placer County (Attachment A). All environmental effects and potential impacts will be explored further during project scoping and during preparation of the EIR/EIS. In addition to the environmental effects outlined in the attached Initial Study and Checklist, the EIR/EIS will also evaluate cumulative effects and attainment of the TRPA Environmental Threshold Carrying Capacities.

**Cumulative Effects.** The EIR/EIS will identify and describe recently approved and reasonably anticipated projects in the Homewood area and vicinity of the proposed project or alternatives (e.g., USDA Forest Service projects and other development projects located on the north shore), and region-wide planning efforts currently underway (e.g., Pathway 2007, the total maximum daily load requirements for Lake Tahoe). The EIR/EIS will evaluate the combined effects of these activities with related impacts of the project or project alternatives. This Chapter will also include a discussion of potential project impacts on global climate change.

**TRPA Threshold Carrying Capacities.** The EIR/EIS will include assessment of the project’s compliance with and contribution to the attainment of threshold carrying capacities adopted by TRPA.
INTENDED USES OF THE EIR/EIS

Placer County and TRPA will use this EIR/EIS to disclose potential environmental effects, and mitigation measures and alternatives that may reduce the significance of potential effects, when considering the project or alternatives for approval. State responsible and trustee agencies and federal cooperating agencies may also use this EIR/EIS, as needed, for subsequent discretionary actions. Information provided in the EIR/EIS will also be used by agencies in their permitting process, including but not limited to: TRPA and Placer County construction permits, Placer County and Caltrans encroachment permits, Lahontan Regional Water Quality Control Board National Pollutant Discharge Elimination System and 401 wetland certification permits, California Department of Fish and Game Streambed Alteration Agreements, and U.S. Army Corps of Engineers wetland permits.
1. Agency/Applicant Identifies a Need for Action and develops a Project/Proposal

2. The Agency Determines Significant Environmental Effects May or Will Occur

3. Notice of Intent to Prepare Environmental Impact Statement (EIS)

4. Public Scoping and Appropriate Public Involvement

5. Draft EIS is Prepared

6. Public Review and Comment and Appropriate Public Involvement

7. Final EIS is Prepared

8. Public Availability of FEIS

9. Decision to Certify EIS

10. Project Decision

11. If Approved: Implementation with monitoring as Provided in the Decision
## Matrix for the master plan alternatives

<table>
<thead>
<tr>
<th></th>
<th>Alternative 1</th>
<th>Alternative 2</th>
<th>Alternative 3</th>
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<td><strong>North Base</strong></td>
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<td>8</td>
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<td>Skier Services</td>
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<td>810</td>
</tr>
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</table>

**Alternative (SEZ)**

| Parking spaces      |               |               |               |
| Day skier structure | 260           | 260           | 260           |
| Surface parking     | 60            | 60            | 60            |
| Underground         | 450           | 450           | 450           |
| Total parking       | 770           | 770           | 770           |
| Workforce Housing   | 10            | 10            | 10            |

**South Base**

|                     | Alternative 1 | Alternative 2 | Alternative 3 |
| Residences Condos   | up to 99      | up to 99      | up to 99      |
| Maintenance         | 3,000 sf      | 3,000 sf      | 3,000 sf      |
| Parking spaces      | 177           | 177           | 177           |
| Residential Lots    | 0             | 0             | 0             |

Notes: (1) up to 40 condo/hotel units, 20 of which could have lock-off's

DL/ps 21
09/03/2008
Existing Site Plan
Proposed Master Plan Overall Site Plan
Proposed Master Plan Upper Mountain Site Plan
Proposed Master Plan Building Coverage North Lodge
No Code or Plan Amendments
Conceptual/Preliminary plan sketches for the two Homewood master plan alternatives
Modified Mix of Uses Alternative
Conceptual/Preliminary plan sketches for the two Homewood master plan alternatives
Conceptual Master Plan
TAHOE REGIONAL PLANNING AGENCY
RESOLUTION NO. 2008 – 11

A RESOLUTION APPROVING AN INITIAL RESERVATION OF SPECIAL PROJECTS
ALLOCATION OF COMMERCIAL FLOOR AREA, TOURIST ACCOMMODATION BONUS
UNITS, AND MULTI-RESIDENTIAL BONUS UNITS TO ELIGIBLE PROJECTS IN
ACCORDANCE WITH CHAPTER 33 AND 35 OF THE TRPA CODE OF ORDINANCES

WHEREAS, Chapter 33 of the TRPA Code sets for the methods and time
schedules for reserving commercial floor and tourist accommodation for special projects;
and
WHEREAS, Chapter 35 set forth the methods for reserving multi-residential
bonus units for projects; and

WHEREAS, Chapter 33 also was enacted pursuant to Article V(g) of the
Compact to codify and implement the requirement to ensure attainment and
maintenance of the thresholds;

WHEREAS, Chapter 33 is designed to implement and coordinate the growth
management provisions of the Regional Plan Package and provide guidance to the
Governing Board during the ongoing implementation and process; and

WHEREAS, the goals and requirements of the Code Subparagraph 33.3.D (3)
Special Projects have been incorporated into the Community Enhancement Program
released August 1, 2007; and

WHEREAS, the Community Enhancement Program sets forth the goals,
evaluation criteria, time schedules, and pre-application requirements for the designation
of project proposals as Community Enhancement Program/Special Projects and the
reservation of commercial floor area, tourist accommodation bonus units, and multi-
residential bonus units for those designated proposals.

WHEREAS, Chapter 33 and the Community Enhancement Program called for
the completion and action of mixed used projects that implement environmental
improvement projects and provide substantial environmental benefits or mitigation in
excess of the TRPA project mitigation requirements; and

WHEREAS, per Chapter 33, staff provided adequate public notice (90 days) in
advance of any action to reserve commercial floor area, tourist accommodation bonus
units and multi-residential bonus units,

WHEREAS, the Performance Review Committee completed review of the
Community Enhancement Program/Special Project criteria and staff recommendation for
the reservation of allocations and forwarded their recommendation to the Advisory
Planning Commission; and

WHEREAS, the Advisory Planning Commission completed review of the
Community Enhancement Program/Special Project criteria and staff recommendation for
the reservation of allocations and forwarded their recommendation to the TRPA
Governing Board.
WHEREAS, TRPA and Local Jurisdiction staff utilized the CEP/Special Project criteria to review the pre-applications and have made appropriate recommendations to the Governing Board; and

WHEREAS, the TRPA Governing Board has reviewed the staff summary and recommendations, and other updates and information submitted at its July 25, 2007, November 28, 2007, January 23, 2008, and February 27, 2008 meetings; and

WHEREAS, any commercial floor area, tourist accommodation bonus units, or multi-residential bonus units not utilized by any of the project proposals listed below, will be returned to the allocation pool and assignment of those allocations would be subject to a subsequent Governing Board action; and

WHEREAS, the amount of commercial floor area requested by each proposals has been proportionally reduced by 7.05% to accommodate all the proposals; and

NOW, THEREFORE, BE IT RESOLVED THAT the Governing Board of the Tahoe Regional Planning Agency hereby amends Resolution 98-8, and designates the following project proposals as Community Enhancement Program/Special Projects and initially reserves these proposals commodities as outlined in the Table 1, below:

Table 1:

<table>
<thead>
<tr>
<th>Community Enhancement Project Proposals</th>
<th>Commercial Floor Area (square feet)</th>
<th>Tourist Accommodation Units</th>
<th>Multi-Residential Bonus Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Placer County</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BB LLC</td>
<td>46,475</td>
<td>0</td>
<td>10</td>
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<tr>
<td>Ferrari</td>
<td>27,048</td>
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<td>25</td>
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<tr>
<td>Domus</td>
<td>8,175</td>
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<td>79</td>
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<tr>
<td>KB Resorts</td>
<td>6,971</td>
<td>0</td>
<td>8</td>
</tr>
<tr>
<td>Pastore</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ryan</td>
<td>2,383</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>Homewood</td>
<td>23,237</td>
<td>50</td>
<td>12</td>
</tr>
<tr>
<td>Washoe County</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boulder Bay LLC</td>
<td>0</td>
<td>40</td>
<td>48</td>
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<tr>
<td>City of South Lake Tahoe</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Former</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mikasa</td>
<td>43,872</td>
<td>0</td>
<td>24</td>
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<tr>
<td>South Y</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kmart/Raleys</td>
<td>15,801</td>
<td>0</td>
<td>45</td>
</tr>
</tbody>
</table>

BE IT FURTHER RESOLVED THAT the Governing Board hereby declares that at the time a project application to TRPA and the local jurisdiction is received, the project proposals designated as Community Enhancement Program/Special Projects shall be consistent with the goals and objectives of the Community Enhancement Program and the proposal concepts reviewed by staff in their pre-application packages.
BE IT FURTHER RESOLVED THAT the Governing Board hereby declares that the designation of the above proposals and the reservation of commodities are subject to the conditions as generally outlined in Exhibits 1-9.

BE IT FURTHER RESOLVED THAT TRPA recognizes that the project development process is fluid and that the details of project proposals are likely to change over time after the formal applications are submitted based on at least considerations of feasibility as well as the outcome of the environmental review analyses, and therefore the project conditions stated as requirements may be amended added to, or deleted, and further may not need to be met in every detail. The project conditions as generally set forth or as may be added should be viewed as statements of issues that must be addressed to the full satisfaction of TRPA at the appropriate point in the project development process and no later than the time the project is considered for decision by the TRPA Governing Board.

BE IT FURTHER RESOLVED THAT the adoption of this resolution by the TRPA Governing Board is a set aside of commodities from the Special Projects pool for planning purposes only. The Board’s action is not a project approval or guarantee of any kind that the project, in any form, must be or will be approved. The CEP project applicants alone assume all risks of development, including the outcome of any future decisions of TRPA, and this reservation of allocations must not be construed as an entitlement or vested right of any kind.

BE IT FURTHER RESOLVED THAT the Governing Board hereby declares that this reservation of commodities shall expire on, Wednesday, February 25, 2009, unless extended by TRPA upon a showing of adequate progress toward project approval.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at its regular meeting held on February 27, 2008, by the following vote:

Ayes: Ms. Aldean, Mr. Biaggi, Ms. Bresnick, Mr. Galloway, Mr. Kranz, Ms. McDermid, Mr. Merrill, Mr. Miller, Mr. Ruthe, Ms. Santiago, Mr. Swobe, Mr. Waldie, Mr. Weber

Nays:

Abstain:

Absent:

Mara Bresnick, Chair
Tahoe Regional Planning Agency
Staff Response
During the APC hearing Staff will present additional comments pertaining to the applicant’s approach to the Requirements for Participation in the Community Enhancement Program.

Requirements for Participation:

Scale, massing, height, and community character:
TRPA recognizes that additional height is an incentive that may be used to achieve environmental and public gains. TRPA requires that the greatest height be significantly set back from the streets and located more toward the middle of the building. Site context, varying step backs, roof pitch, and articulation must be considered for additional height to be appropriate for this location. TRPA may consider an alternative method of measuring height in sloped situations. TRPA’s design guidelines provide details in relation to stepping a building with the contours. The use of a building envelope that would allow a building to stair step up a slope to a max of 50 ft. at the highest pt. of the envelope/slope, depending on the elevation, may be appropriate for this site. This approach may limit and potentially eliminate the amount of grading/cut required for building foundations which would be an added environmental benefit.

Response: SITE AND ARCHITECTURAL DESIGN CONCEPT:
The new Homewood Resort design is conceived as an alpine village community in the architectural style of the classic old Tahoe lodges focused on the gamut of four season activities in the project program. The site design strategy is to cluster development in two separate base villages maximizing the amount of natural land and open space. Buildings have been arranged on the site to create several distinct neighborhoods within the development focused around key recreational uses such as gondola staging, ice pond, lodge hotel, shops and restaurant venues. Two-story structures are located along highway 89 with taller structures placed further up the slope while pedestrian plazas of the village occupy the space between. By placing building masses on the site at various angles and heights, and stepping the buildings with the topography, the informal massing of a hillside village is created.

Certain architectural features, in particular, gable and hipped roof shapes, dormer configurations, as well as the use of exposed timber and natural materials are designed to express the Tahoe lodge design theme in the manner of the Tahoe Tavern and Ehrman Mansion. These and similar National Park Service structures, exemplified by such buildings as The Ahwahnee Hotel and Timberline Lodge, stand powerfully on the land, all on the most sensitive of sites, expressing the theme of man and nature simultaneously. However, because of the wooded site and the placement of lower scale buildings along the highway, the larger scale and taller parts of the project will not be readily apparent from the highway and will only be experienced from within the site.

The concept of a clustered hillside village and architecture in the tradition of classic Tahoe lodges is currently not possible within TRPA’s height measurement rules. This is because maximum height is measured from a point of lowest grade along a building’s exterior wall to highest point on the roof. The height limit for a building becomes a level plane at the maximum allowable height set by the lowest point of grade and ignores the configuration of the site’s topography. This method of measurement penalizes buildings on sloping land and discourages tight hillside village concepts. Additionally, architectural elements common to alpine and rustic vernaculars such as steeply sloping gable roofs are not accounted for.

A possible method of measurement responding to clustered alpine villages might be to establish a measurement plane that slopes with existing topography and allows for some architectural elements to extend above the plane by a certain percentage or be measured to the midpoint of roof slope. Similar
methods establish a level plane for a building but allow the down sloping height to exceed the standard height by a certain percentage depending on degree of slope. The design team is in the process of developing an interactive computer model that will allow quick viewpoints and animations to be taken from any location on the project. Height and massing issues can then be understood visually from the point of view of anyone on or in the vicinity of the site rather than relying on strict dimensional limits.

**Coverage reduction:**
TRPA requires substantial land coverage reduction for this overall project. The increase in density and height must result in an overall reduction in land coverage. Please specify the percentage of land coverage reduction proposed for this overall project.

**Response: COVERAGE:**
Homewood Mountain has TRPA verified existing land coverage of over 1,780,000 s.f. Over 400,000 s.f. of this coverage is hard coverage associated with parking and ski facilities, lodges, etc., while the balance represents roads and trails on the mountain. In 2006 and 2007, HMR restored approximately 100,000 s.f. of roads and trails on the mountain and plans to continue to restore unnecessary roads and trails. A significant percentage of this restored coverage is planned to be permanently retired. The balance will be banked for possible use on the resort, or transfer to desirable uses as permitted by the TRPA Code of Ordinances.

HMR anticipates that at least a portion of the proposed additional height for the master plan development will be earned by retirement of some of the above land coverage.

**Scenic Evaluation:**
A Scenic/Visual analysis of the roadway unit and demonstration as to how it will enhance the scenic travel route rating is required for this project. Additionally, portions of your project will be visible from Lake Tahoe. The scenic analysis must also include an analysis of how the scenic threshold will be potentially impacted and any impacts mitigated.

**Response: SCENIC:**
HMR is working with its design team to reach a sufficient level of design to enable it to proceed with scenic analysis for both highway and Lake views.

Although there will be at least a small portion of the development which will be visible from the Lake, the property and proposed development is outside the “Shoreland” and therefore will be evaluated along with the highway views under the applicable elements of the Scenic Quality Improvement Program. HMR anticipates that although more buildings will be visible from the highway and Lake, the removal of surface parking and dilapidated buildings, construction of new buildings which are consistent with TRPA and Placer County design standards, addition of extensive landscape plantings, setback of buildings from the roadway, and stepping buildings up and away from the roadway will contribute to an overall improvement of scenic quality.

**Environmental Improvements/ Environmental Improvement Program (EIP):**
For commodities to be reserved and projects to be approved, CEP projects must commit to substantial environmental improvements, which must include specifically identified EIP projects. The project proposes a number of environmental benefits/improvements. TRPA requires written commitments regarding the funding, construction, and overall maintenance/monitoring for the specific EIP proposals. Some EIP components that were discussed in the pre-application or in verbal conversation are listed below:

a. TRPA supports storm water from Highway 89 and the Homewood site being diverted to properly sized treatment facilities that are constructed and maintained by Homewood Mountain Resort. Provide details and commitments regarding the Homewood water quality improvements and how they will be integrated with the Caltrans water quality improvements and the Placer County Homewood Erosion Control Project. Specifically, evaluate and specify the quantifiable reduction of
sediment loads entering Lake Tahoe in the Homewood area garnered through the construction of these targeted water quality facilities?
b. Provide design and written commitments for the implementation of the bike trail improvements referenced in the CEP application through the Homewood project area.
c. Provide details and commitments regarding the under grounding of the utilities that cross the Homewood site.
d. Provide details and commitments regarding the day-lighting of the creek under the ski-bowl (new residential area) parking lot. Also, explore possibilities to restore creek/SEZ along proposed cat road between base areas.
e. Additionally, consider participation in the Hwy. 89 re-alignment EIP project # 855 at Tahoe City.

**Response: HIGHWAY 89 STORMWATER TREATMENT:**
Fine sediment (<63 µm), nitrogen, and phosphorus are the primary pollutants contributing to the loss of clarity in Lake Tahoe. Over 70% of the fine sediments causing loss of clarity comes from the developed urban uplands, primarily through stormwater runoff. A significant source of sediment in this area comes from the Caltrans’ application of sand for traction control. Homewood Mountain Properties (HMP) plans to reduce the Total Maximum Daily Loads (TMDLs) within their development footprint through implementation of sound best management practices (BMPs) that will reduce sediment and nutrient sources. In addition, through improvements to the collection systems in the Caltrans easement, stormwater will be treated and/or infiltrated on the Homewood Mountain Properties parcel. By capturing run-off from Highway 89, the project should effectively capture and treat all sediment applied to the roads for traction control by Caltrans in the winter months. HMP will provide all funding for planning, construction, maintenance and monitoring of BMPs within the parcel ownership, however an agreement will need to be reached with Caltrans regarding maintenance associated with the improvements along Highway 89.

**Response: BIKE TRAIL IMPROVEMENTS**
Homewood Mountain Resort will incorporate a bike path into the future development. The bike path will be designed and constructed to meet all safety standards for slope and width, and will have standard pavement markings and signs to designate its course along both the Highway 89 Caltrans easement and through the future Homewood development. HMR will participate in the funding for planning, construction, and maintenance of the bike trail through the proposed development.

**Response: UNDERGROUNDING OF UTILITIES**
Power lines (32 KV or less) will be installed underground within the project area and along the Highway 89 corridor. An overhead power utility corridor currently exists, and will be utilized for future sub-surface placement of electric power, in collaboration with Sierra Pacific Power Company. HMR will participate in the funding for planning and construction of the sub-surface electric lines through the proposed development.

**Response: DAYLIGHTING OF STREAM**
Homewood Creek will be ‘Daylighted’ in the area where that creek passes under the north-south extension of Tahoe Ski Bowl Way. Daylighting is a process whereby a constrained creek or water body is released from that constraint, in this case the culvert that is used to pass the creek beneath the road. The current conceptual plan includes removal of the culvert, widening of the overall stream cross-section and increasing flow length through incorporation of additional meanders within the stream channel. A bridge will be used to cross the stream while allowing for maximum stream function. Native vegetation will be used exclusively and will mimic the species composition currently in place in the undisturbed portions of the creek.

These restoration elements will be used to increase function within and adjoining the creek. Sediment production will be reduced through velocity reduction during low flow regimes by increasing flow length and vegetation flow interception. Bank sediment production will be minimized through the strategic use of vegetation and rock placement, exclusion of foot traffic and soil restoration. In-stream function will be
improved by designing proper width to depth ratios and designing for maximum macro invertebrate habitat.

**Hwy 89 EIP re-alignment:**
Additionally, consider participation in the Hwy. 89 re-alignment EIP project # 855 at Tahoe City.

**Response: PARTICIPATION IN EIP #855**
HMP will participate in discussions regarding funding for planning, construction, maintenance and monitoring of this project.

**Green building commitments:**
TRPA requires that each of the project’s buildings meet the minimum LEED certification and make a long term commitment to maintain the certification. In California, this may be a minimal request given the State requirements relating to Title 21. The applicant should strive to achieve higher certification, but this is not a requirement.

Provide confirmation that the proposal has been accepted into the pilot LEED for Neighborhood Development program, and commit to achieve certified LEED for Neighborhood Development program status. TRPA requires that each CEP project be scored using the criteria in the pilot LEED for neighborhoods program and obtain a minimum score of 40.

**Response: GREEN BUILDING**
*Included with this submittal is a copy of the acceptance letter of the Homewood North Base mixed use development proposal into the U.S. Green Building Council LEED for Neighborhood Development Pilot Program. We are also forwarding a draft copy of the Homewood Green Guide which is being jointly authored by the Sierra Business Council along with JMA Ventures and the project planning team (architects, engineers, environmental consultants).*

**Transfer of development:**
Promote transfer of development that results in substantial environmental benefits. The proposal requests 50 TABUs that require a 1 to 1 transfer of TAUs from sensitive parcels. Provide specific details on where the 25 units on sensitive parcels are located (APN, Transfer applications, etc). Please be aware that TRPA understands the location of the units lies within the North Stateline CP. This CP contains policies that encourage the transfer of TAUs into this area, not out of the area. Provide an explanation as to why the transfer of these commodities out of this CP would be considered beneficial.

**Response: TRANSFER OF DEVELOPMENT FROM SENSITIVE LANDS:**
HMR proposes to transfer approximately 139 TAUs from a site in the North Stateline Community Plan that has been verified as primarily class 3. The class 3 portion of the site, the location of the Tahoe Inn and adjacent parcel on which 45 units are banked, is proposed to be restored to its natural condition. Verification of the existing units of use (TAUs and ERUs) and coverage is pending with Placer County. TRPA has been asked to confirm the land capability overlay map adopted with the CP or if necessary verify land capability.

HMR is pursuing a possible partnership with the Workforce Housing Association of Truckee-Tahoe (WHATT) to evaluate the class 4 portion of the site for a possible affordable housing project.

While we are aware that the CP policies encourage transfer into this area, we believe that the subject site is primarily too sensitive to redevelop, and that the greatest overall environmental and economic benefit to the community and Tahoe Basin will be achieved by the proposed transfer and use of these rights at HMR. Additionally, recent approval of redevelopment of the CalNeva Lodge, and proposed expansion/redevelopment of the hotel portion of the Biltmore will likely bring the Stateline area density to a point where traffic and other issues would reduce the economic viability, if not the ability to meet required environmental standards for redevelopment of the 139 units at the Tahoe Inn.
Conversely, the proposed use of the subject TAUs and bonus units will enable HMR to be converted from a day skier operation with all guests coming and going every day to more of a destination resort where guests will stay several days and not use their cars while there. The HMR proposal will result in a much more environmentally friendly recreation experience, reduced dvp, and improved air quality.

**Housing:**
1. TRPA requires additional information on the project's impact on the local affordable housing stock and what measures are being proposed to mitigate any potential loss. Provide details on the specific Placer County requirements for employee housing. The proposal provides for some units to be located on-site; specify the location of the balance of the employee housing units proposed to be built. Provide details on the location, number of units, type of housing, travel distances and transportation options.

   **Response: EMPLOYEE HOUSING**
   The proposed master plan includes up to 12 workforce housing apartment with two bedrooms each and the ability to sleep up to four employees in each apartment unit. The 12 apartments could potentially provide beds for up to 48 full time employees. The number of full-time equivalent employees, and the related housing requirement from Placer County is still being evaluated.

   HMR and JMA are entering into an agreement with the Workforce Housing Association of Truckee-Tahoe to find workforce housing solutions for the balance of the full time employees generated by the proposed master plan. We are currently working on identifying potential options to house the balance of employees including securing additional workforce housing beds within a close proximity to Homewood. A detailed workforce housing plan will be provided in consultation with WHATT at a later date.

2. Clarify and detail the proposed residential ownership of south base area.

   **Response: SOUTH BASE RESIDENTIAL OWNERSHIP**
   The South Base plan calls for the development of a residential neighborhood with three story residential condominiums organized at the base of the ski slopes into four separate buildings. The south base neighborhood will include 120 residential condominiums that would be wholly owned by private parties (market rate for sale residences). Parking for the residences will be provided below grade directly underneath the building footprints. Existing day skier access will be completely relocated to the north base along with the removal of all existing day skier parking. The buildings are being designed in such a way that they appear to be three story from street level as well as viewed from up slope. The roof pitch will contain residential units which is effectively the third level of the buildings; this taking advantage of the roof volume.

3. Deed restrictions are required in perpetuity for the use of MRBUUs for affordable housing.

   **Response: Deed Restriction Requirements:**
   HMR is aware that use of MRBUUs for affordable housing comes with a requirement that the resulting units be deed restricted as affordable units in perpetuity.

4. Transit oriented development:
   To promote Transit Oriented Development, TRPA requires the proposed project to meet minimum density and floor area standards that promote transit and walkability.

   **Response: 8 UNITS PER ACRE MINIMUM:**
   The master plan density is roughly 10 units per acre between the north and south base areas. There is a similar density requirement for participation in the LEED for Neighborhood Development Pilot Program.
Parking/Transportation:
1. TRPA requires a parking analysis that provides details and commitments on the overall parking strategies including proposed on-site facilities, utilization of satellite parking to reduce on-site parking demands, links to existing transit system, shuttle system details, and water taxi details.

2. TRPA requires an estimate of VMT reduction, strategies and methodology.

3. A kiosk with signs, maps, etc., that provides linkages to schools, community facilities, bike paths will be required to be located on site in or near the transit center/shelter.

Response: PARKING DETAILS:
A detailed parking demand analysis will be provided once plans are finalized. Based upon parking codes, a review of parking requirements at similar mountain resort developments and the specific characteristics of the site, on-site parking will be provided adequate to serve the needs of the lodging, residential, fitness center, commercial land uses, as well as a portion of the day skier parking. To minimize both the impacts on the site as well as traffic on SR 89, day skier parking is planned to be limited to 400 spaces. In addition, on peak winter days all employees will be prohibited from parking on-site (other than for the on-site employee housing units).

The additional access required to address the limitations to on-site parking will be provided through the following transit strategies:

- **Employee Shuttle Bus** – Employee shuttle buses will be operated during both summer and winter seasons from employee housing areas on the North Shore and from intercept parking lots, thereby reducing employee vehicle traffic. Up to two vehicles will be operated to fully meet the ridership demand.

- **Employee Public Bus Transit Fares** – HMR will provide free passes for Tahoe Area Regional Transit services to all HMR employees, for those that find TART services more convenient than the employee shuttle buses.

- **Scheduled Shuttle Service** – A scheduled shuttle vehicle will be operated between Homewood and Tahoe City seven days a week, from 7 AM to 11 PM, during the summer and winter seasons. This service will be operated at least hourly, and will be scheduled to complement existing TART schedules. A modest fare (consistent with TART fares) will be charged for passengers that are not HMR guests or residents.

- **Winter West Shore Dial-A-Ride Service** – HMR will operate a Dial-A-Ride transit program serving the West Shore, with up to ten vehicles in operation at peak times in winter. Service will be provided as far north as Tavern Shores and Granlibakken, and as far south as Rubicon Bay (excluding the Talmont and Upper Ward Canyon areas), providing service from 8:00 AM to 6:30 PM. Within this service area, residents and visitors will be able to call for pick-ups for service to the HMR base area. Service could generally be provided within 15 minutes of a request. For major lodging centers (such as Sunnyside or Granlibakken), a specific schedule of service times could be established in order to better group passengers. In the opposite direction, specific departure times from the base areas would be established (such as once every half-hour), with passengers simply telling the driver their desired destination. This will be similar to the successful Dial-a-Ride program in the Northstar area, which carries 22 percent of local residents to and from the Northstar ski lifts.

- **Summer West Shore Dial-A-Ride Service** – An on-demand dial-a-ride service will be operated for persons traveling to or from HMR, seven days a week from 8 AM to 6 PM. Up to three vehicles will be used to operate this service, which will accommodate rides to/from the Resort in an area bounded by Granlibakken Road to the north and Sugar Pine Point to the...
south. This is similar to the existing summertime service provided by Chamberlands to Chambers Landing beach. A modest fare (consistent with TART fares) will be charged for passengers that are not HMR guests or residents. This service is expected to be particularly useful for West Shore residents visiting the resort in the summer to use the pool.

- **Skier Intercept Shuttle Service** -- Skier shuttle services will be provided from off-site skier parking lots in the Tahoe City / Sunnyside area to the north and in Tahoma to the south. Up to four buses will be used in this service to meet the peak ridership demands.

- **Water Taxi Service** -- A service will be operated using a vessel with at least a 25-passenger capacity between Homewood and Tahoe City. This service will be operated seven days a week between 9 AM and 8 PM, on at least an hourly frequency. HMR residents and guests will be served at no fare, while other passengers will be served as space permits for a modest fare. As this service will provide an opportunity to get out on the Lake while also avoiding the traffic congestion in the Fanny Bridge area, it is expected to be well utilized.

As the plans for HMR include a substantial reduction in day skier parking, another important element of the parking strategy will be to actively eliminate on-street skier and employee parking near the project site. While the alternative transportation program (specifically the intercept parking shuttles and Dial-A-Ride program) will be provided to accommodate day skier access, it will be important to control parking near the HMR base areas in order to reduce impacts on the resort’s neighbors. JMA Ventures is committed to a parking control program on nearby state and county roadways to eliminate shoulder parking by day skiers. This will include parking regulations, enforcement, and a monitoring program to ensure that the parking control program is effective.

Considering the limitations that will be placed on the peak number of skiers, the increase in skiers lodged on the site, the limitations on day skier parking, the limitations on employee parking, and these alternative transportation strategies, it is forecast that 200 off-site parking spaces will be required on a busy (10th highest) winter day (92 for day skiers and 108 for employees). JMA Ventures is currently in negotiations with individual property owners to obtain rights to these spaces and it is premature to identify specific locations at present. We are confident that at least 200 spaces can be defined, with the majority in the Tahoe City / Sunnyside area and the smaller proportion in the Tahoma area (for skiers and employees approaching from the south). We are also confident that these spaces will not require new parking to be constructed solely due to the HMR parking needs. It is expected that most or all of these off-site spaces will be near existing TART bus stops. All sites – served by TART or not – will be served by HMR shuttle buses.

**Response: VMT REDUCTION:**
A full evaluation of VMT impacts will be presented in the project’s traffic/parking study, to be completed once plans are finalized. Key strategies planned to reduce VMT consist of the following:

- **Limiting Day Skiers** – JMA Ventures has committed to limiting the number of skiers at any one time to 3,300. The new residents and guests of the resort are estimated to result in 644 skiers on a peak winter day that wake up within an easy walk of the lifts. On a peak day, therefore, the number of day skiers will be no more than 2,656, which is a substantial reduction from current levels.

- **Intercept Existing Vehicle Trips** – One key transportation strategy is to minimize the need for travel. The limited commercial opportunities on the West Shore require that many trips require travel to Tahoe City, adding to traffic congestion. In particular, the lamented closure of Homewood Hardware now forces West Shore residents to travel to Tahoe City for the smallest of home repair needs. By providing a modest-sized hardware store within HMR, these existing
auto trips can be shortened or more easily replaced by a bicycle or walk trip. Expanding the range of grocery options in a manner that complements other existing markets on the West Shore can also reduce existing auto travel.

- **Transportation Information Strategies** – Providing accurate, “real time” information to HMR travelers can also help to reduce transportation problems. Information on parking/lift ticket availability, non-auto transportation options, and Fanny Bridge traffic congestion can encourage travelers to make travel decisions that reduce auto impacts. This information will be provided through the Internet, text messaging, in-room or front desk displays, and/or low-wattage driver advisory radio.

- **Alternative Transportation** – As discussed above regarding parking, numerous public transit strategies (both on the highways as well as on the water) will be implemented. Along with the following other elements, these transit improvements constitute HMR’s proposed “Alternative Transportation Program”:

  - **Extension of the West Shore Bike Trail** – The bike trail system along the West Shore is very well used: counts conducted in 2006 at Fawn Street indicated that up to 400 bicyclists and 100 pedestrians per day use the existing trail. This trail, however, has a key “missing link” from Fawn Street north to Cherry Street. As part of the North Lodge development plan, this bike trail will be extended to Silver Street, reducing the size of this gap.

  - **Electric Car Rental Service** – HMR will purchase five electric vehicles, and offer them for short-term rental to HMR residents and guests. In addition to encouraging use of zero emission vehicles, this service will also tend to encourage use of public transit options for persons arriving and departing the region (such as the North Tahoe Express van service from the Reno Tahoe International Airport), as it allows persons arriving without a car the opportunity to rent a car for only a day or two of their stay.

  - **Free “Bicycle Share” Service** – HMR will operate a “bike sharing” program, making bicycles available to any HMR guest or resident for up to a week at a time. This will encourage bicycle use, particularly for recreational trips between the resort and destinations along the West Shore.

Table A (included) presents an evaluation of the VMT reductions associated with reduced auto use associated with the Alternative Transportation Program elements. Ridership levels are estimated based upon preliminary evaluations of total trip generation, estimates of feasible transit mode shares of total travel, and observed ridership on similar systems serving other mountain resort centers. For those elements for which a reasonably accurate estimate can be made, the VMT reduction is estimated to equal 1,544 VMT on a busy summer day, and 2,136 on a busy winter day. Other elements (extension of bike trail, free bike rentals, electric auto rental) will have additional VMT reduction benefits, but quantifying these benefits would be a matter of conjecture.

**Response: TRANSIT STOP:**
Placer County Public Works, the operator of the Tahoe Area Regional Transit (TART) system, already provides stops in both directions along SR 89 both directly at the North Lodge as well as at the SR 28 / Tahoe Ski Bowl Way intersection to serve the South Lodge. Ridership data in the TART Short Range Transit Plan (LSC, 2004) indicates that these stops are some of the busier stops on the TART route network. The proposed project will include improvements to the southbound SR 89 stop at the North Lodge. In addition, a separate transit stop will be provided within the North Lodge site for HMR shuttle and Dial a Ride vehicles.

**Response: SIGNAGE & GRAPHICS:**
As part of the improved transit shelter to be constructed as part of the project, JMA Ventures commits to providing an information display in the shelter design. JMA Ventures further commits to maintaining this display with information on alternative transportation options (transit, bicycle trails, hiking/pedestrian trails), community facilities, and community events. This display will be integrated with the Master Signage Plan.

**Recreation:**

1. TRPA requires that any loss of Persons At One Time (PAOTs) be mitigated. The Plan Area Statement (PAS) 157 was anticipating that this area would grow for recreation purposes by a maximum of 1100 PAOTs; however, the proposal is reducing the capacity. Evaluate and specify how the reduction of PAOTs impacts the achievement of TRPA’s recreation threshold and specify how this will be mitigated.

2. In your presentations you described that the mid-station lodge would be available for the public to use (pool, access to hiking, etc.) In your pre-application, you limit this access substantially. Evaluate the potential impacts to the project associated with reduced public access to the mid station lodge/pool and explain reasons why this change is desirable.

3. TRPA requires details and commitments on where and how five miles of hiking trails will be developed per the PAS 157.

**Response: Recreation:**

HMR is not proposing to reduce PAOTs. Although the CEP submittal discusses limiting lift ticket sales to 3300 per day, that limit is due to the available on-site parking. Guests arriving by transit will not be subject to that limit. HMR’s intercept parking, dial-a-ride, and coordination with TART is designed to bring additional guests to the site on a daily basis. The goal is to improve the recreational experience for guests by spreading use more evenly through the week. Current maximum skier days have been over 4,000 on weekends, with weekday numbers in the range of 200 – 500. HMR expects that by giving guests the option of staying on site the average stay will be 3 - 5 days with skiers perhaps going off-site (hopefully by transit, shuttles, or waterborne transit) for one of those days.

Also, the replacement of aging facilities (such as the old fixed grip quad with a detachable quad lift this year), an 8 passenger gondola from the north base to mid-mountain, and addition of a new mid-mountain lodge, ski-school, and other amenities will greatly improve the recreational experience at HMR.

In addition, interconnection with the rehabilitated Nordic ski trails created for the Squaw Valley Olympics will provide improved dispersed recreation opportunities. Finally, the addition of the Gondola to the mid-mountain will enable non-skiers to visit the mountain, watch children and new skiers at the learn-to-ski area, have lunch on the mountain, and perhaps get married there. Although on-mountain weddings have been occurring for many years, the convenience of a tram ride to a modern lodge will significantly improve that experience year around.

**Response: Mid Mountain Lodge**

Mid Mountain Lodge will be open to the public without restriction. It is designed primarily as a skier/winter facility, but will be available during the spring, summer, and fall for public use and private events such as weddings. The lodge is planned to have an adjacent swimming pool open only during the summer months. The swimming pool would be open for use by Homewood and other area West Shore residents upon proof of address. The pool is designed as an amenity for locals and would be accessible by gondola from the north base.

**Response: PAS 157 Hiking Trails:**
There is a historic public use of roads and trails on the mountain (albeit without authorization) and HMR is aware that it would be truly impossible to stop such use on a 1270 acre property. Therefore, in evaluating which roads and trails to restore to natural condition, and which roads are necessary for facility access, maintenance, timber harvest access, etc., we are also evaluating where trails should be retained so that hikers (both authorized and unauthorized) use the trails rather than disturbing new areas and/or areas which have just been restored. At this time, we are not prepared to identify the exact amount of hiking trails that will be established, or their location, HMR will provide the amount of hiking trails that can be made available without creating a threat to water quality, soil stability, and safety.

Basic Site Information:
1. TRPA requires verification of the existing land coverage, land capability, and units of use.

2. TRPA requires assurances that locations of proposed buildings and proposed transfers are not impacting sensitive lands.

Response: LAND COVERAGE, Units of use, etc.:
Land capability- Exhibit 1 is a spreadsheet of the existing land coverage on the mountain which is under review by TRPA for verification. Also in this spreadsheet are the IPES scores on the various parcels (21) on the mountain and the Determinations of Allowable Coverage (DOAC) for each of these parcels.

There is an unresolved issue regarding the land capability of the base areas. TRPA has assigned preliminary land capability to these areas, but a land capability challenge is proposed to determine final land capability classifications of the lower mountain. HMR has retained a certified soil scientist who has completed soil sampling which confirms our belief that most of this lower area is high capability. An application for the land capability challenge will be submitted this spring. As noted above, although a land capability challenge is necessary to confirm the high capability, the areas proposed for facility development are high capability according to our soil scientist.

Units of Use- The existing recreation use of the property includes the historic skier capacity. There has also been historic use of the base lodges and portions of the mountain for weddings and related activities, but no CFA is recognized on the resort. The proposed new Mid-mountain Lodge is planned to support summer activities and uses including the pool for area residents, weddings, and at least limited food service. If these resort related summer activities and uses are determined to be other than accessory to the recreation use, CFA may be required. Discussions are underway with TRPA staff to determine the appropriate treatment of these activities/uses and what, if any, CFA is required.

Land Capability in areas of proposed uses- Ensure that locations of proposed buildings and proposed transfers are not impacting sensitive lands.

Miscellaneous CEP Items:
1. The proposed project requires changes to the current PAS 157 and would need to incorporate these into the Master Plan document. Evaluate the environmental impacts of the following changes:
   a. Multi-Family Residential and Timeshare Residential would be added to the permissible use list in this PAS/Master Plan Area
   b. Multi-Residential Incentive Program and Existing Development receiving area designations would be added to the PAS/Master Plan Area. This would be required to transfer in the MRBU, TAU’s and CFA.

2. To make these changes above, Transit Oriented Development (TOD) findings will need to be made.
3. The project shall include some form of functional public art in proposed gathering places.

4. TRPA requires details on the number and types of proposed mix of uses for the site using TRPA Chapter 18, Permissible Uses as a guide.

5. TRPA requires commitments and details in relation to the proposed sign at the Tahoe City Y and an explanation of why this system is the most publicly beneficial as compared to other available means.

6. TRPA requires identification of public/private open spaces for residential housing and/or general public use within the mixed use development.

Response: MISC. CEP ITEMS:
- HMR proposes to amend the PAS (157) to add multiple family residential and Tourist Accommodation/Timeshare (residential design) as permissible uses in the base areas of the Master Plan.
- Multi-residential incentive program and existing development receiving area designations are requested in the HMR CEP application and Master Plan application.
- TOD findings require that the area be served by transit and those services are within a 10 minute walk. The proposed Master Plan will readily comply with both requirements in that a grocery store and hardware store, as well as restaurants will be included on site, and existing transit which serves the area will be augmented by dial-a-ride, private shuttles, loaner electric cars for resort guests, and waterborne transit on site or within a quick shuttle ride.

Response: PUBLIC ART:
The project will propose public art at the north base public plazas including near the main hotel lodge and at the skier services/drop-off area. JMA has a long history of supporting art in public places and is committing to carry on with this tradition with the Homewood master plan.

Response: MIX OF USES:
As noted in the attached Master Plan Development Program, the site is proposed to be developed as follows:
- **North Base Area**
  - 30 private penthouse condominiums (SFD)
  - 40 condo hotel (for sale) units, 20 of which will have lock-off units (TAUs)
  - 50 – 60 traditional hotel rooms (nightly rental TAUs)
  - ~12 employee housing affordable rental apartments
  - 42 residential condominium units, 30 of which are planned to be sold as fractional ownership residences.
  - Approximately 17,000 s.f. of CFA for hardware store, grocery store, and ice cream parlor.
- **Mid- Mountain**
  - ~8000 s.f. of CFA if summer use of these amenities is considered commercial
- **South Base Area**
  - 120 residential condominiums (ERUs)

Response: SIGN AT TAHOE CITY “Y”:
JMA Ventures commits to providing real-time signage near the Tahoe City “Y” on busy ski days to provide skiers with information regarding the availability of parking (and supporting shuttle services) at intercept parking areas. This sign will be either staffed or operated electronically to change messages as needed to provide timely information to arriving day skiers. A good example of the benefits of this strategy is the trailer-mounted sign used by Northstar-At-Tahoe to divert day skiers.
approaching Northstar in periods when there is no remaining day skier parking available at the resort.

**Response: PUBLIC & PRIVATE OPEN SPACE:**
Both base areas include open space areas for both public and private use. The base area master plan graphic is being updated to more clearly identify these areas. The North Base includes a public ice skating pond to the east of the main lodge/hotel building. The ice pond is surrounded by public plaza area that will include fire pits, bench seating and other such pedestrian oriented amenities. Please refer back to the first response relating to architectural height, scale, and massing for further delineation of the open space concept. The South Base will include private open space as an amenity to the residential development. This would include a swimming pool for residents and trail access to the base slope.
MEMORANDUM

September 3, 2008

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Certification of Lake Tahoe Shorezone Ordinance Amendments Final Environmental Impact Statement and Adoption of the Proposed Shorezone Amendment Package by Adopting Code of Ordinance Amendments, Plan Area Statements Amendments, and Community Plan Amendments and Other Matters Properly Relating thereto

Proposed Actions: TRPA Staff requests that the Advisory Planning Commission (APC) review both the Lake Tahoe Shorezone Ordinance Amendments Final Environmental Impact Statement and the proposed shorezone amendments and consider a recommendation to certify the Final EIS as technically adequate. Assuming a recommendation of certification of the Final EIS, the APC is then requested to consider a recommendation for the adoption the attached ordinance adopting the proposed shorezone amendments (Attachment B).

Staff Recommendation: First, Staff recommends that the APC recommends the Governing Board make the required findings and certify the Final EIS as technically adequate. Second, Staff recommends that APC recommends the Governing Board make the required findings and adopt the implementing ordinance (Attachment B) adopting the Shorezone Amendment Package.

Required Motions for Certification of the EIS: To recommend that the Governing Board certify the Lake Tahoe Shorezone Ordinance Amendments Final Environmental Impact Statement, the APC must make the following two motions, based on the Final EIS, this staff summary, and the complete administrative record:

I. A motion to recommend that the Governing Board make the Compact Article VII(d) findings for the Final EIS (See Attachment A).

II. A motion to recommend that the Governing Board certify the Final Environmental Impact Statement for the Lake Tahoe Shorezone Ordinance Amendments Final Environmental Impact Statement as technically adequate.

Required Motions for Adoption of Shorezone Amendments: To recommend that the Governing Board adopt the Shorezone Amendment Package, the APC must make the following two motions, based this staff summary and the complete administrative record:
I. A motion to recommend that the Governing Board make the Chapter 6 and Chapter 13 findings (See Attachment A) and a Finding of No Significant Effect for all potential impacts.

II. A motion to recommend that the Governing Board adopt the attached ordinance (Attachment B) adopting the Code of Ordinance amendments in Exhibit 1, deleting existing Shorezone Code Chapters 50-56, adopting new Shorezone Code Chapters 50-54 in Exhibit 2 and amending the Plan Area Statements and Community Plans in Exhibit 3.

In order for the motions to pass, a majority vote of the APC is required.

General Background: This Final Environmental Impact Statement (FEIS) for the Shorezone Ordinance amendments is the culmination of decades of effort to craft, assess and bring forward for adoption a comprehensive program and ordinances that will guide future development of shorezone structures in Lake Tahoe and other lakes in the Region consistent with the Goals and Policies Plan. The Preferred Alternative program, detailed in the document (see Chapter 2 Project Description in Volume IV Enclosure) offers the best possible balance between the polarized interests of concerned stakeholders that have been the intractable barrier to adoption of any comprehensive shorezone program since 1987.

The Tahoe Regional Planning Agency has been without a fully updated shorezone ordinance since the adoption of the current Regional Plan in 1987. Now, 20 years later, the evidence has been gathered, the environmental studies have been completed, stakeholders have been heard, and their meaningful input has resulted in substantial program refinements. TRPA has produced exhaustive environmental analysis, performed targeted technical studies, held countless committee and subcommittee meetings, public hearings, one-on-one meetings with concerned groups in order to produce new ordinances that will satisfy a broad range of stakeholders while preserving the environment of the Lake Tahoe Region. Volume IV Enclosure, Chapter 1 Executive Summary provides a more detailed history of the process.

Recently, the Lt. Governors of California and Nevada convened meetings with TRPA staff and Governing Board members and other government officials (including State Lands and Attorney General Representatives) to help resolve the issues particularly in regards to the number of future piers. Thus, Alternative 6A was further refined reflecting these discussions. The Volume IV Enclosure provides the revised descriptions and analysis for Alternative 6A, now known as the Preferred Alternative.

Although the debate has moderated, the some disagreement continues. There are still supporters who feel passionately that no new structures should be allowed in Lake Tahoe as noted in the recent comment letters and those equally passionate supporters of property rights who feel that all lake front owners should have access to a pier and be protected against public access. Between these views lies the proposed program of Shorezone Ordinance Amendments. The TRPA staff believes that the Preferred Alternative proposes a set of rules to provide reasonable access to Lake Tahoe for lake front owners and the public alike while protecting one of the most environmentally sensitive areas in the basin: the shorezone. In short, the public and government agencies will benefit from the TRPA Governing Board’s determined effort to move forward to certify the Final EIS and adopt the new ordinances now.
Memorandum to TRPA Advisory Planning Commission
Lake Tahoe Shorezone Code of Ordinance Amendments Final EIS

All of the comments received at the public hearings and the written comments received as of August 15, 2008 have been incorporated and addressed in the Final EIS. See the response to Chapter 4 Response to Comments for the EIS and Amendments and comment letters in Appendix K in Attachment B.

Overview for the EIS: The EIS for the Lake Tahoe Shorezone Ordinance Amendments consists of the following documents. Except for Volume IV, which is enclosed, all documents have been provided to the APC in the past and are available on the TRPA Web Site: www.trpa.org.

- 2004 Lake Tahoe Shorezone Ordinance Amendments Draft EIS
- 2005 Supplemental Alternative 6 Draft EIS
- 2006 Lake Tahoe Shorezone Ordinance Amendments Final EIS, Volumes I through III
- 2008 Volume IV Addendum to the 2008 Final EIS (Enclosure)
  1. Updated Executive Summary
  2. Updated Proposed Alternative Description
  3. Updated Environmental Analysis
  4. Updated Response to EIS and Amendments Comments
  5. Updated Appendix

Please refer to the Executive Summary in Volume IV Enclosure for a summary of the EIS and required mitigation. As noted in the summary, all identified impacts for the Preferred Alternative are mitigated to a less than significant level. Key components of the EIS are:

Review of Eight Alternatives: The EIS reviews eight alternatives with various levels of development (See Table 1 below disclosing the total number of existing and new structures that could be built). Alternative 6 Density Based Alternative with a go-slow approach and front loaded mitigation evolved into what is now know as the Preferred Alternative. Table 4 in the Executive Summary summarizes the impact analysis.
Table 1

<table>
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<th>Structure Type</th>
<th>Alt. 1</th>
<th>Alt. 2</th>
<th>Alt. 3</th>
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<td>1,399*</td>
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Note: Gray highlighting indicates revised numbers with the Preferred Alternative.

*Totals do not include extensions/expansions.

Source: TRPA 2004, 2005

Preferred Alternative Mitigation Implementation and Monitoring Program: After review and analysis, the EIS requires mitigation and monitoring to reduce the potential impacts to less than significant. This program is described in the Volume IV, Chapter 5, Appendix A. The programs listed for the Preferred Alternative include:

1. Blue Boating Program (ONRW Water Pollution Prevention Program)
2. Lake Tahoe Public Access Program and Fund
3. Buoy Fee and Enforcement Program
4. Fish Habitat Mitigation Fee and Restoration Program
5. Stream Mouth Protection Zones
6. Public Drinking Water Intake Setbacks
7. Shorezone Preservation Areas
8. Maintenance of Buoy Floats and Chains
9. Pier Eligibility Restrictions
10. Pier Design Standards and Scenic Mitigation
11. Emerald Bay Restrictions
12. Annual Limit on Pier Approvals

Shorezone Amendment Package: This is a very brief summary of the Preferred Alternative. It is described in more detail in Volume IV, Chapter 2 of Volume IV Enclosure. It includes ordinance amendments (Attachment B) and the programmatic requirements listed above. Key components of the preferred alternative are:

Refined Limits on the Number of New Structures: Code Chapter 52 as proposed now limits Lake Tahoe to a maximum of 128 additional private piers and 10 additional public piers. An annual allocation of private piers is limited to 5 a year based on development potential retirement criteria. Permitting of buoys is limited to the existing number of 4,454 until the Blue Boating Program is fully operational. Table 2 provides a summary of the projected development. The APC should be aware that there are still a sizable number of comment letters (Volume IV Enclosure) asking for even more of a reduction in development potential.

Table 2

<table>
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<th>Structure Type</th>
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<td>Piers</td>
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<td>Existing</td>
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<tr>
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</table>
Piers: Pier development would be restricted in several categories. Except where specifically noted, these restrictions apply to both private and public piers.

**Eligibility Restrictions:** To be eligible for a new pier, a parcel must be a littoral parcel, not deed restricted, not be in a Shorezone Preservation Area, and not be a stranded parcel.

**Location Criteria** Piers must be located within the pier setback, outside the Stream Mouth Protection Zones, away from public drinking water intakes, and meet functionality and maximum length tests.

**Density Criteria** In the Preferred Alternative, the maximum number of piers allowed along any shoreline would be based on average density standards for each contiguous length of a particular Shorezone character type within the scenic unit. These Shorezone character types are categorized as visually modified, visually dominated, visually sensitive, or naturally dominated.

**Pier Design Standards:** Standards for single-use piers are proposed so that new piers reasonably minimize adverse impacts on scenic quality associated with new structures. Most notable is a 150’ maximum length for single use pier and 300” for multi-use pier assuming it is within 6219’ LTD and the pier headline.

**Pier Maintenance, Repair, and Replacement:** The Preferred Alternative includes revised provisions for the review of maintenance, repair, and reconstruction of piers and other shorezone structures. At the Governing Board’s direction a major effort was put forth to streamline these provisions.

**Pier Modification and Expansion:** Modification of an existing nonconforming structure would require improvement of the structure’s conformity with development standards. Existing nonconforming structures would be eligible for modification but not expansion unless such expansion improves conformity with development standards.

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**Table 2**

<table>
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<tr>
<th>Structure Type</th>
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<tbody>
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<td><strong>Buoys</strong></td>
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<tr>
<td>Total</td>
<td>1,746</td>
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</table>

Note: Buoys are limited to existing # until Blue Boating Program is operational.
Source: TRPA 2008
Boat houses are nonconforming structures that may be expanded only under the strict criteria.

**Public Piers** The 10 allocated public piers that are freely accessible to the general public would not be subject to the private pier allocation system, pier length restrictions, or the LTPAF fee, but would be subject to allowable densities, scenic and spawning habitat mitigation, and setbacks. Only 10 public piers will be allowed under this alternative. Any public pier permitted under this provision may not be converted to a private pier.

**Buoys:** Under the Preferred Alternative, all buoys on the lake would require up-to-date permits from TRPA and the other agencies with jurisdiction. The proposed Code amendments provide processes and location standards for TRPA to permit new and existing, already-permitted buoys in accordance with the proposed standards (one buoy on a parcel less than 50 feet wide, two buoys for parcels 50 feet or wider, and special provisions for multi-use). The APC should be aware that there some concerns over buoy enforcement, removal and permitting process.

**Buoy Permitting:** The total number of buoys that will be allowed at Lake Tahoe with the Preferred Alternative, including all private and public buoys, is 6,316; however, the number of buoys on Lake Tahoe would be capped at 4,454 (the existing number) until the Blue Boating Program is adopted and implemented. Based on input from stakeholder groups, members of the public, and the Governing Board, TRPA has determined that the proposed Shorezone Ordinance amendments should include simplified provisions for recognition of existing buoys with annual fees to assist with monitoring and enforcement.

**Location Standards for New Buoys:** In areas of converging or diverging property lines, such as coves and points, a littoral parcel would be eligible for at least one buoy even if the buoy could not be located within the lakeward-extended property lines, as long as the buoy is within 350 feet of high water and at least 50 feet from other buoys in all directions.

In common areas controlled by homeowners associations or other associational entities, or on public properties outside SPAs, the number of allowable buoys would be calculated as a grid based on the length of the property frontage, the 350-foot offshore limit, the 25-foot setback from extended property lines, and the minimum distance of 50 feet from other buoys. Actual buoy placement may exceed the 350-foot limit in these buoy fields to allow access to navigable water. Regardless of these rules, buoy fields subject to homeowners association rules would not be allowed more buoys than homes served.

**Breakwaters, Jetties, Rock Crib Piers, and Sheet Pile Piers:** No new public or private breakwaters, jetties, rock crib piers, or sheet pile piers (or other structures of this type) would be permitted in the Lake Tahoe Region except as part of a habitat restoration project. This prohibition also precludes the transfer or relocation of such structures.

**Public Access:** In the EIS, as well as in other studies, TRPA has determined that adverse recreation and public access impacts are associated with the construction of piers in Lake Tahoe. Pier structures can obstruct legal lateral public access in the area between high and low water. Pier structures can also limit or alter the ability of individuals to engage in forms of recreation dependent on near-shore access, including swimming, canoeing, kayaking, and
top-line fishing, and to navigate the near-shore area where public access is controlled or held in trust under State laws. The Preferred Alternative would offset these impacts consistent with the TRPA Goals and Policies through (1) incorporation of design elements in new, modified or expanded piers, and (2) the payment of a fee to the Lake Tahoe Public Access Fund (LTPAF) for each new pier. The APC should be aware that there are comments from shorezone home owners representatives expressing some disagreement with the conclusions, regulations and programs.

Mitigation Programs and Annual Review: To complement the programs identified in the EIS (listed above), TRPA proposes an Annual Report and Adaptive Management Program. Starting March of 2009 TRPA will provide for Governing Board approval of the work program for the Blue Boating Program and the Adaptive Management Program to be implemented that summer. Subsequently, the Governing Board will receive annual reports with required findings to continue development. In March of 2012 if findings are not made that TRPA is on track with meeting performance standards, permitting for most additional structures is suspended. The APC should be aware that there some concerns and comments suggesting the programs should be up and running before any permits are issued or even the ordinances are adopted.

TRPA Staff and the Environmental Consultant, EDAW, will begin this item with a presentation and summary of the final document. If you should have any questions concerning this item, please call Gordon Barrett at (775) 588-4547, ext. 2219 or by E-mail at gbarrett@trpa.org.

Attachments
A. Required Findings
B. Adopting Ordinance and Exhibits
   Exhibit 1 Non-Shorezone Code Chapters
   Exhibit 2 Shorezone Code Chapters
   Exhibit 3 Plan Area Statements
   Exhibit 4 Community Plans
   Exhibit 5 Maps
C. Updated Response to Code Comments

Enclosure
   Volume IV EIS Addendum
Required Findings for the Shorezone EIS and Amendments

Required Findings: The following findings must be made prior to certification of the Final EIS; Article VII.d findings of the Compact, and Article 6 of the Rules and Procedures and related to certification of an EIS. In order to adopt the proposed Code of Ordinance Amendments a second action is necessary and the appropriate findings found in Chapters 6, 12, and 13 of the Code of Ordinances must be made:

EIS Findings

ARTICLE VII (d) Findings: The following findings with respect to an Environmental Impact Statement must be made prior to the certification of the Lake Tahoe Shorezone Ordinance Amendments Final EIS:

1. Finding: With respect to the possibly significant effects on EARTH AND SOILS identified in the EIS, changes or alterations have been required in or incorporated into the project which avoid or reduce the potentially significant adverse effects to a less than significant level.

Rationale: Compliance with the TRPA Regional Plan and Code requirements relating to land coverage and soils disturbance will provide mitigation for soils impacts.

2. Finding: With respect to the possibly significant effects on HYDROLOGY AND WATER QUALITY identified in the EIS, changes or alteration have been required in or incorporated into the project which avoid or reduce the potentially significant adverse effects to a less than significant level.

Rationale: Compliance with the TRPA Regional Plan and Code requirements the Blue Boating Program, as well as the Lahontan Regional Water Quality Control Board requirements, relating to water quality will provide mitigation for water quality impacts.

3. Finding: With respect to the significant and possibly significant effects on AIR QUALITY identified in the EIS, changes or alterations have been required in or incorporated into the project which avoid or reduce the potentially significant adverse effects to a less than significant level.

Rationale: The identified air quality impacts associated with the Shorezone are either not significant to begin with, or are mitigated to a less than significant level as demonstrated in the Final EIS. The proposed Shorezone Program itself is consistent with the 2006 Regional Transportation Plan and Air Quality Plan. In addition, TRPA will implement the Blue Boating Program to implement mitigation strategies that reduce the identified impact of increased particulate matter to a less than significant level.
4. Finding: With respect to the possibly significant effects on VEGETATION, WILDLIFE, AND FISHERIES identified in the EIS, changes or alterations have been required in or incorporated into the project which avoid or reduce the potentially significant adverse effects to a less than significant level.

Rationale: There are no significant impacts with respect to vegetation, wildlife, and fisheries once mitigation is applied as identified in the Final EIS. The Shorezone Development Amendments EIS is a project that is included in the Environmental Improvement Program (#17) to reconsider the prohibition of new structures in Prime Fish Habitat based on the completed Fish Studies.

5. Finding: With respect to the possibly significant effects on NOISE identified in the EIS, changes or alteration have been required in or incorporated into the project which avoid or reduce the potentially significant adverse effects to a less than significant level.

Rationale: Compliance with the TRPA Regional Plan, Code, and Blue Boating Program requirements relating to noise as well as the mitigations to potential noise impacts identified in the Final EIS will provide mitigation for noise impacts.

6. Finding: With respect to the possibly significant effects on RECREATION identified in the EIS, changes or alteration have been required in, or incorporated into the project which avoid or reduce the potentially significant adverse effects to a less than significant level.

Rationale: The impacts to recreation are mitigated to a less than significant level or are beneficial as presented in the Final EIS. There is a potential for loss of lateral access along the shorezone in the water as a result of program development; however, the potential loss is mitigated through design requirements and the Lake Tahoe Public Access Fund to provide funds for acquiring and improving public access in the Shorezone. Greater public access to the waters of Lake Tahoe is provided through the many elements of the Shorezone Proposal. The Shorezone Development Amendments EIS is a project that is included in the Environmental Improvement Program (#17).

7. Finding: With respect to the significant and possibly significant effects on SCENIC QUALITY identified in the EIS, changes or alterations have been required in or incorporated into the Shorezone Proposal which avoid or reduce the potentially significant adverse effects to a less than significant level.

Rationale: The built elements of the Shorezone Proposal can be seen from the shoreline travel route and the roadway travel route. There are no significant scenic impacts as a consequence of implementing the proposed programs once the mitigations identified in the Final EIS
are applied. The Shorezone Proposal includes, no net increase of pier and other shorezone structures visual mass (1 to 1 mitigation in scenic attainment areas and 1.5 to 1 in non-attainment areas and a baseline contrast rating of 25 for pier projects.

8. Finding: With respect to the significant and possibly significant effect on LIGHT AND GLARE identified in the EIS, changes or alterations have been required in or incorporated into the project which avoid or reduce the potentially significant adverse effects to a less than significant level.

Rationale: No significant impacts to light and glare will occur after mitigation and the development requirements of the project are followed as identified in the Final EIS. All light fixtures will direct light downward as identified in the Final EIS.

9. Finding: With respect to the possibly significant effects on SAFETY AND RISK OF UPSET identified in the EIS, changes or alterations have been required in, or incorporated into the project which avoid or reduce the potentially significant adverse effects to a less than significant level.

Rationale: There are no significant impacts with respect to safety and risk of upset identified in the Final EIS/EIR.

Code, PAS and Community Plan Amendment Findings

Chapter 6 Findings: The following findings must be made prior to amending the Code of Ordinances which constitutes a Regional Plan Amendment.

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 Shorezone Proposal provides a long range planning tool for the protection of the unique qualities found in the shorezone of Lake Tahoe and the Region’s lagoons and other lakes. The Shorezone Proposal also provides for identification of appropriate uses and level of development and rate of development. The Shorezone Proposal provides a mitigation and monitoring plan to assure the accomplishment of environmental goals. All applications received under this Proposal must be reviewed for compliance with other Code provisions. All project applications received and approved must be within the scope of the Shorezone Proposal and meet all Regional Plan Standards.

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

Rationale: All projects that are approved under this Shorezone Proposal must make the finding that no threshold will be exceeded. Please refer to
Memorandum to TRPA Advisory Planning Commission
Lake Tahoe Shorezone Code of Ordinance Amendments Final EIS

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:** See Findings 1 and 2 above.

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

**Rationale:** See Findings 1 and 2 above.

**Ordinance 87-8 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. **Finding:** The amendments are consistent with the Compact and with attainment or maintenance of the thresholds.

**Rationale:** These amendments as analyzed in the EIS meet all environmental standards which include mitigating any potential impacts to a less than significant level. In addition, studies have been conducted in the Shorezone for fisheries that do not support maintaining the prohibition of new structures in the Shorezone, therefore, current Code of Ordinance In subsection 54.4.A(3) is not justified.

2. **Finding:** That the amendment provides for an equal or better means of attainment or maintenance of the thresholds.

**Rationale:** The amendments provide opportunities that do not exist today to comprehensively protect the unique qualities of the Shorezone, provide additional recreational access, provide for appropriate levels of development at a rate at which monitoring and if necessary adjustments to the plan can be made.

3. **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.

Staff proposes to make Finding d.

Rationale: Four studies were conducted by UC Davis and Utah State in the Shorezone to evaluate fisheries impacts as a consequence of shorezone development. The conclusion of these studies found that open pile piers and buoys are neutral when it comes to fisheries impacts. The study findings do not support maintaining the current full prohibition of new structures in the Shorezone; therefore, the current Code of Ordinance In subsection 54.4.A (3) is not justified. In fact, maintaining a prohibition based on fisheries impacts creates vulnerability for TRPA in requiring compliance with 54.4.A (3). The Science no longer supports the full prohibition.

Chapter 12 Findings: The amendment of Regional Plan Overlay Maps or the addition of a Regional Plan Overlay Map shall be processed as ordinance amendments and be consistent with the findings identified above under Chapter 6 Findings.

Rationale: See Chapter 6 findings.

Chapter 13 Findings: The following findings must be made prior to the amendment of Plan Areas:

1. Finding: The amendment is substantially consistent with the plan area designation criteria in Subsections 13.5.B and 13.5.C.

Rationale: The amendments to add the designation “Shorezone Preservation Areas” (SPAs) to the appropriate Plan Areas consistent with the SPA Map included in the EIS analysis is consistent with those Plan Area Designations. The amendments to add the scenic character types, adjust permissible uses, and add shorezone density Areas“
the appropriate Plan Areas and Community Plans is consistent with the Shorezone Character Type Map included in the EIS analysis is consistent with those Plan Area Designations.

**Environmental Documentation:** Based on the above analysis and the FEIS, no significant environmental impacts were identified that cannot be mitigated to a less than significant level.
Exhibit 1

Lake Tahoe Shorezone Ordinance Amendments

Amendment of the Code of Ordinances, Chapters 2, 12, 13, 25, 29, 30, 75, 81 and 83
Proposed Changes to Chapter 2
DEFINITIONS

Relevant Definitions Found in Chapter 2
(Definitions without supporting text are not being amended)

Activity
Area of Wave Run-Up
Artificial Beach Replenishment

Backshore Stability: The extent to which the backshore resists erosion or mass wasting due to factors such as the presence of naturally occurring existing vegetation, the gradient and geological composition of the backshore and the absence of structures that may affect stability or disrupt natural littoral processes.

Beach Recreation (Dispersed)
Beach Recreation (Intensive)
Best Management Practices
BMPs
Boat Launching Facility
Boat Lift
Boat Ramp
Body of Water
Breakwater

Buoy: A float anchored to a lake bottom which serves as a boat mooring, a navigation guide, hazard warning, or similar use. Seasonal or event marker buoys are buoys used to mark swim areas or identify boat race courses. The marker buoys are not used to moor watercraft.

Change in Operation

Charter Boat: A pleasure craft or other vessel for rent on a body of water requiring a Commercial Operator’s Permit from the U.S. Coast Guard.

Clearing
Community Plan
Derelict
Directional Sign
Dredging

**Dynamic Revetment**: A shoreline protective structure that is designed using engineered sand, gravel, and/or cobble berms where significant wave action is expected to shape and reshape the dynamic revetment as it defends the shoreline. Includes beach nourishment.

Environmental Assessment (EA)
Erosion
Erosion Control
Excavation
Existing
Expansion
Facility
Family
Feasible
Fill
Findings
Fish Habitat
Fisheries
Floating Docks or Platforms
Floating Breakwaters
Foreshore
Foundation
Grading
Harbor
High Water (Elevation) Line
Intensification of Use
Jetty
Lagoons (man-made)
Lake
Lake Tahoe Datum
Lakeward
Lakezone
Land Coverage
Land Disturbance
Linear Lake Frontage: The length of a littoral parcel’s frontage on Lake Tahoe as measured at highwater using a standardized and generally accepted method of measure relied upon by Registered Licensed Surveyors.

Littoral Parcel

Littoral Processes: See Chapter 50. The redistribution of sediments within the foreshore or nearshore in response to energy generated by waves or longshore currents which have not been disrupted by man-made structures. [Source: 50.2]

Low Level Boat Lift

Low Water [Elevation] Line

Maintenance

Maintenance Dredging

Major Structural Repair: See Chapter 52.

Manipulation: Cutting, killing or significantly damaging naturally occurring vegetation.

Marine Railway Systems: A boat launch system ramp designed to use rails attached to the lakebed and a railed vehicle to launch and retrieve watercraft.

Minor Structural Repair: See Chapter 52.

Multiple-Use Facility: A shorezone facility, usually but not always a pier, which is available for used by a homeowners associations or functionally similar private or public entity, or two or more littoral parcel owners, and is recognized by TRPA as multiple-use pursuant to Subsection 54.8.D.

Navigational Structure

Nearshore


Outdoor Recreation Concessions

Permissible Use

Pier: A fixed or floating structure intended as a landing or mooring for water craft and either extending from the backshore to at least 10 feet beyond the line marking the high water elevation of a lake, line, or extending into Lake Tahoe to a depth of 6226.1 Lake Tahoe Datum (or a functionally similar depth on other lakes in the Region).

Pierhead Line

Potential Land Coverage

Prohibited Use: See Subsection 18.1.D and, for uses within the shorezone, see Subsection 51.1.C2.A(3).

Project

Project Area

Project Cost
Protective Structure

Public Service

Public Use Facilities: A shorezone facility that is owned by a public or private entity, where the facility is open to the general public.

Quasi-Public

Recreation (Developed)

Recreation (Dispersed)

Remedial Action Plan

Repair

Rock Cribbing

Seaplane Operations: See Chapter 51

Section

Setback

Shoreline

Shoreline Protective Structure

Shorezone

Shorezone Tolerance District

Sign

Significant Spawning Habitat

Significant Wave Action: The forces from significant wave height and period as defined by the U.S. Army Corps of Engineers.

Single-Use Pier

Spawning Habitat

Specific Plan

Specific Program: A program adopted by ordinance which provides for discontinuance or modification of a use or structure. See Chapters 18 and 51 and 52.

Street

Structural Repairs

Temporary Activity

Temporary Project

Temporary Structure

Temporary Use

TRPA Permit

Tour Boat: A vessel rated by the U.S. Coast Guard for more than 30 passengers where
such passengers load and unload at a single site. All tour boat facilities for mooring, fueling, sewage pumpout, storage and maintaining the vessel are located within one marina facility.

**Unserviceable**: See Subsection 52.2.F Section 54.2.

**Vegetation**

**Vehicle Trip**

**Waterborne-Borne Transit**: See Chapter 51 A vessel for transit of people and goods on a regular schedule with regularly scheduled stops.

**Water-Dependent**

**Water Taxi**: A vessel, U.S. Coast Guard rated for less than 30 passengers, requiring a Commercial Operator’s Permit from the U.S. Coast Guard for transit of passengers on an “on-call” basis.
Chapter 12
TRPA REGIONAL PLAN MAPS

Chapter Contents

12.0 Purpose
12.1 Applicability
12.2 Establishment Of Official TRPA Maps
12.3 Map Amendment

12.0 Purpose: This chapter establishes a coordinated mapping system for the official TRPA maps. This chapter identifies the official maps and sets forth provisions for the adoption and amendment of maps.

12.1 Applicability: Any map or Geographic Information System (GIS) data layer referenced by this Code shall be an official TRPA map or GIS data layer. TRPA shall not approve any project or implement any program that is inconsistent with an official TRPA map or GIS dataset, unless otherwise provided by this Code.

12.2 Establishment Of Official TRPA Maps and GIS Data Layers: The maps and GIS data layers listed below are established as the official TRPA maps and GIS data layers. Official TRPA maps shall be certified by a signature block for the Chairman as official maps of the TRPA.

12.2.A Base Maps: The base map is a reference map for all the overlays and indicates the location of existing features, roads, parcels and other relevant information.

12.2.B Regional Plan Overlay Maps: The following series of overlay maps at a scale of 1" = 400’ and 1" = 2,000’ are the Regional Plan Overlay Maps.

(1) Plan Area Overlay: The plan area overlay maps relate to the Plan Area Statements and indicate plan area boundaries, special area boundaries, preliminary community plan boundaries, redevelopment and master plan boundaries, hydrologic related areas boundaries, and other relevant information.

(2) Land Capability Overlay: The land capability overlay maps indicate the boundaries of land capability districts, the boundaries of stream environment zones, the boundaries of shorezone tolerance districts, and other relevant information.
(3) **Historic Resources Overlay**: The historic resources overlay maps indicate the location of archaeological and historic sites determined to be significant by TRPA.

(4) **Prime Fish Habitat Overlay**: The prime fish habitat overlay maps identify the location of spawning areas and habitat of game and forage fish in Lake Tahoe. Spawning and habitat areas targeted for restoration are also identified.

(5) **Stream Habitat Quality Overlay**: The stream habitat quality overlay maps indicate the existing and potential quality (excellent, good, or marginal) of instream fish habitat.

(6) **Special Species Overlay**: The special species overlay maps indicate the location of habitat for threatened, endangered, rare and special interest species and where populations of sensitive or uncommon plants have been observed.

(7) **C.I.P. Overlay**: The capital improvement program overlay maps indicate the type and locations for stream environment zone, water quality and transportation improvements. [To be drafted pursuant to Subsection 12.2.D.]

(8) **Scenic Units Overlay**: The scenic units overlay maps indicate the location of the roadway units, the shoreline units, the recreation areas, and the bicycle trails established by the scenic thresholds. Scenic highway corridors, including specific urban, transition and natural corridor designations are also identified.

(9) **Transportation Corridors CNEL Overlay**: The CNEL corridor overlay maps indicate the location of special noise corridors for highways and the South Lake Tahoe Airport. [To be drafted from Noise Subelement of the Regional Plan for the Lake Tahoe Basin: Goals and Policies.]

### 12.2.C Other Maps

The following maps are official maps of the TRPA but shall not be included in the TRPA Regional Plan Overlay Maps:

(1) **IPES Maps**: The IPES working maps include the Need for Water Quality Improvements (2" = 1 mile), Proximity to Lake Tahoe (2,000 scale) and Rainfall Factor (R) Map (2" = 1 mile).

(2) **Geomorphic Unit Map**: The geomorphic unit map (1971) indicates the type and location of geomorphic units (Scale: 2" = 1 mile).

(3) **Natural Hazard Maps**: The natural hazard maps indicate locations of avalanche zones, earthquake zones and flooding zones (2,000 scale).
(4) **Pierhead Line Aerial Photographs**: Approximate scale $1'' = 400'$.  

(5) **Source Water Assessment Maps**: The Source Water Assessment Maps indicate the location of drinking water sources serving five (5) or more user service connections in the Region, protection zones around each source, and uses with a higher propensity to contaminate source water. Approximate scale $1'' = 2,000'$.  

(6) **Westside and Eastside Forest Type Maps**: The Westside and Eastside Forest Type Maps delineating the eastside forest types and westside forest types in the Region.  

12.2.D **Interim Maps**: The following maps are adopted Regional Plan Maps which have not been revised to fit into the Regional Plan Overlay Map system.  

(1) **Water Quality Capital Improvements**: Volume IV of the 1988 Water Quality Management Plan for the Lake Tahoe Region, as it may be amended.  

(2) **Transportation Capital Improvements**: Volume IV of the 1992 Regional Transportation Plan/Air Quality Plan, as it may be amended.  

12.2.E **GIS Data Layers**: The following GIS data layers are official TRPA GIS data layers. The following series of data layers can be produced at any given scale:  

(1) **Parcel Base**: The parcel base data layer is a reference map for all the GIS data layers and indicates the location of existing features, roads, parcels and other relevant information. This data layer is updated annually based on assessors data information received from the local jurisdiction [GIS File: Parcel_Base]  

(2) **Shoreline Character Types**: The Shoreline Character Type data layer indicates landscape level categories that describe the shoreline visible from Lake Tahoe as defined in Code Section 50.5. [GIS File: Scenic_Character_Type, Adopted 9/24/2008]  

(3) **Shorezone Preservation Areas**: The Shorezone Preservation Area data layer indicates the location of sections of the Lake Tahoe shoreline that have been determined to warrant additional protection from shorezone development to maintain the significant biological, scenic, and other natural resources pursuant to Code Section 50.4. [GIS File: Shorezone Preservation Areas, Adopted 9/24/2008]  

(4) **Streammouth Setback**: The Streammouth Setback data layer

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§ Amended 12/15/99  
§ Amended 5/23/01
indicates the location of streams that flow into Lake Tahoe that support or could support migrating populations of fish as defined in Code Section 50.6. [GIS File: Stream Mouth, Adopted 9/24/2008]

(5) Source Water Assessment Maps: The Source Water Assessment data layer indicates the location of drinking water sources serving five (5) or more user service connections in the Region, protection zones around each source, and uses with a higher propensity to contaminate source water. [GIS File: Intakes, Adopted 12/15/1999]

12.3 Map Amendment: Amendments to Regional Plan Overlay Maps shall be processed as plan amendments pursuant to TRPA's Rules of Procedure. Amendments to the official maps identified in Subsection 12.2.C shall be processed as ordinance amendments. Base maps identified in Subsection 12.2.A shall be amended by resolution.

12.4 Notice Of Map Amendments: Amendments to the official TRPA maps which substantially impact properties shall require notice given to affected property owners as provided in TRPA's Rules of Procedure.
Chapter 13

PLAN AREA STATEMENTS AND PLAN AREA MAPS

Chapter Contents

13.0 Purpose
13.1 Applicability
13.2 Establishment Of Plan Areas And Plan Area Statements
13.3 Relationship To Goals And Policies And The Code
13.4 Relationship To Community Plans
13.5 Content Of Plan Area Statements
13.6 Plan Area Maps
13.7 Plan Area Statement And Plan Area Map Amendment

13.0 Purpose: As set forth in the Goals and Policies, plan area statements provide detailed plans for specific areas. A plan area statement, which is a written text and applicable plan area map, provides specific land use policies and regulations for a plan area. A plan area is the area depicted on the plan area map to which the text relates.

13.1 Applicability: All projects and activities shall be consistent with the provisions of the applicable plan area statement. In the event a redevelopment, specific or master plan governs the plan area, projects and activities also shall be consistent with such plans.

13.2 Establishment Of Plan Areas And Plan Area Statements: The Plan Areas and the related Plan Area Statements are established as depicted on the Plan Area Map of the TRPA Regional Plan Overlay Maps at 1" = 400" and 1" = 2,000', and in the document entitled Regional Plan for the Lake Tahoe Basin, Plan Area Statements.

13.3 Relationship To Goals And Policies And The Code: The Goals and Policies and the Code shall apply to the Plan Area Statements. Plan area statements shall be consistent with the Code.

13.4 Relationship To Community Plans: A plan area statement may be replaced or modified by the adoption of a community plan pursuant to Chapter 14.

13.5 Content Of Plan Area Statements: Each plan area statement shall include the following:

13.5.A Name And Number: Each plan area statement shall have a name and number for identification purposes.
13.5.B Plan Area Designation: Each plan area statement shall be assigned a plan designation. A plan designation shall consist of one of the following five land use classifications and one of the following three management strategies.

(1) Land Use Classifications: The land use classifications are:

   (a) Land Conservation Areas: Conservation areas are areas with value as primitive or natural areas, with strong environmental limitations on use, and with a potential for dispersed recreation or low intensity resource management. Conservation areas include:

      (i) public lands already set aside for this purpose;

      (ii) high-hazard lands, stream environment zones, and other fragile areas, with out substantial existing improvements;

      (iii) isolated areas which do not contain the necessary infrastructure for development;

      (iv) areas capable of sustaining only passive recreation or nonintensive agriculture; or

      (v) areas suitable for low-to-moderate resource management.

   (b) Recreation Areas: Recreation areas are areas with good potential for developed outdoor recreation, park use, or concentrated recreation. Lands which are identified as recreation areas include:

      (i) areas of existing private and public recreation use;

      (ii) designated local, state, and federal recreation areas;

      (iii) areas without overriding environmental constraints on resource management or recreational purposes; or

      (iv) areas with unique recreational resources which may service public needs, such as beaches and ski areas.
(c) **Residential Areas:** Residential areas are areas having potential to provide housing for the residents of the Region. In addition, the purpose of this classification is to identify density patterns related to both the physical and manmade characteristics of the land and to allow accessory and non residential uses that complement the residential neighborhood. These lands include:

(i) areas now developed for residential purposes;

(ii) areas of moderate-to-good land capability;

(iii) areas serviced by utilities; or

(iv) areas of centralized location in close proximity to commercial services and public facilities.

(d) **Commercial And Public Service Areas:** Commercial and public service areas are areas that have been designated to provide commercial and public services to the Region or have the potential to provide future commercial and public services. The purpose of this classification is to concentrate such services for public convenience, separate incompatible uses, and allow other non-commercial uses if they are compatible with the purpose of this classification and other goals of the Regional Plan. These lands include:

(i) areas now developed for commercial or public service uses;

(ii) in the case of public services, lands designated for, or in, public ownership;

(iii) areas suitable to encourage the concentration of compatible services;

(iv) areas of good-to-moderate land capability; or

(v) areas with adequate public services and transportation linkages.
(e) **Tourist Areas**: Tourist areas are areas that have the potential to provide intensive tourist accommodations and services or intensive recreation. This land use classification also includes areas recognized by the Compact as suitable for gaming. These lands include:

(i) areas now developed with high concentrations of visitor accommodations and related uses;

(ii) lands on which gaming is a permitted and recognized use;

(iii) lands of good-to-moderate land capability; or

(iv) areas with adequate public services and transportation linkages.

(2) **Management Strategies**: The management strategies are:

(a) **Maximum Regulation**: The maximum regulation designation applies primarily to conservation areas. Areas with this designation shall be strictly regulated to ensure preservation and enhancement of the existing environment, with little or no additional development of residential, commercial, tourist, recreational or public service uses.

(b) **Development With Mitigation**: The development with mitigation designation is the predominant management strategy. Most areas of existing residential or recreational use carry this designation. Areas with this designation can accommodate additional development if the impacts are fully mitigated and the land is capable of withstanding the use. Both onsite and offsite mitigation of environmental impacts from development shall be required.

(c) **Redirection Of Development**: The redirection of development designation is designed primarily to improve environmental quality and community character by changing the direction of development or density through relocation of facilities and rehabilitation or restoration of existing structures and uses. The purpose of this designation is to reduce impervious coverage, restore natural environments, improve the efficiency of transportation systems, improve scenic quality and provide high quality facilities for residents and visitors alike. Local government participation in redevelopment of appropriate areas shall be encouraged.
13.5.C Special Designations: Eligibility for a specific planning program shall be limited to those plan area statements with the applicable special designations. Each plan area statement may include special designations for specific planning programs as follows:

(1) Preliminary Community Plan Areas: Preliminary boundaries for community plans are set forth on the plan area maps. The areas within preliminary boundaries are eligible for community plans adopted pursuant to Chapter 14 and incentives pursuant to Chapter 33. The final boundaries of community plans shall be as prescribed by the adoptions.

(2) Eligible For Redevelopment Plans: Plan areas designated as eligible for redevelopment plans may be considered for adoption of redevelopment plans pursuant to Chapter 15. Additional provisions prescribing eligibility for redevelopment plans are set forth in Chapter 15.

(3) Transfer Of Development Rights (TDR) Receiving Areas: The following designations determine which plan areas, or portions thereof, are receiving areas for transfer of the development specified in Chapter 34:

(a) Existing Development: The existing development designation determines which areas are eligible for the transfer of existing uses which are permissible uses in the plan area.

(b) Multi-Residential Units: The multi-residential unit designation determines which areas are eligible for the transfer of residential development rights.

(4) Scenic Restoration Areas: The scenic restoration area designation indicates one or more highway units or shoreline units in the plan area is not in compliance with the Scenic Threshold rating and this area is therefore subject to the scenic quality provisions of Chapter 30.

(5) Preferred Affordable Housing Areas: Plan areas with the preferred affordable housing area designation are preferred locations for affordable housing and are eligible for subdivision of post-1987 residential projects pursuant to Subsection 43.4.F. §

(6) (Deleted) §

(7) Preferred Industrial Areas: Plan areas with the preferred industrial area designation are eligible for the commercial allocation and transfer incentives pursuant to Chapters 33 and 34.

§ Amended 4/27/2005
(8) Shorezone Preservation Areas: The Shorezone Preservation Area designation indicates that all or part of the shorezone has a prohibition on all additional shorezone structures, except as may be permitted under Section 50.4.B.

13.5.D Description: Each plan area statement shall have a description of location, existing uses and existing environment of the plan area.

13.5.E Planning Statement: Each plan area statement shall have a planning statement which sets forth in a summary statement the general planning direction for the plan area.

13.5.F Planning Considerations: Each plan area statement shall list under Planning Considerations, the major planning issues and concerns specific to that area. TRPA shall take these considerations into account in all decisions affecting the plan area.

13.5.G Special Policies: Each plan area statement shall set forth any special policies addressing issues and concerns for the area that are not adequately addressed by the Goals and Policies.

13.5.H Permissible Uses: Pursuant to Chapters 18 and 51, each plan area statement shall list all allowable and special uses that may be permitted in the plan area. Uses may be designated for one or more special areas or shorezone tolerance districts as follows:

   (1) General List: The General List section provides a list of allowed and special uses which may be permitted throughout the land area of a plan area except as modified by subparagraph 13.5.H(2).

   (2) Special Areas: The Special Area section provides a list of one or more special areas within a plan area with a different list of allowed and special uses than the General List.

   (3) Nearshore And Foreshore Of The Shorezone: The Nearshore and Foreshore of the Shorezone section provides a list of allowed and special uses that may be permitted within the nearshore and foreshore of the shorezone tolerance districts.

13.5.I Maximum Densities: Pursuant to Chapter 21, each plan area statement shall designate the maximum densities of use which may be permitted within the plan area.

13.6.J (Deleted)§

13.5.K Maximum Community Noise Equivalent Level: Each plan area statement shall specify the maximum community noise equivalent levels (CNEL) that are permissible within the plan area.

§ Amended 04/24/02
13.5.L Additional Developed Outdoor Recreation: Each plan area statement shall specify the amount of additional recreational capacity subject to the PAOT allocations pursuant to Subsection 33.6.B permissible within that plan area. Additional recreational capacity shall be measured in people at one time (PAOT). Additional recreational capacity beyond that amount specified in the plan area statements may be drawn from pools reserved for summer day uses or overnight uses. Such reserved capacity shall be allocated upon permit approval by TRPA or may be allocated to a specific plan area pursuant to 13.7.A. Allocations shall be consistent with the targets for outdoor recreation set forth in 33.6.A. (4) (c). The pools of reserved recreation capacity shall consist of 1,000 overnight PAOT and 6,761 summer day use PAOT. Other recreation capacity may be specified as appropriate.

13.5.M Improvement Programs: Each plan area statement shall make reference to major improvement or restoration programs which affect the plan area.

13.6 Plan Area Maps: Plan area boundaries and other relevant information shall be depicted on the Plan Area Maps. The Plan Area Maps shall consist of the base map and the plan area and land capability overlays, as described in Chapter 12.

13.6.A Plan Area Boundaries: When uncertainty exists with respect to the boundaries of any plan area or special area because of the scale of the maps, or for any other reasons which make exact boundary determination difficult or uncertain, the precise boundary line shall be established by using the following criteria:

(1) Where plan area boundaries appear to follow the center or right-of-way lines of streets or highways, such lines shall be treated as the plan area boundaries.

(2) Where plan area boundaries appear to be approximately parallel to center or right-of-way lines of streets or highways, such boundaries shall be treated as being parallel to such lines and at distances as indicated on the Plan Area Maps.

(3) Where plan area boundaries appear to follow ownership boundaries, such boundaries shall be the plan area boundaries.

(4) Where plan area boundaries appear to follow land capability or shorezone tolerance district boundaries, such boundaries, as field verified, shall be the plan area boundaries.

13.7 Plan Area Statement And Plan Area Map Amendment: The amendment of a plan area statement or plan area map shall be in accordance with the following procedures:
13.7.A **Plan Amendments**: Modification of plan area boundaries, special area boundaries, plan area name and number, Land Use Classification, Management Strategy, Special Designations, Planning Statement, Special Policies, and Additional Recreation Development shall be by plan amendment. TRPA shall modify the Plan Area Maps and Statements pursuant to 13.7.A, 13.7.B and 13.7.C to reflect current data.

13.7.B **Amendment By Ordinance**: Modification of Permissible Uses, Maximum Densities, and assigned Maximum Community Noise Equivalent Levels shall be by ordinance.

13.7.C **Amendment By Resolution**: Modification of Description, Planning Considerations, and Improvement Programs shall be by resolution.

13.7.D **Findings For Plan Area Amendments**: Prior to adopting any plan area amendment, TRPA must find:

1. The amendment is substantially consistent with the plan area designation criteria in Subsections 13.5.B and 13.5.C; and

2. If the amendment is to expand an existing urban plan area boundary or to add residential, tourist accommodation, commercial, or public service as permissible uses to a non-urban plan area, it must be found that the amendment will make the plan area statement consistent with an adopted policy or standard of the Regional Plan, and that the amendment will satisfy one or more of the following criteria:

   a. The amendment is to correct an error which occurred at the time of adoption, including but not limited to a mapping error, an editing error, or an error based on erroneous information; or

   b. The amendment is to enable TRPA to make progress toward one or more environmental thresholds without degradation to other thresholds as measured by the Chapter 32 indicators; or

   c. The amendment is needed to protect public health and safety and there is no reasonable alternative.

§ Amended 4/25/01
(3) If the amendment is to add multiple-family as a permissible use to a plan area or for one or more parcels, except as provided for in (5) below, the plan area or affected parcel must be found suitable for transit-oriented development (TOD). TRPA shall find that the following factors, or a functional equivalent as provided for in (4) below, are satisfied when determining TOD suitability:

   (a) The area must have access to operational transit within a 10 minute walk; and

   (b) Neighborhood services within a 10 minute walk, (e.g., grocery/drug stores, medical services, retail stores, and laundry facilities); and

   (c) Good pedestrian and bike connections; and

   (d) Opportunities for residential infill (at densities greater than 8 units per acre) or infill with mixed uses; and

   (e) Adequate public facilities, (e.g., public schools, urban or developed recreation sites, government services, and post offices).

(4) In order for TRPA to find a proposal is the functional equivalent of one of the factors listed in 13.7.D (3), or 13.7.D (5) (a), the proposal must be found to facilitate TOD in a manner that is equal or superior to that feature.

(5) If the amendment is to add multiple-family dwellings as a permissible use to a plan area or for one or more parcels, and would result in deed restricted affordable housing units, the plan area or affected parcel must be found suitable for transit-oriented development (TOD). TRPA shall find that the following factors are satisfied when determining TOD suitability:

   (a) access to operational transit within a 10 minute walk, or a functional equivalent as provided for in (4) above; and

   (b) neighborhood services; or

   (c) public facilities.
Chapter 25

BEST MANAGEMENT PRACTICE REQUIREMENTS

Proposed Amendment to Chapter 25 Best Management Practice Requirements

25.7 Special Circumstances: Where special circumstances occur, alternative BMPs may be approved to meet water quality standards. Special circumstances may include, but not be limited to, streets, highways, and bike trails, existence of high ground water table, unusual up-stream or downstream flow conditions, proximity to drinking water sources, and presence of unusual concentrations of pollutants.
Chapter 29
HISTORIC RESOURCE PROTECTION

Chapter Contents

29.0 Purpose
29.1 Applicability
29.2 Resource Protection
29.3 Discovery Of Eligible Resources
29.4 Designated Historic Resources
29.5 Eligibility As a Historic Resource
29.6 Projects Relating To Historic Resources
29.7 Exceptions For Historical Structures and Districts

29.0 Purpose: This chapter provides for the recognition, protection, and preservation of the Region’s significant historical, archaeological, and paleontological resources.

29.1 Applicability: Projects and activities affecting sites, objects, structures, or districts, which have been designated by TRPA or are pending for designation, as historic resources, are subject to the provisions of this chapter. Unless the context of the sentence indicates otherwise, designated historic resources shall include resources pending for designation pursuant to Section 29.4.

29.2 Resource Protection: Sites, objects, structures, or other resources, designated as historic resources or for which designation is pending, shall not be demolished, disturbed, removed, or significantly altered, unless TRPA has approved a resource protection plan to protect the historic resources.

29.2.A Discovery of Historic or Cultural Artifacts During Construction: If during the course of a project or activity, a potential archaeological, cultural, or historical resource is discovered, all operations shall stop until a qualified archaeologist has evaluated the potential for significance.

29.2.B Ground Disturbing Activities: A site survey shall be performed by a qualified archaeologist within project areas with known or newly discovered sites of cultural and/or historic significance prior to any TRPA project approval. If the significant resource is a Washoe site, TRPA shall consult with the Washoe Tribe. If resources are discovered and deemed significant, then 29.2.D and E will be implemented.

29.2.C Recreational and Human Activity Disturbance: Within project areas where documented or newly discovered significant resources occur, when appropriate, educational/interpretive signs shall be installed to inform the public of the importance of the resource and its sensitivity to disturbance.

29.2.AD Resource Protection Plan: Resource protection plans shall be prepared...
by a qualified professional and may provide for surface or subsurface recovery of data and artifacts and recordation of structural and other data.

29.2 BE Protection During Construction: Grading, operation of equipment, or other soil disturbance is prohibited in areas where a designated historic resource is present or could be damaged, except in accordance with a TRPA-approved resource protection plan. The resource protection plan shall indicate all such known areas on the site and shall indicate the measures that shall be taken to protect them. See also Section 64.8.

29.2 F Setbacks From Significant Resources in the Shorezone: Where a site has been identified as significant or potentially significant (including submerged sites), additional shorezone structures and/or shorezone activities shall be adequately setback from the identified resource as determined by TRPA in consultation with a qualified archaeologist, and when appropriate, the Washoe Tribe. Expansions or modifications of existing shorezone structures shall not increase the extent of the structure or associated activity that may already be within an adequate setback from an identified resource.

29.3 Discovery Of Eligible Resources: Upon discovery of a site, object, district, structure or other resource, potentially meeting the criteria of Section 29.5, TRPA shall consider the resource for designation as a historic resource and shall consult with the applicable state historic preservation officer (SHPO). If the resource initially is determined to be eligible for designation as a historic resource by the SHPO, TRPA shall consider designation pursuant to Sections 29.5 and 29.4.

29.4 Designated Historic Resources: Designated historic resources shall be shown on the TRPA Historic Resource Map, except that locations of resources found by TRPA to be especially sensitive may be kept confidential in order to protect them from trespassers or vandalism. Such locations shall be recorded in confidential reports or maps of the TRPA. Resources shall be designated as historic according to the following procedure:

29.4.A Nominations For Designations: Nominations for designations may be made by TRPA, a state historic preservation officer, the property owner, or land management agency. The nomination shall be in the form of a report containing information necessary to evaluate the significance of the resource pursuant to Section 29.5. Nominations shall be reviewed by the applicable state's historic preservation office (SHPO). From the time a nomination report is filed with TRPA until a decision is made pursuant to Subsection 29.4.B, the designation shall be considered pending. Notice of pending designations shall be given by publication and to affected property owners, in accordance with the Rules of Procedure.
29.4.B  **Review and Approval:** TRPA shall review the nomination reports along with the comments of the SHPO, the property owner, and other interested parties, and determine if the resource, pursuant to Section 29.5, is sufficiently significant to be designated as a historic resource.

29.4.C. **Withdrawal of Designation:** The designation of a historic resource may be withdrawn by TRPA based on a request for withdrawal by TRPA, the SHPO, property owner, or land management agency, if the resource is determined not to be significant to be designated as a historic resource. TRPA shall consider the request in the same manner as for approval in Subsection 29.4.B.

29.5  **Eligibility As A Historic Resource:** Sites, objects, structures, districts or other resources, eligible for designation as resources of historical, cultural, archeological, paleontological, or architectural significance locally, regionally, state-wide or nationally, shall meet at least one of the following criteria:

29.5.A  **Resources Associated With Historically Significant Events And Sites:** Resources shall exemplify the broad cultural, political, economic, social, civic, or military history of the Region, the states, or the nation, or be associated with events that have made a significant contribution to the broad patterns of history, including regional history. Such resources shall meet one or more of the following criteria:

1. Association with an important community function in the past;
2. Association with a memorable happening in the past; or
3. Contain outstanding qualities reminiscent of an early stage of development in the Region.

29.5.B  **Resources Associated With Significant Persons:** Resources that are associated with the lives of persons significant in history, including regional history, such as:

1. Buildings or structures associated with a locally, regionally, or nationally known person;
2. Notable examples, or best surviving works, of a pioneer architect, designer or master builder; or
3. Structures associated with the life or work of significant persons.
29.5.C **Resources Embodying Distinctive Characteristics:** Resources that embody the distinctive characteristics of a type, period, or method of construction, that possess high artistic values, or that represent a significant and distinguishable entity but whose components may lack individual distinction, are eligible. Works of a master builder, designer or architect also are eligible. Resources may be classified as significant if they are a prototype of, or a representative example of, a period style, architectural movement, or method of construction unique in the Region, the states, or the nation.

29.5.D **State And Federal Guidelines:** Archeological or paleontological resources protected, or eligible for protection, under state or federal guidelines, are eligible.

29.5.E **Prehistoric Sites:** Sites where prehistoric archaeological or paleontological resources, which may contribute to the basic understanding of early cultural or biological development in the Region are eligible.

29.6 **Projects Relating To Historic Resources:** As part of the application for a project affecting designated historic resources, TRPA may require a report documenting compliance with the standards to this chapter. The report may be submitted to the applicable state's historic preservation office for review. Projects and activities affecting designated resources shall comply with the following standards:

29.6.A **Additions:** Additions to historic structures, adjacent to a historic structure, within an historic district, or on an historic site, shall be in compliance with Subsection 29.6.D. Additions shall be eligible for the exceptions in Section 29.7, if such construction is required to attain the objectives of that section. Provisions from the Design Review Guidelines may be required as conditions of approval.

29.6.B **Repairs, Maintenance And Reconstruction:** All repairs, maintenance, reconstruction, or other disturbance of designated historic resources shall comply with, and be maintained in accordance with, Subsection 29.6.D. Provisions from the Design Review Guidelines may be required as conditions of approval.

29.6.C **Demolition:** Historic resources shall not be demolished, disturbed, or removed, unless TRPA finds that:

1. The action will not be detrimental to the historic significance of the resource;

2. The action is pursuant to a recovery plan approved by the applicable state historic preservation officer; or

3. It is the only feasible alternative to protect the health and safety of the public.
29.6.D Construction, Reconstruction, Repair, And Maintenance Standards: Construction, reconstruction, repair, and maintenance of historic resources shall be in accordance with the U.S. Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

29.7 Exceptions For Historical Structures And Districts: To encourage the protection, maintenance, or rebuilding of sites, structures, or districts, designated a historic resource, TRPA may grant exceptions to certain provisions of this Code to allow reconstruction or repairs.

29.7.A Findings: Exceptions may be granted if TRPA finds that:

(1) The site, structure, or district is designated as a historic resource; and

(2) The reconstruction, modification, or repair is in the public interest.

29.7.B Conditions: Exceptions granted shall be subject to the following conditions:

(1) Modifications shall not increase nonconforming land coverage, exceed the height of the existing structure, or result in an expanded use subject to an allocation under the terms of the Goals and Policies, or Code, unless an allocation has been obtained pursuant to Chapter 33 or transferred pursuant to Chapter 34.

(2) Modifications to a structure shall conform to the standards in Subsection 29.6.D.

(3) Modifications that will endanger or significantly effect the historical, cultural, or architectural significance shall not be made.

29.7.C Exceptions: Exceptions from the following Code provisions may be granted:

(1) Chapter 24, Driveway and Parking Standards;

(2) Section 27.1, Paved Roads;

(3) Section 30.5, Site Plan Standards;

(4) Section 30.6, Standards For Building Design;

(5) Section 30.9, Standards For Water Conservation;

(6) Section 30.10, Standards For Combustion Appliances; or

(7) Chapters 50 through 56, inclusive, Shorezone
Chapter 30
DESIGN STANDARDS

Chapter Contents

30.0 Purpose
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30.4 Substitution Of Standards And Guidelines
30.5 Site Design Standards
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30.13 Establishment of Scenic Highway Corridors
30.14 Soil and Vegetation Protection Standards§
30.15 Scenic Quality Review in the Shoreland§§

30.0 Purpose: The purpose of this chapter is to ensure that projects are designed and constructed consistent with the Community Design Subelement of the Land Use Element and related elements of the Goals and Policies.

30.1 Applicability: All projects shall comply with the standards set forth in this chapter, except as noted below. In addition, exempt activities, as defined in Chapter 4, shall comply with sections 30.6, 30.9 and 30.10. Substitute design standards shall not apply to the review procedures and standards for projects in the shoreland. Appropriate provisions of the Design Review Guidelines and Scenic Quality Improvement Program may be considered as conditions of project approval. §§


§ Amended 07/24/02
§§ Amended 11/20/02
30.1.C **City of South Lake Tahoe Substitutions**: The City of South Lake Tahoe Standards and Guidelines for Design, Signage, Parking, Driveway, and Loading Spaces, June 1994, shall apply to the Stateline/Ski Run Community Plan and to the entire City of South Lake Tahoe.

30.1.D **Washoe County Substitutions**: The Signage, Parking, and Design Standards and Guidelines for the Community Plans of Washoe County (November 1996), shall apply to the North Stateline, Incline Village Commercial, Incline Village Tourist, and Ponderosa Ranch Community Plans.

30.2 **Design Review Guidelines**: Design and site planning methods and techniques shall be set forth in a handbook called Design Review Guidelines, except that design review guidelines for the Meyers Community Plan are set forth in the adopted community plan.

30.3 **Scenic Quality Improvement Program**: Additional design guidelines applicable to specific areas shall be set forth in a document called the Scenic Quality Improvement Program. Provisions of that program shall be required by TRPA, as appropriate, as conditions of project approval.

30.4 **Substitution Of Standards And Guidelines**: Equal or superior standards and guidelines may be substituted as set forth below:

30.4.A **Standards**: Equal or superior design standards may be adopted by TRPA pursuant to a community plan, re development plan, specific plan or master plan.

30.4.B **Guidelines**: Local governments may adopt guidelines consistent with the TRPA Design Review Guidelines and Scenic Quality Improvement Program. TRPA, upon finding the local guidelines are equal or superior to the TRPA guidelines and program, may adopt the local guidelines for application in that jurisdiction.

30.5 **Site Design Standards**: In accordance with section 30.1, the following site design standards shall apply:

30.5.A **General Standards**: The general standards are:

(1) Existing natural features outside of the building site shall be retained and incorporated into the site design to the greatest extent feasible. Projects shall be designed to avoid disturbance to rock outcrops and stream environment zones and to minimize vegetation removal and maintain the natural slope of the project site and be consistent with Section 30.14.

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§ Amended 07/24/02
(2) Projects shall be designed to use existing disturbed areas rather than undisturbed areas for the siting of all improvements except when:

(a) The disturbed area is precluded from development by setbacks or other such limitations;

(b) The disturbed lands are classified as sensitive lands and alternative sites classified as nonsensitive exist on the parcel;

(c) The use of the disturbed lands would require more total disturbance than use of undisturbed lands;

(d) Avoidance of other development impacts are of more importance than the preservation of undisturbed areas; or

(e) The degree of existing disturbance is minor and the area shall be restored as part of the project.

30.5.B Standards For Commercial, Tourist Accommodation, Public Service And Multi-Residential Projects: In addition to the other standards in this section, the standards for commercial, tourist accommodation, public service and multi-residential projects are:

(1) Onsite parking areas shall be provided with landscaped perimeters. Onsite parking areas greater than 1/4 acre in size shall be provided with landscaped islands designed in accordance with the Design Review Guidelines.

(2) A pedestrian circulation system shall be incorporated into the site plan to assure that pedestrians can move safely and easily both on the site and between properties and activities within the neighborhood year round.

(3) Adequate access shall be provided for emergency vehicles and for those persons attempting to render emergency services.

(4) Screening of service yards, maintenance yards, warehousing, outdoor storage and trash and refuse collection areas shall be accomplished by the use of walls, fencing, landscape plantings or combinations thereof. Screening shall be effective in both winter and summer.

(5) Service yards, maintenance yards, warehousing, and outdoor storage areas shall be located in areas which are not highly visible from major transportation corridors, scenic turnouts, public recreation areas or the waters of lakes in the Region.
30.5.C **Standards For Snow Storage:** The standards for snow storage are:

1. Parking areas shall be sloped at least two percent to prevent ponding and icing.

2. Commercial, tourist accommodation, public service, recreation and multi-residential projects shall provide, within the project area, snow storage areas of a size adequate to store snow removed from parking, driveway and pedestrian access areas or have arrangements by means of recorded easements or equivalent arrangements to remove and store accumulated snow offsite.

30.5.D **Setback Standards:** The setback standards are:

1. For parcels abutting roadways rated in the TRPA's Scenic Resources Inventory, the minimum building setback from the right-of-way of such roadways shall be 20 feet. Decks (except decks for off street parking), stairs, canopies, building, or roof overhangs shall not intrude into the 20 foot setback established in this subparagraph. TRPA may approve building setbacks less than 20 feet if the reduced setback is approved by the appropriate local jurisdiction and TRPA finds that the project will not cause a decrease in the numerical ratings assigned to the roadway unit, including the scenic quality rating of the individual resources within each unit, as recorded in the 1982 Scenic Resources Inventory and shown in Tables 13-3 and 13-8 of the Study Report for the Establishment of Environmental Threshold Carrying Capacities, October 1982. The criteria for rating scenic quality as identified in the study report cited herein shall be used to determine if a project will cause a decrease in the numerical rating.

2. Buildings, other structures and land coverage shall be setback from SEZs in accordance with Chapter 37.

3. Other setbacks are set forth in Chapter 64.

30.6 **Building Design Standards:** In accordance with section 30.1, the following building design standards shall apply:

30.6.A **General Standards:** The general standards are:

1. The architectural design of a project shall include elements that screen from public view all external mechanical equipment, including refuse enclosures, electrical transformer pads and vaults, satellite receiving disks, communication equipment, and utility hardware on roofs, buildings or the ground.

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§ Amended 11/20/02
(2) Roofs, including mechanical equipment and skylights shall be constructed of nonglare finishes and earthtone colors that minimize reflectivity. For this subparagraph, non-glare earthtone colors are defined as Munsell\textsuperscript{\textregistered} Colors set forth in Appendix G, TRPA Approved Earthtone Colors, of the Design Review Guidelines, that have a value and chroma of 0-4 or other color systems that are equivalent to the adopted hues, values and chromas of Appendix G\textsuperscript{§§}.

(3) For all structures visible from the Scenic Threshold Travel Routes and from Public Recreation Area and Bicycle Trails identified in the 1993 Lake Tahoe Basin Scenic Resource Evaluation, subdued colors of earthtone ranges shall be used for the primary color of structures. Colors shall be within a range of natural colors that blend, rather than contrast, with the existing backdrop vegetation and soils color. For this subparagraph, earthtone colors shall be medium to dark and shall meet the Munsell\textsuperscript{\textregistered} Colors set forth in Appendix G, TRPA Approved Earthtone Colors, of the Design Review Guidelines or other color systems that are equivalent to the adopted hues, values and chromas of Appendix G\textsuperscript{§§}. TRPA may grant exceptions to this provision pursuant to Section 29.6, for scenic roadway corridors designated as urban, for unique situations such as site characteristics, or as set forth in Section 53.10. Structures in the shoreland that were constructed prior to January 1, 1950 may maintain their historic colors when doing exempt maintenance and repair.


30.7 Landscaping Standards: The following landscaping standards shall apply:

30.7.A Plant Species Permitted: Plant species on the TRPA Recommended Native and Adapted Plant List shall be used for lawns and landscaping.

30.7.B Minimum Plant Sizes And Spacings: For projects other than single family home projects, the following sizes and spacing shall be required for woody plant materials at time of planting:

(1) Trees shall be a minimum six feet tall or \(1\)\(\Omega\) inch caliper size or diameter at breast height;

(2) Shrubs shall be a minimum three gallon pot size where: upright shrubs have a minimum height of 18 inches and minimum spread of 18 inches; and, spreading shrubs have a minimum spread of 18-24 inches.

\textsuperscript{§§} Amended 1/22/03

\textsuperscript{§§} Amended 1/22/03
(3) Groundcovers shall be a minimum four inch pot size or one gallon container and shall be a maximum 24 inches on center spacing.

30.7.C Accent Vegetation: Plant species not found on the TRPA Recommended Native and Adapted Plant List may be used for landscaping as accent plantings. Such plants shall be limited to borders, entryways, flower-beds, and other similar locations to provide accents to the overall native or adapted landscape design.

30.8 Exterior Lighting Standards: In accordance with section 30.1, the following exterior lighting standards shall apply:

30.8.A General Standards: The general standards are:

(1) Exterior lights shall not blink, flash or change intensity. String lights, building or roofline tube lighting, reflective or luminescent wall surfaces are prohibited.

(2) Exterior lighting shall not be attached to trees except for the Christmas season.

(3) Parking lot, walkway, and building lights shall be directed downward.

(4) Fixture mounting height shall be appropriate to the purpose. The height shall not exceed the limitations set forth in Chapter 22.

(5) Outdoor lighting shall be used for purposes of illumination only, and shall not be designed for, or used as, an advertising display. Illumination for aesthetic or dramatic purposes of any building or surrounding landscape utilizing exterior light fixtures projected above the horizontal is prohibited.

(6) The commercial operation of searchlights for advertising or any other purpose is prohibited.

(7) Seasonal lighting displays and lighting for special events which conflict with other provisions of this section may be permitted on a temporary basis pursuant to Chapter 7.

30.9 Water Conservation Standards: The following appliances and fixtures shall be installed in new facilities or when replaced in existing facilities: low flow flush toilets; low flow showerheads (3 gpm rated maximum flow); faucet aerators; and water-efficient appliance (e.g., washing machines and dishwashers).

30.10 Standards For Combustion Appliances: All natural gas, oil or propane fired water heaters and space heaters, and all wood heaters, installed within the Region in new facilities, or when replaced in existing facilities, shall meet the standards set forth in Chapter 91.
30.11 **Outdoor Advertising:** The standards for outdoor advertising are set forth in Chapter 26.

30.12 **Scenic Quality Standards:** All projects and activities shall comply with the following standards:

30.12.A **Roadway and Shoreline Unit Scenic Quality:** The project shall not cause a decrease in the numerical ratings assigned to roadway or shoreline units, including the scenic quality rating of the individual resources within each unit, as recorded in the 1982 Scenic Resources Inventory and shown in Tables 13-3, 13-5, 13-8 and 13-9 of the Study Report for the Establishment of Environmental Threshold Carrying Capacities, October 1982. The criteria for rating scenic quality as identified in the study report cited herein shall be used to determine if a project will cause a decrease in the numerical rating.

30.12.B **Roadway and Shoreline Unit Travel Routes:** The project shall not cause a decrease in the 1982 roadway or shoreline travel route ratings as shown in Tables 13-6 and 13-7, respectively, of the Study Report for the Establishment of Environmental Threshold Carrying Capacities, October 1982. The criteria for rating travel routes as identified in the study report cited herein and as further explained in the report entitled A Scenic Analysis Of Principle Travel Routes In The Lake Tahoe Region, 1970, shall be used to determine if a project will cause a decrease in the numerical rating. For projects in the shoreland, Section 30.15 shall be used to determine if it will contribute to a decrease in the numerical rating for a shoreline travel route rating.§

30.12.C **Public Recreation Areas and Bicycle Trails:** The project shall not cause a decrease in any numerical sub component threshold rating or total threshold rating assigned to a scenic resource identified in the 1993 Lake Tahoe Basin Scenic Resource Evaluation. Prior to approving a project which may potentially affect an identified scenic resource, TRPA shall find that the project is consistent with applicable recommendations for preserving scenic quality of the affected recreation area or bicycle trail found in the 1993 Lake Tahoe Basin Scenic Resource Evaluation.

30.13 **Establishment Of Scenic Highway Corridors:** TRPA and other public agencies within the Tahoe Region shall maintain and enhance viewing opportunities, whenever feasible, by establishing scenic highway corridors. TRPA, through the project review process shall ensure that viewsheds and view corridors along the scenic highway corridors are maintained and enhanced.

30.13.A **Designation Of Scenic Highway Corridors:** All federal and state highways which lie within the Tahoe Region, and Pioneer Trail are designated as scenic highways.

§ Amended 11/20/02
(1) Urban Corridors: Urban scenic highway corridors are generally urbanized areas where man-made development is the dominant visual feature. When viewed from areas outside of the urban corridor, man-made developments shall blend into the natural environment. Those portions of federal and state highways and, Pioneer Trail, which lie within the urban areas as shown on TRPA's scenic units map overlay are designated as urban scenic highway corridors. The width of urban scenic highway corridors shall include the highway right-of-way and all properties, or portions thereof, up to 300 feet on either side of the highway right-of-way which are visible from the highway.

(2) Transition Corridors: Transition scenic highway corridors are generally areas of transition between urban and natural areas where the built environment is not the dominant visual feature, rather it appears well integrated into and in balance with the natural elements of the landscape. When viewed from areas outside of the transition corridor, man-made developments shall blend into the natural environment. Those portions of federal and state highways, and Pioneer Trail, which lie within the transition areas as shown on TRPA's scenic units map overlay are designated as transition scenic highway corridors. The width of transition scenic highway corridors shall include the highway right-of-way and all properties, or portions thereof, up to 1000 feet on either side of the highway right-of-way which are visible from the highway.

(3) Natural Corridors: Natural scenic highway corridors are generally those areas where natural landscape elements and processes are the dominant visual features. Those portions of federal and state highways which lie within the natural areas as shown on TRPA's scenic units map overlay are designated as natural scenic highway corridors. The width of natural scenic highway corridors shall include the highway right-of-way and all properties, or portions thereof, up to one-half mile on either side of the highway right-of-way which are visible from the highway.

30.13.B. Scenic Viewpoint Corridor Plan Prepared: The TRPA shall, in cooperation with other interested agencies and private citizens, prepare a comprehensive Scenic Viewpoint Corridor Plan. The purpose of this plan will be the improvement of the public's traveling experience in the Region. The Scenic Viewpoint Corridor Plan shall be a design plan which shall, at a minimum, identify potential scenic viewpoints and pull-off facilities, moving vistas, a signage program identifying the scenic corridor, interpretive signs and displays, opportunities for mass transit service, and implementation of proposed improvements.
30.13.C. **Scenic Highway Corridor Design Standards:** All projects which are within the scenic highway corridors established in 30.13.A. shall meet the design standards listed in 30.13.C(1) and (2), in addition to other applicable design standards. All projects which are within the natural scenic highway corridor shall also meet the design standards listed in 30.13.C(3) in addition to other applicable design standards.

(1) **Utilities:**

(a) All new electrical lines which operate at 32 kilovolts or less, including service connection lines, shall be placed underground. Exceptions to this requirement may be allowed, provided TRPA finds that undergrounding would produce a greater environmental impact than above ground installation. If new electrical lines are permitted to be installed above ground, the new lines, poles, and hardware shall be screened from views from scenic highways to the maximum extent possible.

(b) All new communication lines including telephone lines, cable television lines, and service connection lines, shall be placed underground. Exceptions to this requirement may be allowed, provided TRPA finds that undergrounding would produce a greater environmental impact than above ground installation. If new communication lines are permitted to be installed above ground, the new lines, poles, and hardware shall be screened from views from scenic highways to the maximum extent possible.

(2) **Highway Fixtures:** Guardrails and other highway fixtures, including but not limited to, retaining walls, safety barriers, traffic signals and controllers, light standards, and other structures, shall be limited to the minimum length, height, and bulk necessary to adequately provide for the safety of the highway user. Earth tone colors of dark shades and flat finish shall be used on all highway fixtures. New and replacement guardrails shall not have a shiny reflective finish. Retaining walls and other erosion control devices or structures, shall be constructed of natural materials whenever possible and shall, to the maximum extent possible, be designed and sited as to not detract from the scenic quality of the corridor. Such structures shall incorporate heavy texture or articulated plane surfaces that create heavy shadow patterns. Adopted community plans may establish equal or superior standards for highway fixtures.
(3) **Siting of Development:** All projects, excluding signs, driveways, parking for scenic vista points, trailheads, and pedestrian/bicycle paths, shall be sited in such a manner that they are not visually evident from the scenic highway. All projects, when viewed from a distance of not less than 300 feet, should meet the Visual Magnitude/Contrast Ratings for Natural Scenic Highway Corridors established in Appendix D of the Design Review Guidelines.

30.14 § **Soil and Vegetation Protection Standards:** In accordance with Section 30.1, the following site design standards shall apply:

30.14.A **Construction Area Standards:** To reduce soil disturbance and damage to vegetation, the area of disturbance during the construction of a structure shall be limited to the area between the footprint of the building and the public road. For the remainder of the site the disturbance area shall not exceed 12 feet from the footprint of the structure, parking area or cut/fill slope. These limits shall be shown on the submitted plan. For structures not adjacent to a public road access reasonable construction and staging area shall be identified. These limits shall be fenced according to Section 65.2. Exceptions require prior TRPA approval and may include:

(1) When it is demonstrated that equipment will need to access an area,

(2) When other site characteristics require a larger area, such as: rock outcrops and topography,

(3) When a landscaping or utility plan clearly demonstrates the need for soil disturbance beyond the 12 foot boundary, or

(4) Storage of construction materials in areas of existing disturbed lands.

30.15 **Scenic Quality Review in the Shoreland**§§ To make the scenic findings required by Subsection 30.12.B, all projects within the shoreland of any Shoreline Threshold Travel Route shall be reviewed for compliance with the standards set forth below except for projects within marinas with adopted master plans and certified EISs, or structures designated as historic by TRPA, pursuant to Chapter 29.

30.15.A **Definitions:** The following terms, as used in Section 30.15 shall be defined as:

(1) **Lakefront Façade:** Surface area of the lakefront elevation(s) for all primary and accessory buildings and other structures, with visible area for a given project area within the shoreland.

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§ Amended 7/24/02
§§ Amended 11/20/02
(2) **Visible Area**: Surface area of all structures in the shoreland visible from 300 feet offshore and generally perpendicular to and centered on the project area. Surface area blocked by man-made structures in the shorezone shall count as visible area.

(3) **Visual Breaks**: The application of landscaping to man-made structures that results in reducing the contrast and breaking the overall visible area of a structure’s façade. This may be achieved by screening with vegetation, rocks, soil, and other natural appearing materials or by using such techniques between detached structures.

(4) **Visible Structure**: A structure with visible area.

**30.15.B Review Process**: The applicant shall complete a scenic assessment when applying for any activity requiring a TRPA permit; an applicant may apply for a scenic assessment at anytime to document the baseline condition. Review and mitigation of scenic impacts shall be based on Subsection 30.15.C below.

(1) **Scenic Assessment**: A scenic assessment shall be required prior to submittal approval of a project application for Levels 3, 4, and 5, and 6 shorezone projects. TRPA may waive this requirement for projects that result in complete tear down and rebuild or modifications to existing structures that bring the project area into compliance with the Visual Magnitude System. The scenic assessment will establish a baseline scenic condition for all following scenic impact analyses. The baseline shall be the existing condition at the time of the first scenic assessment, unless the site is the subject of an existing TRPA approval, by litigation settlement or otherwise, that contains a scenic analysis, in which case the approved scenic analysis shall be the baseline. For purposes of this Section, unbuilt projects with an active permit shall be considered as existing.

   (a) Description of existing scenic conditions in the project area including, but not limited to, structure color and height, existing visible mass from the Lake, types and areas of materials of existing structures, and identification of needed scenic BMPs.

   (b) Identify existing vegetation types, location, size, and height.

   (c) Photographic inventory of the project area from 300’ and one quarter mile offshore, with at least one photo from center and perpendicular to the project area, and photos of onsite existing conditions.

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§§ Amended 1/23/02
30.15.C Levels of Scenic Mitigation: The following levels of scenic mitigation shall be required based on the level of the activity or project:

1. **Level 1**: All non-visible projects in the shoreland or projects and activities on existing visible structures in the shoreland that are considered repair or maintenance. This includes exact in-kind replacement. There are no mitigation requirements required except as noted in Level 2.

2. **Level 2**: All projects and activities on existing visible structures in the shoreland that are considered painting, re-siding, re-roofing or similar activities that affect the color of the structure. The mitigation requirements for this level shall be the color requirements set forth in Subsection 30.6.A.

3. **Level 3**: All projects on existing visible structures in the shoreland altering or increasing the lakefront façade area 20 percent or less and the result is 1,500 square feet or less of lakefront façade or non-repair projects on structures adjacent and lakeward of the shoreland. The mitigation requirements for this level shall be the implementation of scenic BMPs in the shoreland. The BMPs shall bring the project area into conformance with a minimum contrast rating score of 21 except where:
   - it is physically impossible to attain a score of 21 through application of scenic BMPs; or
   - the cost of the scenic BMPs required to increase the baseline contrast score to 21 exceeds ten percent of the cost of the project; and
   - if the project is not required to bring the project area into conformance as a result of subparagraphs (a) and (b) above, the applicant shall attain the highest possible score.

4. **Level 4**: All projects involving existing visible structures in the shoreland which alter or increase the lakefront façade where the altered/added area is 20 percent or less of the existing façade and the result is more than 1,500 square feet of total lake front façade, or where the altered/added area is greater than 20 percent but equal to or less than 50% of the existing lakefront façade, or where the project is a new accessory structure. The mitigation requirements for this level shall be as set forth in Option 1 or Option 2 at the applicant’s choice.
   - **Option 1**: Basic Review. The Project shall meet the following mitigation standards:
     - The project area shall score a minimum of 24 points.

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based on the Contrast Rating System; except where:

(A) it is physically impossible to attain a score of 24 through application of scenic BMPs; or

(B) the cost of the scenic BMPs required to increase the baseline contrast score to 24 exceeds twenty percent of the cost of the project; and

(C) if the project is not required to bring the project area into conformance as a result of subparagraphs (A) and (B) above, the applicant shall attain the highest possible score.

(ii) The allowable visible area square footage in the project area shall not exceed 2200 sq. ft. The visible area square footage may be increased by 165 square feet§§ for each additional 10 ft. of linear lake frontage over 100 ft. Existing structures exceeding the 2200 (or as increased by lake frontage) visible area square feet standard shall mitigate any additional area square footage on a 1:1.5 square foot basis.

(iii) A minimum building setback from the backshore boundary line shall be 10% of the lot depth not to exceed 20 feet. Each side yard setback shall be 10% of the lot width or the setback established by the local jurisdiction whichever is greater. Existing structures shall not be required to conform to setback standards. No expansion of structures shall be allowed in the setback area. At grade decks, erosion control structures, stairs, and similar structures are permissible in the setback at the allowed land coverage.

(iv) The height standard, including but not limited to the height limitations, findings, and regulations set forth in Chapter 22 for structures shall apply.

(v) Visual breaks shall be required on all structures. At a minimum, breaks shall be spaced along the lakefront façade to provide approximately 250 square feet screening for every 1000 square feet of lakefront facade. A break should extend vertically to two-thirds of the structure height and horizontally to approximately 10 feet. TRPA may approve equal or superior alternatives to this standard.

§§ Amended 1/22/03
(b) Option 2: Visual Magnitude System. A project must score a minimum contrast point score for the desired square footage of visual magnitude based on Appendix H §§, Visual Assessment Tool, of the Design Review Guidelines or if non-complying, shall implement Scenic BMPs as required in Option 1 in 4(a) above; and:

(i) The visible façade square footage may be increased by 7.5% for each additional 10 ft. of linear Lake frontage over 100 ft;

(ii) Visual breaks shall be required on all structures. At a minimum, breaks shall be spaced along the lakefront façade to provide approximately 250 square feet screening for every 1000 square feet of lakefront facade. A break should extend vertically to two-thirds of the structure height and approximately 10 linear feet horizontally. TRPA may approve equal or superior alternatives to this standard; and

(iii) Existing projects not complying with visual magnitude shall implement visual breaks and improvements that demonstrate a percentage toward attainment determined by the cost of the project over the replacement cost of the structure.

(5) Level 5: All projects in the shoreland altering or increasing the lakefront façade area of an existing visible structure more than 50 percent or proposing a new visible structure exclusive of new accessory structures§§. The mitigation requirements for this level shall be as set forth in Option 1 or Option 2, at the applicant’s choice.

(a) Option 1: Basic Review. §§ As a result of the project, the project area must score a minimum 28 points based on the Contrast Rating System. The projects shall meet the following mitigation standards:

(i) The allowable visible area square footage in the project area shall not exceed 2200 sq. ft. The visible area square footage may be increased by 165 square feet §§ for each additional 10 ft. of linear lake frontage over 100 ft. Existing structures exceeding the 2200 (or as increased by lake frontage) visible square feet standard shall mitigate any additional area square footage on a 1:2 square foot basis.

§§ Amended 1/22/03
(ii) A minimum building setback from the backshore boundary line shall be 10% of the lot depth not to exceed 20 feet. Each side yard setback shall be 10% of the lot width or the setback established by the local jurisdiction, whichever is greater. Existing structures shall not be required to conform to setback standards unless the proposed modification makes it feasible. No expansion of structures shall be allowed in the setback area. At grade decks, erosion control structures, stairs, and similar structures are permissible in the setback at the allowed land coverage.

(iii) The height standard, including but not limited to the height limitations, findings, and regulations set forth in Chapter 22 for structures shall apply.

(iv) Visual breaks shall be required on all structures. At a minimum, breaks shall be spaced along the lakefront façade to provide approximately 250 square feet screening for every 1000 square feet of lakefront facade. A break should extend vertically to two-thirds of the structure height and approximately 10 linear feet horizontally. TRPA may approve equal or superior alternatives to this standard.

(b) Option 2: Visual Magnitude System. A project shall attain the minimum contrast point score for the desired square footage of visual magnitude based on Appendix H§§, Visual Assessment Tool, of the Design Review Guidelines or if non-complying, shall implement Scenic BMPs as required in Option 1 in 5(a) above and:

(i) The visible façade §§ square footage may be increased by 7.5% for each additional 10 feet of linear lake frontage over 100 ft;

(ii) Visual breaks shall be required on all structures. At a minimum, breaks shall be spaced along the lakefront façade to provide approximately 250 square feet screening for every 1000 square feet of lakefront facade. A break should extend vertically to two-thirds of the structure height and horizontally to approximately 10 linear feet. TRPA may approve equal or superior alternatives to this standard; and

(iii) Existing projects not complying with visual magnitude shall implement visual breaks and improvements that demonstrate a percentage

§§ Amended 1/22/03
toward attainment determined by the cost of the project over the replacement cost of the structure. In no case shall the total visible façade square footage exceed the maximum set forth by the visual magnitude system.

(6) **Level 6**: All projects involving new or existing structures in the shoreland that are visible from the Lake and that qualify as public health and safety projects or Environmental Improvement Program projects. The mitigation requirements for this level shall be established on a case-by-case basis. Projects whose primary purpose is implementation of water quality or scenic BMPs that do not increase the lake front façade and show an improvement in the contrast rating score §§ are exempt from mitigation requirements.

### 30.15.D General Standards of Review

The following general standards of review shall apply to projects reviewed pursuant to this Section:

1. **Prohibition on Segmenting**: Projects may not be segmented in order to qualify for a lower level of mitigation requirements.

2. **Calculation of Cost and Value**: Whenever required by this Section, cost estimates and replacement values shall be based on Marshall Swift calculations.

3. **Fire Protection**: The applicant shall not submit vegetative screening inconsistent with local fire protection standards. As used in this Section, the term “physical impossibility” shall not include inconsistency with local fire protection standards.

### 30.15.E Independent Review

If there is a disagreement in the application of the standards of this section, the applicant or TRPA staff may elect to pursue the following independent review option:

1. **Third Party Expert Review**: In the event there is a disagreement in review of a proposed project, a third party expert review consistent with the process outlined in subparagraphs (i) through (iii) may be initiated. The initiator shall fund the review and the third party expert review shall use the same methodology in the Visual Assessment Tool established in Appendix F of the Design Review Guidelines.

   a. Third Party Expert: TRPA shall maintain a list of scenic experts recognized as possessing the necessary qualifications to evaluate impacts to the scenic resources threshold. An expert shall be selected from the list randomly, as long as that expert did not consult on or participate in the design of the proposed project.

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§§ Amended 1/22/03
The Third Party Expert shall prepare an analysis of the proposed project. The report shall include:

(i) A description of the proposed project; and

(ii) An analysis of the proposed project’s consistency with the standards set forth in this ordinance; and

(iii) Written findings quantifying the project’s impacts and any mitigation, if required.

Use of Third Party Report: The Executive Director shall review the third party expert report and may approve, deny, or require modifications to the project. The expert’s findings shall be included in the review of the project.

Scenic Panel Review: Until November 20, 2004, the applicant or TRPA may elect to initiate a Scenic Panel Review if there is a disagreement in the determination of mitigation required pursuant to this Section. The cost of the panel shall be paid by the initiator. Panels initiated during this period shall continue until the completion of the panel’s review process. An expert panel of three people shall prepare a scenic analysis of the project and its impact including foreseeable reasonable activities on the entire scenic unit. The panel shall recommend appropriate conditions of approval necessary to make the required scenic attainment findings.

(a) TRPA shall select a panel member, the applicant shall select a panel member and the two panel members shall select a third member to review the project.

(b) The analysis may include other professionally accepted methods of evaluating scenic impacts. This Subparagraph may be extended beyond the two-year limitation pursuant to the performance review required in Subsection 30.15.F.

(c) Use of Panel Report: The Executive Director shall review the scenic panel report and may approve, deny, or require modifications to the project. The panel’s findings shall be included in the review of the project.

30.15.F Marina Master Plans: In developing and approving marina master plans pursuant to Chapter 16, the applicant shall use the contrast rating/visual magnitude system outlined in Appendix H, Visual Assessment Tool, of the Design Review Guidelines or an equal or superior method of evaluating scenic impacts. All significant scenic impacts shall be identified in the environmental document using an approved scenic impact analysis methodology and mitigation measures shall be proposed and incorporated into the master plan to ensure consistency with attainment and maintenance of environmental thresholds.
30.15.G Additional Visual Magnitude: TRPA may permit additional square footage of visual magnitude with visual breaks for a given contrast rating in Appendix H, Visual Assessment Tool, of the Design Review Guidelines as follows:

(1) **Public Outdoor Recreation:** For public outdoor recreation uses that are subject to Subsection 33.6.C, PAOT allocations, additional square footage of visual magnitude may be permitted if TRPA finds that:

(a) The project is a necessary part of a long range plan for public outdoor recreation; and

(b) The project is consistent with the Recreation Element of the Regional Plan; and,

(c) There is no reasonable alternative which would avoid or reduce the extent of visual magnitude; and

(d) The additional square footage is mitigated pursuant to Subsection 30.15.H§§ below; or

(e) If existing structures in the project area are in excess of that permitted by Option 2 in Levels 4 and Levels 5, the additional square footage permissible is a result of a reduction in the visual magnitude consistent with the following requirements. Existing non-complying projects shall implement improvements that results in a contrast score of 25 or demonstrate a percentage toward attainment determined by the cost of the project over the replacement cost of the structures not to exceed 50 percent, whichever is greater.

(2) **Public Service Facilities:** For public service uses, additional square footage of visual magnitude may be permitted if TRPA finds that:

(a) The project is necessary for public health, safety or environmental protection; and

(b) There is no reasonable alternative, which would avoid or reduce the extent of visual magnitude; and,

(c) The additional square footage is mitigated pursuant to Subsection 30.15.H§§ below; or

(d) If existing structures in the project area are in excess of that permitted by Option 2 in Levels 4 and Levels 5, the

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§§ Amended 1/22/03

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additional square footage permissible is a result of a reduction in the visual magnitude consistent with the following requirements. Existing non-complying projects shall implement improvements that result in a contrast score of 25 or demonstrate a percentage toward attainment determined by the cost of the project over the replacement cost of the structures not to exceed 50 percent, whichever is greater.

(3) **Tourist Accommodation and Commercial Projects in Commercial and Public Service Plan Areas and Tourist Accommodation Plan Areas:** Additional square footage of visual magnitude may be permitted for projects in Commercial and Public Service Plan Areas, if TRPA finds that:

(a) The additional square footage is necessary as the use customarily requires increased square footage of lakefront façade than that set forth in Levels 4 and 5; and

(b) There is no reasonable alternative, which would avoid or reduce the extent of visual magnitude; and,

(c) The additional square footage is mitigated pursuant to Subsection 30.15.H.§§ below; or

(d) If existing structures in the project area are in excess of that permitted by Option 2 in Levels 4 and Levels 5, the additional square footage permissible is a result of a reduction in the visual magnitude consistent with the following requirements. Existing non-complying projects shall implement improvements that result in a contrast score of 25 or demonstrate a percentage toward attainment determined by the cost of the project over the replacement cost of the structures not to exceed 50 percent, whichever is greater.

(4) **Residential Uses Other Than Single Family Dwelling:** Additional square footage of visual magnitude may be permitted for projects, if TRPA finds that:

(a) The additional square footage is necessary as the use customarily requires increased square footage of lakefront façade than that set forth in Levels 4 and 5; and

(b) There is no reasonable alternative, which would avoid or reduce the extent of visual magnitude; and,
(c) The additional square footage is mitigated pursuant to Subsection 30.15.H §§ below; or

(d) If existing structures in the project area are in excess of that permitted by Option 2 in Levels 4 and Levels 5, the additional square footage permissible is a result of a reduction in the visual magnitude consistent with the following requirements. Existing non-complying projects shall implement improvements that result in a contrast score of 25 or demonstrate a percentage toward attainment determined by the cost of the project over the replacement cost of the structures not to exceed 50 percent, whichever is greater.

30.15.H Transfer of Scenic Mitigation Credits (Interim System): Until a permanent scenic mitigation credit system is adopted, certain scenic impacts may be mitigated outside the shoreland as follows:

(1) The mitigation source is the adjacent shorezone project area or other shoreland parcels within the same scenic unit.

(2) Project mitigation requirements shall utilize the Visual Magnitude System outlined in Appendix H, Visual Assessment Tool, of the Design Review Guidelines to calculate the square footage mitigation requirement or mitigation may be determined by the full panel review process.

(3) Mitigation in attainment areas shall be on a one-to-one basis and on a one-to-one and a half basis in non-attainment areas.

(4) All structures in the shoreland, both on the receiving and sending project areas, must have implemented scenic BMPs (21 contrast score rating) to be eligible for transfer of mitigation credits.

(5) TRPA shall require restoration securities, deed restrictions, and inspections as appropriate to assure implementation and documentation of scenic mitigation credit.

(6) This interim system may be utilized:

   (a) To mitigate additional square footage associated with shorezone structures; or

   (b) To gain additional square footage when permissible (e.g. for commercial, public service, multi-residential, etc.)

(7) Contributions to TRPA-approved non-profit organizations that have qualifying scenic mitigation projects may be accepted for mitigation credit, provided the mitigation credit can be quantified and tracked.

§§ Amended 1/22/03
30.15.1 Performance Review: For two years after the adoption of the Scenic Quality Review System, TRPA shall monitor the application of the system. No later than two years from the adoption of the system, TRPA shall prepare a report on the system with recommended amendments, if necessary, and present it to the TRPA Governing Board. A long-term performance review shall be included in the next applicable threshold review.
Chapter 75
SENSITIVE AND UNCOMMON PLANT PROTECTION AND FIRE HAZARD REDUCTION

Chapter Contents
75.0 Purpose
75.1 Applicability
75.2 Sensitive Plants And Uncommon Plant Communities
75.3 Vegetation Management To Prevent The Spread Of Wildfire

75.0 Purpose: This chapter sets forth standards for the preservation and management of vegetation of significant scenic, recreational, educational, scientific, or natural values of the Region, and for management of vegetation to prevent the spread of wildfire.

75.1 Applicability: This chapter applies to all projects and activities which could have a detrimental effect on designated sensitive plants or uncommon plant communities, and to all areas where vegetation may contribute to a significant fire hazard.

75.2 Sensitive Plants and Uncommon Plant Communities: Designation of plants for special significance is based on such values as scarcity and uniqueness. The following standards shall apply to all sensitive plants and uncommon plant communities. The sensitive plants are: Rorippa subumbellata (Tahoe yellow cress), Arabis rigidissima var. demota (Galena Creek rock cress), Lewisia longipetala (long-petaled lewisia), Draba asterophora v. macrocarpa (Cup Lake draba), Draba asterophora v. asterophora (Tahoe draba). The uncommon plant communities are: the deepwater plants of Lake Tahoe, Grass Lake (sphagnum fen), Osgood Swamp, Hell Hole (sphagnum fen), Pope Marsh, Taylor Creek Marsh, Upper Truckee Marsh, and the Freel Peak cushion plant community. The general locations of TRPA-identified sensitive plants and uncommon plant communities are depicted on the TRPA Special Species map overlay.

Language to be deleted is struck out in red. New proposed language is underlined in blue.
75.2.A Sensitive Plants: Projects and activities in the vicinity of sensitive plants and their associated habitat, shall be regulated to preserve sensitive plants and their habitat. All projects or activities that are likely to harm, destroy, or otherwise jeopardize sensitive plants or their habitat, shall fully mitigate their significant adverse effects. Those projects and activities that cannot fully mitigate their significant adverse effects are prohibited. Measures to protect sensitive plants and their habitat include, but are not limited to:

(1) Fencing to enclose individual populations or habitat;

(2) Restrictions on access or intensity of use;

(3) Modifications to project design as necessary to avoid adverse impacts;

(4) Dedication of open space to include entire areas of suitable habitat; or

(5) TRPA-authorized restoration of disturbed habitat on-site or off-site.

(6) TRPA authorization prior to any activities that may change soil structure in the vicinity of sensitive plants or habitat such as clearing vegetation, grading, or removing or relocating substrate.

(7) Adherence to the beach raking guidelines provided in Appendix L of the Tahoe Yellow Cress Conservation Strategy. These include:

   (a) Removing litter and winter debris by hand or with a soft leaf rake whenever possible,

   (b) Avoiding any plants and minimizing disturbance to the sand surface where seeds may lie, and

   (c) Minimizing disturbance in litter lines, backshore depressions, and sheltered shaded areas where soil moisture is generally higher than on an open sandy beach.

(8) For all project sites where Tahoe yellow cress has been found or is known to occur, a management plan, as outlined in Appendix I of the Tahoe Yellow Cress Conservation Strategy, shall be prepared and submitted to TRPA which identifies measures to protect the habitat and population during and following construction.
(9) On public lands measures to direct foot traffic away from Tahoe yellow cress, such as fencing, signage, or the use of natural barriers, shall be required. In addition, interpretive displays that educate the public about Tahoe yellow cress conservation efforts shall be required on public access beaches with shorezone structures.

(10) The Tahoe Yellow Cress Stewardship Program will further foster protection of this species on private lands. The program is a cooperative educational effort that encourages landowners and non-governmental entities to manage for the conservation of Tahoe yellow cress and to generate site-specific management plans.

75.2.B Uncommon Plant Communities: Uncommon plant communities shall be managed and protected to preserve their unique ecological attributes and other associated values. Projects and activities that significantly adversely impact uncommon plant communities, such that normal ecological functions or natural qualities of the community are impaired, shall not be approved.

75.3 Vegetation Management To Prevent The Spread Of Wildfire: Within areas of significant fire hazard, as determined by local, state or federal fire agencies, flammable or other combustible vegetation may be removed, thinned, or manipulated, up to 30 feet from any structure to prevent the spread of wildfire. Sufficient quantities of residual vegetation should remain in this 30 foot zone to stabilize the soil and prevent erosion. Whenever possible, vegetation in this zone should be thinned, tapered, cut back, or otherwise selectively manipulated, rather than removed entirely. Revegetation with approved species may be required where vegetative ground cover has been eliminated or where erosion problems may occur.
Chapter 81
WATER QUALITY CONTROL

Chapter Contents

81.0 Purpose
81.1 Applicability
81.2 Discharge Limits
81.3 Snow Disposal
81.4 Salt and Abrasive Control
81.5 Spill Control
81.6 Pesticide Use
81.7 Fertilizer Management

81.0 Purpose: This chapter implements the Water Quality Subelement, Land Use Element of the Goals and Policies. This chapter also implements, in part, TRPA's programs to attain and maintain federal, state, and local water quality standards, under Article V(d) of the Compact.

81.1 Applicability: This chapter sets forth standards for the discharge of runoff water from parcels, and regulates the discharge of domestic, municipal, or industrial wastewaters. These standards and prohibitions apply to discharges to both surface waters and groundwaters.

81.2 Discharge Limits: Discharges shall not exceed the following standards:

81.2.A Surface Runoff: Pollutant concentrations in surface runoff shall not exceed the following readings at the 90th percentile:

<table>
<thead>
<tr>
<th>Constituent</th>
<th>Maximum Concentration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dissolved Inorganic Nitrogen as N</td>
<td>0.5 mg/l</td>
</tr>
<tr>
<td>Dissolved Phosphorus as P</td>
<td>0.1 mg/l</td>
</tr>
<tr>
<td>Dissolved Iron as Fe</td>
<td>0.5 mg/l</td>
</tr>
<tr>
<td>Grease and Oil</td>
<td>2.0 mg/l</td>
</tr>
<tr>
<td>Suspended Sediment</td>
<td>250 mg/l</td>
</tr>
</tbody>
</table>

(1) If the constituent levels of water entering a site from upstream areas are of a superior or equal quality to the above, those waters shall meet the quality level listed above prior to discharge from the site.
(2) If the constituent levels of waters entering a site do not meet the quality levels above, there shall be no increase in the concentrations of these constituents in water discharged from the site, based on a 24 hour average.

81.2.B Discharges To Groundwaters: Waters infiltrated into soils shall not exceed the following maximum constituent levels:

<table>
<thead>
<tr>
<th>Constituent</th>
<th>Maximum Concentration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Nitrogen as N</td>
<td>5 mg/l</td>
</tr>
<tr>
<td>Total Phosphate as P</td>
<td>1 mg/l</td>
</tr>
<tr>
<td>Iron as Fe</td>
<td>4 mg/l</td>
</tr>
<tr>
<td>Turbidity</td>
<td>200 NTU§</td>
</tr>
<tr>
<td>Grease and Oil</td>
<td>40 mg/l</td>
</tr>
</tbody>
</table>

Where there is a direct hydrologic connection between ground and surface waters, discharges to groundwater shall meet the standards for surface runoff. A direct hydrologic connection is presumed to exist wherever, by virtue of proximity to a surface water body, nature of soils, or slope or gradient, and the residence time of runoff water discharged into the ground is too short to remove pollutants from the runoff. Sediment traps, consistent with the Handbook of Best Management Practices, shall be used to protect infiltration devices from excessive levels of siltation.

81.2.C Prohibition Of Wastewater Discharge: The discharge of domestic, municipal or industrial wastewater to Lake Tahoe, its tributaries, the groundwaters of the Tahoe Region, or the Truckee River within the Tahoe Region, is prohibited, except for existing discharges under alternative plans for wastewater disposal authorized by state law and approved by the state agency of appropriate jurisdiction; and for catastrophic fire protection of the STPUD Luther Pass Pump Station detailed in subparagraph (4) below. §§ California and Nevada prohibit wastewater discharge through the enactment of the Porter-Cologne Act, and an Executive Order by the Governor of Nevada dated January 27, 1971.

(1) Holding Tanks And Other No Discharge Systems: To avoid a discharge of wastewater that is prohibited, holding tanks or other no discharge systems may be approved in the following instances:

(a) As a temporary measure associated with a temporary use, including but not limited to, sporting events, community events, and construction.

§ Amended 04/24/02
§§ Amended 06/27/01
(b) As a permanent measure associated with remote public or private recreation sites, including but not limited to, trailheads, and undeveloped walk-in campgrounds, and summer home tracts where connection to a sewer system is not feasible or would create excessive adverse environmental impacts.

(2) To help prevent accidental releases of sewage, sewage collection and treatment districts including, but not limited to, the South Tahoe Public Utility District, the Tahoe City Public Utility District, the North Tahoe Public Utility District, the Incline Village General Improvement District, the Douglas County Sewer Improvement District, and the Tahoe Truckee Sanitation Agency, shall prepare and submit a report to TRPA within 120 days of a determination by the district that any unit treatment process, or major component of its collection system serving the Tahoe Region, has reached 85 percent of its design capacity. Such report shall identify what measures, if any, will be needed to accommodate projected population increases consistent with the Regional Plan, including capital improvements, operational changes, changes in discharge permits, and changes in financial programs.

(3) In conjunction with TRPA project approvals for agencies which collect or transport sewage, including but not limited to the South Tahoe Public Utility District, the Tahoe City Public Utility District, the North Tahoe Public Utility District, the Incline Village General Improvement District, the Douglas County Sewer Improvement District, and the Tahoe Truckee Sanitation Agency, TRPA shall require that such agencies shall have in place and shall vigorously implement plans for detecting and correcting sewage exfiltration problems in their collection and transport facilities.

(4) Recycled Wastewater Use for Catastrophic Fire Protection of the STPUD Luther Pass Pump Station: This exception allows for the use of recycled STPUD export line wastewater, as a last resort to protect the Luther Pass Pump Station from destruction, under catastrophic wildfire and all other conditions specified under Section 13952.1 of the California Water Code (September 2000). Such condition of catastrophic wildfire and authorization for recycled wastewater use to prevent the imminent destruction of the STPUD Luther Pass Pump Station shall be made and certified by the fire incident commander and reported to the TRPA Emergency Response Coordinator. §§

81.2.D Prohibition of Toxic or Hazardous Waste Discharge: The discharge of toxic or hazardous waste to Lake Tahoe, other lakes in the Region, their tributaries, the groundwaters of the Tahoe Region, the lands of the Tahoe Region, or the Truckee River within the Tahoe Region, is prohibited.

§§ Amended 06/27/01

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CHAPTER 75 – SENSITIVE AND UNCOMMON PLANT PROTECTION AND FIRE HAZARD REDUCTION

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81.2.E  **Prohibition of Certain Watercraft and Boating Equipment**

(1) **Prohibition of Certain Watercraft:** Commencing June 1, 1999, the launching, mooring, or operation of all two-stroke engine powered watercraft within the Region is prohibited, except:

(a) Any two-stroke engine powered watercraft whose fuel is directly injected into the cylinder shall be exempt from the prohibition;

(b) injected in to the crankcase prior to entering the cylinder and the fuel injection engine was purchased before January 27, 1999, shall be prohibited commencing October 1, 2001; §

(c) Any watercraft powered by a two-stroke engine whose engine is certified as meeting the U.S. EPA 2006 standard or the CARB 2001 standard shall be exempt from the prohibition; or

(d) Sailboats utilizing two stroke engines as auxiliary power shall be prohibited commencing October 1, 2001. §§

(e) Any watercraft powered by a two-stroke engine rated at 10 horsepower or less shall be prohibited commencing October 1, 1999; or

(f) Any watercraft powered by an engine that has been that has been certified as meeting EPA’s 2001-2005 emission standard shall be prohibited commencing October 1, 2001. §§§

(2) **Prohibition of Boating Equipment:** The launching, mooring or operation of any watercraft equipped with any of the following devices is prohibited:

(a) Devices that allow the direct discharge of sewage into the waters of the region

(b) Aftermarket devices that permit single event noise to exceed TRPA and applicable state standards.

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§Amended 1/27/99
§§ Amended 2/24/99
§§§ Amended 3/24/99
CHAPTER 83
SOURCE WATER PROTECTION

Chapter Contents

83.0 Purpose
83.1 Applicability
83.2 Source Water Protection
83.3 Source Water Assessment

83.0 Purpose: This chapter sets forth regulations pertaining to recognition of source water, prevention of contamination to source water, and protection of public health relating to drinking water. It strengthens provisions of the Goals and Policies that address groundwater protection, and implements elements of the TRPA Source Water Protection Program.

83.1 Applicability: This chapter applies to projects and activities that have the potential to contaminate identified source water protection zones as depicted on TRPA Source Water Assessment maps, and retrofit of existing development with Best Management Practices that identified source water protection zones as depicted on TRPA Source Water Assessment maps, and to the retrofit of existing development with Best Management Practices.

83.2 Source Water Protection: To protect public health and to insure the availability of safe drinking water, TRPA shall review proposed projects that are identified as possible contaminating activities to source water which are located within a source water protection zone depicted on TRPA Source Water Assessment maps according to the following standards and procedures:

83.2.A Source Water Defined: Water drawn to supply drinking water from an aquifer by a well or from a surface water body by an intake, regardless of whether such water is treated before distribution.

83.2.B Possible Contaminating Activity Defined: Activities equivalent to TRPA primary uses identified by either the California Department of Health Services or the Nevada Bureau of Health Protection Services, regardless of where the project is located, as having the potential to discharge contaminants to surface or groundwaters. Such uses include but are not limited to those listed in Table A.

83.2.C Source Water Protection Zone Defined: A zone delineated around drinking water sources in the following manner as depicted on the TRPA Source Water Assessment maps.
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Language to be deleted is **struck out in red.** New proposed language is **underlined in blue**

(1) **Protection Zone:** A **The** protection zone for wells and springs shall consisting of a fixed 600 foot radius circle around the source. The zone for lake intakes shall be a 1,320 foot radius circle measured where the intake line crosses the shoreline. Protection zones shall be delineated using the best available source water location data known to TRPA. Protection zones may be located using the centroid of the parcel in which the well, lake intake, or spring is found if more detailed information is not available. Protection zones shall be delineated using the best available source water location data known to TRPA. Protection zone delineations may be modified by TRPA as follows: Upon receipt of source water assessment information collected by the California Department of Health Services, the Nevada Bureau of Health Protection Services, or other public agencies responsible for conducting drinking source water assessments in accordance with state Source Water Assessment and Protection Programs and if recommended by the California Department of Health Services or the Nevada Bureau of Health Protection Services; or upon receipt of source water assessment information provided by the property owner in which the well, spring, or lake intake is located and if the California Department of Health Services or the Nevada Bureau of Health Protection Services concurs with the new delineation.

83.2.D **Review of Proposed Possible Contaminating Activities located in Well and Spring Source Water Protection Zones:** Proposed uses determined by TRPA to be projects that are identified as a Possible Contaminating Activity, with in a project area located within a well or spring source water protection zone, shall not be approved unless TRPA finds that:

(1) The project complies with the requirements to install BMPs as set forth in Section 25.2.

(2) TRPA has solicited comments from the operator/owner of the source water, and the department of environmental health with jurisdiction over the source water, and all such comments received were considered by TRPA prior to action being taken on the proposed project.

(3) A spill control plan is submitted to TRPA for review and approval. The plan shall contain the following elements:

(a) Disclosure element describing the types, quantities, and storage locations of contaminants commonly handled as part of the proposed project.

(b) Contaminant handling and spill prevention element.
(c) Spill reporting element, including a list of affected agencies to be contacted in the event of a spill.
(d) Spill recovery element.
(e) Spill clean-up element.

(4) Submittal of a spill control plan may be waived provided a state or local agency with jurisdiction over the subject source water provides a written statement to TRPA that a plan containing the above elements remains on file with that agency, or TRPA staff determines, at its discretion, that requiring a spill control plan would not result in significant additional protection of the source water.

83.2.E Review of Proposed Possible Contaminating Activities located in Lake Intake Source Water Protection Zones: Proposed uses are determined by TRPA to be projects that are identified as a Possible Contaminating Activity, in a project area located within a lake intake source water protection zone, shall not be approved unless TRPA finds that:

(1) the project complies with the requirements to install BMPs as set forth in Section 25.2.

(2) TRPA has solicited comments from the operator/owner of the source water, and the department of environmental health with jurisdiction over the source water, and all such comments received were considered by TRPA prior to action being taken on the proposed project.

(3) the applicant prepares an assessment of the risk to the public water supply from the development, project or activity’s proposed location and submits the risk assessment to both TRPA and the applicable public water purveyor.

(4) the applicable public water purveyor, upon review of the risk assessment, recommends to TRPA that the proposed location of the project/development is acceptable; or would be acceptable if changes were to be made to the project’s design, use, location, construction method or other component.

(5) The final determination of approval for the proposed development, project or activity, as determined by TRPA, has been made with review by the appropriate State Health Department.
83.2. Requirements of Existing Uses located in Source Water Protection Zones: Existing uses that are identified as a Possible Contaminating Activity located in a source water protection zone shall comply with Subparagraph 83.2.D(3). Compliance with Subparagraph 83.2.D(3) shall occur pursuant to the deadlines set forth in Subparagraph 25.3.A.

83.3 Source Water Assessment: An inventory of wells, springs, and lake intakes that serve five (5) or more user service connections shall be prepared for the Lake Tahoe Region. An inventory shall be prepared in consultation with local and state environmental health agencies. Sources omitted from the inventory due to a lack of information provided by local and state environmental health agencies shall be added as appropriate if additional source information is received by TRPA. Source water protection zones delineated on the source water assessment maps shall be modified pursuant to subparagraph 83.2.C(1).
TABLE A
POSSIBLE CONTAMINATING ACTIVITIES

RESIDENTIAL:

- Domestic animal raising
- Farm/Ranch structures

COMMERCIAL:

Retail:
- Service Stations
  Amusements and recreation services
  Nursery

Services:
- Auto repair and service
- Business support services
- Laundries and dry cleaning plant
- Repair services

Light Industrial:
- Batch plants
- Fuel and ice dealers
- Industrial Services
- Recycling and scrap

Wholesale/Storage:
- Storage yards
- Vehicle storage and parking
- Vehicle and freight terminals

PUBLIC SERVICE:

General:
- Airfields, landing strips and heliports
- Collection stations
- Hospitals
- Local public health and safety facilities
- Regional public health and safety facilities
- Power generating
- Public utility centers
- Schools

Linear Public Facilities
- Transit stations and terminals
Chapter 83

RECREATION:

- Beach recreation
- Boat launching facilities
- Developed campgrounds
- Golf courses
- Marinas
- Recreational vehicle parks
- Rural sports

RESOURCE MANAGEMENT:

- Timber Management:
  - Timber stand improvement
- Range:
  - Grazing
  - Range pasture management
- Watershed Improvements
  - Erosion Control
  - Runoff control
  - Stream Environment Zone restoration

SHOREZONE:

- Construction Equipment Storage
  - Salvage operations
  - Commercial Boating
- Seaplane Operations
- Tour Boat Operations
- Para-sailing
- Water-Oriented Outdoor Recreation Concessions
  - Beach recreation
  - Boat launching facilities
  - Marinas
  - Buoy Fields
Exhibit 2

Lake Tahoe Shorezone Ordinance Amendments

Adoption of the Shorezone Code of Ordinances, Chapters 50, 51, 52, 53 and 54
Chapter 50
THE SHOREZONE

Chapter Contents

50.0 Purpose
50.1 Applicability
50.2 Shorezone Tolerance Districts Boundaries and Standards
50.3 Backshore Boundaries
50.4 Shorezone Preservation Areas
50.5 Shoreline Character Types
50.6 Stream-mouth Protection Zones

50.0 Purpose: This Chapter introduces the shorezone concepts and designations and procedures and generally implements the TRPA Goals and Policies. Specifically, Policies 1 and 2 of Goal 1 of the Shorezone Sub element, Conservation Element of the Goals and Policies recognize the importance of the backshore, generally define its location and establish limitations on disturbance to vegetation and construction activity within the backshore. Policies 4, 5, 6, and 7 of Goal 1 establish management strategies and development restrictions with respect to the eight shorezone tolerance districts described in the 1973 Shorezone Plan for Lake Tahoe.

50.1 Applicability: This Chapter shall apply to the lakezone, shorezone and lagoon areas of lakes within the Region.

50.2 Shorezone Tolerance District Standards and Boundaries:

50.2.A All shorezone projects and activities must comply with the applicable Shorezone Tolerance District Standards set forth in this section. The applicable shorezone tolerance district along the shorelines of Lake Tahoe, Fallen Leaf Lake and Cascade Lake that are within the following eight shorezone tolerance districts are shown on the TRPA Shorezone Tolerance District and Land Capability Overlay Maps. The Shorezone Tolerance District Standards must be met, in addition to any other standards in this Chapter. The Shorezone Tolerance District Standards are as follows: [source: 53.1 and 53.2]

(1) Shorezone Tolerance District 1: Tolerance District 1 is comprised of barrier beaches and lakeshore dunes. The barrier beaches commonly separate the lake proper from marshes and wetlands. It is ecologically fragile, thus any substantial use or alternation can lead to excessive sedimentation, beach erosion and water turbidity. The additional District 1 Shorezone Tolerance District
Proposed New Chapter with sources of change identified

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Standards are:

(a) Access to the shoreline shall be restricted to planned footpaths which minimize the impact to the backshore.

(b) No drainage or modification of the backshore wetlands shall occur. [source: 53.6.B(1)(3)(4) & (5) covered in Subparagraph 50.7.C(7)]

(2) Shorezone Tolerance District 2: Tolerance District 2 typically has shorezones comprised of volcanic and morainic debris with slopes thirty percent (30%) or greater, and shorezones comprised of alluvial soils with slopes of nine to thirty percent (9-30%). The potential for disturbance in the nearshore, and for erosion and cliff collapse in the backshore, is high. The additional Shorezone Tolerance District 2 Standards are:

(a) TRPA may require additional or existing development to install and maintain vegetation to stabilize backshore areas, and to protect eroding areas from further destruction.

(b) No project shall be permitted, unless TRPA finds that it is unlikely to accelerate or initiate backshore erosion.

(c) Access to the shoreline shall be restricted to stabilized access ways that minimize the impact to the backshore. [source: 53.7]

(3) Shorezone Tolerance District 3: Tolerance District 3 has armored granite shorezones with slopes exceeding thirty percent (30%). There is high erosion potential immediately above the shore, and moderate disturbance potential in the steep nearshore zone. Vegetation removal may lead to mass movement and erosion. The additional Shorezone Tolerance District 3 Standards are the same as those listed in Shorezone Tolerance District 2. [source: 53.7]

(4) Shorezone Tolerance District 4: This District has volcanic rock shorelines with a moderate potential for erosion. Erosion potential is increased whenever colluvium of volcanic debris is present, with slopes of stony, sandy loam lying on thirty percent (15%-30%) slopes. Erosion potential is also increased above the shoreline, wherever the shoreline is comprised of morainic debris, or wherever the alluvial shorezone is characterized by steep crumbling cliffs with continuing erosion problems. The additional Shorezone Tolerance District 4 Standards are:

(a) TRPA may require additional or existing development to
install and maintain vegetation to stabilize backshore areas, and to protect eroding areas from further destruction.

(b) No backshore activities shall be allowed, unless TRPA finds that the activity will not require the mechanical stabilization of the cliff area, nor will it accelerate cliff crumbling, beach loss or erosion.

(c) Access to the shoreline shall be restricted to stabilized access ways that minimize the impact to the backshore.

(d) Access to buoys shall be designed to cause the least possible environmental harm to the foreshore and backshore.

(e) Access to piers, floating platforms, and boat ramps shall be designed to cause the least possible alteration to the natural backshore. [source: 53.8.B]

(5) **Shorezone Tolerance District 5**: This District exhibits armored granite shorezones with slopes of fifteen to thirty percent (15%-30%). It has less erosion potential than similar lands in Shorezone Tolerance District 4. The additional Shorezone Tolerance District 5 standards are the same as those listed for Shorezone Tolerance District 4. [source: 53.8]

(6) **Shorezone Tolerance District 6**: This District is underlain by weathered volcanic or morainic debris, with slopes of five to fifteen percent (5-15%). The additional Shorezone Tolerance District 6 Standards are: [source: 53.9.A (1)]

(a) No vehicular access to the shoreline shall occur, unless TRPA finds that such access will not cause environmental harm.

(b) Boat launching facilities and marinas shall be located where the nearshore shelf is sufficiently wide to enable construction and use without significant shelf erosion. [source: 53.9.B]

(7) **Shorezone Tolerance District 7**: Tolerance District 7 has a comparatively level shorezone underlain by morainic and alluvial materials with slopes of zero to nine percent (0-9%). The additional Shorezone Tolerance District 7 Standards are the same as those listed for Shorezone Tolerance District 6. [source: 53.9.A(2)]

(8) **Shorezone Tolerance District 8**: Tolerance District 8 has a gently sloping, armored granite shorezone, with a high capability for
development. These shorelines are in equilibrium, and there is low potential for erosion in the foreshore and nearshore. The backshore possesses a moderate erosion potential in some cases. The additional Shorezone Tolerance District 8 Standards are the same as those listed in Shorezone Tolerance District 6. [source: 53.9.A(3)]

50.2.B. **Boundaries of Shorezone Tolerance District and Backshore Boundaries**: The boundary of the shorezone tolerance district and/or backshore boundary shall reflect the physical and other considerations that characterize these districts and the shorezone. TRPA may make a determination concerning the precise Shorezone Tolerance District Boundaries as part of the project approval on a parcel. Such determination shall only be made after TRPA conducts a field verification in accordance with Chapter 20. No boundary line determination shall result in a major adjustment of the mapped shorezone tolerance districts (e.g., the creation of additional districts, the elimination of districts, etc.). Such major adjustments must be made pursuant to a shorezone tolerance district challenge or a backshore boundary challenge pursuant to Appendix A. [source: 53.3]

50.2. C. **Man-modified Challenge**: The applicable shorezone tolerance district overlay maps may be amended through a man-modified challenge pursuant to Appendix A of this Chapter. [source: 53.5]

50.3 **Backshore Delineation**:

50.3. A **The lakeward boundary of the backshore is at the highwater line. TRPA shall determine the landward boundaries of the backshore. The landward backshore boundary shall be established utilizing the following methods, whichever establishes the wider backshore. [source: 55.2]**

1. **Wave Run-Up**: The area of wave run-up as calculated according to best available science plus ten feet; or

2. **Area of Instability**: The area of instability plus ten feet. The area of instability shall be established pursuant to the following procedures:

   (a) The area of instability shall be measured landward from the high water line a horizontal distance equal to 1.5 times the height of the bluff located adjacent to the shoreline. The height of the bluff shall be the difference between the high water elevation and the elevation of the top of the bluff; or

   (b) The area of instability as identified in a report submitted by
the applicant and prepared by a licensed geological, geotechnical or soils engineer or engineering geologist. The area of instability established under this provision may be greater or less than such area established under Subparagraph (a), above.

3. The ten feet added to the wave run-up calculation or the area of instability shall be extended if the following method provides a wider backshore delineation: the zone that is delineated by projecting a 3:1 (horizontal:vertical) line from highwater up through the slope to the intersection of the lands above. The 3:1 projected line may be steepened to no more than a 2:1 line based on written recommendations from a licensed engineering geologist, geotechnical engineer, or other qualified professional, who has conducted a subsurface soils investigation on the subject site, and who concluded that the subsurface materials will be competent at the steeper slope. If the projected line does not intersect the lands above the highwater line, no extension of the ten foot addition may occur.

50.3.B **Challenge of Backshore Delineation:** Applicants who do not agree with TRPA’s field verification concerning the backshore boundary, may file a challenge pursuant to Appendix A of this Chapter. [source: 55.2 & 53.4 and staff clarifications]

50.3.C **Man-Modified Backshore:** Whenever areas in the backshore have been found to be man-modified pursuant to Subsection 50.2.C, they shall be regulated in accordance with the recommendations contained in the man-modified report approved by TRPA pursuant to Appendix A of this Chapter. [source: 53.5]

50.4 **Shorezone Preservation Areas:** TRPA shall designate areas of the shorezone of Lake Tahoe as Shorezone Preservation Areas and these areas shall be indicated on an appropriate overlay map.

50.4.A **Designation criteria:** Shorezone Preservation Areas shall include those sections of the Lake Tahoe shorezone that have been determined to warrant protection from additional shorezone development affecting significant biological, scenic and other natural resources values and low impact recreation.

50.4.B **New Development Restrictions:** No additional shorezone structures, including piers or buoy fields, shall be permitted in designated Shorezone Preservation Areas, except that (1) shoreline protective structures may be allowed, including minimal pedestrian access structures when reducing unauthorized trails and consolidating access; or (2) plans or projects proposed by another government agency with land management jurisdiction may be allowed, provided that the public
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land management agency determines the plan or project is needed to meet the agency’s legal mandate, is prepared in consultation coordination with TRPA, is analyzed under applicable environmental and public review requirements, and demonstrates consistency with applicable TRPA Thresholds.

50.4.C Existing Structures: Maintenance, repairs, modifications and expansions to existing structures are allowed as provided under Chapter 54.

50.5 Shoreline Character Types

50.5.A Shoreline Character Types Defined: The following Shoreline Character Types shall be defined for Lake Tahoe:

(1) Naturally Dominated Shoreline: Naturally appearing landscapes and compatible culturally modified landscapes in highly scenic locations that can be correlated with shoreline travel route ratings of 13-15, or a rating of 4-5 in the man-made criterion. Shoreline areas within stream-mouth setbacks and Shorezone Preservation Areas shall be assigned to the Naturally Dominated shoreline character type.

(2) Visually Sensitive Shoreline: Highly scenic or visually vulnerable landscapes exhibiting the influence of man-made modifications within an otherwise natural setting. These landscapes include identified scenic resources such as promontories and cliffs, and highly scenic pale colored beaches with low visual absorption capacity that have a value of 6 or higher on the Munsell Color Chart and have 3 feet vertical height above high water.

(3) Visually Modified Shoreline: Typical shoreline character with prominent structures (usually residential) in the immediate background and some shorezone structures, but still with considerable vegetation, or areas with high intensity clustered shorezone structures of limited extent. These areas can be correlated with travel route ratings less than 13 and or a rating of 1-3 in the man-made criterion.

(4) Visually Dominated Shoreline: Typical shoreline character associated with marinas in Lake Tahoe. They are areas of high intensity with large, prominent buildings, high densities of boats and buoy fields, commercial or recreational activity. In these locations, shoreline uses are generally water-related and there is often considerable visual clutter associated with an urban, commercial or recreational upland setting.

50.5.B Shoreline Character Type Designations: TRPA shall designate on an
appropriate overlay map the Shoreline Character Types defined in Section 50.5.A for the entire shoreline of Lake Tahoe. The location of precise boundaries of segments of Shoreline Character Types shall reflect the physical and other considerations that led to the classification of the lands in the segments that the boundary line separate. Determination of precise boundaries on a parcel may be made by TRPA as part of a project approval without amendment to the shoreline character map. Such a determination may not result in a major adjustment of the boundaries (e.g., the creation or elimination of of segments). Based upon receipt of a complete Shoreline Character Type verification application, TRPA shall field verify the designation for a parcel or use which is located within 500 feet of a mapped boundary between two segments.

50.5. C Development in Designated Shoreline Character Types: Development in shoreline character types shall be consistent with Chapter 54.

Challenge of Shoreline Character Type Designation: Applicants who do not agree with designations under this section may file a challenge pursuant to Appendix A of this Chapter.

50.6 Stream-mouth Protection Zones: TRPA shall designate on an appropriate overlay map areas of the shorezone of Lake Tahoe as Stream-mouth Protection Zones.

50.6.A Designation Criteria: Stream-mouth Protection Areas shall generally represent the historical meander pattern of creek and rivers tributary to Lake Tahoe that support or could with restoration support migrating populations of fish. The designated area shall include all portions of the shorezone, including areas lakeward, if the designation is a linear distance from the stream-mouth.

50.6.B Development Restrictions: No additional shorezone structures shall be permitted in Stream-mouth Protection Zones. Maintenance and repairs to existing structures may be allowed; expansions and modifications of existing structures shall be prohibited. Shorezone structures may only be relocated outside of Stream-mouth protection zones if authorized by other provisions of this Code.

50.6.C Adjustment in Zones: TRPA may adjust a Stream-mouth Protection Zone if an applicant can demonstrate that the location for a proposed project is outside of the historical meander pattern for the applicable stream or river. In order to make the necessary demonstration, the applicant shall select from a list of TRPA-approved experts to conduct an applicant-funded historical meander study.

Chapter 50
APPENDIX A

Shorezone Tolerance District/ and Backshore Boundary/Shoreline Character Type Challenges; Man-Modified Challenges for Shorezone Tolerance District Designations

A. Shorezone Tolerance District, and Backshore Boundary and Shoreline Character Type Challenges: If TRPA or the owner of a littoral parcel concludes that the shorezone tolerance district boundary, or the backshore boundary or the shoreline character type has been improperly classified or verified pursuant to Subsections 50.2.A, or 50.3.A or 50.5.A above, either may initiate a shorezone tolerance district or backshore boundary challenge with respect to such parcel. The person or entity initiating the challenge shall bear the cost thereof. Parcels with 100 linear feet of shoreline or less, shall be charged the fixed fee set by Governing Board resolution. Parcels with more than 100 linear feet of shoreline shall be charged the actual cost that TRPA staff incurs to complete the challenge. [source: 55.9]

1. Experts: One or more experts retained by TRPA shall evaluate the shorezone tolerance district, or the backshore boundary or shoreline character type challenge. Depending on the nature of the challenge, TRPA may select and utilize, in its discretion, one or more experts who possess the qualification to evaluate the relevant issues raised by the challenge, including geology, soils, geomorphology, hydrology, fisheries, vegetation, scenic resource and other characteristics pertinent to the subject shorezone area. TRPA shall consider data provided in a timely fashion, by any expert(s) retained by the owner. TRPA's experts shall comment on the accuracy of the owner's data. No expert retained by the owner shall serve as an expert for TRPA in the subject challenge. [source: 53.4.A]

2. Report: TRPA's expert(s) shall prepare a report analyzing the shorezone tolerance district, challenge or the backshore boundary, or shoreline character type challenge, as applicable. The report shall include:
   a. A description of the parcel.
   b. Such information and analysis as are required to deal with the issues raised in the challenge, including the following as relevant: a topographic survey of the parcel and of the shorezone and lakezone directly associated with the parcel, the soil capabilities and limitations, the compositional geometric properties, the surface and groundwater conditions, the geomorphology, the vegetation characteristics and the related environmental factors pertinent to the subject shorezone area, identification of disturbances or limitations on use in the shorezone due

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to: compositional and geometric properties; surface and subsurface hydrologic conditions; erosion hazard; natural backshore littoral processes and lake bottom material composition; biological characteristics such as fish, wildlife and vegetation; existing development patterns in the shorezone and shoreland, and visual and aesthetic factors.

c. Identification of the shorezone tolerance district or shoreline character type that generally exhibits the characteristics of the section of the shorezone analyzed in the report, or identification of the backshore boundary, as applicable.

d. Additional information required by TRPA to properly assess the merits of the challenge. [source: 53.4.B(1)(2)(3)(4)&(5)]

3. Review of And Action on the Report: The Executive Director shall review the shorezone tolerance district, report or the backshore boundary, or shoreline character type report. If the report recommends that no changes be made, the Executive Director may deny the challenge, subject to an appeal to the Governing Board. If the report recommends a change to the shorezone tolerance district that is sufficiently large to require amendment of the Shorezone Tolerance District Overlay or Shoreline Character Type maps, the change shall be approved or denied by the Governing Board. If the report recommends a change to a shorezone tolerance district or shoreline character type segment which is too small to require a map amendment or a change to the backshore boundary, the change shall be approved or denied either by stipulation between TRPA and the owner, or by the Governing Board. A shorezone tolerance district or shoreline character type challenge may be approved, if TRPA finds that the pertinent shorezone, due to natural characteristics specifically identified, properly belongs in a different shorezone tolerance district or type than it is presently classified. A backshore boundary challenge may be approved, if TRPA finds that it was set incorrectly pursuant to Section 50.3.A. [source: 53.4.C new/staff]

4. Notification Procedure: Any appeal of the Executive Director's denial of a challenge, and any action on the report pursuant to Paragraph 3 above, shall be pursuant to notification to affected property owners in accordance with TRPA's Rules of Procedure. [source: 53.4.D]

5. Procedure After Action on Challenge: Once TRPA has completed its action on a Challenge, it shall:

a. Give written notification to the owners of all parcels affected by the action taken.

b. Include the information set forth in the report prepared pursuant to Paragraphs 2 and 3 and the action taken into TRPA's database for purposes of Chapter 38.

c. Recognize, that with respect to the pertinent parcel, the action
supersedes the TRPA Shorezone Tolerance District Overlays or Shoreline Character Type Map, or supersedes any previously set Shorezone Boundary.

d. Affix a symbol to the Shorezone Tolerance District Overlays or Shoreline Character Type Map denoting the action. [source: 53.4.E]

6. Amendment of Shorezone Tolerance District Overlay and Shoreline Character Type Maps: Amendments to the Shorezone Tolerance District Overlay and Shoreline Character Type Maps shall be processed as amendments to the shorezone tolerance district appropriate Regional Plan.

a. Minimum Land Area: Amendments to the shorezone tolerance district overlay maps shall be limited to sections of the shoreline that are 400 feet or greater in length.

b. Line Adjustments: Amendment of existing shorezone tolerance district lines boundaries, other than the minor determinations which occur under Subsection 50.2.B or 50.5.B, shall be done by amendment to the appropriate map.

B. Man-Modified Challenge: The Shorezone Tolerance District Overlay Maps may be amended for man-modified areas through a man-modified challenge. The person or entity initiating the challenge shall bear the cost thereof. Such challenges may be initiated by TRPA or the owner, provided there is sufficient evidence that requirements below can be met:

1. Expert(s): One or more experts shall be retained by TRPA to evaluate the man-modified challenge in accordance with the requirements of Paragraph 1 above.

2. Man-Modified Report: TRPA expert(s) shall prepare a report in accordance with the requirements of Paragraph 2 above. In addition, in a successful challenge the report shall contain information demonstrating that the area subject to the challenge was modified by man's placement of fill, dredging, or by grading. Such action must have modified the area in such a substantial fashion that either: it now generally exhibits the characteristics of a different shorezone tolerance district; or, it exhibits different characteristics than all established shorezone tolerance districts. Whenever the area exhibits different characteristics from all established shorezone tolerance districts, the report shall recommend the limitations, standard and regulations that should be applied within the area. [source: 53.5.B]

3. Criteria: TRPA's Shorezone Tolerance District Overlay Maps may be amended if TRPA finds all the following:

a. Further development will not exacerbate the problems caused by development in shorezones that the original tolerance rating was meant to avoid.
b. The area no longer exhibits the characteristics of the original shorezone tolerance rating.

c. Restoration of the area is infeasible because such factors as: the cost thereof, a better 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/or the area is not identified for restoration by any TRPA program.

d. The impacts from further development shall be mitigated offsite.

e. The impacts of the losses caused by modification of the area, shall be mitigated as follows:
   • Onsite and offsite mitigation.
   • A maintenance program proposed by the owner and approved by TRPA.
   • Collection of a security, if TRPA deems it necessary, to guarantee mitigation.

f. The area was man-modified, to the extent recognized, prior to February 10, 1972. [source: 53.5.C(1)(2)(3)(4)(5) & (6)]

4. Review, Action, Notice, Procedures and Map Amendment: The man-modified report shall be reviewed and acted upon in accordance with the procedures in Subparagraph A.3-B-(3) above. Notification shall be in accordance with the notice procedures in Paragraph A.4. above. The Procedures after Action, procedures for amendment of the Shorezone Tolerance District Overlay Maps, shall be in accordance with those outlined in Paragraphs A.5. and A.6. above. [source: 53.5.D, 53.5.E, 53.5.F, 53.5.G].
Chapter 51

PERMISSIBLE USES AND STRUCTURES IN THE SHOREZONE AND LAKEZONE

Chapter Contents

51.0 Purpose
51.1 Applicability
51.2 Permissible Uses and Accessory Structures

51.0 Purpose: This Chapter sets forth the allowable uses and accessory structures in the lakezone, shorezone and lagoons of lakes within the Region. The concept of “use” includes any activity within the Region, whether related to land, water, air or other resources of the Region.

51.1 Applicability: All existing and proposed uses within the lakezone, shorezone and lagoons of lakes within the Region shall be identified as one or more of the primary uses listed in this Chapter, except for parcels that are undeveloped or unimproved. Such parcels shall be considered vacant parcels. Vacant parcels are entitled to apply for a use pursuant to the provisions of the Code.

51.2 Permissible Uses and Accessory Structures: This section sets forth permissible uses and accessory structures in the lakezone, shorezone and lagoon areas of lakes within the Region.

51.2.A Classification of Uses and Structures: The primary uses and shorezone accessory structures are classified as "allowed (A)," "special (S)," and "nonconforming." Any use that is not an Allowed Use, a Special Use or a Nonconforming Use as defined in this section (except for temporary activities, uses and structures authorized pursuant to Section 4.2 and Chapter 7) is prohibited. [source: 51.1, clean up]

(1) Allowed: Uses and accessory structures listed in the applicable plan area statements, community plans, redevelopment plans, specific or master plans or Subsection 51.2.B as "allowed" ("A") are appropriate uses for the specific area; and, projects and activities pursuant to such uses may be permitted. Allowed uses are assumed to be compatible with the direction of the Regional Plan and surrounding areas. [source: 51.1.A]

(2) Special: Uses and accessory structures listed in applicable plan area statements, community plans, redevelopment plans, specific or master plans or in Subsection 51.2.B as special ("S"), may be
found to be appropriate uses for the specified area; and, projects and activities pursuant to such uses may be permitted. Special Uses shall only be approved, changed, expanded or intensified after TRPA conducts a public hearing in accordance with Article XII of the TRPA Rules of Procedure, and makes the Special Use findings in Subsection 54.3.B. [source: 51.1.B, cleanup]

(3) Prohibited: All proposed uses and accessory structures not listed in the applicable plan area statements, community plans, or master plans or Subsection 51.2.B are prohibited. Proposed special uses for which the findings in Subsection 54.3.B cannot be made shall be prohibited uses. [source: 51.1.D]

(4) Nonconforming: Uses legally commenced prior to the effective date of the Regional Plan, July 1, 1987, which would be prohibited if new, are nonconforming uses and may be continued, subject to the provisions of Subsections 51.2.E and 51.2.F. Existing development in a special use category for which the findings in Subsection 50.5.B have not been or cannot be made shall be nonconforming uses. Nonconforming structures are addressed in Subsection 51.2.E. Chapter 54.[source: 51.1.C]

51.2.B Permissible Uses in the Lakezone, Shorezone and Lagoons: All uses within the shorezone (including lagoons) and lakezone shall be identified as one or more of the primary uses listed in this section, except for parcels that are undeveloped or unimproved. Such parcels shall be considered vacant parcels. Vacant parcels are entitled to apply for a use pursuant to the provisions of this Code. The following subsections identify the permissible uses in the shorezone and lakezone areas of the Region. [source: 51.1, 51.2 and rewrite]

(1) List of Permissible Uses in the Lakezone: The following uses are permissible throughout the lakezone as either allowed (A) or special (S) uses. Permissible uses which are designated "operations only" shall not be permitted permanent structures or facilities in the lakezone. The uses are defined in Subsection 51.2.D:

(a) Commercial Boating Uses (operations only) (A).
(b) Environmental Improvement Uses (A).
(c) Safety and Navigational Uses (A).
(d) Salvage Uses (operations only) (S).
(e) Tour Boat Use (operations only) (A).
(f) Waterborne Transit Uses (operations only) (A).
(g) Water Supply (Intake Line) Uses (A).
Proposed New Chapter with sources of change identified

Chapter 51

Language to be deleted is **struck-out in red.** New proposed language is **underlined in blue** showing changes from the May 2, 2008 Draft

(h) Water-Oriented Outdoor Recreational Concessions (operations only) (A).

(i) Water-Oriented Outdoor Recreational (Dispersed) Uses (A).

(j) Water-Oriented Public Service Uses (operations only) (A).


(l) Charter Boat Use (operations only) (A)

(m) Water Taxi Use (operations only) (A)

(2) **List of Permissible Uses in the Shorezone and Lagoons:** The following uses are permissible in the shorezone and lagoons if they are designated as either Allowed Uses (A) or Special Uses (S) in the applicable plan area statement, or applicable community, specific, master or redevelopment plan. The uses with an asterisk are permissible uses throughout the shorezone and lagoon areas of the Region.

(a) Boat Launching Facility Uses

(b) Beach Recreational Uses (Dispersed)* (A)

(c) Beach Recreational Uses (Intensive)

(d) Commercial Boating Uses

(e) Construction Equipment Storage Uses

(f) Environmental Improvement Uses* (A)

(g) Marina Uses

(h) Safety and Navigational Facility Uses* (A)

(i) Salvage Uses

(j) Tour Boat Use

(k) Waterborne Transit Uses

(l) Water Supply (Intake Line) Uses

(m) Water-Oriented Outdoor Recreational Concession Uses

(n) Water-Oriented Outdoor Recreational (Dispersed) Uses*

(o) Water-Oriented Public Service Uses* (S)

(p) Water-Oriented Scientific Study Uses* (A) [source: 51.2.B, 51.2.C and cleanup]

(q) **Commercial Charter Boating** Use (operations only)* (A)
Proposed New Chapter with sources of change identified

September 3, 2008

Language to be deleted is struck-out in red. New proposed language is underlined in blue showing changes from the May 2, 2008 Draft

51.2.C Accessory Uses and Accessory Structures: No new accessory use shall commence, and no new accessory structure shall be built, placed or otherwise located in the lakezone, shorezone or lagoons, unless TRPA determines it is "accessory" to a permissible use located in the same project area. In order to qualify, the accessory use or accessory structure must be a part of the primary use, and must clearly be incidental and secondary to that use. Likewise, the accessory use or the accessory structure must not change the character of the primary use, and must not operate independently of the primary use. See Chapter 18 for definition of accessory use. Regulations for an additional accessory structure and the maintenance, repair, and modification of an existing accessory structure are set forth in Chapter 54.

The following shorezone accessory structures are only permissible in the shorezone (including lagoons), if they are designated as either Allowed (A) or Special (S) in the applicable plan area statement, or applicable community, specific, master or redevelopment plan. Structures not listed are prohibited. Structures with an asterisk are permissible throughout the shorezone. [source: 51.3 and cleanup]

(1) Boat ramps
(2) Breakwaters or jetties
(3) Mooring buoys
(4) Fences
(5) Floating platforms
(6) Piers
(7) Shoreline Protective Structures
(8) Water Intake lines
(9) Structures providing minimal pedestrian access to highwater (e.g. steps or walkways, but not decks)* (A)
(10) Navigational Structures* (A) [source: 51.3, 51.2.C and cleanup]
(11) Scientific Research Structures* (A) [source: 51.3, 51.2.C and cleanup]

51.2.D Lakezone, Shorezone and Lagoon Use Definitions:

Beach Recreational (Dispersed) Uses: Recreational use of a beach that does not require developed support facilities such as road access,
picnic sites, or concessions. Dispersed beach recreation usually includes the use of undeveloped shorelines by sunbathers, hikers and swimmers where access is limited to foot trails. Dispersed recreation may be supported by sanitation facilities. These uses exclude burning fires, dumping trash, or camping and other non-intrusive use. Accessory use structures listed in Subsection 51.2.C may be permitted for single-family residences only. [source: Chapter 18, 51.2.C and Shorezone Partnership]

Beach Recreational (Intensive) Uses: Recreational use of a beach and supported by developed support facilities such as sanitation facilities, parking, picnic sites, and nearshore/foreshore facilities such as multiple-use public piers and buoys. The use includes improved shoreline access points and trails, which have support facilities such as parking and restrooms. [source: Chapter 18, 51.4 and cleanup]

Boat Launching Facility Uses: Recreational use facilities that provide boat launching, parking and short term trailer storage for the general public. Long term storage, mooring and maintenance of boats is included under "marinas." [source: 51.4 and cleanup]

Commercial Boating Uses: Recreation use of pleasure craft or other vessels on a body of water requiring a commercial operators permit from the Coast Guard. This includes water taxis and boat charters but does not include tour boats. All commercial boating support facilities shall be located within a marina facility. Operations occur throughout the shorezone and lakezone. [source 51.4 and cleanup]

Construction Equipment Storage Uses: Commercial uses which include the storage of equipment, such as barges, pile drives and amphibious vehicles, used for the repair or construction of structures located in the shorezone. Construction equipment storage does not include stock piling of materials, which is prohibited. [source: 51.4 and cleanup]

Environmental Improvement Uses: Resource management projects that are listed in the TRPA Environmental Improvement Program. [source: 51.2.C and cleanup]

Marina Uses: Public recreational establishments providing water-oriented services, such as yachting and rowing clubs; boat rentals; storage and launching facilities; sport fishing activities; excursion boat and sight-seeing facilities; and other marina-related activities, including, but not limited to, fuel sales, commercial boating, construction equipment storage, tour boats, and boat and engine repair. [source: 51.4 and cleanup]

Safety and Navigation Facility Uses: Public service uses and structures in the shorezone, lagoons, or lakezone whose purpose is the protection of the public health, safety and general welfare or navigation. This includes navigational buoys, lighthouses, weather monitoring devices,
Salvage Operation Uses: Public service use of bringing a vessel or its cargo to the water's surface. Storage of salvage equipment is included under construction equipment storage uses. [source: 51.4 and cleanup].

Tour Boat Uses: Recreation use of a vessel rated by the U.S. Coast Guard for more than 30 passengers, where such passengers board and off load at a single site. All tour boats facilities for mooring, fueling and maintaining the vessel, and for storage, are located within a marina facility. [source: 51.4 and cleanup]

Water Borne Transit Uses: Public service use of a vessel for transit of passengers and goods on a regular schedule. This includes facilities for the boarding and off loading of passenger and goods and the mooring and fueling of the vessel. [source: 51.4 and cleanup]

Water Supply (Intake Line) Uses: Public service and private water service facilities that include pipelines and accessory structures, located within a body of water, whose purpose is to draw in and transport water to the backshore or beyond. [source: 51.4 and cleanup]

Water-Oriented Outdoor Recreational Concession Uses: Water-oriented outdoor recreation uses, such as food and beverage facilities at public beaches; fishing guide services; parasailing; ballooning, recreation equipment rental (e.g., boats, wind surfing and beach equipment); but not including, boat slips, boat and engine repair or the sale of fuel. [source: 51.4 and cleanup]

Water-Oriented Outdoor Recreational (Dispersed) Uses: Water-Oriented Outdoor Recreation uses which occur in the shorezone, lagoons or lakezone and which do not require developed facilities. Examples of such uses are recreational boating, windsurfing, swimming, skin diving, snorkeling, sunbathing, fishing and other such uses. These types of uses include seasonal racing buoys. [source: 51.2.C and cleanup]

Water-Oriented Public Service Uses: Public service use pursuant to Chapter 18 which, by its very nature, must be sited in the shorezone or lakezone and is required to protect public health and safety. This includes police and Coast Guard facilities. [source: 51.2.C and 55.4.B]. Dispersed lakezone, lagoon or shorezone law enforcement activities that do not require developed facilities are allowed throughout the Region. [source: 51.2.C and cleanup]

Water-Oriented Scientific Study Uses: Facilities and operations that are necessary for the study of the lake environment of the Region. This includes scientific monitoring equipment and studies listed in the Environmental Improvement Program. [source: 51.2.C and cleanup]
Proposed New Chapter with sources of change identified

Chapter 51

Language to be deleted is struck-out in red. New proposed language is underlined in blue showing changes from the May 2, 2008 Draft

51.2.E Existing Uses: Uses legally commenced prior to July 1, 1987, are recognized as existing uses and may be continued, except as otherwise set forth in Subparagraphs 51.2.E(1) and (2), below. Continuation of an existing use includes a change in ownership, tenancy, or management, where the nature and character of the existing use remains substantially unchanged. Short-term or seasonal uses existing pursuant to legally issued TRPA permits may continue only for the duration of the permits authorizing them. Neither this section nor this chapter shall be construed as a limitation upon TRPA’s authority to regulate all uses, present or future, by permit, prohibition or otherwise. [source: 51.5.A]

(1) Nonconforming Uses: If an existing nonconforming use is discontinued for a period of one year or more, any subsequent use shall comply with the use regulations set forth in the plan area statement. Discontinuance of use for periods found by TRPA to be beyond the applicant's control, such as weather caused calamity or governmental seasonal regulations, shall not be counted in establishing discontinuance of use pursuant to this section. [source: 51.5.A]

(2) Uses Subject to a Specific Program Requiring Discontinuance or Modification of the Uses: A use subject to a specific program requiring discontinuance or modification of the use shall be discontinued or modified in accordance with the requirements of such program. [source: 51.5.A(2)]

51.2.F Changes, Expansions or Intensifications of Existing Uses: Expansions and intensifications of existing uses, or changes in use to the extent permitted by this chapter, are subject to the requirements for a permit set forth in Chapter 50. Modifications, expansions and other changes to structures are governed by other provisions of the Code and are also subject to the requirements in Chapter 54.

(1) Allowed Uses: Uses identified as allowed uses may be changed, expanded or intensified in conformance with this Code. Any change, expansion or intensification, resulting in a special use, shall be subject to the special use requirement. [source: 51.5.B(1)]

(2) Special Uses: Uses identified as special uses and for which the required findings pursuant to Subsection 50.5.B have been made by TRPA, may be changed, expanded or intensified. Special uses shall only be approved, changed, expanded or intensified in accordance with the procedure contained in Subparagraph 51.2.A(2). [source: 51.5.B]

(3) Nonconforming Uses: Uses identified as nonconforming shall not be expanded or intensified. A nonconforming use shall not be changed unless the new use conforms to the use regulations set forth in this Code. Expansions of structures containing a nonconforming use shall not be permitted. Modifications may be
permitted only when TRPA finds that the modifications do not increase the extent of nonconformity. [source: 51.5.B(3)]

51.2.G **Public Access:** Nothing may be placed or stored beneath or alongside a shorezone structure that is not otherwise integral to its structure, including the planting of vegetation that unreasonably interferes with lateral passage in public access areas. [source: Shorezone Partnership]

51.2.H **Residential and Tourist Accommodation Uses and Related Vessels Prohibited in the Lakezone and Shorezone:** The use of vessels for residential and tourist accommodation purposes on lakes and lagoons in the Region is prohibited. It is prohibited to launch, maintain or moor vessels designed or used for residential or tourist accommodation uses in the lakes and lagoons in the Region. Vessels with more than 700 square feet of improved interior floor area are presumed to be for a residential and/or tourist accommodation use, and the burden is on the owner/operator to rebut the presumption by clear and convincing evidence in the event the use or mooring of the vessel on lakes and lagoons in the Region is challenged. Occasional overnight camping on a vessel designed and used for recreational boating that may include ancillary residential amenities (e.g., sleeping cabin, cooking facilities) is not prohibited but shall only occur where expressly allowed by regional, state or federal authorities. [source: new]
Chapter 52

ALLOCATION OF SHOREZONE DEVELOPMENT

Chapter Contents

52.0 Purpose
52.1 Applicability
52.2 Allocation Of Additional Piers
52.3 Application Process For Additional Private Use Piers
52.4 Allocation Of Buoys
52.5 Allocation Of Boat Ramps, Boat Slips and Floating Platforms

52.0 Purpose: This chapter sets forth requirements regulating the rate, timing, and extent of increase allowed for certain structures within the shorezone of Lake Tahoe. In conjunction with other provisions of this Code and the Goals and Policies, the provisions of this chapter distribute and pace growth and development to attain and maintain environmental thresholds.

52.1 Applicability: No person shall construct a project or commence a use or activity in the shorezone, lakezone or lagoons of Lake Tahoe that is regulated pursuant to this chapter without meeting the requirements set forth below.

52.2 Allocation Of Additional Piers: TRPA shall allocate additional piers on Lake Tahoe as follows:

52.2.A Definition Of "Additional Pier": A pier is considered "additional" if it is to be created pursuant to a TRPA approval issued on or after the effective date of the ordinance adopting this Chapter. The following are not "additional" piers:

(1) The repair, reconstruction or replacement, on the same parcel, of an existing pier;

(2) The modification or expansion, on the same parcel, of an existing pier; and,

(3) The relocation or transfer of an existing pier or the conversion of a boat ramp to a pier. [source: new]

52.2.B Maximum Number and Rate of Additional Piers: TRPA shall only approve the following maximum number of additional piers at the maximum specified annual rates:
Proposed New Chapter with sources of change identified

September 3, 2008

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52-2.C Eligibility for Additional Piers: Littoral parcels meeting the following criteria shall be eligible for an additional pier.

(1) For the purposes of this chapter, “littoral parcels” refers only to those parcels that met the Chapter 2 definition of littoral parcel as of July 1, 1987, regardless of another jurisdiction’s regulatory or judicial action concerning those parcels boundaries (e.g., boundary line adjustments, quit claim deeds or quiet title/partition actions). Those parcels that did not meet the Chapter 2 definition as of that date but subsequently become littoral as a result of a TRPA-approved boundary line change may be eligible as a location for the transfer of shorezone development as long as no increase in development potential results.

(2) Private littoral parcels shall be eligible for an additional pier that if they:

(a) meet the minimum parcel size for a private residence;

(b) could provide necessary upland facilities (e.g., parking, sanitation);

(c) do not have an existing pier;

(d) are not otherwise restricted from additional shorezone development (e.g., via a limiting Plan Area Statement policy, restrictive covenant, or a deed restriction);
Proposed New Chapter with sources of change identified

Chapter 52(1)

Language to be deleted is **struck out in red.** New proposed language is **underlined in blue** showing changes from the May 2, 2008 Draft

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**Section 52.3 Application Process for Additional Private Use Piers:** TRPA shall process applications for additional private use piers under the following procedures.

52.3.A TRPA shall accept preliminary applications for additional private use piers up to and including December 1 (or the following Monday if December 1 falls on a weekend day) of each year for consideration and action, if possible, in the following year. [source: new]

52.3.B TRPA shall only accept preliminary applications for additional private piers if they include:

1. at least two eligible parcels for parcels within a scenic shoreline travel route units not in attainment with the applicable indicator for the Scenic Environmental Threshold Carrying Capacity, at least one eligible parcel if it is within a scenic shoreline travel route unit in attainment with the applicable indicator for the Scenic Environmental Threshold Carrying Capacity;

2. a project site plan, including but not necessarily limited to, all applicants and parcels included in the project area, the proposed pier location, the linear lake frontage of each parcel, all existing piers within 200 feet of project boundaries, any water intake facilities, and other information as TRPA may deem appropriate;

3. a preliminary assessment of the project’s potential to meet all applicable regulatory criteria, including other governmental and associational requirements if any. The preliminary assessment shall address with specificity criteria regarding access, setbacks,
Proposed New Chapter with sources of change identified

Chapter 52(1)

Language to be deleted is struck out in red. New proposed language is underlined in blue showing changes from the May 2, 2008 Draft

scenic requirements, mitigation opportunities and shall provide financial assurances from the applicant of a readily available source of funds to pay all applicable fees, including the Lake Tahoe Public Access Fund fee; and,

(4) an application for a scenic assessment pursuant to Chapter 30.15.B. [source: new]

52.3.C Within 45 days of December 1, TRPA shall:

(1) Rank all applications that meet the criteria set forth in Section 52.3.B based upon the total number of eligible parcels included within the application. TRPA shall also calculate the amount of linear lake frontage included within each application. The total linear lake frontage shall include those parcels that are:

(a) adjacent to or within the same scenic travel route unit of the parcel upon which the pier is to be located; and,

(b) eligible for shorezone development under Section 52.2.C or to receive the transfer of shorezone development, except that TRPA shall include the total linear lake frontage of any length within Stream-mouth Protection Zones or setbacks for water intake lines.

(2) Select for further consideration the five applications with the greatest reduction in shorezone development potential through deed restricting eligible parcels from additional or transferred piers. If two or more applications result in the same reduction in shorezone development potential, those applications shall be further ranked based on the following criteria in the following order until the applications are distinguished for ranking purposes: the greater amount of linear lake frontage in the project area, those piers proposed to be located in less sensitive shoreline character types, the greatest extent of the most visually sensitive shoreline character type retired. For each of those five applications, TRPA shall inform the applicant(s) in writing of additional information necessary to complete the application. And,

(3) Inform all applicants of its determination to proceed on the top rank applications. Applicants whose application TRPA did not rank within the top five may submit their application in subsequent years without prejudice. Notwithstanding any other provision of the Code of Ordinances or Rules of Procedure, the selection for processing by TRPA of the top five ranked applications may not be appealed to the Governing Board.

(4) Once TRPA selects the top five ranked applications for
Proposed New Chapter with sources of change identified

Chapter 52(1)

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processing, it shall not accept any further applications for additional piers even if one or more of the top rank withdraws or is denied. [source: new]

52.3.D The applicant(s) whose application is selected for further consideration shall submit all information necessary to complete the application within 60 days of the date of the transmittal from TRPA under Section 52.3.C(2). Upon written request, TRPA may grant an applicant(s) one 30-day extension to the deadline. If the applicant(s) fails to meet the deadlines imposed by this section, TRPA shall withdraw that application and shall select for further consideration the next application in the Section 52.3.C(1) ranking. [source: new]

52.3.E Upon receipt of the information necessary to complete the application, TRPA shall process the application according to the rules of Article V of the Rules of Procedure. [source: new]

52.4 Allocation of Mooring Buoys and Boat Lifts: TRPA shall regulate the number of moorings on Lake Tahoe under the following criteria. As used in this Chapter, a buoy shall refer to a mooring buoy that is either in use or capable of use to moor watercraft:

52.4.A Permit requirement: No mooring may be placed or maintained in the waters of the Lake Tahoe Region unless it is authorized by a permit from TRPA. All mooring buoys shall display a TRPA Buoy Identification Tag at all times.

52.4.B Maximum number of buoys on Lake Tahoe: The number of mooring buoys, berths in boat houses and boat lifts on Lake Tahoe from all sources shall not exceed 6,316. Of the maximum number of mooring buoys, TRPA shall reserve 200 buoys for allocation to public use facilities. [source: new]

52.4.C Restriction to littoral parcels: Except as provided in Section 52.4.E(3), only littoral parcels shall be eligible to place a mooring buoy and to receive a permit for buoys from TRPA. The term “littoral parcel” shall have the same meaning as described in Section 52.2.C(1).

52.4.D Maximum number of additional buoys per littoral parcel: Littoral parcels shall be eligible for the following number of buoys.

1. Private littoral parcels with less than 50 linear feet of lake frontage shall be eligible for one buoy.

2. Private littoral parcels with 50 linear feet or more of lake frontage shall be eligible for two buoys.

3. Public parcels or parcels associated with homeowner associations or functionally similar entities shall be eligible for a field of buoys defined by the lake frontage of the littoral parcel(s) as measured
from a 50 foot lakeward setback from the high water line, 25 foot side setbacks (as projected according to Section 54.5.B), a maximum 350 foot extension lakeward, and set on a 50 foot grid spacing pattern. For homeowners associations, the number of buoys allocated shall not exceed the number of residential units served with the sole exception for an additional buoy(s) serving littoral parcels under subsection (6).

(4) Private littoral parcels with commercial or tourist accommodation uses (excluding marinas) for which buoys are an appropriate accessory structure shall be eligible for the minimum number of buoys necessary to reasonably service the use of the upland facilities if:

(a) the facilities are deed restricted to be open to the public;

(b) the maximum number of buoys shall not exceed the number that could be allocated under subsection (3); and,

(c) the buoys shall remain available for use by the patrons of the upland facility rather than rented or leased.

(5) TRPA shall assign authorize buoys to marinas pursuant to Chapter 16 except where a marina requests approval for:

(a) less than 10 buoys consistent with Section 54.10.A; or,

(b) existing buoys either placed pursuant to a verified approval a federal or state agency with appropriate jurisdiction or placed in Lake Tahoe prior to 1972 without appropriate authorization.

(6) A littoral parcel shall only be eligible for buoys under one of the subsections of this section. If a buoy field currently exists offshore of a littoral parcel, the littoral parcel shall not be eligible for additional buoys. [source: new]

(6) Littoral parcels landward of homeowner association buoy fields may be eligible for buoys under subsections (1) and (2) if

(a) the buoys are located within the homeowners association field and,

(b) in no case shall the total number of buoys in the field exceed the amount possible under the grid calculated in subsection (3).

52.4.E Authorization of certain existing buoys:

(1) For owners of littoral parcels, TRPA may authorize a maximum of
Proposed New Chapter with sources of change identified
September 3, 2008
Exhibit 2
Attachment B

Language to be deleted is struck out in red. New proposed language is underlined in blue showing changes from the May 2, 2008 Draft

two existing buoys for littoral parcels with less than 50 linear feet of lake frontage or three existing buoys for littoral parcels with 50 linear feet or more of lake frontage notwithstanding the actual number of buoys existing offshore of littoral parcels, if:

(a) a littoral parcel owner provides a verified approval for placement of buoys from a federal or state agency with appropriate jurisdiction; or,

(b) a littoral owner establishes by clear evidence that the owner or predecessor in interest placed the buoy(s) in Lake Tahoe without appropriate authorization prior to February 10, 1972.

(2) For persons who are not littoral parcels owners, TRPA may authorize a maximum of one buoy, if:

(a) that person or predecessor in interest received an approval prior to February 10, 1972 for placement of buoys from either a state or federal agency with appropriate jurisdiction. In the event the pre-1972 buoy approval is from a federal agency, the person must obtain approval for the buoy from the appropriate state agency prior to consideration by TRPA for approval under this section; or,

(b) clear evidence establishes that that person or a predecessor in interest placed the buoy in Lake Tahoe without authorization prior to February 10, 1972 and has subsequently obtained approval from the appropriate state agency.

(3) Any buoy authorized by TRPA pursuant to 52.4.E(2) shall count towards the maximum number of buoys that may be located lakeward of the littoral parcel under Sections 52.4.D or 52.4.E.

(4) Buoys authorized pursuant to this subsection shall be located at least 50 feet from any other shorezone structure and shall meet all other applicable location and design standards unless anchor relocation would create significant environmental impacts and does not otherwise interfere with legal placement of buoys by adjacent property owners.

(5) A littoral parcel shall not be eligible for additional buoys under Section 52.4.D if TRPA has approved buoys lakeward of that parcel under Section 52.4.E that meet or exceed the number of buoys set forth in Section 52.4.D(1) and (2). [source: new]

52.4.F Phasing of buoy permits:

(1) TRPA shall not issue permits for buoys that result in the total
number of buoys on Lake Tahoe exceeding 4,454 until TRPA has adopted and implemented a Blue Boating Program in conformance with Sections 54.15.A and 54.15.B.

(2) Prior to the adoption and implementation of a Blue Boating Program and subject to the overall limitation of Section 52.4.F, TRPA may issue permits to:

(a) applicants with an existing buoy(s) that placed the buoy pursuant to a valid written authorization from either a state or federal agency with appropriate jurisdiction;

(b) applicants with existing buoys who meet the criteria of Section 52.4.E; or,

(c) applicants without an existing buoy that meet all eligibility criteria.

(3) Any applicant under Section 52.4.F(2) who illegally placed a buoy for which they now seek authorization from TRPA shall pay an additional $5,000 fee.

52.5 **Authorization Of Boat Ramps, Boat Slips and Floating Platforms:** TRPA shall authorize additional boat ramps, boat slips and floating platforms on the following basis:

52.5.A **Boat Ramps:**

(1) TRPA shall authorize no additional private use boat ramps.

(2) TRPA may authorize no more than 6 additional public use boat ramps. [source: new]

52.5.B **Floating Platforms:**

(1) Subject to 52.5.B(2), TRPA shall authorize no additional floating platforms

(2) A littoral parcel owner may substitute eligibility for one buoy for a floating platform. The littoral parcel owner shall pay the annual buoy fee set forth in Section 54.13.B. No watercraft shall be moored to a floating platform or its anchor. [source: new]

52.5.C **Boat Slips:**

(1) TRPA shall authorize no additional private use slips.

(2) TRPA shall authorize no more than 235 additional public slips. [source: new]
Proposed New Chapter with sources of change identified

Chapter 52(1)

Language to be deleted is **struck-out in red**. New proposed language is **underlined in blue** showing changes from the May 2, 2008 Draft.
Chapter 53
SHOREZONE PROJECT REVIEW AND EXEMPT ACTIVITIES

Chapter Contents

53.0 Purpose
53.1 Applicability
53.2 General Provisions
53.3 Definitions
53.4 Exempt Activities in the Shorezone and Lakezone
53.5 Qualified Exempt Activities in the Shorezone and Lakezone
53.6 Loss of Exemption

53.0 Purpose: This Chapter implements the TRPA Goals and Policies by setting forth the activities in the shorezone and lakezone that are exempt from permitting requirements and those activities that may qualify for an exemption through the filing of a qualified exempt declaration.

53.1 Applicability: The standards in this Chapter shall apply to the lakezone, shorezone and lagoon areas of lakes within the Region.

53.2 General Provisions: All activities in the lakezones, shorezones and lagoons of lakes within the Region shall comply with the following:

53.2.A An activity which is not specifically exempt (pursuant to Section 53.3), or qualified exempt (pursuant to Section 53.4), or a continuation of an existing use (pursuant to Section 51.2.E), is subject to TRPA review and approval.

53.2.B All activities that are not a permissible use (pursuant to Section 51.2.A), an accessory structure (pursuant to Section 51.2.B), or an existing use (pursuant to Section 51.2.E) are prohibited.

53.2.C No project shall be approved unless the applicable findings can be made in accordance with Chapter 54, and no project shall be built unless the applicant pays all applicable fees. [source: new]

53.2.D Any maintenance, repair or reconstruction replacement activity pursuant to this chapter shall comply with the shorezone design standards for color and roofs contained in Section 30.6.A and Table 1 of Chapter 54.

53.2.E An exempt or qualified exempt activity shall not create additional land coverage or relocate any existing land coverage. [source: 52.3.C]
53.3 Definitions: As used in Chapters 50 to 54 inclusive, the following terms shall have the definitions provided below unless specifically indicated otherwise:

Maintenance: Ordinary and routine activities necessary to keep a structure in good working order and to prevent deterioration caused by natural conditions. Examples of maintenance include washing, painting, caulking, rewiring. Maintenance does not include replacing any part of a structure.

Repair: Activities necessary to put back a structure to good and sound condition after decay or damage without changing the structure’s dimensions or function. Repairs include replacing components of a structure such as decking, structural members, piles, re-siding, re-roofing, replacement of electrical or mechanical gear. The concept of “repair” shall be a functional one to include substitution of one kind of material for another, for example steel for wooden piles, or synthetic for wood decking, even where those changes may result in a negligible change in the dimension or change in appearance of the structure (e.g., placing a steel pile around an existing wood pile). No repair may increase the visual mass or contrast rating of the repaired existing structure.

Reconstruction: The replacement of all or an entire portion of an existing structure without changing the structure’s dimensions or function. The concept of “reconstruction” shall be a functional one to include substitution of one kind of material for another, for example steel for wooden piles, or synthetic for wood decking, even where those changes may result in a negligible change in the dimension or change in appearance of the structure (e.g., placing a steel pile around an existing wood pile). Notwithstanding the foregoing, the replacement of a structure may qualify as a reconstruction where there is a reduction (without reconfiguration) in the dimension of the structure resulting in an improvement to environmental conditions (e.g., replacing double pilings with single pilings; replacing a pier without a previously existing boat house). No reconstruction may increase the visual mass or contrast rating of the previously existing structure.

53.4 Exempt Lakezone, Nearshore, Foreshore and Lagoon Activities: The following activities are exempt from TRPA review and approval:

53.43 A The ordinary Maintenance, repair, or partial in-kind replacement reconstruction of an existing structure, provided that the demolition of an existing structure less than 50-years old. To obtain possible credit for land coverage or existing development, TRPA verification is required prior to any demolition. An exempt activity must meet all the following standards:

1. no discharge occurs to the waters of the Region and the structure is in accordance with the Shorezone Design Standards in Chapter 54 if it is to be reconstructed;
Proposed New Chapter with sources of change identified

September 3, 2008

Chapter 53 Merged.doc

Language to be deleted is **struck out in red**. New proposed language is **underlined in blue** showing changes from the May 2, 2008 Draft

(2) temporary construction best management practices are implemented and all below-water construction activities occur from October 16 through April 30-May 1, if the structure is within fish spawning habitat;

(3) **no discharge to the waters of the region and** no disturbance of the backshore, lake substrate or Tahoe Yellow Cress habitat occurs;

(4) **the activity complies with Section 30.6.A**

(45) the structure is legally existing with respect to TRPA requirements and has not been unserviceable for the last three years. [source: 52.3.C(1) & staff cleanup]

53.43.B The consolidation of one or more parcels, provided that a deed restriction that permanently consolidates the parcels is recorded by the affected owners; no parcel is subdivided or has its boundaries changed (other than by the elimination of the boundary line(s) separating the consolidated parcels); and, no reduction in recreational access occurs through the consolidation. [source: portions from 52.3.B(3) & 4.11, staff cleanup]

53.43.C Water-oriented outdoor recreational (dispersed) uses that do not require the construction of permanent structures. [source: staff cleanup]

53.43.D Water-oriented public service uses that are law enforcement activities that do not require the construction of permanent structures. [source: staff cleanup]

53.43.E Temporary activities which do not create threshold impacts, and which comply with Subsection 4.2.C. [source: 4.2]

53.43.F Water-oriented scientific studies and research projects that do not require the discharge of substances or the placement of structures or the disturbance of land or lake bottom in the lakezone, lagoon or shorezone of the Region. [source: staff cleanup]

53.43.G Beach raking activities covered by an MOU entered into pursuant to Section 4.5. [source: new]

53.4.H **Replacement of buoy floats for buoys permitted by TRPA.**

53.54 Qualified Exempt Activities: No TRPA review and approval is necessary for the following activities if the activity fully meets one or more of the categories in this section and the applicant files a properly completed TRPA Qualified Exempt declaration form pursuant to Section 4.3 with TRPA at least five working days before the activity begins: [source: 52.3.C, staff cleanup]
53.54.A Repair, maintenance or partial in-kind replacement reconstruction of an existing structure that causes a minor amount of shorezone disturbance, or the demolition of an existing structure less than 50-years old. For each category of shorezone project (e.g., pile piers, rock crib piers, breakwaters, jetties, etc.), the Executive Director shall develop guidance to determine whether an activity will cause a minor amount of shorezone disturbance. To obtain possible credit for land coverage or existing development, TRPA verification is required prior to any demolition. A qualified exempt activity must meet all the following standards:

1. The repair or replacement activity shall not result in a change of use or an increase in the area or dimensions of the structure, including height, width, length or overall area. [source: staff cleanup]. Any associated excavation, filling or backfilling located above the highwater line (6229.1) elevation or the elevation of the equivalent highwater line at other lakes is completed within 48-hours, has a volume of no more than three cubic yards, is stabilized to prevent erosion, and does not involve grading activities, in a single event or series, that cumulatively exceeds seven cubic yards; [source 4.3.A(5)]

2. No excavation, grading, or filling occurs below the highwater line (6229.1 elevation or the equivalent highwater line at other lakes). However, activities that involve the replacement of 3 cubic yards or less of rock within an existing rock crib pier or jetty or similar structure that have fallen out of the structure can be accomplished pursuant to this section. Any such work shall not involve handling or distributing clay, silt, or sand embedded in the structure. [source: staff cleanup] Notwithstanding this limitation, the following activities may be considered as meeting this provision:

   a) driving piles;

   b) repair or reconstruction of rock crib structures when performed in compliance with all TRPA BMPs including those attached to Chapter 54; or

   c) replacement of rock fallen from jetties or breakwaters; [source: new/staff cleanup]

3. This exemption shall not be used to phase a project that would otherwise require a permit, by breaking a project into a series of qualified exempt activities where the project would otherwise require a permit. [source: new/staff]

4. The structure is legally existing and has not been unserviceable for the last three years; [source: 52.3.C(1) & staff cleanup]
(5) The repair activity does not involve the replacement of vertical walls;

(6) The applicant shall submit to TRPA, together with the Qualified Exempt Declaration, a water quality BMP completion schedule for the project area; [source: 25.2.B(2)(C)].

(7) In shorezone areas containing spawning gravels, construction can only occur between October 1 and May 1 unless TRPA conducts a site analysis in coordination with other appropriate agencies and finds that the proposed activity will not have a detrimental effect on the spawning habitat, spawning fish, incubating eggs, or fry; [source: Shorezone Partnership, staff cleanup]

(8) reconstruction of a jetty or breakwater shall not be considered a qualified exempt activity;

(9) the applicant certifies that it has contacted all appropriate public agencies or private entities to ensure that any element of the activity will not affect any underground utilities;

(10) the applicant certifies that the activity will not adversely affect after mitigation, if necessary, Tahoe Yellow Cress or other sensitive plant species.

53.54.B The demolition of structures 50 years or greater in age, provided that the demolition meets all the requirements in Subparagraph (1) above and that the structure, improvement or facility is not designated, pending or eligible for designation, on the Historic Resource Map, and the Qualified Exempt Declaration is accompanied by the results of a TRPA historic determination. [source: 4.3.A(7)]

53.54.C The repair or replacement of an existing anchoring device or chain for a mooring buoy authorized by a TRPA permit. [source: 52.3.C(3)]

53.54.D The repair of an existing fence that complies with the applicable standards for fences in Chapter 54. [source: 52.3.C(2), Shorezone Partnership, staff cleanup]

53.54.E The repair or in-kind replacement reconstruction of legally existing piers, floating swim platforms and shoreline protective structures in Tahoe Keys lagoons. [source: 52.3.C(3)]

53.54.F A change in operation that generates less than 100 additional vehicle trips and adds less than five additional motorized watercraft, provided there is no change from one use classification to another, the resulting use is allowed by this Chapter, there is no increase in threshold impacts (e.g., noise, water quality, etc.), and the applicant pays the applicable TRPA air quality mitigation fee. [source: 52.3.C(6)]
53.54.G Placement of one sign up to 12" x 18" above highwater in size in accordance with the sign standards in Table 1 of Chapter 26 [source: 26.3(13)]

53.54.H Relocation of boulders for navigational purposes provided that the character and habitat function throughout the project area is maintained and the relocation is consistent with Chapter 29. [source: new]

53.65 Loss of Exemption: An exempt or a qualified exempt shorezone activity shall lose its exemption and be reclassified as a project, if TRPA finds that the activity meets the criteria set forth in Section 4.6. [source: 52.3.D]
Chapter 54
SHOREZONE PROJECT FINDINGS AND DEVELOPMENT STANDARDS

Chapter Contents

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54.0 Purpose: The Shorezone Subelement, Conservation Element of the Goals and Policies requires TRPA to regulate the placement of piers, buoys, and other structures in the lakes and lagoons of the Region to avoid degradation of fish habitats, creation of navigational hazards, interference with littoral drift, and interference with the attainment of thresholds and other relevant concerns. The Shorezone Subelement indicates that provisions should be made to allow multiple-use facilities when such uses are intended to reduce the number of single use piers on adjoining properties. Structures legally existing in the shorezone or lagoons in the Region prior to the effective date of the Regional Plan July 1, 1987 or structures legally constructed thereafter, are recognized as existing structures, provided that the structure has not been unserviceable beyond the time limits set forth in Subsection 54.8.A(1). Since some existing structures do not conform to the Code standards for structures, Goal 1, Policy 11 of the Subelement requires that for maintenance, repair and modification, TRPA set requirements appropriate for the situation.
Proposed New Chapter with sources of change identified

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Language to be deleted is **struck-out in red.** New proposed language is **underlined in blue** showing changes from the November, 2006 Draft

54.1 **Applicability:** The standards in this chapter apply to all projects and activities in the shorezone, which includes the nearshore, foreshore and backshore and lagoon areas of Lake Tahoe and other lakes in the Region. **Repair, reconstruction, modification, expansion and relocation of existing structures located in the backshore shall be regulated in accordance with standards set forth in Chapter 18 and 4.** When a structure in the foreshore extends into the backshore, that portion of the structure in the backshore shall be regulated pursuant to Chapters 53 and 54.

54.2 **Definitions:** As used in this Chapter, the terms listed below shall have the following definitions notwithstanding any other provision in Chapter 2.

**Expansion:** A change in the dimension, footprint, configuration, exterior feature or substrate disturbance in a shorezone structure that expands its existing volume or visual mass. [source: new]

**Modification:** A change in the dimension, footprint, configuration, exterior feature or substrate disturbance in a shorezone structure without expanding its existing visual mass. [source: new]

**Private use facility:** All shorezone facilities that do not meet the definition of a public use facility. [source: new]

**Unserviceable:** A structure that can no longer serves the function for which it was designed. [source: 52.2.D]

54.3 **Findings Required for Lakezone, Shorezone, and Lagoon Projects:** No project or activity within the lakezone, shorezone, or lagoon of lakes of the Region, shall be approved unless TRPA makes all the applicable findings listed below: [source: 50.3]

54.3.A **Findings for all Projects:**

1. **General Environmental Findings:** TRPA must analyze and make the required environmental findings pursuant to Chapter 5. In addition, such environmental findings must demonstrate that the project will not adversely impact littoral processes, fish spawning, backshore stability or on-shore wildlife habitat, including waterfowl nesting areas. [source: 50.3.A(1)(2)(3)(4)]

2. **Chapter 6 Findings:** Prior to approving any project TRPA must analyze and make the findings pursuant to Chapter 6. [source: Chapter 6]

3. **Accessory Facilities Findings:** TRPA must find that there are sufficient accessory facilities to accommodate the project. [source: 50.3.B]
Proposed New Chapter with sources of change identified

September 3, 2008

Attachment B
Exhibit 2

Chapter 54merged.doc

Language to be deleted is struck-out in red. New proposed language is underlined in blue showing changes from the November, 2006 Draft

(4) Compatibility Findings: TRPA must find that the project is compatible with existing shorezone and lakezone uses or structures in the immediate vicinity of the project area or that modifications of existing non-compatible structures will take place to assure compatibility. [source: 50.3.C]

(5) Water Dependant Use Findings: TRPA must find that the proposed use any project in the lakezone, shorezone nearshore, foreshore or lagoon is water-dependant. [source: 50.3.D]

(6) Hazardous Material Findings: TRPA must find that measures will be taken to prevent spill or discharges of hazardous materials. [source: 50.3.E]

(7) Navigation and Safety Findings: TRPA must find that the project will not adversely impact navigation or create a threat to public safety pursuant to the determination of agencies with jurisdictions over the navigable waters in the Basin. [source: 50.3.G]

(8) Other Agency Comment Findings: TRPA must find that it has solicited comments from those public agencies having jurisdiction over the lakezone, shorezone and lagoon, and that all comments received from such agencies were considered prior to taking action on the project. [source: 50.3.H]

(9) Construction: Construction and access techniques will be used to minimize disturbance to the ground and vegetation. [source 50.3.F]

54.3.B Additional Findings for Special Use Projects:

(1) The project, and the related use, is of such a nature, scale, density, intensity and type to be appropriate for the project area, and the surrounding area. [source: 18.1.B(1)/51.1.B(1)]

(2) The project, and the related use, will not injure or disturb the health, safety, environmental quality, enjoyment of property, or general welfare of the persons or property in the neighborhood, or in the Region. [source: 18.1.B(2)/51.1.B(1)]

(3) The project, and the related use, will not change the character of the neighborhood, detrimentally affect or alter the purpose of any applicable plan area statement, community, redevelopment, specific, or master plan. [source: 18.1.B(3)/51.1.B(1)]
54.3.C Additional Findings for Public Outdoor Recreation Facilities Creating Coverage or Permanent Disturbance in the Backshore:

(1) The project is a necessary part of a public agency's long range plans for public outdoor recreation. [source: 55.4.A(1)]

(2) The project is consistent with the recreational element of the goals and policies. [source: 55.4.A(2)]

(3) The project, by its very nature, must be sited in the backshore. [source: 55.4.A(3)]

(4) There is no feasible alternative that avoids or reduces the amount of land coverage or disturbance proposed in the backshore. [source: 55.4.A(4)]

54.3.D Additional Findings for Public Service Facilities Creating Coverage or Permanent Disturbance in the Backshore:

(1) The project is necessary for public health, safety or environmental protection. [source: 55.4.B(1)]

(2) There is no reasonable alternative that avoids or reduces the amount of land coverage or disturbance in the backshore. [source: 55.4.B(2)]

54.3.E Additional Finding for Coverage or Disturbance in the Backshore Created to Allow Access to Structures Or Uses in the Nearshore or the Foreshore: The amount of land coverage is the minimum that is necessary when all Thresholds are taken into consideration to provide access to an approved or an existing structure or use located in the nearshore or foreshore. [source: 55.4.D]

54.4 General Standards for Shorezone Projects: In addition to applicable requirements elsewhere in this Chapter, projects in the shorezone shall meet the following standards:

54.4.A Vegetation: No naturally occurring vegetation shall be manipulated or disturbed except in accordance with Subparagraph 20.4.B(5). No planting of new vegetation, or manipulation of naturally occurring vegetation, shall be permitted in the shorezone, unless such activities comply with the standards in Subparagraph 20.4.B(5). [source: 52.3.G(1)(c), 52.3.G(2)(c) & 55.4]
54.4.B Public Access:

(1) A subdivision or boundary line adjustment (including lot consolidation) must provide for specific full mitigation for any resulting loss of public access to the shores of Lake Tahoe or other lakes in the region. Mitigation may include dedication of public access easements to the lake or laterally along the lake where legal access along the shoreline is adversely affected. [source: new]

(2) Structures Crossing Public Access Areas: Projects involving additional, relocated or existing structures which cross public easement or public trust areas along the shoreline of Lake Tahoe shall be reviewed to ensure the structures will not interfere with public access pursuant to the following criteria.

(a) Additional and Relocated Structures: No additional or relocated structure shall unreasonably interfere with legal public access. Limitations on public access for these purposes shall only be authorized that are necessary to protect sensitive species, identified cultural or historic resources, or safety of the general public shall not constitute unreasonable interference under this section provided that the interference with public access is limited to the minimum extent and time necessary to accomplish the public purpose.

(b) Existing Structures: The non-exempt replacement, modification or expansion projects shall, to the extent feasible, eliminate any existing shorezone structure that unreasonably interferes with legal public access shall, to the extent feasible, eliminate any structure causing the unreasonable interference. As used in this subsection, the term “feasible” may include the public purpose accommodations and restrictions identified in subsection (a). If it is not feasible to remove the unreasonable interference, then the applicant shall provide some reasonable public access accommodation.

(c) The visible mass of elements of structures necessary to comply with this section shall not count against scenic standards placed on projects elsewhere in this Chapter provided that it presents the minimum visible mass needed for public access. [source: new]
54.4.C Water Quality and other BMPs: All shorezone projects shall install and utilize BMPs on the entire project area in accordance with the BMP standards, including but not limited to those applicable BMPs attached to this Chapter as Appendix A. [source: new]

54.4.D Special Project Conditions: Any special project conditions of approval shall be guided by the unique characteristics of the project area, and the nature of the backshore (utilizing Policies 1 and 2, Goal #1 of the Shorezone Subelement, Conservation Element of the Goals and Policies), as well as the following objectives:

(1) The protection of significant vistas.

(2) The preservation of the site and shorezone from environmental harm during and after construction.

(3) Protection of views of adjoining development.

(4) Providing sufficient space for proper infiltration of runoff and nutrient uptake through natural processes. [source: 55.7 & 55.8]

54.4.E Backshore Coverage and Land Disturbance:

(1) No additional coverage or permanent land disturbance shall occur in the backshore unless it is for an authorized shorezone permissible use or accessory structure.

(2) The impacts from authorized coverage and disturbance must be mitigated through the application of BMPs, and the restoration at the rate of 1.5 times the backshore area covered or permanently disturbed by the project. Said restoration shall be in-kind in the backshore and shall comply with the restoration standards in Subsection 20.4.C.

(3) The allowable base land coverage in the backshore is one percent (1%). However, it shall only be utilized outside of the backshore portion of the parcel unless it is for one of the uses listed above.

(4) No erosion control projects, which create coverage or permanent disturbance in the backshore, shall be permitted unless:

    (a1) The project, program or facility is necessary for environmental protection; and

    (b2) There is no reasonable alternative, which avoids or reduces the extent of encroachment in the backshore. [source: 55.4]

(5) All regulations set forth in Chapter 50 and for shorezone tolerance districts shall apply to projects and activities in the backshore. [source: 55.8]
54.4.F  Projects in Fish Spawning Habitat:  All projects located in spawning habitat as verified by TRPA and which have the potential to detrimentally impact spawning fish, spawning gravels, the incubating eggs or the emerging fry shall be subject to a case-by-case review by TRPA and the appropriate Fish and Wildlife Agency regarding the applicability of the October to May construction window and to determine whether the project impacts can be mitigated.

(1)  All man-modified fish habitat areas within the project area that occurred post 1972 shall be restored as part of the project where the modification occurred after 1972.

(2)  No new dredging or placement of new or expanded boat ramps shall be permitted in spawning gravels habitat.

(3)  All projects located in spawning habitat as verified by TRPA and which have the potential to detrimentally impact spawning fish, spawning gravels, the incubating eggs or the emerging fry shall be subject to a case-by-case review by TRPA and the appropriate Fish and Wildlife agency regarding the applicability of the October 1 to May 1 construction window and to determine whether the project impacts can be mitigated.

(4)  In addition to the restoration obligation set forth in Section 54.4.F(1), any potential impacts to spawning habitat shall be mitigated by replacing the impacted habitat at a rate of 1.5 to 1 using one of the following options—methods, or a combination thereof, as determined appropriate by TRPA:

(a)  Replacement "in-kind"—of with similar spawning gravels where gravels previously existed. Such replacement must replace the of equal or greater function and value either on-site or off-site.

(b)  Construction of complimentary habitat adjoining the remaining spawning gravels on-site, where it can be demonstrated that the complimentary habitat will restore or enhance the spawning habitat by substantially increasing the...
function and value.

(c) **Purchase of restoration credits for similar habitat function and value from a fully functioning fish spawning habitat restoration bank established in accordance with Section 54.4.F(7).**

Any mitigation using the methods set forth in subsections (a) and (b) shall include implementation and funding of an approved monitoring and remedial action program that will ensure the effectiveness of the mitigation. Any mitigation using the methods set forth in (a) and (b) must be completed and determined to be successful by TRPA or a third party scientific peer review prior to the pier or shorezone structure construction.

(5) In addition to the restoration obligation set forth in Section 54.4.F(1), any potential impacts to existing feeding and/or escape cover habitat shall be fully mitigated.

(6) **TRPA may collect any reasonably necessary fee to fund TRPA’s review of a project application and replacement/restoration plan (including any necessary third party consulting services) and to monitor the compliance and effectiveness of mitigation approved under this section.**

(7) **Fish Habitat Restoration Bank:** TRPA may establish a fish spawning habitat restoration banking program for the purpose of implementing high quality spawning habitat restoration projects and creating opportunities for restoration that may not be available with project-by-project mitigation.

(a) **The program shall establish criteria and priorities, methods for determining credits and debits, standards for determining bank success and credit availability, and any other requirements or guidelines necessary to implement the program.**

(b) **No credits in any restoration project shall be available for use as mitigation unless and until, at a minimum, the restoration project has been constructed and is fully functioning, and TRPA or a third party scientific peer review has determined that the restoration is successful.**
(c) The cost of mitigation credits shall be calculated by TRPA such that the sum of all credits available from a mitigation project is equal to the total cost of that project, including the cost of planning, design, acquisition, construction, maintenance, and monitoring, as well as a reasonable contingency cost to provide for potentially necessary remedial actions.

(d) A restoration project authorized by this subsection may be undertaken by TRPA directly or in partnership with one or more other governmental agencies or qualified non-profit entities. TRPA is authorized to enter into cost-sharing and reimbursement agreements with any such partners under which those partners may be reimbursed for their share of project costs using mitigation credit proceeds.

(e) Mitigation credits shall not be given for existing habitat restoration projects, planned restoration projects that have already been programmed and funded, or restoration projects intended to provide mitigation for activities other than those for which credits are purchased.

[source: fish study & Shorezone Partnership/new]

(8) Phasing of Projects Located in Spawning Habitat: TRPA shall not approve any project located in, and adversely affecting, spawning habitat until the Fish Habitat Restoration Bank of Section 54.4.F(7) is fully functioning or individual on or off-site project mitigation is completed and deemed fully functioning as determined by TRPA or an external scientific peer review.

(9) Agency Coordination: For the mitigation measures described above, TRPA shall coordinate the site selection and design with appropriate local and state fishery agencies.

54.4.G Topline Fishing: No projects shall be permitted if such project shall create significant adverse impacts to topline fishing access that cannot be mitigated. TRPA shall make this determination in consultation with California Fish and Game and Nevada Division of Wildlife. [source: Shorezone Partnership]

54.4.H Projects that May Impact Historical/Cultural Resources: Projects that may impact historical/cultural resources shall comply with the mitigation, construction and survey measures in Chapter 29. Where appropriate, TRPA shall require signage to educate the public that explains the importance of the historical/cultural resources and the sensitivity to disturbances. However, in lieu of the above, at mapped historical Washoe Indian resource sites, TRPA shall, in coordination with the Washoe Tribe, provide educational materials to property owners aimed
54.4.I **Recreation Projects:** All projects classified as recreation use shall be required to submit an operating plan or equivalent document demonstrating that spatial conflicts with other recreational uses will not be significant as a result of the project. TRPA shall ensure that shorezone recreational projects are designed to avoid overuse and to avoid conflicts between recreation users. [source: Shorezone Partnership]

54.4.J **Projects That May Impact Sensitive or Uncommon Plants:** Projects that have the potential to detrimentally impact sensitive or uncommon plants shall comply with the mitigation, construction and survey measures listed in Chapter 75 and the Tahoe Yellow Cress Conservation Strategy. Where appropriate, TRPA will require interpretive signs to educate the public, designated trails through high-use areas and/or fenced enclosures to protect vulnerable plant populations. [source: Shorezone Partnership]

54.4.K **Structures And Uses In Lagoons and Lakes Other Than Lake Tahoe:** All projects and activities permitted by this chapter in the nearshore and foreshore of Lake Tahoe may be permitted by TRPA in lagoons and other lakes in the region pursuant to the permissible use regulations set forth in the plan area in which the project or activity is located. The location, design and construction standards for such structures shall be determined using standards in this chapter as guidelines. These standards may be established in memorandums of understanding between TRPA and appropriate homeowner associations. [source: 54.10]

54.4.L **Review of Support Facilities:** Whenever review of a structure, use or activity is required by the terms of this chapter, such review shall encompass the structures, uses and activities in the backshore, nearshore, foreshore and on the adjacent littoral parcel to ensure adequacy of all facilities related to the structure, use or activity. [source: 54.2]

54.5 **Project Location and Design Standards:** Projects in the shorezone shall meet the following applicable location and design standards for each structure and/or activity authorized.

54.5.A **Piers.**

   (1) **Location of Additional Piers:** Additional piers in the shorezone shall meet the following location standards.

      (a) **Density of Piers per Parcel:** No more than one private use pier shall be located on a littoral parcel. More than one public use pier may be located on a single publicly owned at encouraging protection of the resources associated with the sites. [source: Shorezone Partnership]
Language to be deleted is struck out in red. New proposed language is underlined in blue showing changes from the November, 2006 Draft

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littoral parcel. [source: 54.4.A(1)]

(b) Density of Piers per Shoreline Character Type Segment. For each contiguous segment of shoreline character type within a scenic unit, TRPA shall calculate the maximum number of piers that may occur in each such segment using the following parameters. No additional, transferred or converted piers shall be authorized that would exceed the maximum number in each segment.

(i) Within each contiguous segment of shoreline character type within a scenic unit:

(A) an average of one pier per 100 linear feet of shoreline for visually modified and visually dominated shoreline character types; or

(B) an average of one pier per 200 linear feet of shoreline for visually sensitive shoreline character types.

(ii) The average pier density for a contiguous length of shoreline character type within a scenic shoreline travel unit shall be calculated as follows:

\[ D = \frac{L - X}{N} \]

Where:

D = Density of piers per segment of shoreline character type within a scenic unit.

L = Length in feet of contiguous shoreline character type.

X = Length in feet of linear lake frontage of littoral parcels that are precluded from locating an additional pier on the parcel as a result of a stream-mouth setback, or a deed restriction, restrictive covenant, plan area statement or similar legal preclusion.

N = The number of existing private or public piers including those approved but not yet built. [source: new]

(c) Pier Separation and Specific Location: No additional pier shall be located within 50 feet of any existing pier as measured at the pier head (including boat lifts). The pier
shall be located on the parcel to minimize impacts to the environment and legal public access. [source: new]

(d) **Pier Functionality:** No additional private pier may be located on a parcel where the maximum pier length allowed by Section 54.5.(A)(2)(c) fails to reach a lake bottom elevation of 6219 feet, Lake Tahoe Datum or the pier head line.

(de) **Shorezone Preservation Areas and Streammouth Protection Zones:** No additional piers shall be located in Shorezone Preservation Areas under Chapter 50, except as may be provided by Section 50.4.B(2). No additional piers shall be located in Stream-mouth Protection Zones designated under Chapter 50.6 [source: new]

(ef) **Prohibition on Additional Single-use Piers:** With the following exception, no additional private single use pier shall be located in any scenic shoreline travel route unit not in attainment with the applicable indicator for the Scenic Environmental Threshold Carrying Capacity. A single use pier may be approved in a non-attainment shoreline travel route unit if the applicant retires the development potential for a pier from another undeveloped littoral parcel that is:

(i) within the same contiguous segment of scenic unit and within the same or more sensitive shoreline character type,

(ii) has at least 50 feet of lake frontage, and

(iii) is otherwise eligible for all pier shorezone development. [source: new]

(fg) **Water Intakes:** No additional piers or other shorezone structures shall be located within 1,320 feet of a public water intake unless:

(i) the applicant prepares an assessment of the risk to the public water supply from the pier’s proposed location and submits the risk assessment to both TRPA and the applicable public water purveyor; and,

(ii) the applicable public water purveyor recommends to TRPA that the proposed location of the pier is acceptable or would be acceptable if changes were to be made to the pier’s design, use, location, construction method or other modification. [source:
CHAPTER 54 – SHOREZONE PROJECT FINDINGS AND DEVELOPMENT STANDARDS

(2) **Private Use Pier Design:** Private use piers shall conform to the following design standards.

(a) **Pier Width:** For a single use pier, the maximum pier deck width shall be 6 feet plus one 3-foot wide catwalk. For a multiple-use pier, the maximum pier deck width shall be 10 feet plus two 3-foot wide catwalks. [source: new/54.4.B(1)]

(b) **Pier Deck Surface:** Pier decks shall be surfaced with wood or other material which is non-reflective, matte finish and in a color to maximize blending with surroundings.

(c) **Pier and Catwalk Length:**

(i) **The maximum Single-use pier length shall be not exceed** the lesser of 150 feet from highwater, to lake bottom elevation 6219 feet, Lake Tahoe Datum or to the pier head line.

(ii) **Multiple-use pier length shall not exceed the lesser of 300 feet from high water or to lake bottom elevation 6219 feet subject to the limitation on maximum visible mass in subsection (f) below.**

(iii) **If application of the 6219 elevation standard in certain deep water shorelines precludes construction of a functional pier, additional minimal length may be approved.**

(iv) **The maximum length of the catwalk shall be 45 feet. For multiple use piers serving 5 or more littoral parcels, TRPA may extend the maximum allowable length beyond the pier head line for the minimum amount necessary to reach navigable water.**

[source: new/54.4.A(4), 54.4.B(1) & Shorezone Policy Committee]

(d) **Pier Head and Directional Orientation:** The maximum size for pier head shall be 10 feet in width by 30 feet in length. Up to 45 feet of pier head length may be permitted for a multiple use pier for the sole purpose of feasibly placing boat lifts end-to-end. The pier shall extend perpendicularly from the highwater line. No doglegs, “L’s” or other directional deviations shall be allowed. [source: new/54.4.B]
(e) **Pier Deck and Floating Piers:** The maximum elevation for pier decking shall be Elevation 6232.0 feet, Lake Tahoe Datum. An exception to allow this elevation to be increased up to 6234.0 feet may be granted if the additional height is necessary for safety reasons or local wave characteristics represent a substantial threat to the integrity of the structure. No superstructures are permitted. Floating piers shall only be allowed lakeward of the area of the influence of littoral process. [source: 54.4.B(2), Shorezone Partnership, new]

(f) **Maximum Visible Mass:** For single-use piers, the visible mass of the structure shall not exceed 220 square feet as measured from frontal and side viewing angles and an additional 174 square feet may be authorized to permit the inclusion of a low-level boat lift. For multiple-use piers, the visible mass shall not exceed 280 square feet as measured from frontal and side viewing angles and an additional 348 square feet may be authorized to permit the inclusion of two low-level boat lifts. *Multiple-use piers serving 3 or more parcels shall be allowed the minimum additional visible mass necessary to reach the maximum length permitted under subsection (c) above.* [source: new]

(g) **Boat Lifts:**

(i) **Number:** For single-use piers, one low-level boatlift (maximum 12,000 pound capacity) with forks not exceeding 10 feet in length may be permitted. For multiple-use piers, two low-level boatlifts (maximum 12,000 pound capacity) with forks not exceeding 10 feet in length may be permitted. [source: new/54.4.B]

(ii) **Mooring:** In order to obtain an authorized boatlift, the applicant must permanently retire a legally existing, TRPA-permitted buoy or buoy “eligibility” associated with a littoral parcel in the project area. As used in this subsection, “retire” means (1) placing a permanent restriction on the project area to preclude the placement of the buoy, and (2) payment of all annual buoy fees as long as the boat lift exists. [source: new]

(iii) Additional platform boatlifts and personal watercraft lifts are prohibited outside of marinas. [source: new]

(h) **Additional Amenities:** Piers may qualify for additional
Proposed New Chapter with sources of change identified

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Language to be deleted is struck-out in red. New proposed language is underlined in blue showing changes from the November, 2006 Draft

visible amenities (such as a locker, bench or increased width, but not additional boat lifts) if the pier is constructed to less than the maximum allowable design. The additional amenity approved shall not cause the maximum visible mass of the pier to exceed the applicable structure visible mass (excluding the amount allowed for boatlifts). [source: new]

(i) Foundations: Piers shall be built using single pilings placed on a minimum of 15-foot centers. Double pilings may only be used where safety or engineering concerns make single pilings infeasible. No pier foundation shall extend above deck, except where necessary technologically to facilitate a floating pier, or be less than 90% open. Pier heads and catwalks may be supported by double pilings. TRPA may permit deviation from these standards for floating piers. [source:new/54.4.B]

(j) Lighting: Light standards on piers shall be directed downward and only onto the pier deck, and shall not exceed two feet in height above the deck. They shall be the minimum illumination necessary to ensure safety, and shall comply with all applicable standards in Chapter 30. Pier lights for navigational purposes must be approved by the United States Coast Guard and the Army Corps of Engineers. [source: Chapter 30 & new/staff]

(k) Flag Poles: A maximum of one flagpole is permitted on any private pier. Flag poles shall be medium or dark in color and shall have a value of 4 or less on the Munsell Color Chart. Flagpoles shall have a non-reflective finish, shall be a maximum of 20 feet high above the pier deck and have a maximum diameter at the base of 6 inches. [source: scenic study]

(l) Multiple Use Requirements: Notwithstanding the definition in Chapter 2, a private multiple use pier shall be considered a private multiple-use pier if:

(i) the pier serves at least two littoral parcels that satisfy all of the eligibility requirements of Section 52.2.C(2) and all parcels served shall be located within the same scenic unit or be adjacent to each other; and (ii) record a deed restriction permanently restricting additional pier development (including the transfer of an existing pier) on all those parcels included within the application for the multiple use pier; or,

(ii) the pier serves a homeowners association or
functionally similar entity. The designation of a pier as multiple-use pier under this subsection shall not excuse the applicant from meeting all other applicable criteria for an additional pier including Section 52.3.B(1).

(m) Non-Conforming Shorezone Structures: As a condition of approval for any additional private pier, the applicant shall remove or bring into conformance all nonconforming accessory structures in the shorezone of the project area. [source: new]

(3) Public Use Pier Design: Public use piers shall conform to the design and location standards for private use piers except for pier length, width, pier head, pier deck, and maximum visible mass and functionality. The extent of the deviation from the standards for these criteria shall be decided on a case-by-case basis depending upon the public needs to be served by the pier consistent with attaining and maintaining thresholds. [source: new]

54.5.B Buoys

(1) Location: Mooring buoys in the shorezone shall meet the following location standards.

(a) Subject to subsection (d), for littoral parcels with less than 50 linear feet of lake frontage, the single buoy permitted by Section 52.4.D(1) shall be located within the projected parcel boundary lines, at least 50 feet from any other existing structure and within 350 feet lakeward of highwater.

(b) Subject to subsection (d), for littoral parcels with at least 50 linear feet of lake frontage, the two buoys permitted by Section 52.4.D(2) shall be located at least 25 feet from the projected parcel boundary lines, at least 50 feet from any other existing structure and within 350 feet lakeward of highwater.

(c) Buoys shall be located within the grid described in 52.4.D(3), with the exception that buoys may be located beyond 350 feet from highwater if necessary to reach a water depth to support watercraft navigation. The extension lakeward of beyond the 350 foot limitation shall not result in any additional number of buoys allocated to the buoy field under 52.4.D(3).
For the purposes of this section, parcel boundary lines shall generally be projected perpendicularly to the tangent of the shoreline from highwater. For unique circumstances, such as small coves with a radius insufficient to meet the setback standards of subsections 54.5.B.2(a) and (b), TRPA shall, in consultation with other public agencies having regulatory jurisdiction in the shorezone, draw projection lines to distribute equitably the area among the parcels.

For projects covering multiple parcels, in unique circumstances such as coves, or as needed to address scenic or substrate disturbance impacts, TRPA in its sole discretion may aggregate buoy locations to minimize scenic impacts permit an existing nonconforming buoy location to be maintained.

No additional buoy fields shall be located within a Shorezone Preservation Area, except as may be authorized under Section 50.4.B(2), or Stream-mouth Protection Zone. [source: new]

Design: Mooring buoys shall comply with applicable TRPA best management practices and the construction specifications set forth in the California Waterway Marking System or as otherwise recommended by the U.S. Army Corp of Engineers or Coast Guard. [source: 54.6.B]

54.5.C Other Structures

(1) Public Boat Ramps:

(a) A boat ramp may be permitted for public facilities that demonstrate the need for a boat ramp based on the multiple-use criteria in Subsection 52.3.B.

(b) Prior to approval, TRPA must approve a water quality mitigation plan that meets the TRPA BMP requirements.

(c) Boat ramps shall not be located in spawning habitat or in a Shorezone Preservation Area, except as may be authorized under Section 50.4.B(2).

(d) The ramp shall be located at a site with a continuous slope of 12 to 15 percent between the highwater line and elevation 6219'. No boat ramp shall be located where this slope exceeds 15 percent.
(e) Boat ramps shall be a maximum of 24 feet wide. Ramp length shall be the minimum necessary to provide access at normal lake elevations.

(f) Ramp excavation shall be minimized to the extent feasible. Unless TRPA determines it infeasible, construction shall be accomplished by placing a steel grid foundation onto piles and cross members, and by placing pre-cast concrete sections onto the grid. [source: 54.5, 54.8.B, and new/Spawning Study and new/EIS]

(2) **Floating Platforms:**

(a) The maximum size of the floating platform shall be 100 square feet, and the maximum length along any side shall be 15 feet. The maximum deck elevation shall be two feet above the surface of the water. No superstructures are permitted.

(b) The floating platform shall not be placed so that it extends beyond lake bottom elevation 6219.0 feet, Lake Tahoe Datum, or the pierhead line (whichever is less) except as provided in the "low water condition rule" set forth below.

(c) No existing or additional floating platform shall be anchored, tethered or otherwise attached to the backshore or further landward. [source: 54.7.A and 54.7.B, new/Shorezone Partnership and new/staff]

(3) **Shoreline Protective Structures:** Shoreline Protective Structures may be approved by TRPA to prevent erosion in the backshore if:

(a) Structures in the backshore or environmental threshold values will be enhanced by the construction and maintenance of the protective structure;

(b) The protection of structures in the backshore or the enhancement of threshold values more than offset the adverse environmental effects of construction and maintenance of the shoreline protective structure;

(c) Each protective structure has been designed to be sloping and permeable. Bulk heads, gabions and other vertical revetments shall not be permitted unless a sloping permeable revetment is not feasible and the alternative structure will not cause significant erosion or modification of the foreshore;
(d) Each protective structure has been designed so that backshore erosion on adjacent properties will not be accelerated as a result of the erection of the protective structure;

(e) The shoreline protective structure is sufficient strength and depth to prevent movement of backfill materials in lake waters; and

(f) The shoreline protective structure is constructed of natural materials to blend with surrounding backshore or, if man-made materials are necessary, is of earthen colors. [source:new/54.13]

(4) Retaining Walls and Erosion Control: Retaining walls and erosion control structures within the shorezone or along the backshore-upland boundary shall be constructed with natural stone arranged in a natural pattern without hard outlines or straight edges, and shall be laid back at a natural angle of repose. Vertical walls and all other materials are not permitted to be used to construct walls or erosion control structures, except for emergency situations when no practical alternative exists, as determined by TRPA. All walls shall include vegetation that shall be planted in accordance with the TRPA Design Review Guidelines.

(5) Fences:

(a) Fences shall be 90 percent open, and shall be maintained free of debris.

(b) No fences shall be placed lakewards of the highwater line, unless TRPA determines that the fence must be placed below the highwater line,

(1) to protect the health or safety of the general public or (2) to protect prevent trespass on private property located from adjacent to areas of public access in the shorezone from trespass outside of the public easement areas, and that, but only if a TRPA-approved signage plan has proven ineffective to prevent trespass or to protect public health and safety and provided such fence is approved by agencies having jurisdiction; or,

(2) to protect sensitive species or identified cultural resources.

(c) Nothing in this section shall be construed as exempting fences from the requirement that structures avoid
unreasonable interference with public access in accordance with Section 54.4.B(2).

Any fences approved below the highwater line shall be designed so that they can be retracted or telescoped landward. Such fences must be telescoped landward whenever lake levels rise in order to prevent them from extending into the Lake.

Fences extending below highwater line that were legally existing prior to 1987 and are consistent with the requirements for existing structures set forth in Section 54.4.B(2) may be repaired or replaced as long as the fence telescopes landward, or is modified to so telescope, and is telescoped landward whenever necessary in order to prevent the fence from extending into the Lake. [source: 54.11.A and 54.11.B(4), new/Shorezone Partnership and new/staff]

(6) Breakwaters, Jetties, Rock Cribs and Sheet Piles: No new public or private breakwaters, jetties or rock cribs shall be permitted unless part of a habitat restoration project. Existing private breakwaters, jetties, rock cribs or sheet piles shall not be permitted to expand but may be repaired or modified pursuant to Section 54.8.

(a) Design And Construction Standards: The design, construction and maintenance of jetties, breakwaters rock cribs and sheet pile shall comply with the following standards:

(1) Except as provided below, all breakwaters, jetties, rock cribs or sheet piles shall have openings which allow adequate free circulation of water and sediment.

(2) No such structure shall be a solid or nearly solid unless TRPA finds that it will not interfere with littoral processes, cause shoreline erosion, or harm water quality or clarity and:

(a) The solid or nearly solid structure is a necessary part of a marina for which TRPA has approved a master plan; or

(b) The solid or nearly solid jetty or breakwater is necessary to protect the safety of persons using a public boat launching facility.
(3) The size, number and locations of openings in breakwaters, jetties, rock crib or sheet pile shall be sufficient to avoid interference with littoral drift, shoreline erosion, harm to underlying land and harm to water quality and clarity.

(4) Rock and other material for construction of structures permitted under this subsection shall not be obtained within the shorezone or lakezone in the region.

(b) Report: In order to provide the information required for the findings for the structures described in this section, TRPA shall use the procedures set forth for environmental assessments in Chapter 5.

(67) Temporary Structures: Temporary structures shall comply with the provisions on temporary activities, uses and structures contained in Chapter 7 and Subsection 4.2.C.

54.5.D Miscellaneous Design Standards

(1) Signage: Signs in the shorezone shall comply with Chapter 26. Signs on piers shall not be larger than 12 inches high by 18 inches wide by 2 inches thick, unless otherwise required to meet safety regulations. Signs shall not exceed the standard railing height and shall be mounted on railings or on the pier rim joists. Signs that may discourage the use of public access areas are prohibited.

(2) Archeological/Historical Setbacks: Adequate setbacks from TRPA’s designated, mapped, or eligible, (pursuant to Chapter 29) historic sites (including submerged sites) shall be established in consultation with a qualified archaeologist, and if a Washoe site, the Washoe tribe. [source: 54.4.A(5), 54.5.A(2), 54.6.A(3), 54.7.A(2) and new/Shorezone Partnership]

(3) Safety/Navigational/Research Devices: Safety, navigational or research structures shall only be permitted when TRPA determines that the device is necessary to protect the health and safety of the general public and protect navigation for the general public, and for Lake Tahoe, when recommended by the U.S. Army Corps of Engineers or the U.S. Coast Guard. [source: 54.9]
(4) **Low Water**: When lake levels are at or below elevation 6225', TRPA may authorize the temporary placement of mooring buoys and floating platforms further lakewards than 350 feet from the highwater line, if TRPA determines that low lake levels create a navigational hazard, that temporary lakeward relocation is necessary in order to obtain a safe mooring depth, and the relocated structure will not create a navigational hazard. No mooring buoys or floating platforms may be located further lakeward than elevation 6219' and TRPA may not authorize replacement of these structures in order to accommodate lake elevations lower than 6223'. [source: new/Shorezone Partnership]

(5) **Prohibited Structures, Facilities and Permanent Accessory Structures**: No superstructures are allowed on piers or floating platforms. Permanent umbrellas, plant containers, flower pots, and furniture other than benches are not permitted on piers. [source: 54.4.B(4) and (5), 54.14 and new/Shorezone Partnership]

(6) **Access**: Structures or projects in the backshore that provide access to the nearshore or foreshore, shall be sized no larger than necessary to provide safe and functional access and shall meet all applicable mitigation requirements. When feasible, access structures shall be built at grade level. [source: 55.4.D]

(7) **Color**: The color of structures, including fences, shall be compatible with its surroundings. Subdued colors in earthtones and woodtone ranges shall be used for the primary color of the structure. Hues shall be within a range of natural colors that blend, rather than contrast, with the existing vegetation and earth hues. Earhtone colors are considered to be shades of reddish-brown, brown, tan, ochre, umber, sand and dark green. Colors shall be medium to dark and shall meet the Munsell® Color value as set forth in Appendix G (TRPA Approved Earthtone Colors) to the Design Review Guidelines or other color systems that are equivalent to the adopted hues, values and chromas of Appendix G. Structures in the shorezone that were constructed prior to January 1, 1950 may maintain their historic colors when undertaking exempt repair and maintenance. [source: 53.10.A]

(8) **Roofs**: Roofs shall be composed of nonglare earhtone or wood tone materials that minimize reflectivity. Metal roofs shall be compatible with their surroundings and composed of non-glare earhtone colors. Metal roof colors shall meet the Munsell® Color value as set forth in Appendix G (TRPA Approved Earthtone Colors) to the Design Review Guidelines that have a value and chroma of 0-4 or other color systems that are equivalent to that range of adopted hues, values and chromas of Appendix G. [source: 53.10.B]
54.6 Scenic Protection: All projects in the shorezone unless specifically excepted, shall meet the following standards to protect scenic resources.

54.6.A Excepted Projects: The permitting of up to three buoys per littoral parcel shall not require a scenic assessment, shoreland improvements, or visible mass offsets. [source:new]

54.6.B Scenic Assessments: Shorezone project applicants shall submit a complete application for a scenic assessment pursuant to Section 30.15.B with each application. [source: 30.15.B/new]

54.6.C Shoreland Improvements:

(1) The shoreland of the project area, including all parcels involved in the application, shall meet a contrast rating of 25 or comply with the Visual Magnitude/Contrast Rating Table in Appendix H of the Design Review Guidelines as modified for additional linear lake frontage and including visual breaks.

(2) The applicant may demonstrate compliance with Subsection (1) of this Section either as a composite of the project area or individually for each parcel.

(3) For projects that do not create additional visible mass or those projects whose only additional mass is created pursuant to 54.4.B, the shoreland need not meet the requirements of Subsection (1) of this Section if it is physically impossible to do so, provided as much improvement as possible shall be made.

(4) The shoreland improvements required by subsection (1) shall not be used to meet any environmental benefit obligation required by other provisions of this Code. [source: new]

54.6.D Visible Mass Offset:

(1) Each square foot of additional visible mass allowed by Section 54.5.A(2)(f) shall be mitigated (a) on a 1:1 basis in the shorezone or shoreland of the project area in shoreline travel units in attainment with scenic thresholds and (b) on a 1:1.5 basis in the shorezone or shoreland of the project area in shoreline travel units not in attainment with scenic thresholds. Notwithstanding the foregoing, each square foot of visible mass from an additional boat lift shall be mitigated on a 1:1.5 basis.
(2) For boatlifts on additional or existing piers, the visible mass of the boatlifts shall be mitigated on a 1:1.5 basis in the shorezone in the scenic unit of the project. The scenic offset requirement for boatlifts shall occur in addition to any obligation to maintain the existing visible mass of an existing pier. Mitigation pursuant to this Section shall meet the following location requirements:

(a) Mitigation of visible mass from additional structure other than boatlifts shall occur first in the shorezone of the project area until all feasible mitigation opportunities are exhausted. Mitigation shall then occur in the shoreland portion of the project area as necessary to satisfy all required mitigation.

(b) Mitigation of additional boatlifts on conforming piers shall occur only in the shorezone but may be located anywhere in the same scenic unit. Mitigation for additional boatlifts on nonconforming piers shall occur on that structure.

(c) For public projects, once shorezone and shoreland mitigation opportunities have been reasonably exhausted, if further mitigation is necessary, mitigation may then occur in the scenic unit of the project.

(d) Mitigation may either be removal or screening of visible structure or use of the Visual Assessment Tool described in Appendix H of the Design Review Guidelines. [source: new]

(4) For other structures including boat piers, additional visible mass shall be mitigated on a 1:1.5 basis in non-attainment scenic units and on a 1:1 basis in attainment scenic units. The mitigation shall occur in the scenic unit of the project.

(5) Mitigation pursuant to this section may either be removal or screening of visible structure or use of the Visual Assessment Tool Described in Appendix H of the Design Review Guidelines. [source: new]

54.6.E Scenic Banking: Existing visible mass on littoral parcels may be removed and banked onsite using the Visual Assessment Tool described in Appendix H of the Design Review Guidelines upon completion of a scenic assessment pursuant to Section 30.15.B. Banked visible mass may be used to offset additional visible mass only for projects in the same scenic unit. [source: new]
54.7  Non-Exempt Repairs, In-Kind Replacements, Reconstructions, Modifications or Expansions of Existing Piers: The following standards shall apply to the non-exempt, repairs, reconstructions modification or expansion of any existing pier, including any superstructure on the pier. As used herein, reference to conformance with “location and design standards” shall not include Sections 54.5.A.(1)(d) and (f).

54.7.A  Non-Exempt Repairs and In-Kind Replacements-Reconstructions to Existing Piers: Existing conforming and non-conforming piers may be repaired and replaced in-kind reconstructed if the repair or replacement results in a material net environmental benefit to any environmental threshold carrying capacity except recreation. Repairs and reconstructions pursuant to this section may include alterations in pier design in order to achieve a material net environmental benefit and to meet current pier design standards (e.g., moving from double to single piling) without becoming a modification for purposes of Section 54.7.B.

54.7.B  Modifications of Existing Piers:

(1) Piers that conform to development location and design standards: Existing piers that conform to development location and design standards may be modified if the modification results in a material net environmental benefit to any environmental threshold carrying capacity except recreation and is consistent with development standards.

(2) Piers that do not conform to development location and design standards: Existing piers that do not conform to development location and design standards may be modified if the modification:

(a) the modification results in a material net environmental benefit to any environmental threshold carrying capacity except recreation;

(b) brings the structure into greater compliance with development location and design standards, and,

(c) does not increase the degree of nonconformance with any development location and design standard; and,

(d) in the case of a rock crib pier or other structure interfering with littoral processes, materially reduces such adverse effects. [source: new]

54.7.C  Expansions of Existing Piers:

(1) Piers that conform to development location and design standards: Existing piers that conform to development location and design standards may be expanded to the extent allowed and is otherwise consistent with development standards for additional
Piers.

(2) Piers that do not conform to development location and design standards: Existing piers that do not conform to development location and design standards may not be expanded unless:

   (i) the expansion is limited to an existing boat house and does not increase the functional capacity of the pier; and

   (ii) the effect of the expansion is to increase contrast rating of the structure; and

   (iii) the expansion is the absolute minimum necessary to accomplish the scenic quality improvement.

54.7.D Removal of Nonconforming Accessory Structures: As a condition of approval for any in-kind replacement, modification or expansion of an existing pier, the applicant shall remove or bring into conformance all nonconforming accessory structures in the shorezone of the project area. [source: new]

54.8 Non-Exempt Repairs, Reconstructions, Modifications or Expansions of Other Shorezone Structures: The following standards shall apply to the repair, reconstruction, modification or expansion of shorezone structures other than piers. As used herein, reference to conformance with “location and design standards” shall not include Sections 54.5.A.(1)(d) and (f).

54.8.A Non-Exempt Repairs, Reconstructions and Modifications of Other Structures:

   (1) Unserviceable Structures: No repairs, reconstructions or modifications shall be made to structures which have been unserviceable for the last three years or more unless the structure is brought into full compliance with the development standards in this Chapter.

   (2) Structures That Conform to development Location and Design Standards: Existing structures that conform to development location and design standards may be repaired, reconstructed or modified to the extent allowed by those development standards if the repair or replacement results in a material net environmental benefit to any environmental threshold carrying capacity except recreation.

   (3) Structures that do not conform to development location and design standards: Existing structures that do not conform to development location and design standards may be repaired, reconstructed or modified if the modification structure is brought into conformance with all development standards:
Proposed New Chapter with sources of change identified

Language to be deleted is struck-out in red. New proposed language is underlined in blue showing changes from the November, 2006 Draft

54.8.B Expansions of Other Structures:

(a) results in a material net environmental benefit;

(b) brings the structure into greater compliance with location and design standards,

(c) does not increase the degree of nonconformance with any standard; and,

(d) in the case of a structure interfering with littoral processes, materially reduces such adverse effects. [source: new]

54.8.C No maintenance, repair, reconstruction or modification project shall cause an existing structure to become more non-conforming with any of the development standards in this Chapter. [source: new]

54.9 Relocation, Transfer or Conversion of Existing Structures: Under the following standards, certain existing structures may be relocated within a parcel (including on a boundary line for a multi-use structure), transferred to another parcel or converted from one type of structure to another.

54.9.A Relocations:

(1) Only existing piers or buoys may be relocated.

(2) Relocated piers or buoys shall meet all development standards for additional structures in this Chapter except that relocated piers need not meet the location standards set forth in Sections 54.5.A(1)(b) (density) and (e) (single use prohibition). [source: new]

54.9.B Transfers:

(1) Only existing piers, buoys and private slips may be transferred.

(2) Piers, buoys or slips constructed as a result of a transfer shall
meet all development standards for additional structures in this Chapter, including but not limited to density standards and multiple and single use requirements except Section 54.5.A(1)(d).

(3) Both the sending and receiving parcels in transfers shall meet all scenic protection requirements.

(4) A transfer of an existing pier may occur only if the newly constructed pier is a multiple use structure or qualifies as a single use pier pursuant to 54.5.A(1) regardless of the location of the receiving parcel.

(5) The sending parcel shall be permanently restricted from additional development of the_type_shorezone_structure_transferred (e.g., additional piers, buoys or slips).

(6) Private slips may only be transferred if they are converted to public use. [source: new]

54.9.C Conversions:

(1) Existing boat ramps located in spawning habitat may be converted to a pier if:

(a) the existing boat ramp is completely removed and the spawning habitat restored,

(b) a net reduction in habitat disturbance occurs; and,

(c) the pier constructed as a result of a conversion meets all development standards for additional structures in this Chapter.

(2) Buoys and boathouses may be converted to boatlifts and buoys converted to floating platforms pursuant to applicable provisions in Chapters 52 and 54.

54.10 Marinas [source: 16.1, 54.12 and new/staff]

54.10.A Master Planning: All new marinas and all one time or cumulative expansions of capacity of existing marinas of 10 or more boat slips and/or mooring buoys shall be constructed in accordance with a marina master plan adopted (pursuant to Chapter 16), and appropriate level of environmental analysis (pursuant to Chapter 5). The Chapter 5 environmental analysis procedure utilized, shall evaluate the and TRPA’s Marina Master Plan Guidelines. TRPA may require the prior adoption or amendment of a marina master plan for modifications of an existing marina if sufficiently extensive. TRPA shall only approve a new marina or an expansion of an existing marina if there is a demonstrated public need for the marina project.
54.10.B Required Facilities: Any new marina, and any expansion of 10 or more boatslips, 10 or more mooring buoys, or 4 or more parking spaces in capacity at an existing marina, shall contain and operate provide for the following facilities for use by the general public.

(1) Boat washing facilities connected to a sewer system or other acceptable alternative,

(2) Adequate parking facilities for all marina activities,

(3) Water treatment systems for waters contained within marinas, including boat washing facilities; and,

(4) Public restrooms, fueling facilities with emergency and standard shut-off systems, a chemical fire retardant distribution systems, regulatory signing, trash receptacles, and pump-out facilities for boat sewage.

54.10.C Implementation Requirement, Schedule and Monitoring: All marinas shall implement Subsections 54.10.B(1), (3) and (4) and Chapter 25 BMPs. For a reasonable period of time after construction, TRPA may require monitoring of water quality, current patterns and intensities, wind patterns, shore alterations, and other conditions that the marina may have altered. Marinas must implement remedial measures necessary to mitigate adverse impacts discovered by such monitoring. All existing pump-out facilities at marinas must be maintained and be available for public use.

54.10.D All commercial charter and tour boat facilities shall be located within a marina facility.

54.10.E Limitation on Fueling Facilities: Fueling facilities shall only occur within a marina.

54.10.F Monitoring and Certification of Permitted Use: All marina owners shall monitor and only allow permitted uses of their marina slips or moorings. Marina owners shall not provide slips or moorings to any person who uses a slip or mooring for residential and tourist accommodation uses. Marina owners shall provide to TRPA an annual certification under the penalty of perjury that the slips or moorings in their marina have not been used for residential or tourist accommodation uses during the past year.

54.11 Dredging: All filling, dredging, excavation, and grading in the shorezone and lakezone shall be conducted as follows:
54.11.A Filling: There shall be no fill placed in the shorezone or lakezone, except as connected with approved bypass dredging, shoreline protective structures, beach nourishment, fish habitat enhancement or restoration, or as otherwise found by TRPA to be beneficial to Threshold attainment.

54.11.B Beach Nourishment: When beaches are artificially nourished with fill material, not obtained from the shorezone or lakezone, only nonorganic, chemically and biologically inert material shall be used.

54.11.C Maintenance Dredging: TRPA may permit maintenance dredging in facilities that have been previously legally dredged. TRPA must find that the dredging is necessary to maintain an existing use, and is either to dredge within the previously dredged footprint, or to dredge elsewhere within the same facility if it is necessary to maintain an existing use. TRPA may also permit the removal of accumulated materials on the lakeward access of an existing boat ramp provided that the removal is necessary to maintain an existing use. All maintenance dredging must comply with TRPA's approved dredging BMPs, and must include the installation of all upland BMPs pursuant Chapter 25. [source: new/Shorezone Partnership, & dredging study]

54.11.D New Dredging: There shall be no removal of materials within the lakezone or shorezone, except at those locations where removal or rearrangement is found by TRPA to be beneficial to existing shorezone conditions and water quality and clarity. Construction of man-made lagoons connected to any lake in the Region and artificial islands is prohibited. [source: 54.14.C/54.15]

54.11.E Disturbance in Spawning Habitat: No dredging, filling, grading or other project or activity shall cause the permanent loss of spawning gravels. Disturbances shall not occur between May 1 and October 1. Whenever a project has potential to cause temporary situation of spawning gravel in spawning habitat, such habitat shall be restored within 60 days, or before May 1 (whichever is sooner). [source: fish study, EIS, Shorezone Partnership]

54.11.F Temporary Structures in Lieu of Dredging: TRPA may permit temporary structures which extend beyond lake bottom level 6219' or beyond the pierhead line. Such extension may be permitted whenever low lake levels prevent or reduce access to open water recreation, and dredging cannot be permitted pursuant to this Chapter. Permits for these temporary structures, shall comply with the procedures in Chapter 7. All temporary structures approved under this provision must be removed once the lake levels remain above 6225' for a period of six months. The elevation in this subsection shall operate as a guideline for lagoons and other lakes in the Region. [source: 54.14.D, staff & Shorezone Partnership]
54.11.G Grading and Excavation in the Backshore: Grading and excavation in the backshore area are regulated by Chapters 20, 54, and 61 through 65 of the Code. The regulations for stream zones shall apply to the backshore unless stated otherwise.

54.12 Maintenance of Shorezone Structures: Existing structures in the shorezone shall be maintained in a serviceable condition. Derelict structures or structures unserviceable for more than three years shall be removed. Owners of buoys shall inspect and maintain floats and chains at least every two years to prevent loss or damage to boats. Buoy owners must present proof of inspection and maintenance when paying any fee relating to buoy permitting or mitigation.

54.13 Mitigation Fee Requirements: To provide funds to attain and maintain thresholds and to mitigate any possible degradation, projects in the shorezone shall contribute to mitigation funds as follows:

54.13.A Lake Tahoe Public Access Fund: TRPA shall assess a fee for each additional private-use pier or expansion of an existing pier approved on Lake Tahoe. The fee for an additional pier shall be $100,000 and the fee for expansion shall be $20 per square foot of additional area. These fees shall be increased annually, if appropriate, based upon the consumer price index for the region. After receiving input from an advisory board, TRPA may use the fees collected for, inter alia, the reduction of shorezone development potential, acquisition or improvement of public access to Lake Tahoe (with priority to non-motorized recreational access) and backshore restoration. No more than 10% of fees collected may be used for fund administration or staff costs. All funds shall be allocated to non-profit or public agencies. [source: new]

54.13.B Mooring Fees: All permittees of mooring buoys, berths in boat houses, boatlifts and slips shall be subject to the following fees where applicable.

(1) A $500.00 one-time buoy fee for the second and all subsequent private buoys permitted per littoral parcel. Homeowner associations, similar entities and marina buoy fields are exempt from this fee.

(2) An annual fee of $175.00 for each mooring, except moorings open to the public in marinas shall pay an annual fee of $100.00. The annual mooring fee shall be paid to TRPA for every permitted mooring regardless of whether it is in use or not, previously permitted by TRPA or some other agency or converted to another form of boat mooring (e.g., a boatlift) or a swim platform. When submitting the annual fee, each buoy permittee shall affirm compliance with Section 54.12. At least every 5 years, TRPA shall review and increase, if appropriate, the annual fee to reflect the actual cost of mitigation and enforcement of buoy regulations.
Proposed New Chapter with sources of change identified

Chapter 54merged.doc

September 3, 2008

Language to be deleted is struck-out in red. New proposed language is underlined in blue showing changes from the November, 2006 Draft

(3) The fees required by this section shall be in addition to any other fees assessed by other public agencies. [source: new]

(4) Enforcement of fee payment: TRPA shall provide reasonable notice to buoy and swim platform owners of a failure to pay an annual fee. If TRPA fails to receive payment within one year of the notice, TRPA may remove the buoy/platform and assess the buoy/platform owner the removal expense. For all other types moorings, notification of the failure to pay the annual mooring fee shall place the mooring owner on notice of a continuing violation pursuant to Article V(j) of the Compact and TRPA shall proceed with all remedies available to include including but not limited to assessment of civil penalties and removal of the mooring. The remedies outlined in this subsection are in addition to, and do not preclude the exercise of, TRPA’s enforcement authorities and applicable penalties set forth in Article V(j) of the Compact.

54.13.C Boat Certification Program Fee: An annual fee shall be assessed for each boat sticker issued under the boat certification program established pursuant to Section 54.15.A(1). TRPA shall establish a graduated fee schedule correlated to the certification program’s engine rating system. The fees shall be used to implement the Blue Boating Program developed pursuant to Section 54.15, including but not limited to the mitigation program required by Section 54.15.A(7). The fee schedule may be adjusted from time to time to reflect changes in program costs and the number of motorized watercraft in the program.

54.14 Motorized Watercraft: The operation of motorized watercraft shall be subject to the following standards, except that operation of watercraft for the protection of public health and safety shall be exempt from the standards.

54.14.A No Wake Zone: The creation of a wake or speeds in excess of 5 MPH by motorized watercraft within 600 feet of the waterline of Lake Tahoe shall be prohibited. [source: 54.16.A]

54.14.B Prohibition of Motorized Watercraft on the Tributaries of the Region: The operation of motorized watercraft on the tributaries of the Region, exclusive of other lakes in the Region, shall be prohibited. The prohibition shall commence at a line across the mouth of the tributary representing an extension of the existing water line across the mouth. [source: 54.16.B]

54.14.C Emerald Bay: Motorized watercraft in Emerald Bay shall not exceed 5-7 MPH. [source: new]

54.14.D Prohibition on Beaching of Boats: Beaching of Boats: No motorized In order to protect fish spawning habitat, motorized watercraft shall may only be beached on silt and sand substrate in fish spawning habitat.
54.15 Blue Boating Program: A Blue Boating Program is hereby established for the purpose of collecting data on and reducing the environmental impacts of motorized watercraft use in the Region.

54.15.A Program Components: TRPA shall develop and implement the Blue Boating Program so as to include, at a minimum, the following components:

(1) A boat certification program requiring operators of motorized watercraft in Lake Tahoe to certify compliance with Blue Boating Program requirements through a registration and sticker program. The program shall incorporate an engine rating system designed to promote use of cleaner engines, and shall include a graduated schedule of annual sticker fees that is correlated the engine rating system in accordance with Section 54.13.D. Data from the program shall be collected and utilized in the adaptive management program required by Section 54.16.

(2) Engine tuning requirements designed to minimize engine emissions.

(3) A noise reduction program to implement noise guidelines for the protection of wildlife and community well-being.

(4) A clean bilge water program to establish bilge water requirements and to educate and assist motorized watercraft operators in appropriate bilge water pumping and disposal practices.

(5) A sewage management program to establish and enforce sewage disposal requirements and to educate and assist motorized watercraft operators in the proper disposal of sewage.

(6) Regular water quality monitoring to determine the levels of watercraft-related pollutants in Lake Tahoe over time. Monitoring data will be utilized by TRPA in the adaptive management program required by Section 54.16.

(7) A mitigation fee program which will utilize boat sticker funds to implement additional pollution control measures. The program may include measures to reduce pollutants from sources other than motorized watercraft and shall be designed to reduce or offset any increase in air and water emissions from motorized watercraft beyond the baseline levels identified in the 2007 Environmental Impact Statement for the Shorezone Ordinance Amendments.
(8) A boater education program that promotes environmentally sound boating practices. The program shall disseminate information on federal, state and local laws and regulations applicable to motorized watercraft (including Blue Boating requirements), penalties for noncompliance, best management practices for boating, the location of boat washing facilities, the availability of Blue Boating services and resources, and any other information that will help ensure boater compliance with applicable requirements and practices.

(9) An enforcement program.

54.15.B Program Implementation:

(1) No later than March 4, 2009, the Executive Director shall submit to the Governing Board for its review and approval a plan for implementing the Blue Boating Program consistent with the requirements of this section. The implementation plan shall provide that the Executive Director may modify the plan from time to time where the Executive Director determines that, based on data gathered as part of the Program and any other pertinent information, modifications are necessary to ensure that the environmental impacts of motorized watercraft are fully mitigated.

(2) Beginning May 1, 2010, no motorized watercraft shall be permitted to operate on Lake Tahoe unless it has been registered and obtained a sticker pursuant to the Blue Boating certification program. If the Executive Director determines that additional time is required to implement the certification program, the Executive Director may extend the deadline by posting written notice of the extension.

(3) After March 31, 2010, TRPA shall not accept for processing any new application for an additional pier, boat lift, buoy, boat slip, or boat ramp, or for the expansion of an existing pier, unless and until (a) the Governing Board has approved an implementation plan for the Blue Boating Program and (b) any extensions of the deadline for obtaining a Blue Boating sticker approved by the Executive Director pursuant to subsection (2) of this section have expired.

54.16 Shorezone Adaptive Management Program: TRPA shall implement an adaptive management program to periodically evaluate the success of the standards and mitigation programs applicable to the shorezone and to determine whether adjustments to those standards or programs are necessary to fully mitigate the environmental impacts of new shorezone development. No later than March 30, 2009, the Executive Director shall submit to the Governing Board for its review and approval a plan for implementing the Shorezone Adaptive Management Program consistent with the requirements of this section.
54.16.A Monitoring: The adaptive management program shall collect and utilize data obtained pursuant to the mitigation monitoring program for the 2007 Shorezone Ordinance Amendments, including but not limited to water quality data collected pursuant to Section 54.15.A(6), together with any other monitoring data relevant to the shorezone.

54.16.B Annual Shorezone Report: At a public meeting of the Governing Board no later than January 31 of each year, the Executive Director shall present to the Governing Board an Annual Shorezone Report that includes, without limitation, all of the following:

(1) The number and type of approvals issued for shorezone structures in the prior year, and an estimate of the total number of each type of structure presently in the Lake.

(2) An accounting of all fees collected pursuant to this Chapter and expenditures thereof.

(3) A description of all monitoring results relating to shorezone ordinance programs, including but not limited to the water quality monitoring conducted pursuant to Section 54.15.A(6), and any conclusions drawn therefrom.

(4) The number and types of motorized watercraft registered under the Blue Boating Program provided for in Section 54.15.A and an analysis of whether the data is consistent with fleet mix assumptions in the 2007 Final Environmental Impact Statement for the Shorezone Ordinance Amendments.

(5) A description of progress made in implementing the mitigation programs called for in the Mitigation Implementation and Monitoring Program for the 2007 Shorezone Ordinance Amendments, including but not limited to the mitigation program provided for in Section 54.15.A(7) and an evaluation of the effectiveness of those programs.

(6) Recommendations, if any, for modifications to the standards or mitigation programs required by the Code to ensure that the adverse environmental impacts of new shorezone projects are fully mitigated.

54.16.C Supplemental Measures: If the Executive Director determines in any Annual Shorezone Report that the standards and mitigation programs required by the Code have not fully mitigated the adverse environmental impacts of new shorezone projects and any attendant increases in motorized watercraft traffic, the Report shall recommend one or more supplemental measures to ensure that those impacts are fully mitigated. These measures may include, without limitation, any of the following:

(1) A moratorium on further approval of shorezone projects.

(2) Modification of the criteria for approval of shorezone projects.

(3) A limitation on boat launches at peak times or other restrictions on...
motorized watercraft traffic.

(4) A prohibition of lower-rated watercraft engines.

(5) Any other measures identified by the Executive Director as necessary to ensure the effective mitigation of impacts arising from new shorezone projects.

54.16.D Suspension of Shorezone Development Approvals: Beginning in 2012, on January 31 of each year, the processing of all applications for an additional pier, boat lift, buoy, boat slip, or boat ramp, or for the expansion of an existing pier, shall be automatically suspended unless the Annual Shorezone Report submitted that year contains either of the following findings:

(1) All performance measures identified in the Environmental Impact Statement for the 2007 Final Shorezone Ordinance Amendments have been attained; or

(2) For any performance measure not attained, the failure to reach attainment is not attributable to the approval of new shorezone projects, and all environmental impacts of those projects have been fully mitigated.

The suspension shall remain in effect until either of the above findings is made in a subsequent Annual Shorezone Report or in a resolution adopted by the Governing Board. The suspension shall exclude one or more categories of shorezone projects if the Annual Shorezone Report or a resolution of the Governing Board contains a finding that the excluded categories are not contributing to the nonattainment of any performance measure. All findings made pursuant to this Section 54.16.D must be supported by substantial evidence.
Chapter 54
APPENDIX A

BEST MANAGEMENT PRACTICES

SHOREZONE PRACTICES

BMP-SP Shorezone Practices
BMP-65 Protection of Shorezone Vegetation
BMP-66 Revetments
BMP-67 Bulkheads
BMP-68 Jetties
BMP-69 Breakwaters
BMP-70 Beach Nourishment
BMP-71 Dredging
BMP-72 Turbidity Curtain
BMP-73 Pump-out Facilities
BMP-74 Boat and Marina Maintenance
BMP-75 Boat Ramp Construction Methods and Design Standards
BMP-76 Boat Ramp Vehicle Source Control
BMP-77 Boating Discharge Control
Fishery Best Management Practices
Scenic Best Management Practices

BMP SP SHOREZONE PRACTICES

Definition

Shorezone practices-BMPs include various methodologies-practices and the use of structures designed to protect the shoreline and backshore from accelerated erosion. These methodologies generally are procedures-practices and structural designs rely on the sound understanding of coastal geomorphic processes in order to identify and delineate existing and potentially unstable backshore areas. Additionally, the and to designation of regulatory setbacks provide additional buffer from for those areas for where additional development are anticipated. The structures Structural BMPs include various static and dynamic features which are designed to protect the specifically match discrete types of shorelines and backshores include native vegetation, revetments, bulkheads, jetties, breakwaters, and beach nourishment.
**Purpose**

To prevent catastrophic erosion and loss of property and damage to developed areas from wave and wind action, to protect the shoreline and unstable backshore areas, and to reduce turbidity and water quality discharges to the lake.

**Applicability**

Applicable to projects and activities located in the shorezone along eroding and/or unstable shorelines. Activities in the shorezone have historically been subjected to special policies and ordinances.

**Advantages**

1. Structures protect the backshore from erosion.
2. Structures add stability to unstable backshore areas.
3. Structures protect backshore and foreshore structures from adverse impacts by lake processes.
4. Structures prevent catastrophic shoreline retreat.
5. Structures provide reasonable assurance of compliance with water quality discharge standards.
6. Setbacks protect new development from backshore erosion and shoreline retreat.
7. Setbacks allow for natural beach formation and dynamic fluctuations within the backshore.
8. Setbacks account for erosion rates along the shoreline and provide safer areas for additional development.

**Disadvantages**

1. Could modify the natural regimen of shorezone processes, especially littoral drift and natural beach nourishment.
2. Could decrease functionality of SEZ and Be soils areas within the shorezone through direct or indirect alteration during construction.
3. Static structures could accelerate erosion in foreshore and/or downdrift areas within each littoral cell.
4. Static shoreline protective structures that are located in highly dynamic areas may require frequent beach nourishment and/or replenishment to maintain a dynamic equilibrium and to prevent accelerated erosion.
5. Dynamic shoreline protection structures may require periodic maintenance and replenishment to maintain effectiveness.

**Planning Criteria**

The shorezone is a highly dynamic system, conditioned in part by the exchange of energy and materials with the neighboring environment, and in part by the shorezone’s own capacity for internal regulation. The shorezone must not be evaluated by itself. It must be viewed as a dynamic zone that is located between the inland watersheds and the deeper portions of Lake Tahoe. The watersheds are sources of both energy and sediments, and any interference with them will generate changes in the shorezone. The Lake waters provide fetch for wind-generated waves and currents, while the deeper portions of the Lake receive shorezone sediment, which may be lost. Any disturbance of the system, for instance by dredging or construction of structures in the shorezone, may generate changes throughout the system. Therefore, caution shall be used in identifying unstable backshore areas and in designing proper shoreline protection that accounts for the dynamics in the shorezone.

Shorezones vary in their sensitivity to physical disturbance and their relative stabilities. Many factors influence shorezone stability. Major factors are: shorezone geology, the geomorphic setting, the deliver and removal of sediment in the littoral zone, wave action, the presence of active geologic processes, the slope of the nearshore shelf, the backshore shelf, and littoral zone sediment transport. Each of these factors either in combination or singularly affects stability of the shorezone. Multiple facets for each of these factors combine to form complex sets of interrelated dependencies that define the shorezone stability for each segment of the Lake. An analysis of only the physical composition, geometry, and geomorphology of shorezone materials resulted in the development of eight shorezone tolerance districts. The ordering of the tolerance districts from one to eight is based solely on an increasing tolerance, or decreasing sensitivity to disturbance from upland activities and does not reflect the other major factors, especially wave and littoral processes, to determine relative shorezone stability, as listed above.

The most sensitive shorezone type is Tolerance District 1, which consists of barrier beaches and lakeshore dunes (Moory and Moody, 1996). Barrier beach shorezones of this district typically form a low sandy barrier separating the Lake from marshes and wetlands. Younger barriers beaches commonly have lagoon type areas behind the barrier berm. The areas behind older barrier beach berms are usually filled with a larger accumulation of sediment and are, generally, not as wet as the lagoon and marsh behind the younger berms. The younger and older barrier beaches may be easily breached through strong wave action, especially if the normal updrift sand supply is disrupted through an interference with littoral drift. The lakeshore dunes are highly erodible and are similarly as sensitive to disturbance as the barriers beaches. Although the Lake waves may not erode the entire dune deposit during any one storm, the dune soils lack any appreciable binder and are highly susceptible to wind erosion. Also, because the dunes lack appreciable vegetation, the soils do not have the capacity to filter and remove suspended and dissolved nutrients from the water column. Surface waters that contain fertilizers are quickly infiltrated into the dune sands and the nutrients are commonly discharged directly to the groundwater. Because of the proximity of the lakeshore dunes to the Lake, the contaminated groundwater rapidly reaches the Lake without being filtered. Projects and activities planned for Tolerance District 1 areas shall be tightly controlled because of the soils...
sensitivity to disturbance, susceptibility to erosion, and lack of capability to treat impacted surface and groundwater.

Shorezones of Tolerance Districts 2, 4, 6 and 7 delineate shorelines made of either volcanic, alluvial, or morainic materials. The Districts are separated solely on the slope measurements with District 2 being the steepest and District 7 containing the most shallow slopes. This ranking does not differentiate between the relative stability of the different materials. In general, alluvial and old lakebed deposits are less stable and more erodible than most volcanic andesite flows. For example, mass wasting of the Rubicon and El Dorado Beach bluffs has been a problem in the past and is expected to continue to be a problem and possibly worsen if the Lake level remains high for long periods of time.

Significant differences can be demonstrated in Tolerance Districts of the same classification simply because of exposure to waves. For example, Glenbrook Bay has backshore composed of deposits of younger lakebeds that are easily eroded. Starting at Slaughterhouse Creek on the north and proceeding south, the shorezone changes simply because of exposure to wave action. Because the younger lakebeds erode easily, those exposed at the north exhibit a steep eroding escarpment, although they form wide beaches further south. Similarly, McKinney Bay starting at the Madden Creek outlet south to Chambers Landing exhibits different character due to the exposure to wave action. Deepwater comes nearshore near the Madden Creek outlet, while to the south a shelf protects the beach.

The presence of deepwater nearshore increases wave action on the backshore. Under these conditions, shorezones composed of the same geologic substrate will show a different landform character. However, the backshore substrate is responding identically to the forces acting on it from the Lake. These Tolerance Districts are less sensitive than District 1 but are still subject to high rates of erosion.

Tolerance Districts 3, 5 and 8 delineate shorelines that consist of armored granite with slopes over 30 percent for District 3 and less than 10 percent for District 8. Armored granite shorelines are the most stable and least erodible of all types at Lake Tahoe. Although the erosivity of the soils overlying the granitic bedrock increases with increasing slope, the stability of the granitic bedrock, as related to Lake process, remains the same. It is important to note that because armored granite shorelines are the least erodible and most stable, sandy beaches are not commonly formed and associated with them. However, sandy pocket beaches are found along many areas along the Lake’s east shore. These pocket beaches signify relatively stable accumulations of sediment that have been washed and sorted by the Lake waves. The sediment has been derived from a combination of weathering of the granitic bedrock and periodic deposition from upland alluvial and colluvial processes.
The eight Tolerance Districts have the following general geomorphic characteristics:

<table>
<thead>
<tr>
<th>District</th>
<th>Characteristics</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Young and old barrier beach and lakeshore dune deposits, composed of Be soils;</td>
</tr>
<tr>
<td>2</td>
<td>Volcanic and morainic shorezones with slopes over 30% and alluvial shorezones of 9-30% slope;</td>
</tr>
<tr>
<td>3</td>
<td>Armored granite shorezones with slopes exceeding 30%;</td>
</tr>
<tr>
<td>4</td>
<td>Volcanic and morainic shorezones with 15-30% slopes and alluvial shorezones with slopes of 0-9%;</td>
</tr>
<tr>
<td>5</td>
<td>Armored granite shorezones with slopes of 15-30%;</td>
</tr>
<tr>
<td>6</td>
<td>Shorezones of volcanic rock and morainic debris with 5-15% slopes;</td>
</tr>
<tr>
<td>7</td>
<td>Shorezones of morainic and alluvial materials of 0-9% slope;</td>
</tr>
<tr>
<td>8</td>
<td>Gently sloping (0-9%) armored granite shorezones.</td>
</tr>
</tbody>
</table>

The various geomorphic characteristics and other criteria shall be utilized when mapping the upland limit of each Shorezone Tolerance District. The upland limit of each district is also known as the backshore boundary. All factors that affect the stability of the shorezone, as listed above, shall be evaluated to properly delineate the backshore boundary. The landward backshore boundary shall be established utilizing the following methods, whichever establishes the wider backshore:

a. Measuring landward from the high water line, 1.5 times the height of the bluff or berm adjacent to the shoreline and adding ten feet thereto (the height of the bluff or berm shall be the difference between the high water elevation and the elevation of the top of the bluff or berm), or

b. Having the landward boundary of the area of instability determined by a licensed geologist, geotechnical engineer, or soil scientist and adding ten feet thereto. The area of instability within the backshore shall be determined as the area above the normal high water line (el. 6,299.1) that contains one or more of the following characteristics:

(i) Slopes greater than 2:1 (horizontal:vertical);

(ii) Area of wave runup;

(iii) Be soils;
(iv) Soil and/or rock lacking competency that may exhibit features indicative of impending slope movement such as, landslide evidence, scarp, tension cracks, excessive slope creep, hummocky topography, seeps, joint plane(s) intersecting slope surfaces, and areas significantly void of native vegetation;

(v) Area within the natural and/or historic meanders of stream mouths; and

(vi) Slopes undercut by either wave action or stream bank erosion.

Utilizing the criteria listed above results in the upland area of instability delineated as a fixed landward limit. However, the fixed upland limit does not account for dynamic changes in the shoreline. For example, unstable shoreline bluffs, west of Tahoe City, have been experiencing slope failure and landslides. Because of the landslides, the top edge of the bluff has moved upland over the span of a few years. Unfortunately, the upland backshore boundary has not moved because it was delineated as a fixed limit. Since the backshore boundary is fixed and not dynamic, previously stable uplands have become less stable but are still denoted as stable.

To disclose potentially unstable areas that acknowledge backshore boundaries as dynamic, a landward setback shall be delineated for all lands, except for those composed entirely of competent bedrock. The landward setback shall be delineated by which ever method establishes the widest zone: either ten feet or the zone that is delineated by projecting a 3:1 (horizontal:vertical) line from high water up through the slope to the intersection of the lands above. The 3:1 projected line may be steepened to no more than a 2:1 line based on written recommendations from a licensed engineering geologist, geotechnical engineer, or soils engineer, who has conducted a subsurface soils investigation on the subject site, and who has concluded that the subsurface materials will be competent at the steeper slope. If the projected line does not intersect the lands above the high water line, then the setback shall be ten feet. If the site specific slope stability analysis has not been conducted, then the setback shall be ten feet. This method of assigning a setback is considered interim until specific backshore boundary evaluation criteria have been established from an analysis of the various shorezone erosion rates. All additional development within the backshore setback shall conform to the provisions set forth under SEZ setbacks.

Once the unstable backshore lands have been properly identified, certain shoreline protective structures may be employed to thwart impending loss of property. These structures include various static and dynamic methods and are described in BMPs 66–70.

**BMP 66. REVETMENTS**

**Definition**

Revetments are sloping structures composed of rock or other material that are built along the Lake edge through which water may permeate. Static, or hard, revetments are designed to resist movement from the forces of the Lake waves but are somewhat flexible. Dynamic, or soft, revetments are designed using engineered gravel, cobble, or sand berms where significant wave action is expected to shape and reshape the revetment as it defends the shoreline. Beach nourishment (BMP-70) is a specific type of dynamic revetment.
Purpose

To prevent backshore erosion, to reduce turbidity and nutrient input, to reduce wave run-up, and to reduce wave scour at the base of bulkheads.

Applicability

Applicable to eroding shorezones where development is threatened from erosion of the backshore. Slopes steeper than 1.5:1 are generally unsuitable for revetments unless flattened.

Advantages

1. To prevent backshore erosion.
2. To reduce wave run-up.
3. To protect backshore developments from wave action and shoreline retreat.
4. Dynamic structures directly address the cause of backshore erosion problems by adding material to the littoral system.
5. Gently sloped and highly permeable structures made of natural material allow native vegetation to be planted.

Disadvantages

1. Static structures may increase downdrift beach erosion.
2. May eliminate usable beach area below the high-water line.
3. Protect only the land immediately behind them and provide no protection to adjacent shores.
4. Dynamic structures may require nourishment that could be costly if frequent nourishment is needed.
5. Static revetments usually require intensive site preparation prior installation, including removal of native vegetation, excavation of a keyway to foot the base layer, and turbidity curtains to contain discharges if construction occurs below Lake levels.

Planning Criteria

Revetments are designed to protect bluffs and backshore development from wave action. Revetments protect only the land immediately behind them and provide no protection to adjacent areas. Erosion may continue on adjacent shores and may be accelerated near the revetment by wave reflection from static structures. However, the erosion is not as serious as with vertical barrier structures, such as, bulkheads. A down-drift shore may experience increased erosion if formerly supplied with material eroded from the now protected area. If a
beach is to be retained adjacent to a revetment, additional structures such as beach nourishment, or breakwaters, or groins may be necessary. Designs of static revetments differ greatly from the criteria used to design dynamic revetments. Other revetment designs utilize a static type structure, more for retention and stabilization of backshore slopes, fronted with a dynamic structure.

A typical static revetment is composed of large rocks or boulders forming a layer at least two feet thick, ten to twenty feet wide, and of variable length along the shoreline. The design of static revetments involves three important criteria: the armor layer, filter layer, and toe protection. The armor must be stable against movement by waves. The underlying filter layer supports the armor against settlement, allows groundwater drainage through the structure, and prevents the soil beneath from being washed through the armor by waves or groundwater seepage. The toe protection prevents settlement or removal of the revetment’s lakeward edge. Overtopping of the revetment, which may result in erosion, can be limited by designing the structure height greater than the expected run-up height, or by protecting the area above the revetment with a protective apron of rock riprap. Flanking, the lateral erosion along the sides of barrier structures, can be prevented by typing each end into adjacent shorezone protection structures or the existing shoreline. As the adjacent shoreline retreats, however, the ends must be extended in order to maintain contact. The toe of the revetment must also be protected by a rock apron.

The armor layer of a revetment maintains its position under wave action either through the weight of, or interlocking between, the individual units. Static revetments are either flexible, semi-rigid, or rigid. Flexible armor retains its protective qualities even with severe distortion, such as when the underlying soil settles or scour causes the toe of the revetment to sink. Quarystone, riprap, and gabions are examples of flexible armor. A semi-rigid armor layer, such as interlocking concrete blocks, can tolerate minor distortion, but the blocks may be displaced if moved too far to remain locked to surrounding units. Once one unit is completely displaced, such revetments have little reserve strength and generally continue to lose units (unravel) until complete failure occurs. Rigid structures may be damaged and fall completely if subjected to differential settlement of loss of support by underlying soil. Grout-filled mattresses of synthetic fabric and reinforced concrete slabs are examples of rigid structures.

A typical dynamic revetment is a berm or wedge composed of gravel, cobble, sand, or a combination of different rock sizes and placed within the foreshore. The rock shall be rounded to subrounded clasts of relatively hard material that resist mechanical breakdown from abrasion with other clasts. The berm or wedge of material is placed along the shoreline in amounts sufficient to absorb and attenuate wave energy. The packet of material is designed to be shaped and reshaped by the Lake waves. The material size should be slightly larger than the native lakebed substrate present along the shoreline. Material that is the same size or smaller may be rapidly carried away from the site from the incoming waves. Material that is too large may cause wave reflection scour at the toe of the structure, which could result in increased erosion along the shoreline.
Observed berm crest heights on adjacent areas should always be measured first to estimate appropriate cross-sectional areas of a proposed dynamic revetment. If natural dynamic berms are not present in the vicinity of the location for the proposed dynamic revetment, then an estimated volume can be calculated per the methodologies given by Ahrens (1995):

\[
\text{Estimated berm crest height} \ (R_c) \ = \ \text{Maximum predicted wave runup} \ (R) \ \text{on riprap revetments}
\]

Determine a minimum cross-sectional area of the dynamic revetment \((V_t)\) by using a minimum safe ratio:

\[
V_t \geq 5R_c^2
\]

**Installation**

Revetments must be designed and installed by a qualified professional.

**Maintenance**

Revetments must be inspected periodically for signs of scour at the top, base or sides and repaired immediately. Access over the structure must be maintained in order to prevent any disturbance or displacement of armor material.

**Effectiveness**

If properly designed and installed, revetments prevent backshore erosion. However, the static structures often contribute to the erosion of the downdrift shoreline by eliminating a source of littoral sediment. Sloping rock revetments are more cost effective than the other vertical barrier walls. Structures that incorporate dynamic components into their design are preferred over most other methods where shorelines are eroding and the littoral cells are lacking in an adequate sediment supply to maintain a dynamic equilibrium. Caution should be taken when designing a particular revetment type because not all areas can be effectively protected by either a dynamic or static revetment. The chosen revetment design may not prevent erosion from unanticipated heavy wave action or other geologic hazard.

**BMP 67. Bulkheads**

**Definition**

*A bulkhead is a vertical wall designed to reduce backshore erosion. These retaining walls are constructed to hold or prevent sliding of the soil and to provide protection from wave action.*

**Purpose**

*To prevent backshore erosion and flooding, to stabilize a shoreline established through dredging or filling, to retard bank slumping, and to maintain a dredged water depth in a marina or adjacent to the shoreline for boat mooring.*
Applicability

Applicable to shorezones with low bluffs which might otherwise collapse towards the Lake. The bulkhead protects the eroding bluffs by retaining soil at the toe, thereby increasing stability, or by protecting the toe from erosion and undercutting. Bulkheads are most applicable at marinas where water depth is needed directly at the shore and a sloping revetment is not feasible.

Advantages

1. To prevent backshore erosion.
2. To stabilize low bluffs.
3. To reduce wave run-up.
4. To decrease turbidity and enhance water quality.
5. To protect backshore developments from wave action.
6. To permit the mooring of boats.

Disadvantages

1. Causes erosion of existing fronting beach if any present.
2. Increase downdrift beach erosion.
3. Eliminate usable beach area below the high water line.
4. May cause increase wave reflection and turbulence with a subsequent loss of fronting beach. Smooth, vertical structures will have the greatest impact on the beach and nearshore sediment loss.¹
5. Construction will require excavation, backfilling, pile driving, and material transport which can result in increased suspended solid loads within the adjoining water body.
6. Protect only the land immediately behind them and provide no protection to adjacent shores.
7. Can fail if scouring undermines the base of the structure.
8. Can limit access to a beach so that stairs may be required.
Planning Criteria

Bulkheads are retaining walls whose primary purpose is to prevent bank slumping. Although they also provide some protection from wave action, large waves are usually beyond their design capacity. Seawalls, on the other hand, are generally massive structures installed to protect backshore areas from heavy wave action. Bulkheads and seawalls are terms often used interchangeably in referring to vertical shore protection structures. Seawalls are most commonly used along ocean shorelines and are rarely called for around Lake Tahoe. Bulkheads are designed to resist earth pressures from the backshore, rather than to resist high wave energy. They are usually built with timber or metal sheeting held in place by piles, struts, and anchor structures, and serves to retain low bluffs that might otherwise collapse towards the Lake. The bulkheads increase the stability of eroding bluffs by retaining soil at the toe or by preventing the toe from being undercut. However, construction of a bulkhead does not insure stability of a bluff. If a bulkhead is placed at the tow of an over-steepened bluff, the bluff may slide and bury or move the bulkhead towards the water. To increase the chances of success, the bulkhead should be placed somewhat away from the toe of the bluff, and if possible, the bluff should be graded to a gentler, more stable slope.

Bulkheads may be either thin structures penetrating deep into ground, such as, sheet piling, or massive structures resting on the surface. The pilings are typically eight to twelve inches in diameter, spaced approximately six to eight feet apart. The pilings support sheeting’s which in turn stabilize backshore fill. Steel, aluminum, and treated timber can be used as sheet pile. Masonry or reinforced concrete bulkheads are examples of the massive gravity type which rest on the surface. The height of the bulkhead is determined by the average height of the highest yearly storm, plus wave run-up. Overtopping may lead to undermining at the back of the wall to eventual collapse of the wall. These retaining structures tend to resist wave impact and promote scour at the base of the structure. Since damaging scour can undermine the base and cause failure, toe protection is necessary for stability. Typical toe protection consists of rock large enough to resist movement by wave forces, with an underlying layer of granular material or filter cloth to prevent the soil from being washed through voids in the scour apron. Flanking, erosion of the shoreline around the ends of the structure, can be prevented by tying each end into the existing shore protection devices or the bank. Also, groundwater percolating through the soil may build up pressure behind the wall and cause it to fail. Weep holes must be spaced along the bottom of the structures and equipped with filters to relieve the pressure. Although bulkheads are designed to protect the backshore, the loss of the fronting beach is frequently the result. In addition, if downdrift beaches were previously nourished by the shorezone now protected, they may erode even more quickly. If a beach is to be retained adjacent to a bulkhead, additional structures, such as, breakwaters may be required. Thus, bulkheads or other retaining walls of this type should be used only where protection of the backshore is determined to be of greater value than beach preservation.

Bulkheads are used at marinas to permit mooring of boats. Also bulkheads can be used for reclamation projects where a beach fill is needed at a position lakeward of the existing shore.
Installation

Bulkheads must be designed and installed by a qualified professional.

Maintenance

Bulkheads must be inspected periodically for signs of scour at the top, base, or sides and repaired immediately.

Effectiveness

If properly designed and installed, bulkheads can effectively protect the backshore. However, bulkheads should only be used where sloping revetments are not feasible and if they will not accelerate beach erosion. Bulkheads are the most cost effective type of retaining wall used at marinas in order to decrease turbidity and enhance water quality.

BMP 68. Jetties

Definition

Jetties are structures used at inlets to stabilize the position of the navigation channel, to shield vessels from wave forces, and to control the movement of sand along the adjacent beaches so as to minimize the movement of sand into the channel. The sand transported into an inlet will interfere with navigation depth. Because of the longshore transport reversals common at many sites, jetties are often required on both sides of the inlet to achieve complete channel protection. Jetties are built from a variety of materials, e.g., timber, steel, concrete, and quarystone. Most of the larger structures are of rubble-mound construction with quarystone armor and a core of less permeable material to prevent sand passing through. It is the impoundment of sand at the updrift jetty which creates the major physical impact. When fully developed, the impounded sand extends well updrift on the beach and outward toward the tip of the jetty.

Purpose

To shelter marinas from the undesirable aspects of littoral drift, namely clogging of their entrances with excessive sediment.

Applicability

Applicable to mainly marinas. Solid jetties are not permitted in locations where beach erosion or loss of sediment from the shorezone is likely to occur as a result. Jetties must be permeable, allowing free circulation of water and sediment.

Advantages

1. Dissipate the energy of approaching waves and reduce their ability to erode the entrance to the channel.
2. Provide deep waters in entrances to marinas desirable for boat navigation activities.
3. Permeable jetties allow a more even deposition of littoral sediments along the shoreline.

Disadvantages

1. Disrupt the natural pattern of littoral drift.
2. Reduce the ability of waves to transport sediment.
3. Trap and accumulate sediment behind the structure.
4. Deprive downdrift beaches of their normal sand supply.
5. Solid jetties can cause beach erosion on the downdrift side.

Planning Criteria

By design, jetties are shorezone structures used to protect shorezone areas by modifying the natural regimen of the littoral zone. In the past, they have been mostly commonly used in conjunction with marina development. These solid jetties were designed to trap sediment and prevent the clogging of marina inlets with excessive sediment. However, these impermeable structures also produces some undesirable aspects, mainly sediment starvation of the downdrift beaches and accelerated beach erosion.

The alternative to solid jetties is permeable jetties. These jetties have openings which allow adequate free circulation of water and sediment. These permeable jetties do not function the same as solid jetties. Another alternative to eliminate the downdrift beach starvation caused by solid jetties is to provide sand bypasses in the structures. Pumps placed on the updrift side can pass the sand in pipelines under the marina entrance. This may be a costly alternative but environmentally more acceptable than maintenance dredging.

A typical jetty may be constructed of stone, gabions, sheet piling, or timber. A jetty is usually oriented perpendicular to the shoreline and must be structurally sound in order to resist wave action, currents, and scour caused by breaking waves. A jetty can extend 40 to 50 feet offshore with a top elevation of as much as 12 to 18 inches above the mean high water line. The height of the jetty can affect how much sand can pass over the structure. Jetties can be built either high or low with respect to the existing beach profile. Low jetties do not trap excessive amounts of sand. High jetties, on the other hand, effectively block the supply of sand to downdrift beaches resulting in erosion of these areas. All jetties should be extended sufficiently landward to prevent their detachment from shore if severe erosion occurs.

Installation

Jetties must be designed and installed by qualified professionals.
Maintenance

Must be inspected periodically for signs of scour and repaired as needed.

Check to make sure that, if the flushing rate of the jettied area is too slow to provide adequate removal of the contaminants, toxic concentrations may result. Also, fluctuations in parameters such as salinity, temperature, dissolved oxygen, and dissolved organics may be induced by construction or due to altered circulation patterns.

Effectiveness

Solid jetties are not very cost effective because they are expensive to construct and have a number of undesirable results. Permeable jetties eliminate the undesirable aspects of solid jetties, but do not really function as well as a jetty should.

BMP 69. BREAKWATERS

Definition

Breakwaters are man-made structures usually wave energy barriers aligned parallel to the shore that are designed to protect any landform or water area behind them by dissipating the energy of approaching waves. However, because of the higher cost of these offshore structures as compared to onshore structures (e.g. seawalls), breakwaters have been mainly used for harbor protection and navigational purposes. In recent years, shore-parallel, detached, segmented breakwaters have been used for shore protection structures.

Purpose

To protect the shoreline, to dissipate the energy of approaching waves, and to shelter a boat mooring area.

Applicability

Applicable mainly to marinas or areas where calm waters are desired, such as a safe swimming area.

Advantages

1. Dissipate the energy of approaching waves and reduce their ability to erode the beach.
2. Provide calm waters desirable for boat mooring or swimming activities.

Disadvantages

1. Disrupt the natural pattern of littoral drift.
2. Reduce the ability of waves to transport sediment.
3. Trap and accumulate sediment behind the structure.
4. Deprive downdrift beaches of their normal sand supply.

**Planning Criteria**

In contrast to bulkheads and revetments, breakwaters are installed out in the water rather than directly on shore, to dissipate the energy of approaching waves and to form a low-energy shadow zone on their landward side. Any small decrease in wave height reduces the ability of waves to transport sediment. Sand moving along the shore is trapped behind the structure and can accumulate. As a result, downdrift beaches are deprived of their normal sand supply and may suffer increased erosion.

Breakwaters are either fixed or floating and solid permeable. Floating breakwaters are constructed of buoyant materials such as logs and are permeable. Breakwaters can be constructed of gabions or staked rock and are usually solid structures. However, openings must be designed in the fixed breakwater in order that the structure is permeable to water and sediment. The effectiveness of fixed, permeable breakwaters in dissipating wave energy depends on their height and porosity. Floating breakwaters function at or near the water’s surface and must be firmly anchored to the lake bottom to prevent their displacement. Floating breakwaters are particularly advantageous where offshore slopes are steep and fixed breakwaters would be too expensive because of water depths. Fixed breakwaters are most economical when the slope is gentle and the high water level at the proposed site is less than about four feet deep.

**Installation**

Breakwaters must be designed and installed by qualified professionals.

**Maintenance**

If properly installed according to the design criteria, fixed breakwaters require little maintenance. Floating breakwaters tend to require more maintenance because debris and other material can accumulate on the breakwater. Undermining of fixed structures can occur and loss of material during storms is common.

**Effectiveness**

Breakwaters can be very effective in dissipating the energy of approaching waves. Unfortunately, solid and/or fixed breakwaters can significantly affect the natural pattern of littoral drift. Floating breakwaters and permeable fixed breakwaters are recommended because they distribute sediment more evenly.
TRPA Code of Ordinances
CHAPTER 54 –SHOREZONE PROJECT FINDINGS AND DEVELOPMENT STANDARDS

BMP 70. BEACH NOURISHMENT

Definition

Beach nourishment is the artificial placement of natural material in the shorezone from sources outside of the eroding system to address the problem of a sediment budget deficit. Sand, gravel and cobble are the typical materials used to nourish beaches. Beach replenishment differs from nourishment in the type of material placed on the beach. Replenishment involved a direct replacement of the material lost with similarly sized material (e.g. sand replenished with sand). Nourishment involves addition of material to the system; the added material may be the same size but is most commonly slightly larger (e.g. gravel beach nourished with small cobble).

Purpose

To serve as a sacrificial barrier that will provide protection to the backshore, to protect an eroding shoreline, to provide additional recreational space by extending the beach area, or to restore a beach to its dimensions prior to any erosion.

Applicability

Beach nourishment is applicable to beaches and dynamic revetments experiencing erosion and loss of material.

Advantages

1. Protects an eroding shoreline.
2. Provides some protection to the backshore.
3. Provides additional recreational space by extending the beach area.
4. Restores an eroded beach to its prior dimensions.
5. Provides a sink for dredged material.
6. Attempts to maintain or restore the dynamic equilibrium of a beach.
7. Often preferred to structural barriers that create artificial boundary conditions and generate unwanted side-effects.
8. Provide a new supply of material to the littoral transport system.
9. Maintains prime fish habitat spawning gravel.
10. A beach’s size, shape, and sand volume help determine how well the beach can protect a developed area during a storm. The beach offers a natural protection against storms by
absorbing and dissipating the energy of breaking waves, either lakeward or on the beach itself. Beach nourishment helps re-supply this protection.

Disadvantages

1. Increased sediment loads could clog marina inlets.

2. May increase turbidity if the materials are not washed free of silts and clays prior to placement in the shorezone.

3. May require frequent application if erosion rates are high.

4. Requires permits from federal, state, and local agencies.

Planning Criteria

Artificial beach nourishment can be accomplished by mechanical means, such as suction dredging of offshore deposits (by-pass dredging) or overland hauling and dumping by trucks. Only nonorganic, chemically and biologically inert material shall be used. The resulting beach functions as an eroding buffer zone and provides an adequate material supply for beaches experiencing erosion. The rate of which the new fill erodes depends on the relative coarseness of the fill material in relation to the native beach material. Ideally, the fill material and native beach materials should be slightly larger in terms of grain size. Generally, if the fill material is coarser than the native material, the fill will erode more slowly whereas if it is finer, it will erode more quickly. Where a beach is eroding, it should be apparent that the native materials are incapable of sustaining the beach. Thus to add material of smaller or similar grain size will only continue the erosion and transport of the beach fill into deeper waters. Thus on an eroding shore where shorezone energy remains constant, the grain size of the fill materials should exceed that of the native beach materials.

In addition to grain size, beach slope is another important design criteria. The shape of the fill material should parallel the existing profile and slope on the theory that the original beach was in equilibrium with the wave energy, and the new beach will eventually assume a similar shape. There is a relationship between the grain size and beach slope. Generally, the coarser the material, the steeper the beach slope that will result. The addition of coarser material will produce a somewhat steeper beach profile in the foreshore and the new beach will converge on the old beach beneath the surface, preferably just beyond the depth of serious wave action. Also, if beach fill is placed over a short length of shoreline, it may create a projection that is subjected to increased wave action. Thus, it is preferable to make the transition to the existing shoreline over a longer distance.

Installation

Any beach replenishment must be designed and installed by qualified professionals. If the fill material is to be obtained from dredging project, soil samples of lake bottom sediments must be
collected from the area and evaluated for the presence of fine grains and organic horizons. Fine grains consisting of silt and clay sized particles will temporarily increase water turbidity in the localized area being dredged. Abundant organics could promote algae growth when stirred up by dredging. Materials used for beach replenishment require approval by TRPA.

One way to provide for beach replenishment is to create a “feeder beach.” This is accomplished by stockpiling suitable beach material at its up drift beach end and allowing alongshore processes to redistribute the material along the remaining beach. This is most often used after a beach has been restored to an acceptable alignment.  

![Diagram of beach replenishment process](http://www.usace.army.mil/publications/eng-manuals/em1110-2-1204/c-4.pdf)

**Maintenance**

The maintenance of beach fill depends on how quickly it erodes and the coarseness of the fill material. Thus, periodically more fill may be required as erosion continues.

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Effectiveness

Beach nourishment projects generally have a relatively low initial cost, but periodic re-nourishment increases the maintenance costs. Beach nourishment is probably the most cost effective and aesthetically pleasing method of protecting the shoreline.

BMP 71 DREDGING

Definition

Dredging is the removal or rearrangement of lake bottom sediments which are lakeward of the high water line.

Purpose

To allow continued use of marinas, harbors, and boat launching facilities.

Applicability

Dredging is applicable mainly to marinas and boat docking areas which have filled with sediment. If the accumulated sediment is not removed, the material may be disturbed and re-suspended each time a motorized watercraft moves over the area. Re-suspension of sediments may cause a temporary loss of water clarity, however, the impacts to water quality from nutrient inputs may be variable; subsequent lake bottom disturbance by propeller or jet action may not be significant, particularly over natural nearshore sediments which have been washed by wave action. Where bio-available nutrients have been previously washed, significant nutrient loading increases should not occur.

Dredging may be necessary for safe navigation. Other shorezone projects may require dredging as part of the project, such as replacement of water lines or sewer mains that are buried in the lake bottom.

Advantages

1. Can improve water quality conditions in certain instances.

2. Can reduce overall turbidity.

3. Allows for safe navigation.

4. Bypass dredging can provide sand for littoral drift processes disrupted by channels, jetties, or breakwaters, and replenish downdrift beach areas.

5. Clean sand which has been dredged may be used for beach replenishment projects.
Disadvantages

1. Dredging processes can increase local turbidity and re-suspend nutrients.

2. Removing dredging material from the Lake and exporting it out of the Basin is costly.

3. Dredging is not a permanent solution to channel and harbor filling by littoral processes because these processes will continue to deposit sediment.

4. Water quality may be impacted by dredging activities as a result of environmental control failures, the discharge of soluble nutrients upon removal of environmental controls, and operator error.

5. **Will need to comply with all applicable Federal laws and regulations and with all applicable laws, ordinances, and regulations of the state, county, and municipality.**

6. **Make certain that bids contain adequate budgets for safety, maintenance, erosion control materials, installation of erosion or turbidity control measures, and maintenance of those measures. Backup equipment and replacement parts should be available.**

Planning Criteria

For general guidance, refer to BMP-SP, Shorezone Practices. Dredging needs, dredging methodology, and dredging environmental controls should be additionally guided by the recommendations and mitigation measures described in the report entitled *Impacts of Marina Dredging on Lake Tahoe Water Quality*, Tahoe Research Group, University of California – Davis, October, 1996 (Marina Dredging Report).

Dredging is generally prohibited by TRPA, with some exceptions. One of these exceptions is maintenance dredging*. Maintenance dredging refers to the dredging of areas that have been previously dredged to maintain authorized lake bottom elevations. Maintenance dredging may be permitted in order to continue an existing use.

*New dredging is also allowed provided additional findings can be made. New dredging will lead to additional future maintenance from future dredging activity; thereby, potentially increasing overall loading impacts on water quality. Additional impacts due to new dredging activities are described in the Marina Dredging Report.

Dredging Equipment Types-Advantages and Disadvantages

Several factors must be considered in selection of an appropriate dredge. These include: physical and chemical characteristics of the sediments to be dredged, site characteristics, ability to use silt curtains to isolate dredge area, amount of material to be dredged, cost constraints, and dredges available. There are two basic types of dredging equipment available: Mechanical and hydraulic dredges.
Mechanical dredges, which include Bucket Dredges, Clamshells, Draglines, Watertight Grab Bucket Excavators and Backhoes, can remove a variety of sediment types effectively, and produce spoils which are similar in water content and density to the original sediments. These dredges have high sediment re-suspension characteristics and should only be used in turbidity curtain enclosed areas. Production rate is generally low. Mechanical dredges can be imprecise in their positioning and cannot operate very close to piers, bulkheads, and beneath floating docks. An environmentally efficient bucket type dredge called the Cable Arm Clamshell produces a sealed bucket that prevents about one-third sediment re-suspension than that of conventional buckets. The Cable Arm clamshell may have applications in large harbors at Lake Tahoe which contain finer unconsolidated sediments. It should be considered for future testing.

There are several fundamental controls possible with mechanical dredges:

- Increase cycle time. Longer cycle time reduces the velocity of the ascending loaded bucket through the water column, which reduces potential to wash sediment form the bucket. However, limiting the velocity of the descending bucket reduces the volume of sediment that is picked up and requires more total bites to remove the project material. The majority of the sediment re-suspension, for a clamshell dredge, occurs when the bucket hits the bottom.
- Eliminate multiple bites. When the clamshell bucket hits the bottom, an impact wave of suspended sediment travels along the bottom away form the dredge bucket. When the clamshell bucket takes multiple bites, the bucket loses sediment as it is reopened for subsequent bites. Sediment is also released higher in the water column, as the bucket is raised, opened, and lowered.
- Eliminate bottom stockpiling. Bottom stockpiling of the dredged sediment in silty sediment has a similar effect as multiple bite dredging; an increased volume of sediment is released into the water column from the operation.
- Increase bucket size: Large capacity dredges. Larger than normal dredges designed to carry larger loads. This allows less traffic and fewer dumps, thereby providing fewer disturbances at a disposal site.
- Minimize overfill of dredge bucket to prevent over-flowed sediment to be suspended.
- No sweeping of the bottom to contour.
- Operational controls are important for minimizing sediment re-suspension. For bucket dredges, these include hoist speed, deliberated placement of material and avoiding smoothing of the bottom.

Hydraulic dredges, which include Suction, Rotational cutter head, Horizontal cutter head, and Inter-convertible dredges (such as the Aquamog Dredge), remove and transport sediments entrained with water through pipelines or other conveyances as a liquid slurry. Solids are removed from the slurry either through settling in spoils impoundment basins (detention basin?) or through mechanical solids separators. These dredges have low to moderate sediment re-suspension characteristics. Hydraulic dredging can remove larger volumes of material than most mechanical dredges. Finding appropriate space for large capacity disposal sites is a main one disadvantage. A specialized hydraulic dredges include the Cable Arm Clamshell and called the Eddy Pump. An environmentally efficient bucket type dredge, the Cable Arm
Clamshell produces sediment resuspension which is about one third that of conventional buckets. The Cable Arm Clamshell may have applications in large harbors at should be considered for testing due to its ability to remove sediments while causing low re-suspension in Lake Tahoe, which contain finer unconsolidated sediments. It should be considered for future testing. The Eddy Pump should be considered for testing. This dredge has capability to remove high concentrations of solids (> 70%) while apparently creating very low turbidity. The Pneuma pump is also used for removal of fine-grained sediment. The Pneuma pump offers high solids concentration (up to 90%) in the dredge slurry, with minimal turbidity. There are fundamental controls possible with hydraulic dredges.

- **Reduce cutterhead rotation speed.** Reducing cutterhead rotation speed reduces the potential for side casting the excavated sediment away from the suction entrance and resuspending sediment. This measure is typically effective only on maintenance or relatively loose, fine grain sediment.

- **Reduce swing speed.** Reducing the swing speed ensures that the dredge head does not move through the cut faster than it can hydraulically pump the sediment. Reducing swing speed reduces the volume of resuspended sediment. The goal is to swing the dredge head at a speed that allows as much of the disturbed sediment as possible to be removed with the hydraulic flow. Typical swing speeds are 5-30 feet/minute.

- **Operational Controls:** Operational controls are important for minimizing sediment re-suspension. For **bucket hydraulic cutter** dredges, these include hoist speed, deliberated placement of material and avoiding smoothing of the bottom. These may include careful control of cutter pressure, engine RPM, cutter RPM, and dredge pull speed.

**Bypass Dredging:** Most of the environmental concerns about dredging center around altered chemical and physical parameters and their effects on water quality. The re-suspension of bottom sediment during dredging operations increases turbidity. However, much of the re-suspended material may be inorganic and chemically inert, consisting of graded material such as sand and gravel. This material resettles at a rate largely dependent on particle size and turbulence in the area. Colloidal size particles, such as clay and silt, can remain in suspension almost indefinitely.

One of the greatest concerns associated with re-suspended sediments is the potential to increase nutrient levels. Fine sediment particles have vast surface areas, which act as effective adsorbers of many types of chemicals that may be released from the particles as a result of the re-suspension caused by dredging. Phosphorous is the greatest concern in this respect because of its adsorption to fines and its potential for increasing primary productivity. Ammonium nitrogen may also cause problems for similar reasons. When re-suspended particles are of organic origin, they present another problem. Organics do not settle out quickly, making them easily re-suspended and transported during dredging. The fact that the organics are biodegradable presents a potential oxygen depletion problem. Re-suspended fine organics become rapidly coated with bacteria and subsequent, rapid decomposition may totally deplete dissolved oxygen concentrations within these turbid areas.
As a result of the problems associated with re-suspension of sediments during dredging operations, there is much controversy regarding the concept of dredging and water quality. Dredging could be viewed as the ideal lake restoration technique. It can remove accumulated products due to runoff and erosion, remove sediment and attached nutrients, and return sediment to the watershed where it originated. In practical terms, this is, of course, impossible. However, by careful selection of dredging method for each project, the impacts of dredging on water quality can be dramatically reduced.

The Lahontan Regional Water Quality Control Board (LRWQCB) adopted strict standards with the objective of minimizing short and long-term water quality impacts of dredging operations in that portion of Lake Tahoe under the jurisdiction of the State of California. The Nevada Division of Environmental Protection has adopted similar standards. LRWQCB and TRPA have adopted specific ordinances regulating dredging operations in Lake Tahoe. The intent of the ordinances is to prevent excessive turbidity and the spread of nutrients. Project proponents may easily determine what regulations apply to their project through consultation with the Project Review Committee, an interagency group consisting of agencies with jurisdiction in Lake Tahoe’s shorezone (See below for typical regulatory framework by Region/State).

**Measures Required of Dredging Projects**

The report entitled *Impacts of Marina Dredging on Lake Tahoe Water Quality*, Tahoe Research Group, University of California – Davis, October, 1996 (Marina Dredging Report) discusses eight mitigation measures which reduce impacts of dredging on water quality. All eight mitigation measures shall be required unless the nature of the project allows TRPA to determine that no significant impact will occur if the mitigation measure is waived.

1. Seasonal limitations (dredging during the summer) to avoid severe weather.
2. Use of turbidity barriers.
3. Disposal of dredge slurry produced by hydraulic dredges to sanitary sewer.
4. Use of flocculants in settling basins.
5. Prevention of discharge into the Lake from spoils dewatering.
6. Completion of a pre-dredging analysis of lake bed material and water quality monitoring plan in consultation with TRPA.
7. Use of specialized dredging equipment designed to reduce impacts to water quality.
8. Requirements on operational controls to minimize turbidity.
Additional Measures Required

If not sufficiently dewatered, dredging spoils shall be placed in water-tight trucks to prevent discharge of sediment-laden water to roadways. Limits shall be set on the extent of turbidity of waters which are permitted to escape the dredging area or commingle with the water of Lake Tahoe (typically 20 Nephelometric Turbidity Units, or NTUs). Turbidity curtains must be checked frequently and repaired or replaced if necessary (See BMP72). Turbidity curtains may not be required when hydraulic dredges are used, and the discharge standard of 20 NTUs can be maintained. Oil booms must be onsite to provide cleanup in case of any spills. During periods of high wind and wave action, the construction activity which is causing degraded water quality within the curtained area should cease until weather conditions improve.

Installation

Any dredging activity must be conducted by a qualified professional. Prior to dredging, a pre-dredging analysis may be required to determine the nature of the material to be dredged. Pre-dredge analysis may reveal constituents in lakebed material which if removed, may enhance water quality. Conversely, constituents may be revealed which, if disturbed, may pose an unusual threat to water quality. Leaving the lakebed undisturbed maintains a protective cap created by the uppermost layers of the lake bed. Pre-dredge analysis determines what types of equipment will most effectively remove the material with the least impact to water quality, and will also assist determination of an appropriate disposal site for spoil material.

All required permits must be acquired prior to the commencement of any dredging activities. The table below indicates agencies with jurisdiction over most dredging activities by region and state:

Lake Tahoe Region:
- Tahoe Regional Planning Agency
- U.S. Army Corps of Engineers

California:
- California Regional Water Quality Control Board-Lahontan Region
- California Department of Fish and Game
- California State Lands Commission

Nevada:
- Nevada Division of State Lands
- Nevada Division of Wildlife (Comments to Division of State Lands)
- Nevada Department of Environmental Protection (Comments to Division of State Lands)
Maintenance

Maintenance of the dredge area is itself a project and subject to this BMP.

Effectiveness

Maintenance dredging can be an effective practice in lieu of placement of artificial barriers to prevent sedimentation of channels and marinas. The export of the material, however, may be detrimental to conditions downshore in the direction of littoral drift.

BMP 72 TURBIDITY CURTAIN

Definition

A floating sediment (turbidity) barrier or temporary plastic or other impermeable barrier used around a disturbed area adjacent to the shoreline or in the water. Includes suspended curtains. May include an absorbent diaper to contain petroleum products. Turbidity curtains are often called silt curtains, turbidity barriers, or turbidity screens. Turbidity screens may be permeable. Turbidity curtains or barriers are typically impermeable.

Purpose

To retain the resuspended sediment generated during construction activities within the disturbed area, including dredging activities, by controlling dispersion.

Applicability

Applicable to any construction activities conducted within the shorezone or underwater which will result in disturbance of soil or lake bottom sediments which could discharge to the Lake, including dredging activities.

Advantages

Retains sediment and turbid water within the disturbed area. Localizes turbidity plumes, reducing visual impacts. Allows some leached nutrients to re-adsorb to sediments and settle.

Disadvantages

Severe weather may cause turbidity curtains to fail in unprotected areas. Limited to use during fair weather periods when wind induced wave action is minimal.

Planning Criteria

Where construction or dredging activities are expected to result in water quality which exceeds surface discharge standards, the curtain material must be totally impermeable. The curtain must
be anchored to the lake bottom. Water quality is usually most degraded towards the bottom of the water column. Typically, the bottom of the curtain will contain a pocket for the placement of a heavy chain. This anchor mechanism maybe augmented with the placement of loosely filled sandbags over the curtain on the lake bottom. Commercial turbidity curtains are available and should be used for larger or open-water projects. Smaller projects may be protected by turbidity curtains that are constructed for one time use only. Turbidity curtain design should be approved for use on a project by project basis prior to installation.

Turbidity curtain material should be nylon reinforced. The use of a turbidity curtain on cobbly or rocky lake substrates usually requires the use of sandbags to chink voids between rock through which turbid water would otherwise escape. Freeboard height must be adjusted to prevent waves from overtopping the curtain, yet be low enough to prevent high winds from blowing curtain off the lake bottom.

Turbidity curtains which are subject to hydraulic pressure due to the removal or addition of water during the project may fail. If possible, head should be directed towards the impacted area. Head which is directed within a curtained area will cause failure through the curtain bottom. It may be necessary to divert run off flows around a curtained area to prevent head-induced discharges.

**Installation**

Turbidity curtains should be installed at least five feet from the edge of excavation or dredging to prevent equipment from damaging the curtain.

**Maintenance**

Inspections should be made at least twice daily, and the curtain repaired or improved if turbidity plumes are observed. During poor weather conditions where wind and wave action may compromise the performance of a turbidity curtain, inspections should occur at least hourly, and repairs or improvements completed immediately if plumes are detected. During periods of high wind and wave action, the construction activity which is causing degraded water quality within the curtained area should cease until weather conditions improve.

Maintenance activities often require the use of divers. Divers should be available to perform maintenance or repair tasks in the event severe weather, boat propellers, or equipment damages the curtain.

**Effectiveness**

There are no turbidity curtains currently available which will maintain positive performance during severe storms. Larger waves will overtop the curtain, creating positive head inside the curtain, which may lead to curtain failure. The energy contained in waves and currents during storms may pull the curtain off the lake bottom or cause lateral curtain anchors to fail.
BMP 74 BOAT AND MARINA MAINTENANCE

Definition

Boat and marina maintenance includes those facilities and services necessary for the maintenance and operation of small pleasure craft.

Purpose

To restrict the release of potential pollutants such as petroleum products and toxic marine paints.

Applicability

Applicable to marinas and other areas where boats may be refueled or maintained.

Advantages

Prevents the release of potential pollutants into Lake Tahoe.

Planning Criteria

Marinas are a potential source of hazardous discharges of petroleum products and toxic marine paints. Refueling of boats at marinas must be conducted by qualified personnel. Fuel hose endings must be totally manual. An absorbent material in a bucket or tray must be placed under the hose ending on the dock to catch drops after filling. The operator must always be careful not to spill fuel over open Lake water. Each marina should carry sufficient absorbent material (diapers, oil absorbent pads, and oil booms) to provide cleanup in case of any spills.

Refueling of boats outside of marinas is common and requires attention to protect water quality. Recreational concessions which rent small boats and personal watercraft often refuel from gas cans or larger containers on dollies. New concessions should be required to refuel their rental fleet at the nearest marina. Existing concessions should refuel personal watercraft over an impervious surface (such as vinyl sheeting) which can contain spilled fuel. Fuel containers should be stored in a contained area to prevent accidental spills in the shorezone. Absorbent diaper materials (such as oil absorbent pads and booms) should be available to contain/clean spills. Do not use detergents, soaps, cleaner, or emulsifiers on a fuel or oil spill. These substances temporarily dissolve oil and grease but do not actually remove pollutants from water. Avoid filling the fuel tank or container to the top.

Any boat refinishing, especially the sanding and scraping of the hull prior to repainting, must be conducted in such a manner that no scrapings, sandings, or paint particles can enter Lake Tahoe. Conduct operations onshore and place over a drop cloth. This material must not be washed into Lake waters. U.S. Environmental Protection Agency and the State of California restricts the sale of tributyltin (TBT), and the sale, rent, or lease of vessels which do not comply with the limitations on the use of TBT paint. Although TBT compounds make paint last longer than paints treated with other compounds to prevent the growth of organisms on boat hulls, TBT
is highly toxic. Vessels painted with TBT before January 1, 1998 may still be used, but not repainted with TBT paint. Thus, any marinas where boat hulls are being refinished must be careful to prevent paint particles containing TBT from entering the waters of Lake Tahoe. **Use phosphate-free and biodegradable detergents for hull washing.** Limit amount of detergent used by first scrubbing and cleaning with water.

Major repairs of boat engines and outdrives should be completed in an enclosed building with floor drains that discharge to a waste oil holding tank. Minor maintenance of boats outside of buildings should take place over paved surfaces with drainage conveyance to a grease/oil separator.

**Boats with inboard engines should have oil absorption pads in bilge areas.** Replace at least one a year or as needed. Do not pump bilge water if it is oily or has a sheen. **Fuels, fluids, and oil should be kept in properly labeled secure containers with secondary containment if feasible.** Inspect and repair engine valves, pipes, hoses, as necessary. Use drip pans and funnels when conducting maintenance and repair. Inspect engines prior to use.

**Installation**

Any refueling of watercraft must be conducted by a trained operator. All fueling facilities must have on hand sufficient absorbent material and qualified personnel to use it in case of spills. Written spill clean-up procedures shall be prepared and quickly available in marina and concession offices.

**Maintenance**

An inspection program of all marinas with refueling capabilities and paint refinishing facilities is necessary in order to insure that potential pollutants are not being released to the open Lake water.

**Effectiveness**

Compliance with the refueling and repainting practices is a very effective way of preventing the discharge of toxic pollutants directly to Lake Tahoe.

**BMP 75 BOAT RAMP CONSTRUCTION METHODS AND DESIGN STANDARDS**

**Definition**

Boat ramp construction methods and design standards include measures to protect water quality during construction of boat ramps, and to ensure proper siting for optimum performance and to reduce impacts to littoral processes.
Purpose

To minimize impacts due to dredging operations which may be required during boat ramp construction; to minimize future maintenance dredging needs; to minimize vehicle intrusion into the Lake.

Applicability

Applicable to the construction of new boat ramps, and the expansion of existing boat ramps.

Advantages

1. Minimizes discharges of turbid waters into the Lake during construction.
2. Minimizes maintenance dredging needs which may cause additional discharges of turbid waters.
3. Prevents vehicle intrusion into the Lake which may result in the discharge of contaminates to surface waters.

Disadvantages

1. Due to slope limitations, restricts the number of locations available for new boat ramps.
2. May restrict the ability to expand existing boat ramps depending upon existing topography.
3. Limits the ability to modify existing backshore topography to accommodate desired boat ramp length and slope.

Planning Criteria

The construction of boat ramps often requires grading below the water line (dredging) to establish optimal length and slope for the completed boat ramp facility. To minimize the extent of dredging required, siting of new boat ramps should be restricted to existing backshore slopes of 15 percent or less, and to existing foreshores which are at least a continuous 12 to 15 percent from high water to elevation 6,219 feet. Steeper backshore and foreshore slopes require extensive grading, dredging, and/or filling to decrease the slope of the finished approach to the boat ramp, and the boat ramp itself.

The construction of boat ramps on shallow foreshore slopes may result in frequent maintenance requirements due to accumulation of sediments. Lateral transport of lakebed sediments is more prevalent on shallow slopes consisting of finer-grained sediments. Shallow boat ramp slope may result in tow vehicles driving into the Lake to reach sufficiently deep waters, particularly during low water years.
In addition to correct siting, construction techniques that minimize excavation above and below the water line should also be considered. An example of such a technique includes the placement of a steel grid foundation onto piles and cross members, followed by the installation of precast concrete sections placed in the above grid.

If dredging is required to site the boat ramp, pre-project water quality monitoring shall be required consistent with the mitigation measures required for all dredging projects (See BMP 71 –Dredging.) Monitoring results that demonstrate mean interstitial waters concentration of constituents exceeding TRPA surface water discharge standards by more than 50 percent, shall dictate boat ramp construction techniques limitations. In this circumstance, only techniques that do not require cast-in-place concrete and avoid substantial alteration of the existing shorezone contours shall be allowed.

**Installation**

Design and installation of boat ramps must be completed by qualified professionals. Dredging required during construction must be completed with mitigation measures employed to minimize impacts to water quality (See BMPs 71 and 72.).

**Maintenance**

Maintenance of boat ramps usually consists of the removal of accumulated sediments which vehicles must then drive across to reach water depths sufficient to release a boat. Removal of sediments may cause impacts similar to dredging. Mitigation measures should be appropriately employed.

**Effectiveness**

If properly constructed, impacts typically encountered during and subsequent to boat ramp construction activities will be minimized if not avoided entirely.

**BMP 76 BOAT RAMP VEHICLE SOURCE CONTROL**

**Definition**

Boat ramp vehicle source control consists of practices, such as inspections, alternative boat launching methods, and facilities, such as vehicle wash stations, which prevent discharges to the lake during boat launching.

**Purpose**

To prevent the discharge of road grime solids, salts, greases, and oils directly to the lake during boat launching, and to prevent the introduction and spread of invasive weeds.
TRPA Code of Ordinances
CHAPTER 54 –SHOREZONE PROJECT FINDINGS AND DEVELOPMENT STANDARDS 54-52

Shorezone BMP Chapter 54 A Nick (2).rtf
Language to be deleted is struck out in red. New proposed language is underlined in blue showing changes from the May 2, 2008 Draft

**Applicability**

Applicable to construction of new boat launching facilities, and to the retrofit of existing boat launching facilities, and to the operation of existing boat launching facilities during low water conditions.

**Advantages**

1. Can improve water quality conditions, particularly at boat launching facilities with poor water circulation.

2. Reduces overall turbidity.

3. May prevent petroleum hydrocarbon accumulations within lake bottom substrates at launching facilities.

4. Can prevent the introduction of invasive flora and fauna from other navigable waters.

**Disadvantages**

1. Inspections are costly and may result in undesirable confrontations.

2. Close proximity to groundwater may limit treatment ability of a vehicle wash station without an associated lift station.

3. If not enforced, voluntary compliance with vehicle washing may not occur.

4. Treatment facilities require periodic maintenance.

5. Parking space may be reduced by a wash station and associated staging areas.

6. Certain elements of a vehicle wash station may require scenic quality mitigation.

7. The cost to implement alternative launching methods, such as the use of tractors, may not be feasible at all boat launching facilities.

**Planning Criteria**

Inspections would detect accumulations of road grime on vehicles, trailers, and boats which should be removed prior to maneuvering the vehicles into the lake. Lake access could be denied until the contaminants are removed from the vehicles.

Vehicle washing stations are used to remove accumulations of sediment, greases, and oils from vehicles, trailers, and boats prior to launching. A station requires a water source, a paved area dedicated to washing, drainage improvements, and treatment improvements to reduce or eliminate impacts to surface and groundwater which may be close to the surface at boat launching facilities. Not unlike a boat washing facility at a marina, vehicle washing stations are
intended primarily to wash tow vehicles and boat trailers. Boats may also be washed. Invasive flora and fauna attached to hulls and motors should also be removed prior to launching to prevent their introduction into the Lake.

A pre-cast grease and oil separator or equivalent constructed device must be installed to collect solids, greases, and oils. In the event an infiltration facility cannot be provided at the wash station/boat launch facility due to proximity to ground water, treated discharges may be collected in a sump, and pumped to a suitable infiltration facility with adequate infiltration capacity. In the event an infiltration facility cannot be feasibly constructed or reached, treated discharges may be pumped to a sanitary sewer provided utility discharge standards are met, and a discharge agreement has been reached with the utility. Discharge to sewer may not always be feasible due to discharge standard or cost constraints.

The use of tractors to launch boats during low water conditions may be implemented to prevent tow vehicles from becoming stuck in the Lake. During low lake levels, tow vehicles may be required to travel farther then normal into Lake waters to reach adequate boat launching water depths. The towing of trailers out of the Lake results in disturbance to lake bottom sediments. Tractors are more likely to successfully launch a boat without becoming stuck and/or significantly disturbing lake bottom sediments.

Installation

Vehicle wash stations must be designed and installed by qualified professionals. If tractors are used to launch boats, they must be steam cleaned prior to use, and periodically checked for leaks from crankcases, cooling systems, or hydraulic and fuel lines.

Maintenance

Treatment facilities at vehicle wash stations must be periodically inspected for accumulations of solids, and the solids disposed at an approved site. Grease and oil diapers in sand/oil separators must be inspected and replaced prior to their end of useful life.

Effectiveness

Launching of boats with vehicles that are laden with sediments, oils, and greases results in direct discharges of the above elements to the surface waters of the Lake. Discharge standards may be exceeded, particularly early in the boating season, as vehicles, trailers, and boats are most likely to be covered with road grime. Providing a vehicle wash station will direct common vehicle contaminants to treatment facilities where such contaminants may be removed and not discharged to surface waters.
BMP 77 BOATING DISCHARGE CONTROL

Definition

Control measures employed to reduce or eliminate the discharge of contaminants and nutrients from boats.

Purpose

To reduce or eliminate impacts to water quality due to discharges originating from boats.

Applicability

Applicable to all boats and marine vessels which are moored or operated on the Lake. Also see BMP 73 - Pump-Out Facilities, and BMP 74 - Boat and Marina Maintenance.

Advantages

1. Improves water quality and clarity by reduction or elimination of impacts due to discharges of non-combustion petroleum products and human waste from boats.

2. Providing additional restroom facilities may decrease localized impacts due to overcrowded conditions at existing recreation sites with restrooms.

Disadvantages

1. Enforcement of the use of boating discharge control measures may be difficult.

2. The success of boating discharge control measures will depend upon the ability to initiate and continue an intensive public education program.

3. New restroom facilities may require expensive sewer hook-up, and extensive scenic quality mitigation. New restrooms may create parking demand which cannot always be accommodated. Restrooms require extensive maintenance, and must be winterized for year-round use.

4. New restroom facilities may attract people to sites they otherwise may not have considered visiting. The addition of restroom facilities to otherwise primitive sites changes the site’s character, which attracts some recreationists, and repels others.

Planning Criteria

Boats which are equipped with bilge pumps, either manual or automatic, can discharge bilge water into the Lake. Bilge water may be contaminated with waste petroleum products. The use of bilge sponges will reduce the amount of petroleum based contaminates discharged into the Lake during pump operation. Bilge sponges should be made available to the public at marinas,
boat ramps, and other public boat launch facilities. Boat launch facilities should maintain hazardous materials depots available to the public for disposal of spent bilge sponges.

A common problem with recreational boaters on smaller vessels is the absence of a head; If restroom facilities are not conveniently located, boaters may urinate directly overboard into the Lake. The use of a waste containment device which can be closed and easily stowed can reduce the occurrence of this direct discharge to the Lake, provided the device is emptied to sewered facilities ashore. Commercial porta-potties are suitable for runabouts and larger vessels. Smaller boats may rely on devices as simple as an appropriately labeled container with a screw-top lid.

Providing convenient restroom facilities at boat launching sites will prevent discharges of human waste directly to the Lake from boats and from shore, and provide a dump facility for waste containment devices.

On protected lakes and reservoirs, offshore, floating restrooms may be provided. Use of offshore restrooms on Lake Tahoe is not feasible; severe storms could upset an offshore platform and result in a major discharge.

**Installation**

Bilge sponges and urine containment devices are easily placed in boats by the boat owner. Restroom facilities require extensive planning, design, and construction by professionals. Hazardous materials depots must be installed in accordance with local health and fire district ordinances.

**Maintenance**

Bilge sponges must be replaced after their useful life and disposed of properly. Hazardous materials depots must be emptied in accordance with local health and fire district ordinances.

**Effectiveness**

Boating discharge control measures can be very effective, but only if used regularly. Diligent use of these BMPs depends upon an intensive public education effort. A public education program aimed at boating discharge prevention must be developed, implemented, and continued as long as boats are trailered into the region. Enforcement of the use of discharge containment devices is costly and likely to be ineffective when compared to public education programs.
Fishery BMP  Buoy Anchor Installation in Littoral Fish Spawning Habitat

Definition

Buoy anchors include all systems used to attach buoys to the lake bottom or structure, for the intent of remaining stationary or secure.

Buoy anchor installation is a practice that enables the placement and attachment of a buoy to the lake bottom or structure to remain stationary or secure. This placement and attachment will be done in such a manor as to protect fish spawning habitat.

Littoral fish spawning habitat is defined in TRPA Code Chapter 2 as: An area that attracts, or is capable of attracting, fish for reasons of producing and fertilizing eggs. Spawning areas are typically comprised of rock, cobble or rubble. Fish spawning habitat is further delineated on official TRPA threshold maps.

Purpose

The purpose of this BMP is to eliminate the potential impact to fish spawning habitat function from the placement of buoy anchors.

Applicability

This BMP applies to the placement of buoy anchors within mapped and verified littoral fish spawning habitat. Where feasible, this practice should also be considered for all other littoral areas around the lake to provide feed and cover habitat for aquatic organisms.

Advantages

Prevents impacts to littoral fish spawning by creating complex structure which substantially increases the value of surrounding habitat.

Disadvantages

May require additional costs associated with commercially purchased anchors.

Planning Criteria

Buoy anchors that rest on spawning gravels remove those gravels from use by littoral fish. For sensitive areas, use anchors that either anchor below the substrate or serve as complex feed and cover habitat to increase the ability of fish to use the remaining gravels onsite. This practice will have no net impact to the resource (Allen pers. com. 2008).

Installation

Anchors that attach below the substrate:
Buoy anchor systems are commercially available systems that are driven or screwed into the substrate and secured in place to the buoy by the weight of the substrate. These systems will meet the requirements of this BMP by not covering spawning gravels.

Buoy anchors that act as feed and cover habitat. These designs are not currently commercially available but may be constructed as needed. Methods for contracting these anchors may include but not be limited to:

1. **Use of steel frames to form cribs containing varying sizes of medium to large cobbles.** This design would allow fish to access the spaces between the cobble for feeding and cover, thereby increasing the value of surrounding gravels.

2. **Use of concrete anchors that have been embedded with various sizes of PVC pipe to form complex passages for fish to use as feed and cover habitat.** This design would act in a similar manner to the crib design, acting to increase the value of surrounding gravels.

**Scenic Best Management Practices**

1) **Verification of Scenic Best Management Practices:** Prior to final inspection of a shorezone project or prior to the transfer of scenic points, the applicant shall demonstrate that Scenic Best Management Practices (Scenic BMPs) have been provided on the littoral parcel or the shoreland parcel.

If the permit is for additional shorezone development, the applicant shall post a security acceptable to TRPA to ensure that all Scenic BMPs will be installed prior to completion of the project. Projects proposing to transfer scenic points only must provide the Scenic BMPs prior to transfer.

2) **Scenic Best Management Practices (BMPs) for New Shorezone Development and Certain Repairs and Modifications to Existing Shorezone Development:** The following Scenic BMPs must be provided on all portions of the littoral parcel or project area within the shoreland and on all existing and proposed structures which are visible from lakes of the Region.

   (a) **Contrast Rating:** Scenic BMPs shall be implemented in the shoreland. The BMPs shall bring the project area into conformance with a minimum contrast rating score of 21 except where:

      (i) it is physically impossible to attain a score of 21 through application of scenic BMPs; or

      (ii) the cost of the scenic BMPs required to increase the baseline contrast score to 21 exceeds ten percent of the cost of the project; and
(iii) if the project is not required to bring the project area into conformance as a result of subparagraphs (a) and (b) above, the applicant shall attain the highest possible score.

(b) Revegetation of Eroded and Disturbed Areas. Eroded or disturbed areas shall be revegetated with permanent vegetation over at least 75% of the eroded or disturbed area, provided TRPA determines the area can be revegetated. In the event revegetation is not feasible, alternative stabilization treatments that reduce any existing scenic impacts may be required. Major structural stabilization of eroded or disturbed areas shall not be required to comply with this Scenic BMP.

(c) Placement of Shoreline Access Structures. All new shoreline access structures and all modified portions of existing shoreline access structures located in unscreened locations shall be placed at grade unless TRPA determines that they should be elevated for erosion control purposes.

(3) Exception to Scenic BMPs: In the case where a project in Lake Tahoe proposes to retire more than 50 scenic points, the Scenic BMP requirements pursuant to this section shall not be required.
Exhibit 3

Lake Tahoe Shorezone Ordinance Amendments

Amendments of the Shorezone Plan Area Statements 005, 006, 008, 010, 014, 016B, 018, 021, 024B, 031, 033, 034, 035, 037, 047, 049, 055, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 068, 069, 070A, 070B, 089, 090, 099, 100, 102, 126, 127, 128, 146, 147, 149, 150, 151, 153, 154, 156, 158, 159, 160, 161, 162, 164, 169, 171, 174, AND 175
005
ROCKY RIDGE

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RESIDENTIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>SCENIC RESTORATION AREA</td>
</tr>
</tbody>
</table>

DESCRIPTION:

Location: This Plan Area is located along Highway 28 between Tahoe City and Lake Forest and can be found on TRPA maps C-6, C-7 and D-6.

Existing Uses: This area is made up of low density residential lake front homes, planned unit residential units in the Rocky Ridge Subdivision, and a motel. The area is 90 percent built out.

Existing Environment: This area is 60 percent low hazard, 25 percent high hazard and 15 percent SEZ. Land coverage is 40 percent plus an additional 22 percent disturbed. The shorezone tolerance districts are classified 4 and 7 and contain prime fish habitats.

PLANNING STATEMENT: This area should continue to be a residential area of the same type and character that now exists.

PLANNING CONSIDERATIONS:

1. There is residential intrusion into the SEZs.

2. The shoreline is showing evidence of bank erosion and large unstable areas.

3. Lake front parcel improvements are not adequate with respect to drainage, infiltration, and slope stabilization.

4. The prime fish habitat in Lake Tahoe is tentatively identified for habitat restoration.

5. Scenic Roadway Unit 15 and Scenic Shoreline Units 15 and 16 are within this Plan Area. Shoreline Unit 16 is targeted for scenic restoration as required by the scenic threshold.

6. The Shoreline Character Type within this Plan Area is “Visually Modified”. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.
SPECIAL POLICIES:

1. The wall barrier on Burton Creek should be removed or otherwise renovated to facilitate upstream migration of fish.

2. The existing motel shall be conforming; however, there shall be no additional tourist accommodation units in this area.

3. TRPA recognizes the existing research facility at its current level of use on the Historic Fish Hatchery Property as a Threshold-Related Research Facility in these plan areas. There shall be no expansion of the existing use unless, at the time of project approval it is determined that the project can be sufficiently mitigated, and there is implementation of the following environmental improvement projects:
   a) Participate in planning, designing, and funding a fair share of the Burton Creek Linked Project-Stream Habitat Restoration (EIP project #51 and #988); AND
   b) Plan and design, and/or fund the relocation of the campground in PAS 006, Fish hatchery, to a plan area statement with higher capability (EIP Projects #988 and #860); OR
   c) Plan and design, and/or fund the relocation of the existing baseball field in PAS 006, Fish Hatchery, to a plan area statement with higher capability land that is still within the TCPUD’s recreational boundaries (EIP Project #944 and 208 Plan); OR
   d) Plan and design, and/or fund a functional equivalent restoration project consistent with all Special Policies in PAS 006, Fish Hatchery, and PAS 005, Rocky Ridge; OR
   e) Such additional mitigation as TRPA may determine is necessary. 

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

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

<table>
<thead>
<tr>
<th>Residential</th>
<th>Single family dwelling (A).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tourist Accommodation</td>
<td>Hotel, motel and other transient dwelling units (S) and bed and breakfast facilities (S).</td>
</tr>
<tr>
<td>Commercial</td>
<td>Professional offices (S).</td>
</tr>
<tr>
<td>Public Service</td>
<td>Local post offices (S), local public health and safety facilities (S), public utility centers (S), pipelines and power transmission (S), transit stations and terminals (S), transportation routes (S), transmission and receiving facilities (S), and threshold-related research facilities (S)</td>
</tr>
</tbody>
</table>

§ Amended 03/22/00, Special Policy #3
§§ Amended 04/23/97, General Use List
§§§ Amended 03/22/00, Public Service
Recreation

Day use areas (A), beach recreation (A), participant sports (S), and riding and hiking trails (A).

Resource Management

Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance Districts 4 and 7

Primary Uses

Beach recreation (intensive) (A), safety and navigational devices (A), and salvage operations (A).

Accessory Structures

Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S) floating docks and platforms (A), shoreline protective structures (S), and water intake lines (S).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
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<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Tourist Accommodation</td>
<td></td>
</tr>
<tr>
<td>Bed and breakfast facilities</td>
<td>8 units per acre</td>
</tr>
<tr>
<td>Hotel, motel and other transient dwelling units</td>
<td></td>
</tr>
<tr>
<td>• with less than 10% of units with kitchens</td>
<td>20 units per acre</td>
</tr>
<tr>
<td>• with 10% or more units with kitchens</td>
<td>8 units per acre</td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>
**MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL:** The maximum community noise equivalent level for this Plan Area is 55 CNEL. The maximum community noise equivalent level for the Highway 28 corridor is 55 CNEL.

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

- **SUMMER DAY USES 0 PAOT**
- **WINTER DAY USE 0 PAOT**
- **OVERNIGHT USES 0 PAOT**

**ENVIRONMENTAL IMPROVEMENT PROGRAMS:** The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

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§ Amended 5/22/02
006
FISH HATCHERY

PLAN DESIGNATION:

Land Use Classification: RECREATION
Management Strategy: REDIRECTION
Special Designation: SCENIC RESTORATION AREA

DESCRIPTION:

Location: This area encompasses most of the meadow area extending from the shoreline in the vicinity of the U.S. Coast Guard facility to the County Administrative Center north of State Highway 28. The area is depicted on TRPA map D-6.

Existing Uses: The majority of the area is publicly owned and contains the County Administrative Center, TCPUD Recreation Area, the U.S. Coast Guard facility, and an abandoned state fish hatchery.

Existing Environment: Most of the area is classified as stream environment zone, and the shorezone is classified as a shorezone tolerance district 1. The predominant riparian-type vegetation of the area has been extensively modified to accommodate various types of recreational and urban support services.

PLANNING STATEMENT: This area should continue to provide both dispersed and more intensive forms of recreation while preserving, to the extent possible, its natural character and value as a stream environment zone. Intensive uses in sensitive areas should be relocated to other less-sensitive sites in the planning area, and inappropriate uses should be redirected outside the planning area.

PLANNING CONSIDERATIONS:

1. Scenic Shorezone Unit 16 and Scenic Roadway Unit 16 are within this Plan Area. Both are targeted for scenic restoration according to the scenic threshold.

2. The open meadow areas should be maintained as scenic corridors from the highway and all development should be screened from views with appropriate landscaping. Other design considerations must be consistent with the scenic restoration plan for Roadway Unit #16.

3. Numerous developed facilities are located within the SEZ, which reduces the nutrient cleansing capacity of the meadow areas.

4. Most of the developed facilities lack 208 water quality improvements.

5. Not all uses in the area are recreation oriented.

6. Burton Creek has been extensively modified.
7. The Shoreline Character Type within this Plan Area is “Visually Modified”. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.

SPECIAL POLICIES:

1. No new land coverage for the County Administrative Center shall be permitted in the SEZ, and the entire facility should be retrofitted with Best Management Practices as soon as feasible.

2. The County is considering moving the Department of Public Works. The existing coverage should be credited toward the expansion of the County Administrative Center.

3. The campsites should be eliminated in this area over the long term and relocated in a Plan Area with higher capability land.

4. The undeveloped portions of the SEZ should be managed for scenic restoration and low intensity uses.

5. Wherever possible, disturbed sites in the SEZ should be restored. Incentives should be given property owners to encourage restoration. This Plan Area is a high priority area for land coverage reduction.

6. The facilities associated with the boat ramp and Coast Guard Station should be retrofitted with BMPs as soon as feasible.

7. TRPA recognizes the existing research facility at its current level of use on the Historic Fish Hatchery Property as a Threshold-Related Research Facility in these plan areas. There shall be no expansion of the existing use unless, at the time of project approval it is determined that the project can be sufficiently mitigated, and there is implementation of the following environmental improvement projects:

   a) Participate in planning, designing, and funding a fair share of the Burton Creek Linked Project-Stream Habitat Restoration (EIP project #51 and #988); AND

   b) Plan and design, and/or fund the relocation of the campground in PAS 006, Fish Hatchery, to a plan area statement with higher capability (EIP Projects #988 and #860); OR

   c) Plan and design, and/or fund the relocation of the existing baseball field in PAS 006, Fish Hatchery, to a plan area statement with higher capability land that is still within the TCPUD’s recreational boundaries (EIP Project #944 and 208 Plan); OR

   d) Plan and design, and/or fund a functional equivalent restoration project consistent with all Special Policies in PAS 006, Fish Hatchery, and PAS 005, Rocky Ridge; OR

   e) Such additional mitigation as TRPA may determine is necessary.§

§ Amended 03/22/00, Special Policy #3
PERMISSIBLE USES: Pursuant to Chapter 18 PERMISSIBLE USES and if applicable, Chapter 51 PERMISSIBLE USES AND ACCESSORY STRUCTURES IN THE SHOREZONE AND LAKEZONE, the following primary uses may be permitted within all or a portion of the Plan Area. The list indicates if the use is allowed (A) or must be considered under the provisions for a special use (S). Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited within this Plan Area.

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

Residential

Single family dwelling (A).

Public Service

Pipelines and power transmission (S), transmission and receiving facilities (S), local public health and safety facilities (A), public utility centers (S), transportation routes (S), government offices (S), transit stations and terminals (S), cultural facilities (S), regional public health and safety facilities (S), and threshold-related research facilities (S).§

Recreation

Day use areas (A), riding and hiking trails (S), participant sports (S), developed campgrounds (S), beach recreation (A), and boat launching facilities (S).

Resource Management

Reforestation (A), regeneration harvest (S) sanitation salvage cut (A), selection cut (S) special cut (S), thinning (A), tree farms (S), timber stand improvement (S), early successional stage vegetation management (A), non-structural fish habitat management (A), non-structural wildlife habitat management (A), structural fish habitat management (S), structural wildlife habitat management (S), farm/ranch accessory structures (S), fire detection and suppression (A), fuels treatment (S), insect and disease suppression (A), prescribed fire management (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), SEZ restoration (A), and run-off control (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 1

Primary Uses

Beach recreation (intensive) (A), safety and navigational devices (A), boat launching facilities (S), and water oriented outdoor recreation concessions (S).

§ Amended 03/22/00, Public Service
Accessory Structures

Mooring buoys (A), piers (A), fences (S), boat ramps (A), floating docks and platforms (A), shoreline protective structures (S), and water intake lines (A).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Recreation</td>
<td></td>
</tr>
<tr>
<td>Developed Campgrounds</td>
<td>8 sites per acre</td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 55 CNEL.

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

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

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 5/22/02
008
LAKE FOREST

PLAN DESIGNATION:

- Land Use Classification: RESIDENTIAL
- Management Strategy: MITIGATION
- Special Designation: NONE

DESCRIPTION:

Location: This area includes the old residential area along Lake Forest Road near Tahoe City and can be found on TRPA map D-6.

Existing Uses: This is an area of mixed residential uses which range from old summer homes to newer condominium projects. There is extensive shoreline which is in public ownership. The area is 90 percent built out in the private lands.

Existing Environment: This area is 75 percent low hazard and 25 percent SEZ. The land coverage is 20 percent plus an additional 15 percent disturbed. The shorezone is classified as tolerance districts 1, 4 and 7 and as prime fish habitat. A large portion of the SEZ on the State of California’s Skylandia parcel is relatively undisturbed.

PLANNING STATEMENT: This area should continue to serve as a residential neighborhood of the existing type and character.

PLANNING CONSIDERATIONS:

1. There are eroding cliffs and public access problems on the shoreline.
2. The older portions of the area are not up to minimal BMP standards.
3. This area has some scenic problems identified with being an older area of mixed uses.
4. The prime fish habitat in Lake Tahoe is tentatively identified for habitat restoration.
5. Scenic Shoreline Unit 16 is within this Plan Area.

6. **The Shoreline Character Type within this Plan Area are “Visually Modified” and “Visually Sensitive”. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.**

SPECIAL POLICIES:

1. The Skylandia property should be maintained as a subregional recreation area as should the Tahoe City Public Utility District beach. Community involvement must be encouraged in any planned development of recreation facilities in this area.
2. To be consistent with the development standards contained in Chapter 54 of the Code and Goal #1, Policy 10 of the Goals and Policies Plan, the shoreline should be limited to one multiple use pier on Placer County property. The existing piers should be allowed to remain.

3. The shoreline area should remain in public ownership, and additional access and parking should be provided at Skylandia.

4. Organization should be encouraged to eliminate traffic and congestion problems at the Tahoe City Public Utility District beach.

5. Special Area #1 shall be considered one project area and the only personal service permissible is wedding chapels. The special use findings to add this use shall include that the project area has functional BMPs and the Historic Integrity of the property is being protected. §

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

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

- **Residential**
  - Single family dwelling (A).

- **Tourist Accommodation**
  - Bed and breakfast facilities (S).

- **Public Service**
  - Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), local post offices, (S), and churches (S).

- **Recreation**
  - Participant sports facilities (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).

- **Resource Management**
  - Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

**Special Area #1:** The following list of permissible uses is applicable in Special Area #1. All uses listed in the General List plus the following uses are permissible.

- **Commercial**
  - **Personal Services** (S) (See Special Policy #5). §

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§ Amended 12/20/00
Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 1

Primary Uses: safety and navigational devices (A) and salvage operations (A).

Accessory Structures: Mooring buoys (A), piers (A), fences (S), boat ramps (S), floating docks and platforms (A), and water intake lines (S).

Tolerance Districts 4 and 7

Primary Uses: Beach recreation (intensive) (A), safety and navigational devices (A), water oriented outdoor recreation concessions (S), and salvage operations (A).

Accessory Structures: Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), floating docks and platforms (A), shoreline protective structures (S), and water intake lines (S).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Tourist Accommodation</td>
<td></td>
</tr>
<tr>
<td>Bed and Breakfast Facilities</td>
<td>10 units per acre</td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
<tr>
<td>Piers in Visually Sensitive Character Unit</td>
<td>Average 1 pier per 300 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 55 CNEL.
**ADDITIONAL DEVELOPED OUTDOOR RECREATION**: The following are the targets and limits for additional developed outdoor recreation facilities specified in Chapter 13 to be located within this Plan Area. Specific projects and their timing are addressed in the TRPA Five-Year Recreation Program pursuant to Chapter 33 Allocation of Development. The following additional capacities allowed are measured in persons at one time:

- **SUMMER DAY USES 0 PAOT**
- **WINTER DAY USE 0 PAOT**
- **OVERNIGHT USES 0 PAOT**

**ENVIRONMENTAL IMPROVEMENT PROGRAMS**: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 5/22/02
010
DOLLAR POINT

DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RESIDENTIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>SCENERIC RESTORATION AREA</td>
</tr>
</tbody>
</table>

DESCRIPTION:

Location: This area includes the Dollar Point Subdivision and surrounding condominium developments and can be located on TRPA map D-6.

Existing Uses: The subdivision is a newer low density residential area and the condominiums have been constructed recently at medium density. The extensive shoreline is limited to private use. This area is 85 percent built out.

Existing Environment: 55 percent of the lands are classified low hazard and 35 percent are moderate hazard with small amounts of high hazard and SEZ lands. The shoreline is classified as tolerance districts 4 and 2 and as prime fish habitat. The land coverage is 25 percent plus an additional 20 percent disturbed. The subdivision does not meet all BMP standards. Improvements have been made in the sewer line shorezone erosion problems by the homeowners and the Public Utility District.

PLANNING STATEMENT: This area should continue as a residential area of the same type and character.

PLANNING CONSIDERATIONS:

1. The shoreline exhibits some erosion problems, and a portion of this area is tentatively targeted for habitat improvement.

2. Highway 28 in this area contains some large, unstabilized cut slopes.

3. Scenic Roadway Unit 16 and Scenic Shoreline Unit 16 are within this Plan Area. Both units are targeted for scenic restoration as required by the scenic threshold.

4. The Shoreline Character Type within this Plan Area are “Visually Modified” and “Visually Sensitive”. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.

SPECIAL POLICIES:

1. The cuts along the highway should be stabilized.

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

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

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Single family house dwelling (A).</td>
</tr>
<tr>
<td>Public Service</td>
<td>Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), churches (S), local post offices (S), and day care centers/pre-schools(S).</td>
</tr>
<tr>
<td>Recreation</td>
<td>Participant sports facilities (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).</td>
</tr>
<tr>
<td>Resource Management</td>
<td>Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).</td>
</tr>
</tbody>
</table>

**Shorezone:** Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

**Tolerance District 2**

<table>
<thead>
<tr>
<th>Primary Uses</th>
<th>Accessory Structure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Safety and navigational devices(A) and salvage operations (A).</td>
<td>Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).</td>
</tr>
</tbody>
</table>
Tolerance District 4

Primary Uses

Beach recreation (intensive) (A), safety and navigational devices (A), and salvage operations (A).

Accessory Structures

Moorings buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS,, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td></td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
<tr>
<td>Piers in Visually Sensitive Character Unit</td>
<td>Average 1 pier per 300 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL. The maximum community noise equivalent level for the Highway 28 corridor is 55 CNEL.

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

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

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 5/22/02
014
CEDAR FLAT

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RESIDENTIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>NONE</td>
</tr>
</tbody>
</table>

DESCRIPTION:

**Location:** This area is located in the Cedar Flat area north of Dollar Point and can be found on TRPA maps D-6 and D-5.

**Existing Uses:** The area consists of older low density residential subdivisions. The entire length of the shoreline below the highway is single family residential with minor access to a county-owned strip of shoreline. The area is 75 percent built out.

**Existing Environment:** The lands are classified 60 percent low hazard, 15 percent high hazard and 15 percent moderate hazard. The high hazard and steeper lands are located along the shoreline which is a tolerance district 2 and 4 and is designated as prime fish habitat. The land coverage is 15 percent plus an additional 25 percent disturbed.

PLANNING STATEMENT: This area should continue as a residential area of the same type and character now existing.

PLANNING CONSIDERATIONS:

1. Erosion is evident on over steepened lands adjacent to the lake.

2. Subdivision and highway improvements are not up to minimal BMP standards.

3. Private use of the county-owned shorezone strip has created conflicts between public and private uses.

4. The prime fish habitat in Lake Tahoe is tentatively identified for habitat restoration.

5. Severe flooding and erosion problems associated with development within SEZs and channelization of natural drainages.

6. Scenic Roadway Unit 17 and Scenic Shoreline Unit 18 are within this Plan Area.

7. The Shoreline Character Type within this Plan Area is “Visually Modified”. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.
SPECIAL POLICIES:

1. A specific plan shall be developed by Placer County for the county littoral strip of land known as Lake Forest #2 prior to any further shorezone development. The plan should balance private pier and buoy uses with public recreation and fishery management.

2. Attention should be given to an overall hydrologic study of the area and appropriate remedial actions to correct the problems.

3. The provisions of this Plan Area shall apply to Special Area #1 if TRPA finds that the threshold findings set forth in TRPA Ordinance 95-4 have been completed. If the findings have not been satisfied then the provisions of Plan Area 013 shall apply.

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

General List: The following list of permissible uses is applicable throughout the Plan Area; including Special Area #1:

Residential
- Single family dwelling (A).

Public Service
- Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), churches (S), local post offices (S), and day care centers/pre-schools (S).

Recreation
- Participant sports facilities (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).

Resource Management
- Reforestation (A), sanitation salvage cut (A), special cut (A), selection cut (S), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.
Tolerance District 2

Primary Uses
safety and navigational devices (A) and salvage operations (A).

Accessory Structures
Moorings, piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

Tolerance District 4

Primary Uses
Beach recreation (intensive) (A), safety and navigational devices (A), and salvage operations (A).

Accessory Structures
Moorings, piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area, including the Highway 28 corridor, is 55 CNEL.

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

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

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 5/22/02
Language to be deleted is *struck-out* in red. New proposed language is *underlined* in blue.
016B
CARNEILIAN BAY SUBDIVISION

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RESIDENTIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>NONE</td>
</tr>
</tbody>
</table>

DESCRIPTION:

Location: This area is located west of Carnelian Creek and can be found on TRPA map D-4.

Existing Uses: The area includes the older residential area to the west of Carnelian Creek. The shoreline is low density residential with a small county-owned strip of land. The area is 75 percent built out.

Existing Environment: This area is classified primarily low hazard with some SEZ. Land coverage and disturbance is high. The shorezone is classified as tolerance districts 4 and 6 and prime fish habitat.

PLANNING STATEMENT: This area should continue to be residential, maintaining the established character of the neighborhood.

PLANNING CONSIDERATIONS:

1. The prime fish habitat in Lake Tahoe is tentatively identified for habitat restoration.
2. The older subdivision is not up to minimal BMP standards.
3. Scenic Roadway Unit 18 and Scenic Shoreline Unit 19 are within the Plan Area.
4. The Shoreline Character Type within this Plan Area is “Visually Modified”. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.

SPECIAL POLICIES:

1. A specific plan shall be developed by Placer County for the county littoral strip of land known as Lake Forest #2 prior to any further shorezone development. The plan should balance private pier and buoy uses with public recreation and fishery management.

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

**Residential**
- Single family dwelling (A).

**Public Service**
- Local public health safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), and local post offices (S).

**Recreation**
- Participant sports facilities (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).

**Resource Management**
- Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

**Shorezone:** Within the specified shorezone tolerance districts, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulation applicable to the primary uses upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

**Tolerance Districts 4 and 6**

**Primary Uses**
- Beach recreation (intensive) (A), safety and navigational devices (A), and salvage operations (A).

**Accessory Structure**
- Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S) floating docks and platforms (A), shoreline protective structures (S), and water intake lines (S).

**MAXIMUM DENSITIES:** Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td><strong>Shorezone</strong></td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>
**MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL:** The maximum community noise equivalent level for this Plan Area, including the Highway 28 corridor is 55 CNEL.

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

- **SUMMER DAY USES 0 PAOT**
- **WINTER DAY USE 0 PAOT**
- **OVERNIGHT USES 280 PAOT**

**OTHER:** Winter parking; 11 miles of trail.

**ENVIRONMENTAL IMPROVEMENT PROGRAMS:** The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

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§ Amended 5/22/02
018
FLICK POINT/AGATE BAY

PLAN DESIGNATION:

- Land Use Classification: RESIDENTIAL
- Management Strategy: MITIGATION
- Special Designations: SCENIC RESTORATION

DESCRIPTION:

Location: This area is located between Carnelian Bay and Tahoe Vista and can be found on TRPA map E-4.

Existing Use: The area is a low density single family dwelling residential area. The shoreline is devoted to single family dwellings. This area is 80 percent built out.

Existing Environment: The area is a mixture 50 percent high hazard and 50 percent low and moderate hazard. The shoreline is classified as tolerance districts 6 and 2 with some prime fish habitat. The land coverage is 15 percent plus an additional 30 percent disturbed.

PLANNING STATEMENT: This area should continue to be residential, maintaining the existing character.

PLANNING CONSIDERATIONS:

1. Portions of the subdivisions may not be up to minimal BMP standards.
2. The prime fish habitat in Lake Tahoe is tentatively identified for habitat restoration.
3. Shorezone erosion is evident.
4. Scenic Roadway Units 18 and 19 and Scenic Shoreline Unit 20 are within this Plan Area, and Roadway Unit 19 is identified for scenic restoration.
5. The Shoreline Character Type within this Plan Area is “Visually Modified”. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54

SPECIAL POLICIES: No special policies.

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

**Residential**
- Single family dwelling (A).

**Public Service**
- Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), churches (S), local post offices (S), and day care centers/pre-schools (S).

**Recreation**
- Participant sports facilities (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).

**Resource Management**
- Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

**Shorezone:** Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

**Tolerance District 6**

**Primary Uses**
- Beach recreation (intensive) (A), safety and navigational devices (A), and salvage operations (A).

**Accessory Structures**
- Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

**Tolerance District 2**

**Primary Uses**
- Safety and navigational devices (A) and salvage operations (A).

**Accessory Structures**
- Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).
MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY, and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive programs, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL. The maximum community noise equivalent level for the Highway 28 corridor is 55 CNEL.

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

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

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 5/22/02
021
TAHOE ESTATES

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RESIDENTIAL</th>
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</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>NONE</td>
</tr>
</tbody>
</table>

DESCRIPTION:

Location: This area is located on the west and north sides of the Tahoe Vista commercial area and can be found on TRPA maps E-3 and E-4.

Existing Use: This is an older low density residential area that is 60 percent built out.

Existing Environment: The area is classified 20 percent moderate and 80 percent low hazard. Land coverage is 15 percent plus an additional 25 percent disturbed.

PLANNING STATEMENT: This area should continue to be residential, maintaining the existing character of the neighborhood.

PLANNING CONSIDERATIONS:

1. The subdivision improvements are not up to minimal BMP standards.
2. Scenic Roadway Unit 20 and Scenic Shoreline Unit 21 are within this Plan Area.
3. The Shoreline Character Types “Visually Modified” and “Visually Sensitive” are within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.

SPECIAL POLICIES: No special policies.

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

**Residential**
Single family dwelling (A).

**Public Service**
Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transportation routes (S), public utility centers (S), churches (S), local post offices (S), and day care centers/pre-schools (S).

**Recreation**
Participant sports facilities (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).

**Resource Management**
Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

**Shorezone:** Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

**Tolerance District 2**

**Primary Uses**
safety and navigational devices (A) and salvage operations (A).

**Accessory Structures**
Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

**MAXIMUM DENSITIES:** Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive programs, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
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</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
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<tr>
<td><strong>Shorezone</strong></td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
<tr>
<td>Piers in Visually Sensitive Character Unit</td>
<td>Average 1 pier per 300 linear ft</td>
</tr>
</tbody>
</table>
MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area, including the Highway 28 corridor, is 55 CNEL.

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

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

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 5/22/02
024B
SNOW CREEK

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RECREATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>NONE</td>
</tr>
</tbody>
</table>

DESCRIPTION:

Location: This area is located west of the Brockway Golf Course in Tahoe Vista. This area is located on TRPA maps E-3, E-4, and F-4.

Existing Uses: This area consists of the undeveloped portions of the Woodvista Subdivision and the Moon Dunes Beach.

Existing Environment: Approximately 30 percent of the area is the Snow Creek SEZ and the remaining lands are classified as low hazard lands.

PLANNING STATEMENT: The planning of this area should focus on providing outdoor recreation opportunities.

PLANNING CONSIDERATIONS:

1. The development status of the unimproved portion of the Woodvista Subdivision is unresolved.

2. There is extensive disturbance in the Snow Creek SEZ and a gauging station blocks fish migration.

3. Scenic Roadway Unit 20 and Scenic Shoreline Unit 21 are within this Plan Area.

4. The Shoreline Character Types within this Plan Area are “Visually Modified” and “Visually Sensitive”. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54

SPECIAL POLICIES:

1. Owners of legal lots and parcels of record should be encouraged to transfer their development rights out of this area.

2. No further residential development within this portion of Woodvista subdivision should be permitted until the status of Woodvista subdivision is established by the TRPA Governing Board.
PERMISSIBLE USES: Pursuant to Chapter 18 PERMISSIBLE USES and if applicable, Chapter 51 PERMISSIBLE USES AND ACCESSORY STRUCTURES IN THE SHOREZONE AND LAKEZONE, the following primary uses may be permitted within all or a portion of the Plan Area. The list indicates if the use is allowed (A) or must be considered under the provisions for a special use (S). Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited within this Plan Area.

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

Residential
- Single family dwelling (S).

Public Service
- Pipelines and power transmissions (S), transmission and receiving facilities (S), local public health and safety facilities (S), public utility centers (S), transportation routes (S), government offices (S), and transit stations and terminals (S).

Recreation
- Cross country skiing courses (S), day use areas (A), riding and hiking trails (A), undeveloped campgrounds (S), participant sports (A), developed campgrounds (S), outdoor recreation concessions (A), recreational vehicle park (S), rural sports (S), group facilities (S), snowmobile courses (S), and beach recreation (A).

Resource Management
- Reforestation (A), regeneration harvest (S), sanitation salvage cut (A), selection cut (S), special cut (S), thinning (A), timber stand improvement (S), tree farms (S), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (S), structural wildlife habitat management (S), farm/ranch accessory structures (S), grazing (S), range pasture management (S), range improvement (S), fire detection and suppression (A), fuels treatment (S), insect and disease suppression (A), prescribed fire management (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 6

Primary Uses
- Beach recreation (intensive) (A), and water oriented outdoor recreation concessions (S), and safety and navigation devices (A).

Accessory Structures
- Mooring buoys (A), piers (multiple use only) (A), fences (S), floating docks and platforms (A), shoreline protective structures (S), and water intake lines (A).
MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

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</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
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<tr>
<td>Recreation</td>
<td></td>
</tr>
<tr>
<td>Developed Campgrounds</td>
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<td>Group Facilities</td>
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<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
<tr>
<td>Piers in Visually Sensitive Character Unit</td>
<td>Average 1 pier per 300 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL. The maximum community noise equivalent level for the Highway 28 corridor is 55 CNEL.

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

- SUMMER DAY USES 0 PAOT
- WINTER DAY USE 0 PAOT
- OVERNIGHT USES 0 PAOT
- OTHER: Two miles of trail.

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

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§ Amended 5/22/02
BROCKWAY

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RESIDENTIAL</th>
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</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>SCENIC RESTORATION AREA</td>
</tr>
</tbody>
</table>

DESCRIPTION:

Location: This is the residential area along Highway 28 between Kings Beach and North Stateline and is located on TRPA map F-4.

Existing Uses: The area is a mixed residential area of condominiums and single family dwellings. The shoreline is in private ownership. This area is 75 percent built out.

Existing Environment: 30 percent of the lands are classified as high hazard and the balance are low hazard. The shorezone tolerance districts are 3, 6, 7 and 8 with prime fish habitats. The land coverage is 20 percent with an additional 25 percent disturbed.

PLANNING STATEMENT: This area should continue to be residential, maintaining the existing character of the neighborhood.

PLANNING CONSIDERATIONS:

1. This area contains the only hot springs in the Basin.
2. Traffic congestion is evident on Highway 28 during peak periods.
3. The prime fish habitat in Lake Tahoe is tentatively identified for habitat restoration.
4. Some areas are not up to minimal BMP standards.
5. Scenic Roadway Unit 20 and Scenic Shoreline Unit 22 are within this Plan Area. Scenic Roadway Unit 20 is targeted for scenic restoration as required by the scenic threshold.
6. There is a narrow littoral strip of land claimed by Placer County in the western portion of this Plan Area.

7. The Shoreline Character Type “Visually Modified” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.
**SPECIAL POLICIES:**

1. A pedestrian facility should be constructed to link Kings Beach and North Stateline.

2. Development of Brockway Springs shall be as approved in the TRPA litigation settlement.

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

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

**Residential**
- Single family dwelling (A).

**Tourist Accommodation**
- Bed and breakfast facilities (S).

**Public Service**
- Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), churches (S), and local post offices (S).

**Recreation**
- Participant sports facilities (S), temporary events (A), day use areas (A), riding and hiking trails (A), and beach recreation (A).

**Resource Management**
- Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

**Shorezone:** Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

**Tolerance Districts 6, 7 and 8**

**Primary Uses**
- Beach recreation *(intensive)* (A), safety and navigational devices (A), and salvage operations (A).

**Accessory Structures**
- Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).
Tolerance District 3

Primary Uses

Safety and navigational devices (A) and salvage operations (A).

Accessory Structures

Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

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<th>USE</th>
<th>MAXIMUM DENSITY</th>
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<tbody>
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<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
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<tr>
<td>Tourist Accommodation</td>
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<tr>
<td>Bed and Breakfast Facilities</td>
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<td><strong>Shorezone</strong></td>
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<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
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</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area, including the Highway 28 corridor, is 55 CNEL.

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

- **SUMMER DAY USES 0 PAOT**
- **WINTER DAY USE 0 PAOT**
- **OVERNIGHT USES 0 PAOT**

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 5/22/02
STATELINE POINT

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RESIDENTIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>SHOREZONE PRESERVATION AREA</td>
</tr>
<tr>
<td></td>
<td>NONE</td>
</tr>
</tbody>
</table>

DESCRIPTION:

**Location:** This area is located to the south and east of the North Stateline casino core, and can be found on TRPA map F-4.

**Existing Uses:** The area is predominately a low density single family dwelling area with one condominium project. The area is 70 percent built out.

**Existing Environment:** The area is classified as 80 percent high hazard lands, 15 percent moderate hazard lands and five percent SEZ lands. The shorezone tolerance is classified as three with prime fish habitats. The land coverage is 35 percent plus an additional 25 percent disturbed.

PLANNING STATEMENT: This area should continue to be residential, maintaining the existing character of the neighborhood.

PLANNING CONSIDERATIONS:

1. The subdivision improvements are not up to minimal BMP standards.
2. This area is identified as a sensitive scenic viewshed.
3. Scenic Roadway Unit 21 and Scenic Shorezone Unit 23 are within this Plan Area.
4. The prime fish habitat along the shorezone is tentatively designated for habitat restoration.
5. The Shoreline Character Types “Visually Modified” and “Visually Sensitive” are within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.

SPECIAL POLICIES: No specific policies.

1. The designated Shorezone Preservation Area requires protection from additional Shorezone development affecting significant biological, scenic, and other natural resource values.
PERMISSIBLE USES: Pursuant to Chapter 18 PERMISSIBLE USES and if applicable, Chapter 51 PERMISSIBLE USES AND ACCESSORY STRUCTURES IN THE SHOREZONE AND LAKEZONE, the following primary uses may be permitted within all or a portion of the Plan Area. The list indicates if the use is allowed (A) or must be considered under the provisions for a special use (S). Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited within this Plan Area.

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

Residential

Single family dwelling (A).

Public Service

Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), and public utility centers (S).

Recreation

Participant sports facilities (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).

Resource Management

Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 3

Primary Uses

safety and navigational devices (A) and salvage operations (A).

Accessory Structures

Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).
MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td><strong>Shorezone</strong></td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL. The maximum community noise equivalent level for the Highway 28 corridor is 55 CNEL.

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

- **SUMMER DAY USES 0 PAOT**
- **WINTER DAY USE 0 PAOT**
- **OVERNIGHT USES 0 PAOT**

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. § Amended 5/22/02
Language to be deleted is **struck-out in red.** New proposed language is **underlined in blue**
034
CRYSTAL BAY

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RESIDENTIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>NONE</td>
</tr>
</tbody>
</table>

DESCRIPTION:

Location: This area is located along Highway 28 between the casino core and Incline Village, and can be found on TRPA maps F-4, F-3, and G-3.

Existing Uses: This area is an older low density single family dwelling residential area. The shoreline is in private ownership. The area is 50 percent built out.

Existing Environment: The entire area is high hazard. The shorezone tolerance district is classified 3 with prime fish habitat. The land coverage is 15 percent plus an additional 20 percent disturbed.

PLANNING STATEMENT: This area should continue to be residential, maintaining the existing character of the neighborhood.

PLANNING CONSIDERATIONS:

1. The area is not up to minimal BMP standards.
2. Highway 28 has capacity problems which are compounded by single family dwelling encroachment.
3. This area has been identified as an avalanche danger area.
4. The fish habitat has been encroached upon and is tentatively designated for habitat restoration.
5. There is a lack of natural water quality treatment areas.
6. This area has been identified as a sensitive viewshed.
7. Scenic Roadway Unit 21 and Scenic Shorezone Unit 23 are within this Plan Area.
8. The Shoreline Character Type “Visually Modified” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.
SPECIAL POLICIES:

1. Further encroachment permits should be discouraged on Highway 28.

2. Due to the large amount of coverage in the steep, class 1a areas, and lack of natural treatment areas, this area is a high priority for land coverage removal and site restoration.

3. Due to the sensitivity of the area and the public safety issues, all further development will be considered a special use.

4. Further study of the avalanche danger is required to resolve the avalanche problem and to ensure that new and existing development is consistent with the findings of that study.

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

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

Residential
- Single family dwelling (S).

Public Service
- Local public health and safety facilities (S), transit stations (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), and public utility centers (S).

Recreation
- Riding and hiking trails (A).

Resource Management
- Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels management/treatment (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 3

Primary Uses
- safety and navigational devices (A) and salvage operations (A).

Accessory Structures
- Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).
MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

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<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL. The maximum community noise equivalent level for the Highway 28 corridor is 55 CNEL.

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

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

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 5/22/02
035
CRYSTAL BAY CONDOMINIUMS

PLAN DESIGNATION:

- **Land Use Classification**: RESIDENTIAL
- **Management Strategy**: MITIGATION
- **Special Designation**: SCENIC RESTORATION AREA

DESCRIPTION:

**Location**: This area is the condominium complex located generally below Highway 28 on the west side of Incline Village and can be found on TRPA map G-3.

**Existing Uses**: This area is high density residential except for a small pocket of commercial uses at Highway 28 and Lakeshore Boulevard. This area is 90 percent built out.

**Existing Environment**: The area is classified 60 percent moderate hazard, 15 percent SEZ, and 25 percent high hazard. The land coverage is 55 percent and disturbance is 25 percent. The shoreline is classified as tolerance districts 2 and 3 with prime fish habitats.

PLANNING STATEMENT: This area should continue as high density residential, maintaining the existing character of the neighborhood.

PLANNING CONSIDERATIONS

1. The lakeside development drainage of discharges directly into Lake Tahoe.

2. The prime fish habitat may have been degraded and is tentatively identified for habitat restoration. Buoy fields in this cove may inhibit fishing opportunities.

3. First Creek has been substantially encroached upon by condominium development. Major stream barriers due to poor culvert design are found at Highway 28.

4. There is a high percentage of land coverage.

5. The condominium complex blocks views of the lake from the roadway.

6. Scenic Roadway Unit 22 and Scenic Shorezone Unit 23 are within this Plan Area. The roadway unit is targeted for restoration as required by the scenic thresholds.

7. The Shoreline Character Type “Visually Modified” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54
SPECIAL POLICIES:

1. The small commercial node at Highway 28 and Lakeshore Drive should continue to provide neighborhood services provided the sites are brought up to BMP standards.

2. The condominium projects should be vegetatively screened from the highway and shorezone. The condominium structures should blend into the shoreline as well as possible through color selection and landscaping.

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

General List: The following list of permissible uses is applicable throughout the Plan Area (except as noted in Special Area #1):

- **Residential**
  - Single family dwelling (A).

- **Public Service**
  - Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), and public utility centers (S).

- **Recreation**
  - Participant sports facilities (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).

- **Resource Management**
  - Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

Special Area #1: Only the following list of permissible uses is applicable in Special Area #1.

- **Commercial**
  - Eating and drinking places (A), food and beverage retail sales (A), service station (A), outdoor retail sales (S), professional offices (S), furniture, home furnishings and equipment (S), and general merchandising stores (S).

- **Public Service**
  - Those listed on the General List for this Plan Area.

- **Recreation**
  - Those listed on the General List for this Plan Area.

- **Resource Management**
  - Those listed on the General List for this Plan Area.
**Shorezone:** Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

**Tolerance Districts 2 and 3**

**Primary Uses**
- safety and navigational devices (A) and salvage operations (A).

**Accessory Structures**
- Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

**MAXIMUM DENSITIES:** Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

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<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>

**MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL:** The maximum community noise equivalent level for this Plan Area is 55 CNEL. The maximum community noise equivalent level for the Highway 28 corridor is 55 CNEL.

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

- **SUMMER DAY USES 0 PAOT**  
- **WINTER DAY USE 0 PAOT**  
- **OVERNIGHT USES 0 PAOT**

**ENVIRONMENTAL IMPROVEMENT PROGRAMS:** The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

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§ Amended 5/22/02
037
LAKEVIEW

PLAN DESIGNATION:

<table>
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<th>Land Use Classification</th>
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<tbody>
<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
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</tbody>
</table>

DESCRIPTION:

Location: This area is located south of Highway 28 between the Crystal Bay Condominiums and Incline Beach, and can be located on TRPA maps G-3, H-3, and H-4.

Existing Uses: Existing uses include low density residential and private recreational uses. The area is 75 percent built out.

Existing Environment: The land capability in the area is good, with 65 percent low hazard lands, 15 percent moderate hazard lands and 20 percent SEZ lands. This plan area includes a large portion of the Incline Village shorezone. The shorezone is classified as tolerance districts 2 and 7 with prime fish habitats. The land coverage is 20 percent plus an additional 20 percent disturbed.

PLANNING STATEMENT: This area should continue as residential, maintaining the existing character of the neighborhood.

PLANNING CONSIDERATIONS:

1. This planning area includes a large section of shorezone, including IVGID's Burnt Cedar Beach, which have limited public access.

2. The western portion of this planning area consists of a few large parcels along the shoreline with sandy beaches.

3. There is a high concentration of piers in what is designated as Prime Fish Habitat and littoral currents may be interrupted by the presence of man-made jetties and breakwaters. The area is tentatively designated for habitat restoration.

4. This area is subject to high wave action.

5. Wood Creek is partially diverted by a lakeshore landowner to fill a pond. The diversion near the lake and the facilities that carry water under the roads create barriers to fish migration.

6. A diversion box creates a barrier to fish migration on Second Creek.

7. Scenic Roadway Unit 22 and Scenic Shorezone Unit 23 are within this Plan Area.
8. State Route 28 within this Plan Area is proposed to be expanded to four lanes as part of
the second phase set forth under Goal #1, Policy #1 of the Regional Highway System
Subelement of the Goals and Policies Plan.

9. The Shoreline Character Types “Visually Modified” and “Visually Sensitive” are within this
Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of
Ordinances Chapters 12, 50 & 54.

SPECIAL POLICIES:

1. Multi-use piers are preferred to single-use piers in Lakeshore Subdivision #1.

2. Restoration of the shorezone and stream zones to natural conditions should be
encouraged.

3. Expansion of the Burnt Cedar beach area should be encouraged.

4. Special consideration should be given to protecting public views from Lakeshore
Boulevard.

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

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

Residential
- Single family dwelling (A).

Tourist Accommodation
- Bed and breakfast facilities (S).

Public Service
- Local public health and safety facilities (S), transit
stations and terminals (S), pipelines and power
transmission (S), transmission and receiving facilities
(S), transportation routes (S), public utility centers (S),
and local post offices (S).

Recreation
- Participant sports (S), temporary events (A), day use
areas (A), riding and hiking trails (A), and beach
recreation (A).

Resource Management
- Reforestation (A), sanitation salvage cut (A), special cut
(A), thinning (A), early successional stage vegetation
management (A), structural and nonstructural
fish/wildlife habitat management (A), fire detection and
suppression (A), fuels treatment/management (A), insect
and disease suppression (A), sensitive and uncommon
plant management (A), erosion control (A), SEZ
restoration (A), and runoff control (A).
Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 7

Primary Uses
Beach recreation (intensive) (A), safety and navigational devices (A), and salvage operations (A).

Accessory Structures
Mooring buoys (A), piers (A), fences (S), boat ramps (A), breakwaters or jetties (S), floating docks and platforms (A), water intake lines (A), and shoreline protective structures (S)

Tolerance District 2

Primary Uses
Safety and navigational devices (A) and salvage operations (A).

Accessory Structures
Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), floating docks and platforms (A), water intake lines (A), and shoreline protective structures (S)

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

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<th>USE</th>
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</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Tourist Accommodation</td>
<td></td>
</tr>
<tr>
<td>Bed and breakfast facilities</td>
<td>5 units per parcel</td>
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<td>Shorezone</td>
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<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
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<tr>
<td>Piers in Visually Sensitive Character Unit</td>
<td>Average 1 pier per 300 linear ft</td>
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MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 55 CNEL.

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

SUMMER DAY USES 0 PAOT  WINTER DAY USE 0 PAOT  OVERNIGHT USES 0 PAOT
ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 5/22/02
047
TUNNEL CREEK

PLAN DESIGNATION:

<table>
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<th>Land Use Classification</th>
<th>CONSERVATION</th>
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<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
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</tr>
</tbody>
</table>

DESCRIPTION:

Location: This area extends south from the Incline ski area to just north of Sand Harbor and east of Highway 28 to the Basin Boundary, but excludes the developed portion of the Rocky Point Subdivision. The location of this area is depicted on TRPA maps H-4, H-3, and the Marlette Quadrangle.

Existing Uses: This area has no developed parcels and road access is extremely limited. The area serves as a backdrop to the Ponderosa Ranch and the IVGID sewage treatment plant. Ownership within the planning area is split among Nevada State Parks, USFS, IVGID, and private owners.

Existing Environment: The planning area is mostly classified as high hazard. The natural vegetation is dominated by mature stands of mixed conifer fir although rabbit brush and riparian vegetation are also common. The shorezone is tolerance district 3.

PLANNING STATEMENT: This area should be managed for watershed protection. Disturbed areas should be restored and uses and activities limited to dispersed forms of recreation.

PLANNING CONSIDERATIONS:

1. There are extensive areas of disturbed soil, mostly associated with unimproved dirt roads.

2. There are water filings on Bonpland Creek and Tunnel Creek which are capable of drying the creeks during the summer.

3. The legal status of several unimproved lots in Rocky Point Subdivision is uncertain.

4. The Agency Wildlife Map identifies deer migration routes in this Plan Area.

5. The Shoreline Character Type “Visually Modified” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.
SPECIAL POLICIES:

1. The area should be managed primarily for its natural qualities and dispersed recreational opportunities.

2. This area should receive high priority for restoring disturbed lands.

3. The area should be maintained as a scenic backdrop to views from the roadway and lake.

4. Lands under Ponderosa Ranch ownership should be considered for additional outdoor recreation opportunities by the Community Plan which includes Plan Area 054.

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

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

Residential
- Domestic animal raising (S), single family dwelling (S), and summer homes (S).

Public Service
- Transmission and receiving facilities (S), pipelines and power transmission (S), transportation routes (S), and local public health and safety facilities (S).

Recreation
- Day use areas (S), cross country skiing courses (A), developed campgrounds (S), outdoor recreation concessions (S), riding and hiking trails (A), rural sports (S), and undeveloped campgrounds (S).

Resource Management
- Reforestation (A), sanitation salvage cut (A), selection cut (A), special cut (A), thinning (A), timber stand improvement (A), tree farms (A), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), farm/ranch accessory structures (S), grazing (S), range pasture management (A), range improvement (S), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), prescribed fire management (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.
Tolerance District 3

Primary Uses
Safety and navigational devices (A) and salvage operations (A).

Accessory Structures
Mooring buoys (S), fences (S), floating docks and platforms (A), piers (A), shoreline protective structures (S), and water intake lines (S).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Summer Home</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Recreation</td>
<td></td>
</tr>
<tr>
<td>Developed campgrounds</td>
<td>8 sites per acre</td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 45 CNEL.

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

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

OTHER: Trailhead and eight miles of trail.

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 5/22/02
049
MILL CREEK

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RESIDENTIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>SCENIC RESTORATION AREA</td>
</tr>
</tbody>
</table>

DESCRIPTION:

Location: This area is located in the eastern portion of Incline Village between Highway 28 and Lake Tahoe, and can be found on TRPA maps H-3 and H-4.

Existing Uses: Existing uses include primarily low density residential. The area does include several large residential parcels (more than 1 acre in size). The shoreline in this area is entirely under private ownership. The area is 85 percent built out.

Existing Environment: The area is 65 percent low hazard and 20 percent SEZ with small portions of high and moderate hazard. The shorezone tolerance district is 7 with one small section of tolerance 3 in the southern most portion. The land coverage is 15 percent plus an additional 20 percent disturbed.

PLANNING STATEMENT: The area should continue as residential, maintaining the existing character of the neighborhood.

PLANNING CONSIDERATIONS:

1. In the southeast portion of the Plan Area there are some large parcels on the hillside above Highway 28. These residences are accessible by dirt roads, specifically Tunnel Creek Road. There are major stabilization and drainage problems in this area associated with these unimproved roads.

2. The shorezone in this area is entirely in private ownership, contains numerous piers and associated structures in prime fish habitats. The area of prime fish habitat is tentatively designated for habitat restoration.

3. The majority of this Plan Area is developed single family residences. The area contains some severe problems with high groundwater and stream environment zones.

4. Mill Creek has marginal potential as a fishery.

5. Scenic Roadway Unit 25 and Scenic Shorezone Unit 23 are in this Plan Area. Scenic Roadway Unit 25 is targeted for scenic restoration as required by the scenic threshold.

6. State Route 28 within this Plan Area is proposed to be expanded to four lanes as part of the second phase set forth under Goal #1, Policy #1 of the Regional Highway System Subelement of the Goals and Policies Plan.
7. The Shoreline Character Types “Visually Modified” and “Visually Sensitive” are within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.

SPECIAL POLICIES:

1. Stream environment zone restoration should be a high priority in this area.

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

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

Residential
- Single family dwelling (A).

Tourist Accommodation
- Bed and breakfast facilities (S).

Public Service
- Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), churches (S), local post offices (S), and day care centers/pre-schools (S).

Recreation
- Participant sports facilities (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).

Resource Management
- Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.
Tolerance District 3

Primary Uses

Safety and navigational devices (A) and salvage operations (A).

Accessory Structures

Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

Tolerance District 7

Primary Uses

Beach recreation (intensive) (A), safety and navigational devices (A), and salvage operations (A).

Accessory Structures

Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

MAXIMUM DENSITIES:

Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Tourist Accommodation</td>
<td></td>
</tr>
<tr>
<td>Bed and breakfast facilities</td>
<td>5 units per parcel</td>
</tr>
<tr>
<td>Recreation</td>
<td></td>
</tr>
<tr>
<td>Developed campgrounds</td>
<td>8 sites per acre</td>
</tr>
</tbody>
</table>

Shorezone

Piers in Visually Modified Character Unit | Average 1 pier per 100 linear ft
Piers in Visually Sensitive Character Unit | Average 1 pier per 300 linear ft

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL:

The maximum community noise equivalent level for this Plan Area is 50 CNEL. The maximum community noise equivalent level for the Highway 28 corridor is 55 CNEL except where it abuts Plan Area 054 which is 60 CNEL.

ADDITIONAL DEVELOPED OUTDOOR RECREATION:

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

SUMMER DAY USES 0 PAOT WINTER DAY USE 0 PAOT OVERNIGHT USES 0 PAOT
ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 5/22/02
055
EAST SHORE

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RECREATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>SHOREZONE PRESERVATION AREA</td>
</tr>
</tbody>
</table>

TDR RECEIVING AREA FOR:

1. Multi-Residential Units (Limited to Employee Housing)

DESCRIPTION:

Location: This area is situated on the lakeward side of a line 300 feet east of Highway 28 and extends from Rock Point to Skunk Harbor. The mapped boundaries of this area are depicted on TRPA map H-4 and the Marlette Lake Quadrangle.

Existing Uses: Lake Tahoe forms the western boundary of this Plan Area, and for this reason, the area is popular for scenic driving, fishing, sunbathing, boating, and swimming. The largest portion of the planning area is managed for recreational use by the USFS and Nevada State Parks. Sand Harbor is a developed recreational site that provides day-use facilities for beach and boat users. Much of the remaining shoreline is used less intensively by swimmers and sunbathers. Private areas include the Rocky Point Subdivision, Whittell’s Thunderbird Lodge, and a small parcel with two cabins in the vicinity of Secret Harbor. In addition, State Park employee residences are within this Plan Area.

Existing Environment: The shoreline is rocky, often steep in places, and is classified as moderate to high hazard, tolerance districts 1, 3 and 5. The backshore is covered by large pine and fir trees with a moderate to dense understory of shrub vegetation. One of only two known active osprey nest sites in Nevada is located in this Plan Area.

PLANNING STATEMENT: Developed recreation facilities should be limited to existing sites, and the remainder of the area should be managed for dispersed recreation consistent with the tolerance capabilities of the shorezone. Existing residential uses should be allowed to remain.

PLANNING CONSIDERATIONS:

1. Trails to the shoreline are creating erosion problems.
2. Parking for access to the shorezone is primarily on the highway shoulder and contributes to water quality problems and detracts from the scenic drive.
3. Undeveloped parcels of Rocky Point are located on high hazard lands, with some lacking adequate improvements.
4. There is a barrier to fish migration where Tunnel Creek passes under Highway 28.

5. There are two water filings on Marlette Creek that could cause problems with late summer flows.

6. The slopes extending up from Highway 28 are highly visible from paths leading down to Hidden Beach and other areas along the lake.

7. There are localized sanitary problems along the shorezone due to the popularity of the area and lack of toilet facilities.

8. Scenic Roadway Units 26 and 27 and Scenic Shoreline Units 24 and 25 are within this Plan Area and are in attainment.


10. The Shoreline Character Types “Naturally Dominated” and “Visually Sensitive” are within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances, Chapters 12, 50 & 54.

SPECIAL POLICIES:\n
1. Access to the undeveloped portions of the shorezone should be restricted to a developed system of trails.

2. Disturbing activities should be minimized in the vicinity of the osprey nest sites.

3. Roadside parking should be replaced by offsite parking in association with transit service, and ecologically designed trails to the shorezone should be provided to improve shorezone access. Roadway parking controls should be used to eliminate parking problems.

4. The placement of a vault toilet that can be serviced via a maintenance road/trail should be considered for Hidden Beach. Such roads and facilities should be set back from the edge of the bluff.

5. Highway 28 should be managed as a scenic corridor with special emphasis placed on stabilization and revegetation of road cuts. Attractive wooded barricades should be placed along the roadway where parking is contributing to erosion or vegetation damage. Paved pullouts should be established for short-term parking where deemed appropriate by personnel of the USFS or State Parks.

6. Pullout facilities along Highway 28 should provide opportunities for scenic viewing and picture taking and should be designed to blend in with the natural features of the area.

7. Road cuts along Highway 28 should be stabilized and revegetated to enhance the scenic quality of views from the roadway, lake, and trails.

8. Development should be permitted only in the area where tree cover is sufficient to visually absorb new structures, road cuts, and other attendant improvements.

§ Amended 8/22/01.
9. The maximum carrying capacity for activities at Thunderbird Lodge shall be consistent with the Project Description and Capacity Analysis, dated 5/17/01, and submitted to TRPA.

10. Any change in use at the Thunderbird Lodge requires approval by the Governing Board.

11. The designated Shorezone Preservation Area requires protection from additional Shorezone development affecting significant biological, scenic, and other natural resource values.

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

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

Residential

- Employee housing (S), single family dwelling (S), and summer homes (S).

Public Service

- Pipelines and power transmission (S), local public safety facilities (S), publicly owned assembly and entertainment (S), cultural facilities (S), transportation routes (S), government offices (S), and transit stations and terminals (S).

Recreation

- Marinas (S), day use areas (A), riding and hiking trails (A), undeveloped campgrounds (A), participant sports (S), developed campgrounds (A), outdoor recreation concessions (A), rural sports (S), group facilities (S), beach recreation (A), and boat launching facilities (S).

Resource Management

- Reforestation (A), sanitation salvage cut (A), special cut (S), selection cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

§ Amended 8/22/01
Tolerance District 1, 3 and 5

Primary Uses
Water oriented outdoor recreation concessions (A), beach recreation (intensive) (A), tour boat operations (S), safety and navigational devices (A), marinas (S), waterborne transit (S), and boat launching facilities (S).

Accessory Structures*
Mooring buoys (A), piers (A), fences (S), breakwaters or jetties (S), floating docks and platforms, shoreline protective structures (S), and water intake lines (A).

Tolerance District 3 and 5

Primary Uses
Salvage (A).

Accessory Structures*
Mooring buoys (S), fences (S), floating platforms (S), piers (S), shoreline protective structures (S), and water intake lines (S).

* No additional Shorezone structures shall be permitted in the designated Shorezone Preservation Area except as provided in Code Subsection 50.4.B

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

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</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Employee Housing</td>
<td>5 units on State Parks Lands</td>
</tr>
<tr>
<td>Summer Home</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Recreation</td>
<td></td>
</tr>
<tr>
<td>Developed Campgrounds</td>
<td>8 sites per acre</td>
</tr>
<tr>
<td>Group Facilities</td>
<td>25 persons per acre</td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Sensitive Character Unit</td>
<td>Average 1 pier per 300 linear ft</td>
</tr>
<tr>
<td>Naturally Dominated</td>
<td>NA</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL. The maximum community noise equivalent level for the Highway 28 corridor is 55 CNEL.
ADDITIONAL DEVELOPED OUTDOOR RECREATION: The following are the targets and limits for additional developed outdoor recreation facilities specified in Chapter 13 to be located within this Plan Area. Specific projects and their timing are addressed in the TRPA Five-Year Recreation Program pursuant to Chapter 33 Allocation of Development. The following additional capacities allowed are measured in persons at one time:

- **SUMMER DAY USES 0 PAOT**
- **WINTER DAY USE 0 PAOT**
- **OVERNIGHT USES 0 PAOT**

Other: Improve or replace existing unimproved pullout parking facilities servicing existing recreational uses. Eight miles of trail.

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 5/22/02
057
SPOONER LAKE

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RECREATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>SHOREZONE PRESERVATION AREA</td>
</tr>
</tbody>
</table>

DESCRIPTION:

**Location:** This area extends east of Glenbrook to the Basin boundary and south from Skunk Harbor to the vicinity of Highway 50 and Spooner Summit. The boundaries of this area are depicted on the Agency maps H-10, H-11, Marlette Quadrangle and Glenbrook Quadrangle.

**Existing Uses:** Most of the Plan Area is in public ownership and currently is being managed by the USFS and Nevada State Parks for recreation and some timber management. The shorezone area has restricted vehicular access and is being managed for quality recreation experiences that include hiking, sunbathing, and other day use activities that require few, if any, support facilities. Developed day use facilities are provided by the Nevada Parks Department in the vicinity of Spooner Lake. The Lake provides fishing opportunities. Slaughterhouse Canyon offers excellent opportunities for hiking and cross country skiing. Other facilities in the area include a highway maintenance station and a U.S. Forest Service fire station.

**Existing Environment:** Extensive modifications or disturbances are mostly restricted to the highways that cross through the Plan Area. Dominant plant communities include mixed conifer fir, rabbit brush, Basin sagebrush, manzanita, red fir, and deciduous riparian vegetation. Most of the Plan Area is classified as high hazard. Shorezone on Lake Tahoe is tolerance districts 3 and 5.

**PLANNING STATEMENT:** This area should provide for low to moderate resource management and expanded recreational opportunities. New recreational facilities are acceptable if provisions are made for adequate treatment and disposal of sewage and if the new facilities and uses do not detract from the scenic entrance to the Basin.

**PLANNING CONSIDERATIONS:**

1. Developed trail systems are inadequate to accommodate demand.
2. Heavy use by hikers and others is creating localized problems with erosion.
3. Parking along Highway 28 contributes to traffic congestion, highway hazards, and roadside erosion.
4. Private property restricts public access to Slaughterhouse Canyon.
5. Roadside cut-slopes and the highway maintenance yard detract from the scenic quality of the area.

6. The highway maintenance yard is being phased out.

7. There are three water filings on Glenbrook Creek that could exacerbate low flows in late summer.

8. The development of recreation facilities may be restricted due to the absence of sewer treatment facilities in the vicinity.

9. This area is a major entry point to the Basin and offers excellent potential for expanded recreational opportunities.

10. Scenic Roadway Units 27 and 28 and Shoreline Unit 26 are within this Plan Area.

11. The Shoreline Character Types "Naturally Dominated" is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.

SPECIAL POLICIES:

1. Access to shorezone and snow play areas should be accommodated with off-highway parking facilities and transit service.

2. Trail systems should be developed and maintained to discourage the proliferation of unmanaged trails and to provide expanded opportunities for hiking.

3. The visitor entry to the Basin should be enhanced with information services, recreation facilities, and improved scenic quality.

4. Recreational development within the area should be consistent with an approved master plan that incorporates long-term projections of proposed facilities on both state and federal lands.

5. Water circulation should be improved in Spooner Lake to help eliminate winter kill of fish populations.

6. Off-road vehicle courses should be designated only on U. S. Forest Service Land.

7. The designated Shorezone Preservation Area requires protection from additional Shorezone development affecting significant biological, scenic, and other natural resource values.

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

**Residential**
Employee housing (S).

**Public Service**
Cultural facilities (S), pipelines and power transmission (S), local post office (S), local public health and safety facilities (S), transmission and receiving facilities (S), transportation routes (S), and transit stations and terminals (S).

**Recreation**
Cross country skiing courses (A), day use areas (A), riding and hiking trails (A), undeveloped campgrounds (A), developed campgrounds (A), off-road vehicle courses (S), outdoor recreation concessions (A), rural sports (S), group facilities (S), snowmobile courses (S), visitor information center (S), beach recreation (A), and boat launching facilities (S).

**Resource Management**
Reforestation (A), sanitation salvage cut (A), special cut (A), selection cut (S), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

**Shorezone:** Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

**Tolerance Districts 3 and 5**

**Primary Uses**
Beach recreation (intensive) (A), boat launching facilities (S), and safety and navigational facilities (A).

**Accessory Structures**
Buoy (A), piers (A), fences (S), boat ramps (A), breakwaters or jetties (S), floating docks and platforms (A), shoreline protective structures (S) and water intake lines (A), Mooring buoys (S), fences (S), floating platforms (S), piers (S), shoreline protective structures (S), and water intake lines (S).

* No additional Shorezone structures shall be permitted in the designated Shorezone Preservation Area except as provided in Code Subsection 50.4.B
MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

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<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Employee Housing</td>
<td>5 units per State Park Lands</td>
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<tr>
<td>Recreation</td>
<td></td>
</tr>
<tr>
<td>Group Facilities</td>
<td>25 persons per acre</td>
</tr>
<tr>
<td>Developed Campgrounds</td>
<td>8 units per acre</td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Naturally Dominated</td>
<td>NA</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL. The maximum community noise equivalent level for the Highway 50 corridor is 65 CNEL.

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

SUMMER DAY USES 0 PAOT  WINTER DAY USE 0 PAOT  OVERNIGHT USES 390 PAOT

OTHER: Trailhead parking and 26 miles of trails

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 5/22/02
GLENBROOK

PLAN DESIGNATION:

Land Use Classification: RESIDENTIAL
Management Strategy: MITIGATION
Special Designation: SHOREZONE PRESERVATION AREA

DESCRIPTION:

Location: This area around Glenbrook Bay is located on TRPA maps H-10 and H-11.

Existing Uses: This area is a mixture of older low density residential development and a new planned unit development that includes condominiums, single family dwellings, and restored resort structures. The beaches are private, but the golf course is open to the public. The area is 65 percent built out.

Existing Environment: The area is 40 percent SEZ, 25 percent low hazard, 20 percent high hazard and 15 percent moderate hazard. The planned unit development area is developed in accordance with the land capability system although there are some SEZ conflicts. The older areas at both ends of the Bay are high hazard. The shoreline contains tolerance districts 3, 4, 5 and 7. The land coverage is 10 percent plus an additional 20 percent disturbed.

PLANNING STATEMENT: This area should continue as residential, maintaining the existing character of the neighborhood.

PLANNING CONSIDERATIONS:

1. Public access to beaches and historical structures is limited.

2. Subdivision improvements are not up to minimal BMP standards in the Deadman's Point area.

3. This beach is identified as a habitat for an endangered plant species.

4. The meadow area adjacent to Glenbrook Creek could be managed as a waterfowl habitat.

5. Scenic Roadway Unit 29 and Scenic Shoreline Unit 26 are within this Plan Area.

6. The Shoreline Character Types “Visually Modified” and “Visually Sensitive” are within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.
SPECIAL POLICIES:

1. The Glenbrook Master Plan should be used as a planning guide for the area subject to such a plan.

2. Designated beach areas should be set aside and protected for Rorippa subumbellata.

3. Enhancement of wildlife habitats along Glenbrook Creek should be encouraged.

4. The Glenbrook Shorezone Plan should serve as a planning guide for development in the shorezone.

5. The lots in the Glenbrook Subdivisions designated as eligible for multi-density under the approved subdivision map shall be eligible for such density with TDR.

6. New or additional commercial development shall be limited to parcels with commercial development on the effective date of this Plan or conversion to a commercial use of accessory recreation uses.$

7. The designated Shorezone Preservation Area requires protection from additional Shorezone development affecting significant biological, scenic, and other natural resource values.

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

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

Residential

Single family dwelling (A), employee housing (S), and multiple family dwellings (S) only on the lots in the Glenbrook Subdivision that are designated as eligible for multi-density on the approved subdivision maps.

Commercial

Eating and drinking places (S) and professional offices (S).

Public Service

Cemeteries (A), public health and safety facilities (S), transit stations (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), and local post offices (S).

Recreation

Participant sports facilities (S), temporary events (A), day use areas (A), outdoor recreation concessions (S), riding and hiking trails (A), cross country ski courses (A), beach recreation (A), and golf courses (A).

§ Amended 12/19/01
Resource Management

Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), farm/ranch accessory structures (A), grazing (A), range pasture management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance Districts 4, 5 and 7

Primary Use

Beach recreation (intensive) (A), safety and navigational devices (A), outdoor recreation concessions (S), and salvage operation (A).

Accessory Structures*

Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

Tolerance District 3

Primary Use

Safety and navigational devices (A) and salvage operations (A).

Accessory Structures*

Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

* No additional Shorezone structures shall be permitted in the designated Shorezone Preservation Area except as provided in Code Subsection 50.4.B
MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Multiple Family Dwellings</td>
<td>In accordance with Special Policy #5 for this Plan Area</td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
<tr>
<td>Piers in Visually Sensitive Character Unit</td>
<td>Average 1 pier per 300 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL. The maximum community noise equivalent level for the Highway 50 corridor is 65 CNEL.

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

- SUMMER DAY USES 0 PAOT
- WINTER DAY USES 0 PAOT
- OVERNIGHT USES 0 PAOT

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 5/22/02
059
SHAKESPEARE POINT

PLAN DESIGNATION:

Land Use Classification  RESIDENTIAL
Management Strategy     MITIGATION
Special Designation      NONE

DESCRIPTION:

Location: This area is located lakeward of Highway 50 between Glenbrook and Cedarbrook. The boundaries of this Plan Area are depicted on TRPA map H-11.

Existing Uses: The area contains larger residential estates, private recreational areas, a post office and fire station. The shoreline is limited to private access. The area is 50 percent built out.

Existing Environment: The area is classified 33 percent high hazard and 66 percent moderate hazard. The shorezone tolerance districts are 3, 5, and 8 with prime fish habitats. The land coverage is ten percent plus an additional 20 percent disturbed.

PLANNING STATEMENT: The area should continue as residential area, maintaining the existing character of the neighborhood.

PLANNING CONSIDERATIONS:

1. Drainage from Highway 50 impacts private properties.

2. Scenic Roadway Unit 29 and Scenic Shoreline Unit 26 are within this Plan Area.

3. The Shoreline Character Types “Visually Modified” and “Visually Sensitive” are within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.

SPECIAL POLICIES:

1. A drainage improvement program should be implemented to infiltrate and contain runoff from Highway 50.

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

- **Residential**
  - Single family dwelling (A).
- **Public Service**
  - Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), and local post offices (A).
- **Recreation**
  - Participant sports facilities (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).
- **Resource Management**
  - Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

**Shorezone:** Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

**Tolerance Districts 5 and 8**

- **Primary Uses**
  - Beach recreation (**intensive**) (A), safety and navigational devices (A), and salvage operations (A).
- **Accessory Structures**
  - **Mooring** buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

**Tolerance District 3**

- **Primary Uses**
  - Safety and navigational devices (A) and salvage operations (A).
- **Accessory Structures**
  - **Mooring** buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).
MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>Type</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td></td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
<tr>
<td>Piers in Visually Sensitive Character Unit</td>
<td>Average 1 pier per 300 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL. The maximum community noise equivalent level for the Highway 50 corridor is 65 CNEL.

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

- SUMMER DAY USES 0 PAOT  
- WINTER DAY USES 0 PAOT  
- OVERNIGHT USES 0 PAOT

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 5/22/02
Language to be deleted is **struck-out in red.** New proposed language is **underlined in blue**
TRPA Plan Area Statements
060 - GENOA PEAK

060
GENOA PEAK

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>CONSERVATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>NONE</td>
</tr>
</tbody>
</table>

DESCRIPTION:

Location: The Genoa Peak Plan Area includes the undeveloped back country area extending from Logan Shoals to Zephyr Cove and east to the Basin boundary. The boundaries of this Plan Area are depicted on TRPA maps H-11, H-12, H-13, H-14, H-15, H-16, and the Glenbrook and South Lake Tahoe Quadrangles.

Existing Uses: Highway 50 closely parallels the lake through this area. Public lands along a short stretch of the highway in the area north of Cave Rock provide access to the shorezone for sightseers, hikers, and fishermen. Dirt roads leading from Daggett Pass and paralleling the Basin boundary provide some off-highway vehicle use and opportunities for cross country skiing and hiking. There are private parcels in the planning area, but most remain undeveloped. Most of the planning area is managed for primitive recreation by the USFS.

Existing Environment: The majority of this planning area is undeveloped and classified as high hazard. Dominant plant communities include mature stands of mixed conifer fir, Basin sagebrush, willow, and manzanita. One of only two known active osprey nest sites in Nevada is located in this Plan Area. Shorezone tolerance districts are 3 and 5.

PLANNING STATEMENT: This area should be managed for low level resource use with special management emphasis on the protection of water and visual qualities.

PLANNING CONSIDERATIONS:

1. Dirt roads lack significant improvements and contribute to localized erosion problems.
2. There is no public right-of-way on the south end of Genoa Peak Road.
3. The area serves as a scenic backdrop as viewed from the lake and highway corridor.
4. This area serves as the headwater to seven small streams.
5. Snowmobile use in the area creates local nuisances to nearby residences.
6. The Agency Wildlife Map identifies goshawk habitat and deer migration routes in this Plan Area. Agency and USFS personnel have identified an active osprey nest site in this area.
7. The proposed Highway 50 bypass is located in the southern portion of this Plan Area.
8. Scenic Roadway Units 29 and 30 are within this Plan Area.

9. The Shoreline Character Type “Naturally Dominated” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54

SPECIAL POLICIES:

1. Some dirt roads in the planning area should have seasonal closures.

2. No snowmobile or off-road vehicle courses should be designated within the roadless area which is reserved for semiprimitive nonmotorized recreation.

3. Trail systems and a trailhead should be established and managed with routine maintenance.

4. The U.S. Forest Service should continue to study the wilderness potential of the Lincoln Creek Roadless Area.

5. High priority should be given to restoration of disturbed lands with management emphasis on watershed protection.

6. Prior to the approval of any new projects in Special Area #1, a TRPA approved scenic mitigation package that includes setbacks and vegetative screening shall be prepared to minimize scenic impacts. §

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

General List: The following list of permissible uses is applicable throughout the Plan Area (except as noted in §§Special Areas #1 and #2).

Residential
- Domestic animal raising (S), single family dwelling (S), and summer homes (S).

Public Service
- Pipelines and power transmission (S), local public health and safety facilities (S), transmission and receiving facilities (S), and transportation routes (S).

Recreation
- Day use areas (A), riding and hiking trails (A), undeveloped campgrounds (A), off-road vehicle courses (S), snowmobile courses (S), beach recreation (A), and boat launching facilities (S).

§ Amended 11/20/96, Special Policy #6.
§§ Amended 3/22/06
Resource Management

Reforestation (A), sanitation salvage cut (A) selection cut (A), special cut (S), thinning (A), timber stand improvement (A), tree farms (S), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), farm/ranch accessory structures (S), grazing (S), range pasture management (S), range improvement (S), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), prescribed fire management (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).

Special Area #1: The following list of permissible uses is applicable in Special Area #1. (see Special Policy #6)§

All the uses listed on the General List plus the following additions:

Residential

Single family dwelling (A).

§§Special Area #2: The following list of permissible uses is applicable in Special Area #2 only.

All of the uses listed on the General List plus the following additions:

Public Service

Regional Public Health and Safety (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance Districts 3 and 5

Primary Use

Beach recreation (A), boat launching facilities (S), safety and navigational devices (A), salvage operations (A), and water borne transit (A).

Accessory Structures

Mooring buoys (A), piers (A), fences (S), boat ramps (A S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

§ Amended 11/20/96, Special Area #1.

§§ Amended 3/22/06 Special Area #2
MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Summer Homes</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td><strong>Shorezone</strong></td>
<td></td>
</tr>
<tr>
<td>Piers in Naturally Dominated Character Unit</td>
<td>Average 1 pier per 300 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL, except in the Lincoln Park roadless area where it is 25 CNEL. The maximum community noise equivalent level for the Highway 50 corridor is 65 CNEL.

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

- **SUMMER DAY USES 0 PAOT**
- **WINTER DAY USE 0 PAOT**
- **OVERNIGHT USES 0 PAOT**

OTHER: Trailhead and 25 miles of trail.

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 5/22/02
061
LOGAN CREEK

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RESIDENTIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>NONE</td>
</tr>
</tbody>
</table>

DESCRIPTION:

Location: This area includes Logan Shoals Marina, the Logan Creek Subdivision and other private uses such as Camp Galilee. The boundaries of this area are depicted on TRPA maps H-11 and H-12.

Existing Uses: The area is low density residential with one marina. This area is 40 percent built out.

Existing Environment: 90 percent of the area is high hazard, and ten percent is SEZ or moderate hazard. The shorezone tolerance district is 3 with prime fish habitats. The land coverage is 20 percent plus an additional 25 percent disturbed.

PLANNING STATEMENT: This area should continue as residential with opportunities provided for maintaining recreational opportunities along the shorezone.

PLANNING CONSIDERATIONS:

1. The Logan Shoals marina lacks sewage pump-out facilities. Conversion of the Logan Shoals Marina to a single family residence did not address the shorezone facilities.
2. Dirt roads are the only improvements to Logan Creek Unit 2.
3. Scenic Roadway Unit 29 and Scenic Shoreline Unit 26 are within this Plan Area.
4. The Shoreline Character Type "Visually Modified" is within this Plan Area. Refer to "Shoreline Character Type" overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54

SPECIAL POLICIES:

1. The marina should include improvements to the fueling system and provision of pump-out facilities. The future of shorezone facilities from the prior marina should be address consistent with the applicable TRPA Thresholds.

§ Amended 11/20/96, Planning Cosideration # and Special Policy #1.
2. No development in Logan Creek Unit 2 should be permitted pending resolution of the subdivision status and improvements. TDR of development out of this area is the preferred solution.

3. New commercial uses are limited to the existing marina site (Special Area #1).

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

**General List:** The following list of permissible uses is applicable throughout the Plan Area (except as noted in a Special Area #1).

- **Residential**
  - Single family dwelling (A).

- **Public Service**
  - Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), and public utility centers (S).

- **Recreation**
  - Participant sports facilities (S), day use areas (A), riding and hiking trails (A), rural sports (S), group facilities (S), and beach recreation (A).

- **Resource Management**
  - Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

**Special Area #1:** The following list of permissible uses is applicable in Special Area #1. All the uses listed on the General List plus the following additions:

- **Commercial**
  - Eating and drinking places (S).

- **Recreation**
  - Marinas (S).

**Shorezone:** Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.
Tolerance District 3

Primary Uses
Safety and navigational devices (A) and salvage operations (A).

Accessory Structures
Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

Tolerance District 5

Primary Uses
Beach recreation (intensive) (A), safety and navigational devices (A), water oriented outdoor recreation concessions (S), tour boat operations (S), marinas (S), boat launching facilities (S), construction equipment storage (S), and salvage operations (A), and water borne transit (S).

Accessory Structures
Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

Tolerance District 8

Primary Uses
Beach recreation (intensive) (A), safety and navigational devices (A), and salvage operations (A).

Accessory Structures
Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

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<thead>
<tr>
<th>USE</th>
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<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
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<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 55 CNEL. The maximum community noise equivalent level for the Highway 50 corridor is 65 CNEL.
ADDITIONAL DEVELOPED OUTDOOR RECREATION: The following are the targets and limits for additional developed outdoor recreation facilities specified in Chapter 13 to be located within this Plan Area. Specific projects and their timing are addressed in the TRPA Five-Year Recreation Program pursuant to Chapter 33 Allocation of Development. The following additional capacities allowed are measured in persons at one time:

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 5/22/02
062
CAVE ROCK

PLAN DESIGNATION:

Land Use Classification: RESIDENTIAL
Management Strategy: MITIGATION
Special Designation: NONE

DESCRIPTION:

Location: This area includes the residential areas both north and south of Cave Rock. The boundaries of this area are depicted on TRPA maps H-12 and H-13.

Existing Uses: This area is primarily low-density residential but does include a small condominium development. This area is 55 percent built out.

Existing Environment: The area is high hazard. The shorezone is tolerance districts 2 and 5 with prime fish habitats. The land coverage is 15 percent and the disturbance is 20 percent.

PLANNING STATEMENT: This area should continue to be residential with improvements made to upgrade the area.

PLANNING CONSIDERATIONS:

1. The Pittman Terrace Subdivision adjacent to the lake is unimproved and generally lacks such basic improvements as infiltration facilities and paved driveways.

2. The shoreline has been substantially altered with manmade facilities such as rock crib piers.

3. The subdivisions east of the highway lack significant subdivision improvements, and slumping road cuts are evident.

4. Scenic Roadway Unit 29 and Scenic Shoreline Unit 26 are within this Plan Area.

5. Scenic views from Shoreline Unit 27 are adversely impacted by the development in this area.

6. The USFS has identified historic peregrine falcon nesting habitat in this Plan Area.

7. The Shoreline Character Types “Visually Modified” and “Visually Sensitive” are within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.
SPECIAL POLICIES:

1. A subdivision improvement plan should be required to address such problems as drainage and cut-slope erosion.

2. Landscaping should be required as necessary to screen development on steep slopes from roadway and shorezone views.

3. An SEZ treatment system should be established, if possible, for the subdivision east of the highway.

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

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

Residential
- Single family dwelling (A).

Public Service
- Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), and public utility centers (S).
- Recreation Participant sports facilities (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).

Resource Management
- Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 2

Primary Uses
- Safety and navigational devices (A) and salvage operations (A).

Accessory Structures
- Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).
Tolerance District 5

Primary Uses

Beach recreation (intensive) (A), safety and navigational devices (A), and salvage operations (A).

Accessory Structures

Moorings (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Shorezone</td>
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</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
<tr>
<td>Piers in Visually Sensitive Character Unit</td>
<td>Average 1 pier per 300 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL. The maximum community noise equivalent level for the Highway 50 corridor is 65 CNEL.

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

- **SUMMER DAY USES** 0 PAOT
- **WINTER DAY USES** 0 PAOT
- **OVERNIGHT USES** 0 PAOT

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 5/22/02
Language to be deleted is **struck-out** in red. New proposed language is **underlined** in blue.
**063**

**LINCOLN**

**PLAN DESIGNATION:**

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RESIDENTIAL</th>
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</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>NONE</td>
</tr>
</tbody>
</table>

**DESCRIPTION:**

**Location:** This area is located south of Cave Rock in the Lincoln Creek area and can be found on TRPA map H-13.

**Existing Uses:** This residential area includes the Cave Rock boat ramp, an older subdivision of Lincoln Park, a trailer park, and some small commercial (Manny's, et al.) establishments. The area is 70 percent built out.

**Existing Environment:** The area is 60 percent high hazard, 20 percent SEZ and the remaining area is low hazard. The shorezone tolerance district is 2, 3 and 7. The land coverage is 25 percent plus an additional 20 percent disturbed.

**PLANNING STATEMENT:** This area should continue the existing land use pattern with the primary use being residential.

**PLANNING CONSIDERATIONS:**

1. A small commercial area is currently nonconforming as to use and is also substandard as to development standards.

2. The general quality of the infrastructure and community character of the residential areas need to be upgraded.

3. The ownership and access to a narrow littoral parcel in Lincoln Park are unresolved.

4. Scenic Roadway Unit 30 and Scenic Shoreline Unit 27 are within this Plan Area.

5. The existing mobile home park just south of Special Area #1 is substandard.

6. The Shoreline Character Type "Naturally Dominated" is within this Plan Area. Refer to "Shoreline Character Type" overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.
SPECIAL POLICIES:

1. Commercial development should be limited to areas now committed to such development (Special Area #1). New uses should be consistent with the need to upgrade the area and to provide neighborhood commercial facilities and recreational services.

2. A specific plan shall be developed by the homeowners of Lincoln Park for the littoral strip parcel prior to any further shorezone development. The plan should encourage multiple use facilities and beach recreation for the residents of the subdivision and restoration of the shorezone.

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

General List: The following list of permissible uses is applicable throughout the Plan Area (except as noted in Special Area #1):

Residential
- Single family dwelling (A), and mobile home dwellings (S).

Public Service
- Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), and public utility centers (S).

Recreation
- Participant sports facilities (S), day use areas (A), riding and hiking trails (A), outdoor recreation concessions (S), boat launching facilities (A), and beach recreation (A).

Resource Management
- Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

Special Area #1: The following list of permissible uses is applicable in Special Area #1.

All the uses listed on the General List plus the following additions:

Commercial
- Eating and drinking places (A), food and beverage retail sales (A), general merchandise stores (S), service stations (A), and professional offices (S).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.
**Tolerance District 2**

**Primary Uses**
Beach recreation *(intensive)* (A), water oriented outdoor recreation concessions (S), safety and navigational devices (A), boat launching facilities (A), and salvage operations (A).

**Accessory Structures**
Mooring buoys (A), piers (A), fences (S), boat ramps (A), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

**Tolerance District 3**

**Primary Uses**
Safety and navigational devices (A) and salvage operations (A).

**Accessory Structures**
Mooring buoys (A), piers (A), fences (S), boat ramps (A), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

**Tolerance District 7**

**Primary Uses**
Beach recreation *(intensive)* (A), safety and navigational devices (A), and salvage operations (A).

**Accessory Structures**
Mooring buoys (A), piers (A), fences (S), boat ramps (A), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

**MAXIMUM DENSITIES:** Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Mobile Home Dwellings</td>
<td>8 units per acre</td>
</tr>
<tr>
<td><strong>Shorezone</strong></td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>

**MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL:** The maximum community noise equivalent level for this Plan Area is 55 CNEL. The maximum community noise equivalent level for the Highway 50 corridor is 65 CNEL.
ADDITIONAL DEVELOPED OUTDOOR RECREATION: The following are the targets and limits for additional developed outdoor recreation facilities specified in Chapter 13 to be located within this Plan Area. Specific projects and their timing are addressed in the TRPA Five-Year Recreation Program pursuant to Chapter 33 Allocation of Development. The following additional capacities allowed are measured in persons at one time:

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 5/22/02
064
LAKERIDGE

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RESIDENTIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>NONE</td>
</tr>
</tbody>
</table>

DESCRIPTION:

Location: This area includes Lakeridge Subdivisions No. 1 and 2 down to the border of Skyland along Highway 50 and is located on TRPA map H-13.

Existing Uses: The area includes three low density residential subdivisions and a large area which is parcelled residential estates. The shoreline is in private ownership. The area is 75 percent built out.

Existing Environment: The area’s land capability is 75 percent high hazard, 20 percent moderate hazard and five percent SEZ. The land coverage is ten percent plus an additional 25 percent disturbed. The shorezone tolerance districts are 3 and 8 with prime fish habitats.

PLANNING STATEMENT: This area should continue to be residential, maintaining the existing character of the neighborhood.

PLANNING CONSIDERATIONS:

1. Areas not in the improved subdivision are generally not up to minimal BMP standards.

2. Scenic Roadway Unit 30 and Scenic Shoreline Unit 27 are within this Plan Area.

3. The Shoreline Character Type “Visually Modified” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54

SPECIAL POLICIES: No special policies.

PERMISSIBLE USES: Pursuant to Chapter 18 PERMISSIBLE USES and if applicable, Chapter 51 PERMISSIBLE USES AND ACCESSORY STRUCTURES IN THE SHOREZONE AND LAKEZONE, the following primary uses may be permitted within all or a portion of the Plan Area. The list indicates if the use is allowed (A) or must be considered under the provisions for a special use (S). Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited within this Plan Area.
General List: The following list of permissible uses is applicable throughout the Plan Area (except as noted in Special Area #1):

Residential
Single family dwelling (A).

Public Service
Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), and public utility centers (S), and churches (S).

Recreation
Participant sports facilities (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).

Resource Management
Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 3

Primary Uses
Safety and navigational devices (A) and salvage operations (A).

Accessory Structures
Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (A), floating docks and platforms (A), and water intake lines (S).

Tolerance District 8

Primary Uses
Beach recreation (intensive) (A), safety and navigational devices (A), and salvage operations (A).

Accessory Structures
Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (A), floating docks and platforms (A), and water intake lines (S).
MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
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<tbody>
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<td>Residential</td>
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</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td><strong>Shorezone</strong></td>
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<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 55 CNEL. The maximum community noise equivalent level for the Highway 50 corridor is 65 CNEL.

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

- **SUMMER DAY USES 0 PAOT**
- **WINTER DAY USES 0 PAOT**
- **OVERNIGHT USES 0 PAOT**

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

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§ Amended 5/22/02
065
SKYLAND

PLAN DESIGNATION:

- Land Use Classification: RESIDENTIAL
- Management Strategy: MITIGATION
- Special Designation: NONE

DESCRIPTION:

Location: This area encompasses the Skyland Subdivision north of Zephyr Cove and is depicted on TRPA maps H-13 and H-14.

Existing Uses: This is a low density residential subdivision. The shorezone is in private ownership. The area is 85 percent built out.

Existing Environment: The area’s land capability is 15 percent low hazard and 85 percent moderate hazard. The shorezone tolerance district is 8 with prime fish habitats. The land coverage is 25 percent plus an additional 25 percent disturbed.

PLANNING STATEMENT: This area should continue to be residential, maintaining the existing character of the neighborhood.

PLANNING CONSIDERATIONS:

1. The shorezone has been substantially altered with man-made structures such as rock crib piers and jetties.

2. Highway runoff is discharged into this subdivision.

3. Skyland Drive and Ponderosa Drive abut Forest Service property to the south.

4. Scenic Roadway Unit 30 and Scenic Shoreline Unit 27 are within this Plan Area.

5. The Shoreline Character Type “Visually Modified” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54

SPECIAL POLICIES:

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

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

- **Residential**
  - Single family dwelling (A).

- **Public Service**
  - Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), and day care centers/pre-schools (S).

- **Recreation**
  - Participant sports facilities (S), day use areas (A), and beach recreation (A).

- **Resource Management**
  - Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

**Shorezone:** Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

**Tolerance District 8**

- **Primary Uses**
  - Beach recreation (*intensive*) (A), *safety and navigational devices* (A), and salvage *operations* (A).

- **Accessory Structures**
  - Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (A), floating *docks and platforms* (A), and water intake lines (S).
MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

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</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL. The maximum community noise equivalent level for the Highway 50 corridor is 65 CNEL.

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

SUMMER DAY USES 0 PAOT    WINTER DAY USES 0 PAOT    OVERNIGHT USES 0 PAOT

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 5/22/02
066
ZEPHYR COVE

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RECREATION</th>
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<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation §</td>
<td>SHOREZONE PRESERVATION AREA</td>
</tr>
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</table>

TDR RECEIVING AREA FOR:

1. Existing Development

DESCRIPTION:

Location: This area is located on both sides of Highway 50 in the vicinity of Zephyr Cove and is depicted on TRPA map H-14.

Existing Uses: This area includes the federally-owned Zephyr Cove Resort and Marina, which includes the mooring location of the M. S. Dixie Tour Boat, a library, a senior citizen center, an elementary school and a high school, a Douglas County park, and a large estate. The area is approximately 50 percent built out. The shoreline is 50 percent in public ownership.

Existing Environment: The lands are classified as 10 percent high hazard, 25 percent SEZ, .30 percent moderate hazard and the remaining as low hazard. The shorezone tolerance districts are 1, 7, and 8. The land coverage and disturbance is moderate to high. Habitats for Rorippa subumbellata are found in limited areas on the beach.

PLANNING STATEMENT: This area should continue to serve as a recreation/education center with limited opportunities for recreation expansion consistent with the need to improve the quality of the recreation experience.

PLANNING CONSIDERATIONS:

1. Traffic congestion at the resort aggravates pedestrian and vehicular safety.

2. The public beach near skyland is not readily accessible.

3. There are at least two barriers to fish migration on Zephyr Creek and several water filings have the potential to dry the creek up in late summer.

4. The campground, roads, and portions of parking at the resort are contributing to water quality problems.

§ Amended 03/26/97
5. Scenic Roadway Unit 30, Shoreline Units 28 and 29, and Scenic Resource Evaluation Area 2 are within this Plan Area.

6. The Shoreline Character Types within this Plan Area are “Visually Dominated” and “Naturally Dominated”. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.

SPECIAL POLICIES:

1. Bring all roads and parking areas up to 208 Water Quality Standards, prevent vehicular access to open space lands, and restore disturbed SEZ whenever possible to their naturally functioning capabilities.

2. Improve the traffic flow between the resort and highway.

3. Certain areas of the beach should be managed for the protection of Rorippa.

4. Expansion of access to public beach areas should be a high priority.

5. The Douglas County Park Master Plan should be used as a planning guide for the county lands.

6. The Zephyr Cove Resort is a preferred area for tour boat operations.

7. Existing residential uses, outside publicly-owned lands, shall be allowed to remain as allowed uses with opportunities for expansion consistent with Agency regulations. New single family houses permitted through TDR shall not be eligible for multi-residential bonus units.

8. The designated Shorezone Preservation Area requires protection from additional Shorezone development affecting significant biological, scenic, and other natural resource values.

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

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

Residential
- Domestic animal raising (S), employee housing (S), and single family dwelling (S).

Tourist Accommodation
- Hotel, motel, and other transient dwelling units (S).

Commercial
- Eating and drinking places (S), food and beverage retail sales (S), general merchandise stores (S), outdoor retail sales (S), service stations (S), amusements and recreation services (S), and secondary storage (S).

§ Amended 03/26/97
Public Service

Churches (S), cultural facilities (S), pipelines and power transmission (S), public assembly and entertainment facilities (S), local public health and safety facilities (S), public utility centers (S), transmission and receiving facilities (S), transportation routes (S), cemeteries (S), government offices (S), membership organizations (S), schools - kindergarten through secondary (S), transit stations and terminals (S), and schools – college (S).

Recreation

Marinas (S), recreation centers (A), cross country skiing courses (S), day use areas (A), riding and hiking trails (A), undeveloped campgrounds (A), participant sports (S), developed campground (A), outdoor recreation concessions (A), recreation vehicle parks (S), rural sports facilities (S), group facilities (S), and snowmobile courses (S).

Resource Management

Reforestation (A), sanitation salvage cut (A), selection cut (A), special cut (A), thinning (A), timber stand improvement (A), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), farm/ranch accessory structures (S), grazing (S), range pasture management (S), range improvement (S), fire detection and suppression (A), fuels treatment (S), insect and disease suppression (A), prescribed fire management (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 1, 7 and 8

Primary Uses

Water oriented outdoor recreation concessions (A), beach recreation (intensive) (A), tour boats (A), safety and navigation facilities (A), water borne transit (A), and marinas (S).

Accessory Structures*

Mooring buoys (A), piers (A), fences (S), boat ramps (A), breakwaters or jetties (S), floating docks and platforms (A), water intake lines (A), and shoreline protective structures (S).

* No additional Shorezone structures shall be permitted in the designated Shorezone Preservation Area except as provided in Code Subsection 50.4.B
MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards. §

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<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
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</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Employee Housing</td>
<td>15 units per acre</td>
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<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
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<tr>
<td>Tourist Accommodation</td>
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<tr>
<td>Bed and Breakfast Facilities</td>
<td>10 bedrooms per parcel</td>
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<td>Hotel, Motel and other Transient Units</td>
<td>20 units per acre</td>
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<td>Timeshares</td>
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<td>Resorts</td>
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<td>Developed Campgrounds</td>
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<td>Group Facilities</td>
<td>25 persons per acre</td>
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<td>Recreation Vehicle Park</td>
<td>10 units per acre</td>
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</tr>
<tr>
<td>Piers in Visually Dominated Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
<tr>
<td>Naturally Dominated</td>
<td>NA</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 55 CNEL. The maximum community noise equivalent level for the Highway 50 corridor is 65 CNEL.

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

SUMMER DAY USES 0 PAOT   WINTER DAY USES 0 PAOT   OVERNIGHT USES 200 PAOT

OTHER: Two miles of trail

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 03/26/97
§ Amended 5/22/02
067
MARLA BAY/ZEPHYR HEIGHTS

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RESIDENTIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>NONE</td>
</tr>
</tbody>
</table>

DESCRIPTION:

Location: This area includes the development above and below Highway 50 in Zephyr Point and is located on TRPA maps H-14 and H-15.

Existing Uses: The area consists of older low density residential subdivisions, a condominium development, the Presbyterian lodge and cabins, and small commercial and motel establishments. The shoreline is under private ownership. This area is 80 percent built out.

Existing Environment: The area is 75 percent high hazard and 25 percent moderate and low hazard. The shorezone tolerance is 3, 5, and 8. The land coverage is 30 percent plus an additional 25 percent disturbed.

PLANNING STATEMENT: This area should continue to be residential, maintaining the existing character of the neighborhood.

PLANNING CONSIDERATIONS:

1. The commercial area on Highway 50 has scenic and access problems.
2. The Presbyterian facility needs upgrading of older buildings and 208 improvements.
3. Zephyr Cove Unit 1 is an area of significant historical architecture.
4. Water supply problems exist in this entire area.
5. Scenic Roadway Unit 30 and Scenic Shoreline Unit 29 are within this Plan Area.
6. The Shoreline Character Types “Visually Modified” and “Visually Sensitive” are within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.
SPECIAL POLICIES:

1. Commercial development should be limited to areas now committed to such development (Special Area #1). New uses should be consistent with the need to upgrade the area and to provide neighborhood commercial facilities and recreational services.

2. A specific plan shall be developed by the homeowners of Zephyr Cove Units #1 and #2 for the littoral strip parcel prior to any further shorezone development. The plan should encourage multiple use facilities and beach recreation for the residents of the subdivision and restoration of the shorezone.

3. Zephyr Cove Unit #1 should be considered for designation as a historical district. The property owners in this area should be encouraged to maintain or upgrade the existing structures consistent with the old Tahoe summer cabin style.

4. No expansion of existing uses or new development shall be permitted until the water supply problems are resolved.

5. Drainage from this area should be diverted to the McFall Creek Meadow for treatment prior to entry into the lake.

6. The Presbyterian Conference facility (Special Area #2) should be rehabilitated subject to a master plan approval. This plan should concentrate on land coverage reduction and more efficient use of existing facilities.

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

General List: The following list of permissible uses is applicable throughout the Plan Area (except as noted in Special Area #1 and #2):

- **Public Service**: Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), and day care centers/pre-schools (S).
- **Recreation**: Participant sports facilities (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).
- **Resource Management**: Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).
**Special Area #1:** The following list of permissible uses is applicable in Special Area #1.

All the uses listed on the General List plus the following additions:

**Tourist Accommodation**

Hotel, motel and other transient dwelling units (S).

**Commercial**

Eating and drinking places (A), food and beverage retail stores (A), general merchandise stores (S), professional offices (A), and personal services (S).

**Special Area #2:** The following list of permissible uses is applicable in Special Area #2.

All the uses listed on the General List plus the following additions:

**Tourist Accommodation**

Hotel, motel and other transient dwelling units (S).

**Commercial**

Privately owned assembly and entertainment (S).

**Recreation**

Group facilities (S) and outdoor recreation concessions (S).

**Shorezone:** Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

**Tolerance District 3**

**Primary Uses**

Safety and navigational devices (A) and salvage operations (A).

**Accessory Structures**

Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

**Tolerance Districts 5 and 8**

**Primary Uses**

Beach recreation (intensive) (A), safety and navigational devices (A), and salvage operations (A).

**Accessory Structures**

Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).
MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Tourist Accommodation</td>
<td></td>
</tr>
<tr>
<td>Hotel, Motel and other Transient Units</td>
<td></td>
</tr>
<tr>
<td>• with less than 10% of units with kitchens</td>
<td>40 units per acre (Special Area #1)</td>
</tr>
<tr>
<td>• with 10% or more units with kitchens</td>
<td>20 units per acre (Special Area #2)</td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
<tr>
<td>Piers in Visually Sensitive Character Unit</td>
<td>Average 1 pier per 300 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL. The maximum community noise equivalent level for the Highway 50 corridor is 65 CNEL.

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

   SUMMER DAY USES **0 PAOT**   WINTER DAY USES **0 PAOT**   OVERNIGHT USES **0 PAOT**

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented.  

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Amended 5/22/02
068
ROUND MOUND

PLAN DESIGNATION:

- Land Use Designation: RECREATION
- Management Strategy: MITIGATION
- Special Designation: NONE

DESCRIPTION:

Location: This area extends from McFaul Creek to Elks Point Road, generally west of Highway 50. The mapped boundaries of this area are located on TRPA map H-15.

Existing Uses: The area is generally undeveloped except for the old Round Hill resort and a few private residences.

Existing Environment: 33% of the area is high hazard, while the remainder is classified as moderate. The shorezone tolerance districts are rated as 1 and 8. There is a large meadow at the north end. The land coverage and disturbance is low to moderate.

PLANNING STATEMENT: This area should be managed for recreational opportunities including provisions for increased public access to the shoreline.

PLANNING CONSIDERATIONS:

1. The USFS has recently purchased the majority of the area within this Plan Area.

2. A land capability challenge has been approved for a portion of the property.

3. Scenic Roadway Unit 30 and Scenic Shoreline Unit 29 are within this Plan Area.

4. The Shoreline Character Types “Visually Dominated” and “Visually Sensitive” are within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.

SPECIAL POLICIES:

1. A recreation master plan should be prepared for the public lands in this Plan Area. Such plan shall include a detailed description of the historical level of use, proposed long-term recreation improvements, water quality improvements (BMP’s), and mitigation programs.

2. Until such time as a master plan is approved for the public lands in this area, the site should be managed consistent with the level of historic use. Allowances to increase the use capacity of the site beyond historical levels shall be approved in conjunction with the adoption of the master plan.
3. Boat docking and mooring facilities should be provided but boat launching facilities will be discouraged until ingress/egress problems are resolved.

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

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

**Residential**
- Domestic animal raising (S), employee housing (S),
- single family dwelling (A), and summer homes (S).

**Tourist Accommodation**
- Hotel, motel and other transient dwelling units Accommodation(S).

**Public Service**
- Churches (S), local public health and safety facilities (S),
- transportation routes (S), government offices (S), transit stations and terminals (S), and pipelines and power transmission (S).

**Recreation**
- Marinas (S), beach recreation (A), cross country skiing courses (S), day use areas (A), riding and hiking trails (A), undeveloped campgrounds (A), developed campgrounds (A), outdoor recreation concessions (A),
- rural sports and group facilities (S), and rural sports (S).

**Resource Management**
- Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), timber stand improvement (A), tree farms (A), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (S), structural wildlife habitat management (S), farm/ranch accessory structures (S), grazing (S), range pasture management (S), range improvement (S), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), prescribed fire management (A),
- sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A) and SEZ restoration (A).

**Shorezone:** Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

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§ Amended 04/28/04
Tolerance Districts 1 and 2

Primary Uses
Beach recreation (intensive) (A) and salvage (A), recreational boating (A), tour boat operations (A), safety and navigation devices (A), and water intake lines (A).

Accessory Structures
Mooring buoys (A), piers (A), fences (S), boat ramps (S A), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

Tolerance District 8

Primary Uses
Outdoor recreation concessions (A), beach recreation (intensive) (A), recreational boating (A), commercial boating/tour boats (S), safety and navigation devices (A), special events (A), and marinas (S).

Accessory Structures
Mooring buoys (A), piers (A), fences (S), boat ramps (S A), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Employee housing</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>Summer home</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Tourist Accommodation</td>
<td></td>
</tr>
<tr>
<td>Hotel, Motel and other</td>
<td></td>
</tr>
<tr>
<td>Transient Units</td>
<td></td>
</tr>
<tr>
<td>• with less than 10% of</td>
<td>20 units per acre</td>
</tr>
<tr>
<td>units with kitchens</td>
<td></td>
</tr>
<tr>
<td>• with 10% or more units</td>
<td>15 units per acre Recreation</td>
</tr>
<tr>
<td>with kitchens</td>
<td></td>
</tr>
<tr>
<td>Developed Campgrounds</td>
<td>8 sites per acre</td>
</tr>
<tr>
<td>Rural Group Facilities</td>
<td>25 persons per acre</td>
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<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Dominated</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
<tr>
<td>Character Unit</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Sensitive</td>
<td>Average 1 pier per 300 linear ft</td>
</tr>
<tr>
<td>Character Unit</td>
<td></td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL, except the maximum community noise equivalent level for the Highway 50 corridor is 65 CNEL.
**ADDITIONAL RECREATION DEVELOPMENT:** The following are the targets for and limits of additional outdoor recreation facilities within the Plan Area. Specific projects and their timing are addressed in the TRPA Five Year Recreation Program pursuant to Chapter 33 ALLOCATION OF DEVELOPMENT. The following are measured in additional persons at one time (PAOT).

- **SUMMER DAY USES 0 PAOT**
- **WINTER DAY USES 0 PAOT**
- **OVERNIGHT USES 0 PAOT**

**OTHER:** 3 miles of trail.

**ENVIRONMENTAL IMPROVEMENT PROGRAMS:** The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. 

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§ Amended 5/22/02
ELK POINT

PLAN DESIGNATION:

Land Use Classification       RESIDENTIAL
Management Strategy           MITIGATION
Special Designation           NONE

DESCRIPTION:

Location: This is the residential area on Elk Point and is located on TRPA map H-15.

Existing Uses: This is an old, small-lot subdivision which is 90 percent built out. It is being rebuilt to modern standards.

Existing Environment: The area is classified as high hazard. The shorezone tolerance district is 2 with prime fish habitats. The land coverage is 20 percent plus an additional 20 percent disturbed.

PLANNING STATEMENT: This area should continue to be residential, although BMPs and other improvements should be made to bring the subdivision up to modern standards.

PLANNING CONSIDERATIONS:

1. The shorezone has been extensively modified by man-made structures.

2. Scenic Shoreline Unit 29 is within this Plan Area.

3. The Shoreline Character Type “Visually Modified” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54

SPECIAL POLICIES: No special policies.

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

**Residential**
- Single family dwelling (A).

**Public Service**
- Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), and public utility centers (S).
- Recreation Participant sports facilities (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).

**Resource Management**
- Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

**Shorezone:** Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

**Tolerance District 2**

**Primary Uses**
- Safety and navigational devices (A) and salvage operations (A).

**Accessory Structures**
- Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (A), floating docks and platforms (A), and water intake lines (S).

**MAXIMUM DENSITIES:** Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
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</thead>
<tbody>
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<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td><strong>Shorezone</strong></td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>
**MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL:** The maximum community noise equivalent level for this Plan Area is 50 CNEL.

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

- **SUMMER DAY USES 0 PAOT**
- **WINTER DAY USES 0 PAOT**
- **OVERNIGHT USES 0 PAOT**

**ENVIRONMENTAL IMPROVEMENT PROGRAMS:** The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented.  

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§ Amended 5/22/02
Language to be deleted is struck-out in red. New proposed language is underlined in blue.
070A
EDGEWOOD

PLAN DESIGNATION:

Land Use Classification: RECREATION
Management Strategy: MITIGATION
Special Designation: TDR RECEIVING AREA FOR:
1. Existing Development (Special Area #1)

DESCRIPTION:

Location: This area includes the Edgewood Golf course area at south Stateline. The boundaries of this area are depicted on TRPA map H-16.

Existing Uses: The area contains the Edgewood Golf Course, the 4-H camp area, and some miscellaneous private uses.

Existing Environment: Approximately 60 percent of the area is classified SEZ, and 40 percent is low hazard. The shorezone is tolerance districts 1 and 7. The land coverage and disturbance are low. Habitats for Rorippa subumbellata are found on the beach.

PLANNING STATEMENT: This entire area should provide a range of visitor and local serving outdoor-oriented recreation opportunities, integrated with the existing and planned improvements within the casino core. In addition special areas should provide accommodations for tourists.

PLANNING CONSIDERATIONS:

1. Concerns associated with the golf course include fertilizer application in close proximity to surface water.

2. Edgewood Creek, which has been diverted, ponded, placed in culverts and generally rerouted through the golf course, receives major sediment loads and may receive major nutrient loads. The ponds function as siltation basins and have resulted in reduced sediment loads and have resulted in reduced sediment loads to Lake Tahoe.

3. The golf course provides a useful recreational service for visitors and the community.

4. Scenic Roadway Unit 32 and Scenic Shoreline Unit 30 are within this Plan Area.

5. The Shoreline Character Type “Visually Sensitive” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54
SPECIAL POLICIES:

1. A fertilizer management program should be initiated at the golf course and the course redesigned to provide for natural buffers of vegetation along the creek and pond areas, wherever possible.

2. Protect the Rorippa populations in this beach area adjoining the mobile home park.

3. A master plan should be prepared for the 4-H Camp area to outline the long-term improvements, management, and uses of the entire facility.

4. New or additional commercial development, other than in the special areas, shall be limited to parcels with commercial development on the effective date of this plan.

5. The Edgewood Water Company and its accessory uses shall be considered an allowed use (A) pursuant to Chapter 18 and the permissible uses section of this Plan Area Statement.

6. The restaurant and bar in the Edgewood Golf Course clubhouse shall be considered an allowed use (A) pursuant to Chapter 18 and the Permissible Uses section in this Plan Area Statement.

7. In Special Area #1 (Tourist Area) tourist accommodations and recreation uses are encouraged. Additional tourist accommodation uses shall not exceed the equivalent of 250 tourist accommodation units. The boundary for this area shall be recorded the official records of Douglas County.

Hotel/conference center development in Special Area #1 of the Edgewood plan area (PAS 070A) will be conditioned on the developer making an irrevocable commitment to improve access, capacity and/or the range and quality of lakefront experiences available to the public in the California/Nevada Stateline area. These improvements may be undertaken by the Park Cattle Company alone or be part of the broader public-private effort to improve lake access in the Stateline/South Lake Tahoe area. Provision of additional lake access shall focus on access for Stateline overnight visitors. In addition to lake access provided for the subject hotel/conference center, such access shall include the beach improvement and access policies presented in the Stateline Community Plan.

As a result of the actions by the developer, additional lakefront opportunities in the California/Nevada target area will be made available sufficient to accommodate up to a total capacity of 250 people at one time. The capacity requirement assumes the construction of a 250 unit hotel and shall be adjusted in proportion to the actual units approved. New lakefront activities provided will include some or all of the categories listed below provided that no more than half the goal may be met by areas of passive lakefront recreation.

(a) Area(s) of Passive Lakefront recreation

(b) New and/or improved access to existing Active Recreation lakefront parks;

(c) Assistance in establishment of a Stateline/ South Lake Tahoe Regional Developed Recreation lakefront area.
If beach access improvements similar to those above are made within the target area by another entity or it is determined to be infeasible by TRPA, the developer can fulfill the above condition by expending and/or depositing with TRPA an amount not to exceed two percent (2%) of the construction cost of the hotel/conference center or $400,000 adjusted for inflation (whichever is smaller) to provide other forms of public recreation benefits. Examples of environmental or recreation improvements include trail systems, specific facilities such as an amphitheater, or restoration of disturbed land or stream zones. (If improvements have been made by the developer meeting some portion of the 250 people at one time condition, the alternative expenditure discussed in this paragraph shall be reduced accordingly. Construction costs include costs directly associated with building the hotel/conference center, but exclude costs such as land, acquisition of development rights, project approvals and design).

8. This plan area is a recreation area which is in the influence area of the Stateline Community Plan. All projects shall be subject to the policies and standards of this plan area and, where applicable, shall be consistent with the planning direction provided in Chapter I of the Stateline Community Plan.

9. The November 17, 1993 Governing Board's motion to approve the amendments to 070A included (as a special condition of approval) the requirement that any proposed tourist accommodation project in PAS 070A must include the following four items in its presentation on the project, and must comply with the applicable limitations:

(a) Any application for a proposed tourist accommodation project must contain information on all tourist accommodation units including:

(1) Identification of all tourist accommodation units that will be transferred into any proposed tourist accommodation dwelling project in 070A.

(2) A description and assurance of the revegetation/restoration planned for the parcels from which the tourist accommodation units are to be transferred (or the equivalent amount of revegetation/restoration elsewhere if the sending parcel(s) is within land capability district 4-7).

(b) Prior to approving any proposed tourist accommodation project, a Stateline areawide drainage system must have been designed, funded, independently analyzed for engineering, design and environmental adequacy and approved by all permitting agencies.

(c) Prior to approving any proposed tourist accommodation project, the beach access in Special Policy No. 7 must have been specifically identified and assurances given that the beach access is available.

(d) Any application for a proposed tourist accommodation project in Special Area #1 must be accompanied by a description of the commitment of the water resources for the project (as documented by the state engineer). This is because a tourist accommodation project in Special Area #1 will involve the commitment of a significant quantity of the remaining Nevada water left for use in the Tahoe Basin.

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

**General List:** The following list of permissible uses is applicable throughout the Plan Area, except as noted for Special Area #1.

**Residential**
- Single family dwelling (S).

**Commercial**
- Eating and drinking places (S).

**Public Service**
- Pipelines and power transmission (S), local public health and safety facilities (S), public utility centers (S), transmission and receiving facilities (S), transportation routes (S), transit stations and terminals (S), schools-kindergarten through secondary (S).

**Recreation**
- Beach recreation (A), marinas (S), cross country skiing courses (S), day use areas (A), participant sports facilities (S), outdoor recreation concessions (A), group facilities (S) snowmobile courses (S), and golf courses (A).

**Resource Management**
- Reforestation (A), sanitation salvage cut (A), selection cut (S), special cut (S), thinning (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (S), structural wildlife habitat management (S), fire detection and suppression (A), fuels treatment (S), insect and disease suppression (A), prescribed fire management (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).

**Special Area #1 (Tourist Area):** The following list of permissible uses is applicable throughout Special Area #1.

**Residential Single**
- Employee housing (S), and multiple family dwellings (S).

**Tourist Accommodations**
- Bed and breakfast facilities (A), hotel, motel, and other transient dwelling units (A), timeshare (residential design) (S), and time sharing (hotel/motel design) (S).

**Commercial**
- **Retail**
  - Eating and drinking places (A), food and beverage retail sales (A), and general merchandise stores (S).
B. **Entertainment**
   Amusements and recreation services (S), and privately owned assembly and entertainment (S).

C. **Services**
   School - pre-schools (S).

**Public Service**

A. **General**
   Cultural facilities (S), day care centers (S), local assembly and entertainment (S), local public health and safety facilities (S), and publicly owned assembly and entertainment (S).

B. **Linear Public Facilities**
   Pipelines and power transmission (S), transit stations and terminals (S), and transportation routes (S).

**Recreation**

Day use areas (A), recreation centers (S), participant sports facilities (S), and sport assembly (S), beach recreation (A), boat launching facilities (A), cross country skiing courses (A), developed campground (S), golf courses (A), group facilities (A), outdoor recreation concessions (A), recreational vehicle park (S), riding and hiking trails (A), and visitor information center (S).

**Resource Management**

Reforestation (A), sanitation salvage cut (A), selection cut (S), special cut (S), thinning (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (S), structural wildlife habitat management (S), fire detection and suppression (A), fuels treatment (S), insect and disease suppression (A), prescribed fire management (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).

**Shorezone:** Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or Special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

**Tolerance District 1**

**Primary Uses**

Beach recreation (intensive) (A), safety and navigational devices (A), and salvage operations (A).

**Accessory Structures**

Mooring buoys (A), piers (A), fences (S), boat ramps (A S), breakwaters or jetties (S), shoreline protective structures (A), floating docks and platforms (A), and water intake lines (A).
Tolerance District 7

Primary Uses

Water-oriented outdoor recreation concessions (A), beach recreation (intensive) (A), boat launching facilities (S), tour boat operations (A), safety and navigation facilities (A), salvage operation (A), marinas (S), and water intake lines (A).

Accessory Structures

Mooring buoys (A), piers (A), fences (S), boat ramps (A S), shoreline protective structures (S), floating decks and platforms (A), and water intake lines (A).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
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</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Tourist Accommodations</td>
<td></td>
</tr>
<tr>
<td>Bed and Breakfast Facilities</td>
<td>10 units per acre</td>
</tr>
<tr>
<td>Hotel, Motel and other Transient Units</td>
<td></td>
</tr>
<tr>
<td>• with less than 10% of units with kitchens</td>
<td>40 units per acre</td>
</tr>
<tr>
<td>• with 10% or more units with kitchens</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>Timeshare</td>
<td>As per the limitations set forth in this table</td>
</tr>
<tr>
<td>Recreation</td>
<td></td>
</tr>
<tr>
<td>Developed Campgrounds</td>
<td>8 sites per acre</td>
</tr>
<tr>
<td>Group Facilities</td>
<td>25 persons per acre</td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Sensitive Character Unit</td>
<td>Average 1 pier per 300 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 55 CNEL and 55 CNEL for the shorezone. The maximum community noise equivalent level for the Highway 50 corridor is 65 CNEL.

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

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT
ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. 

Amended 5/22/02
Language to be deleted is **struck-out** in red. New proposed language is **underlined** in blue.
PLAN DESIGNATION:

- Land Use Designation: RECREATION
- Management Strategy: MITIGATION
- Special Designation: NONE

DESCRIPTION:

Location: This area includes the Rabe Meadow area at South Stateline. The boundaries of this area are depicted on TRPA maps H-15 and H-16.

Existing Uses: The area contains the Rabe Meadow, Nevada Beach and Campground, Elk Point Yacht Club, Bitler Marina, and some miscellaneous private uses.

Existing Environment: Approximately 50 percent of the area is classified SEZ, 25 percent is low hazard, and the rest is moderate or high hazard. The shorezone tolerance district is 7. The land coverage and disturbance are low. The U.S. Forest Service has restored an old casino site in this area. Habitats for Rorippa subumbellata are found on the beach.

PLANNING STATEMENT: The existing recreation uses should continue and the public beach and camping areas should be expanded.

PLANNING CONSIDERATIONS:

1. There are littoral drift and water quality problems associated with Bitler Marina and the Elk Point Yacht Club.

2. Development in the vicinity of Bitler Marina is in poor condition.

3. There is inadequate parking associated with Elk Point Yacht Club.

4. Scenic Roadway Unit 31, Scenic Shoreline Unit 30, and Scenic Resource Evaluation Area 1 are within this Plan Area.

5. There is an opportunity to expand the facilities of the Nevada Beach Campground.

The Shoreline Character Type “Visually Sensitive” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.
SPECIAL POLICIES:

1. Protect the Rorippa populations in this beach area adjoining the mobile home park.
2. Provide expanded opportunities for developed recreation on public lands.
3. The Bitler property and Elk Point property shall be required to implement scenic improvement and BMP retrofit programs as part of any Agency project approval.

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

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

<table>
<thead>
<tr>
<th>Category</th>
<th>Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Single family dwelling (S).</td>
</tr>
<tr>
<td>Public Service</td>
<td>Local public health and safety facilities (S), membership organizations (S), public utility centers (S), transportation routes (S), transit stations and terminals (S), and pipelines and power transmission (S).</td>
</tr>
<tr>
<td>Recreation</td>
<td>Marinas (S), beach recreation (A), cross country skiing courses (S), day use areas (A), riding and hiking trails (A), cultural facilities (S), undeveloped campgrounds (A), participant sports (S), developed campgrounds (A), outdoor recreation concessions (A), rural sports (S), group facilities (S), snowmobile courses (S), and visitor centers (S).</td>
</tr>
<tr>
<td>Resource Management</td>
<td>Reforestation (A), sanitation salvage cut (A), selection cut (A), special cut (A), thinning (A), timber stand improvement (A), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), prescribed fire management (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).</td>
</tr>
</tbody>
</table>

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

$§$ Amended 04/23/97, General List, Recreation.
Tolerance District 7

Primary Uses
Water-oriented outdoor recreation concessions (A), beach recreation (intensive) (A), boat launching facilities (S), tour boat operations (A) salvage operation (A), and marinas

Accessory Structures
Mooring buoys (A), piers (A), fences (S), boat ramps (A S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Summer Homes</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Recreation</td>
<td></td>
</tr>
<tr>
<td>Developed Campgrounds</td>
<td>8 sites per acre</td>
</tr>
<tr>
<td>Group Facilities</td>
<td>25 persons per acre</td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Sensitive Character Unit</td>
<td>Average 1 pier per 300 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 55 CNEL. The maximum community noise equivalent level for the Highway 50 corridor is 65 CNEL.

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

SUMMER DAY USES 0 PAOT  WINTER DAY USE 0 PAOT  OVERNIGHT USES 500 PAOT

OTHER: Three miles of trail.

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented.

Amended 5/22/02
PLAN DESIGNATION:

Land Use Classification
RESIDENTIAL

Management Strategy
MITIGATION

Special Designation§
TDR RECEIVING AREA FOR:

1. Multi-Residential Units

DESCRIPTION:

Location: This is a residential/recreation area on the California side of South Stateline and is located on TRPA maps H-16 and H-17.

Existing Uses: This area includes some motels, the Lakeside Marina and beach, and older residences. The area is 95 percent built out.

Existing Environment: The land classification of this area is a mixture of high and low hazard. The shorezone tolerance district is 1. Land coverage and disturbance is high.

PLANNING STATEMENT: This area should continue as a residential/recreation area while improving lake access opportunities.

PLANNING CONSIDERATIONS:

1. There is a disturbed barrier beach with littoral drift problems.

2. This area contains Scenic Shoreline Unit 31.

3. The USFS has identified bald eagle habitat in this Plan Area.

4. The Shoreline Character Types “Visually Modified”, “Visually Dominated” and “Visually Sensitive” are within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54

SPECIAL POLICIES:

1. The Lakeside Marina harbor and adjacent barrier should be reviewed to determine whether or not significant littoral drift problems exist. If a significant littoral drift problem does exit, then reasonable alternatives should be reviewed. Any alternative to mitigate a significant littoral drift problem should receive appropriate private and public financial assistance to accomplish this goal.

§ Amended 04/28/04
2. Restoration of the barrier beach/SEZ area should be a high priority.

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

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

- **Residential**
  - Multiple family dwelling (S), and single family dwelling (A).

- **Tourist Accommodation**
  - Bed and breakfast facilities (S), hotels, motels, and other transient dwelling units (S).

- **Commercial**
  - Eating and drinking places (S), and vehicle storage and parking (S).

- **Public Service**
  - Churches (A), collection stations (S), cultural facilities (A), day care centers/pre-schools (S), local assembly and entertainment (S), local post office (A), local public health and safety facilities (A), social service organizations (A), pipelines and power transmission (S), transit stations and terminals (S), transportation routes (S), and transmission and receiving facilities (S).

- **Recreation**
  - Day use areas (A), participant sports facilities (S), sport assembly (S), beach recreation (A), boat launching facilities (S), outdoor recreation concessions (A), marinas (S), riding and hiking trails (S), and visitor information center (S).

- **Resource Management**
  - Reforestation (A), sanitation salvage cut (A), management thinning (A), timber stand improvement (A), tree farms (A), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), fire detection ad suppression (A), fuels treatment (A), insect and disease suppression (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).

**Shorezone:** Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.
Tolerance District 1

Primary Uses

Water-oriented outdoor recreation concessions (A), beach recreation (intensive) (A), boat launching facilities (S), tour boat operations (A), safety and navigation facilities (A), salvage operation (A), waterborne transit (A) and marinas (S)

Accessory Structures

Mooring buoys (A), piers (S), fences (S), boat ramps (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (A).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

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</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Multiple Family Dwellings</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>Tourist Accommodation</td>
<td></td>
</tr>
<tr>
<td>Bed and Breakfast</td>
<td>10 units per acre</td>
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<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
<tr>
<td>Piers in Visually Sensitive Character Unit</td>
<td>Average 1 pier per 300 linear ft</td>
</tr>
<tr>
<td>Piers in Visually Dominated Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 55 CNEL.

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

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

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§ Amended 5/22/02
**090**

**TAHOE MEADOWS**

**PLAN DESIGNATION:**

- Land Use Classification: RESIDENTIAL
- Management Strategy: MITIGATION
- Special Designation: NONE

**DESCRIPTION:**

**Location:** This area is located north of Highway 50 between Ski Run Boulevard and Park Avenue and is located on TRPA maps H-16 and H-17.

**Existing Uses:** This is an older subdivision that was designed for summer home use. The area is mostly built out with a mixture of old cabins and newer homes. Use of the open space and beaches within the subdivision is limited to the residents of the area.

**Existing Environment:** The area is mostly SEZ with some low hazard land. The shoreline is classified as Tolerance District 1. The land coverage and disturbance are low to moderate. Habitats for Rorippa subumbellata are found on the beach.

**PLANNING STATEMENT:** This area should continue to be a residential recreation area, maintaining the established rustic character.

**PLANNING CONSIDERATIONS:**

1. There are some flooding of houses and dewatering activities in the area of the barrier beach meadow.

2. Fire protection facilities are inadequate and standard subdivision improvements are lacking.

3. Littoral drift problems along the barrier beach were the subject of a lawsuit with Ski Run Marina.

4. Uses within the Tahoe Meadows Subdivision are regulated, in part, by the Tahoe Meadows Protective Covenant.

5. This area is being considered as part of an overall solution to runoff problems in the watershed.

6. The Shoreline Character Type “Visually Sensitive” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.
SPECIAL POLICIES:

1. The TRPA, in cooperation with the Tahoe Meadows Homeowners Association, will develop a restoration plan to help identify opportunities for SEZ restoration and improvement. Proposals for additional development or disturbance must be in substantial compliance with the approved restoration plan.

2. Special design standards should be established for review of all development in this area. These standards should preserve and enhance the existing old-Tahoe style summer recreation atmosphere that has been established at Tahoe Meadows. The Tahoe Meadows Homeowners Association’s Building and Design Standards may serve as a guideline for development of TRPA-approved design standards for this area.

3. The Tahoe Meadows homeowners and TRPA should cooperate with city officials in preparing a Scenic Restoration Plan for the Highway 50 corridor to help resolve the visual problems associated with the barbed wire fence that borders the property.

4. The Tahoe Meadows homeowners and TRPA should continue to cooperate with public efforts to resolve drainage problems in the watershed.

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

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

Residential

- Single family dwelling (A).

Public Service

- Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), and public utility centers (S). Recreation Participant sports facilities (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).

Resource Management

- Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.
Tolerance District 1

Primary Uses
Safety and navigational devices (A) and salvage operations (A).

Accessory Structures
Moorings (A), piers (S), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (S), and water intake lines (S).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

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<tr>
<td>Shorezone</td>
<td></td>
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<tr>
<td>Piers in Visually Sensitive Character Unit</td>
<td>Average 1 pier per 300 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 55 CNEL. The maximum community noise equivalent level for the Highway 50 corridor is 65 CNEL.

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

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. <sup>6</sup>

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<sup>6</sup> Amended 5/22/02
099
AL TAHOE

PLAN DESIGNATION:

Land Use Classification: RESIDENTIAL
Management Strategy: REDIRECTION
Special Designation: TDR RECEIVING AREA FOR:
1. Existing Development
2. Multi-Residential Units
PREFERRED AFFORDABLE HOUSING AREA
MULTI-RESIDENTIAL INCENTIVE PROGRAM§

DESCRIPTION:

Location: The Al Tahoe area is roughly a triangular shape bordered by the Trout Creek/Upper Truckee meadow, the Lake, and Highway 50. It is located approximately midway between the south "Y" and Stateline and can be found on TRPA maps G-17 and G-18.

Existing Uses: The Al Tahoe area has a mix of residential uses including single family dwellings, duplexes, apartment buildings, condominiums, with various commercial uses, including motels. Densities differ according to the uses described above. The area is currently slightly over 80 percent built out. A portion of the area has significant historical architectural value.

Existing Environment: The unit is made up of five percent SEZ lands and 95 percent low hazard lands. The area is currently about 45 percent covered and 35 percent disturbed. The Shorezone Tolerance District is 4.

PLANNING STATEMENT: The area should remain residential with upgrading in those areas identified as substandard.

PLANNING CONSIDERATIONS:

1. This area is a mixed use area with a wide range of densities.
2. This area has many older substandard structures.
3. The shoreline is eroding and public access is poor.
4. A small portion of this area is impacted by the airport transportation corridor.
5. The Shoreline Character Type “Visually Modified” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54

§ Amended 04/28/04
SPECIAL POLICIES:

1. The area in between Highway 50 and Freel Peak and in between Tulare Avenue and Los Angeles Avenue should be considered for designation as a historical district.

2. Access to and parking for the Barton Beach area should not be improved. This beach is designated for access from the lake only.

3. Encourage redevelopment in those areas close to transportation corridors and in those areas with substandard houses.

4. Address drainage problems in this area including the problem of standing water at Freel Peak and Los Angeles Streets.

5. The TRPA and the City of South Lake Tahoe Redevelopment Agency will evaluate all or portions of this Plan Area for a Special Designation as Eligible for Redevelopment Plans after substantial progress has been made toward implementation of the redevelopment plan in PAS 089, 091, and 092.

6. Tourist accommodation, high density residential and recreation uses should be concentrated in the lakeward portion of this Plan Area (Special Area #1).

7. Senior citizen housing should be encouraged in this area.

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

**General List:** The following list of permissible uses is applicable throughout the Plan Area (except as noted in Special Area #1):

<table>
<thead>
<tr>
<th>Category</th>
<th>Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Single family dwelling (A).</td>
</tr>
<tr>
<td>Public Service</td>
<td>Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), churches (S), and local post offices (S).</td>
</tr>
<tr>
<td>Recreation</td>
<td>Participant sports facilities (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).</td>
</tr>
<tr>
<td>Resource Management</td>
<td>Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).</td>
</tr>
</tbody>
</table>

**Special Area #1:** The following list of permissible uses is applicable in Special Area #1.

All the uses listed on the General List plus the following additions:

<table>
<thead>
<tr>
<th>Category</th>
<th>Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Multiple family dwellings (A) and multi-person dwellings (S).</td>
</tr>
</tbody>
</table>
Tourist Accommodation

Hotel, motel and other transient units (S) and bed and breakfast facilities (S).

Recreation

Outdoor recreation concessions (S).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 4

Primary Uses

Beach recreation (intensive) (A), safety and navigational devices (A), and salvage operations (A), and water oriented outdoor recreation concession (A).

Accessory Structures

Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Multiple Family Dwellings</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>Multi-Person Dwellings</td>
<td>25 people per acre</td>
</tr>
<tr>
<td>Tourist Accommodation</td>
<td></td>
</tr>
<tr>
<td>Hotel, Motel and other Transient</td>
<td></td>
</tr>
<tr>
<td>Units with less than 10% of units</td>
<td>40 units per acre</td>
</tr>
<tr>
<td>with kitchens</td>
<td></td>
</tr>
<tr>
<td>Units with 10% or more units with</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>kitchens</td>
<td></td>
</tr>
<tr>
<td>Bed and Breakfast Facilities</td>
<td>10 units per acre</td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
<tr>
<td>Character Unit</td>
<td></td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 55 CNEL. The maximum community noise equivalent level for the Highway 50 corridor is 65 CNEL.

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

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT
ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented.\(^\d\)

\(^\d\) Amended 5/22/02
100
TRUCKEE MARSH

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>CONSERVATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>MAXIMUM REGULATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>SHOREZONE PRESERVATION AREA NONE</td>
</tr>
</tbody>
</table>

DESCRIPTION:

Location: This is the stream environment zone adjoining the Upper Truckee River from Lake Tahoe to a point just below the airport and along Trout Creek north of Pioneer Trail. The boundaries of this area are depicted on Agency maps G-17, G-18 and G-19.

Existing Uses: This area has limited use due to poor drainage. Recreational uses include rafting, bird watching, cross country skiing, hiking, fishing, and some sunbathing along the shoreline of Lake Tahoe. Grazing of livestock occurs in the meadow areas. The Tahoe Keys Property Owners' Association holds a long term lease/purchase option on 2.206 acres of land, used as a maintenance and storage facility, south of Venice Drive East.

Existing Environment: This area is classified as SEZ. Marsh and deciduous riparian vegetation dominate the vegetative composition. Excellent habitat exists for a wide variety of different wildlife species. Bald eagles use the area in the fall and winter months. Habitats for Rorippa subumbellata are found on the beach. The shorezone tolerance district is 1.

PLANNING STATEMENT: This area should be managed primarily for its natural values including those management practices which contribute to the quality of fish and wildlife habitats, support dispersed recreation, and maintain the nutrient catchment capacity of the stream environment zone.

PLANNING CONSIDERATIONS:

1. Commercial and residential uses infringe upon the stream environment zone.
2. Highway crossings over the Upper Truckee River and Trout Creek restrict the natural functioning capacity of the SEZ.
3. Important wildlife habitat adjoins the airport.
4. Parking problems are created by people wishing to raft on the Upper Truckee River.
5. Dogs from nearby residential areas harass wildlife.
6. Fish habitat in the Upper Truckee River and Trout Creek has been degraded by sediment deposition.
7. Many fishes from the lake migrate up the streams to spawn.
8. There are localized problems of bank slumping and erosion.
9. Access to Barton Beach is extremely limited.
10. Cold Creek is diverted to create Lake Christopher.
11. This area is impacted by the airport transportation corridor.
12. Cattle are occasionally released into the meadow areas when the meadows are saturated with water.
13. Approximately 150 acres adjacent to the Tahoe Keys may be transferred to public ownership pursuant to a litigation settlement.
14. The future status of a Caltrans right-of-way through this area is uncertain.
15. The Agency Wildlife Map identifies waterfowl habitat in the area, and the USFS has identified this area as bald eagle habitat.
16. The Shoreline Character Type “Naturally Dominated” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54

SPECIAL POLICIES:

1. Stream zones should be restored where Highway 50 crosses the Upper Truckee River and Trout Creek.
2. Stream environment zones should be restored in the vicinity of the crossings of Trout Creek at Highway 50 and at Black Bart Road.
3. Banks along both creeks should be stabilized.
4. Instream habitat should be improved through artificial creation of deep pools and removal of obstructions.
5. The Upper Truckee Marsh should be buffered from other, more intensive land use areas.
6. Final determination by the city on the long term use and maintenance of Lake Christopher should include consideration of SEZ restoration and relocation of Cold Creek to its original channel.
7. Grazing of livestock should be conditional upon the use of acceptable management practices.
8. The diversion structure used to irrigate the Upper Truckee Meadow south of Highway 50 should be eliminated.
9. Wildlife habitat improvement projects, to include waterfowl nesting platforms, should be undertaken for the Upper Truckee Marsh.
10. New roadway alignments through stream environment zones are to be discouraged.
11. No new uses should be approved that would degrade the high scenic quality of Shoreline Unit No. 33 or contribute to the further degradation of Roadway Unit No. 35.

12. Developed facilities adjacent to the view corridors along Highway 50 at the Upper Truckee River and Trout Creek shall be addressed in the South Y Community Plan to improve the scenic quality rating of these areas.

13. The Upper Truckee River should be designated as a catch and release fishery.

14. This is a high priority area for land coverage removal.

15. Expansion, maintenance and upgrade of Transmission and Receiving Facilities shall be limited to existing infrastructure corridors, unless an environmentally superior route is proposed in conjunction with the removal of the existing utility corridor and infrastructure. §

16. The designated Shorezone Preservation Area requires protection from additional Shorezone development affecting significant biological, scenic, and other natural resource values.

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

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

**Public Service**
- Transportation routes (S), pipeline and power transmission (S), public utility centers (S) and transmission and receiving facilities (S). §

**Recreation**
- Riding and hiking trails (S) and cross country skiing courses (S).

**Resource Management**
- Sanitation salvage cut (S), early successional stage vegetation management (S), nonstructural fish habitat management (S), nonstructural wildlife habitat management (A), structural fish habitat management (S), structural wildlife habitat management (S), farm/ranch accessory structure (S), grazing (S), range pasture management (S), range improvement (S), fire detection and suppression (A), fuels treatment (S), insect and disease suppression (A), sensitive plant management (S), uncommon plant community management (S), erosion control (S), runoff control (S), special cuts (S), and SEZ restoration (S).

§ Amended 07/27/2005
Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 1

| Primary Uses                  | None  Safety and navigation facilities (A). |
| Accessory Structures*        | Fences (S) and shoreline protective structures (S). |

* No additional Shorezone structures shall be permitted in the designated Shorezone Preservation Area except as provided in Code Subsection 50.4.B

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>There are no Plan Area maximum allowable densities</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL, except a noise standard of 60 CNEL shall apply to areas within approved flight paths. The maximum community noise equivalent level for the Highway 50 corridor is 65 CNEL.

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

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented.

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§ Amended 5/22/02
102
TAHOE KEYS

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RESIDENTIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>SHOREZONE PRESERVATION AREA</td>
</tr>
</tbody>
</table>

TDR RECEIVING AREA FOR:

1. Multi-Residential Units
2. Existing Development

DESCRIPTION:

Location: This Plan Area is the man-made lagoon adjacent to Lake Tahoe, two miles north of the South Tahoe "Y". The area is located on TRPA maps F-17, F-18, G-17 and G-18.

Existing Uses: Uses predominantly consist of a 1,607 member common interest development, the Tahoe Keys Property Owners Association (planned development, encompassing single family residences; townhouses; a four-plex; recreation facilities including private beaches, clubhouse, pools, tennis courts, navigable waterways, boat docks, piers, and parklands; and public service facilities including administrative offices, maintenance areas, a water company, and a water circulation facility. This common interest development is 75 percent built out. Uses also consist of a retail shopping center and a commercial marina/office area.

Existing Environment: The area consists of fill land of which the Tahoe Keys Property Owners Association (TKPOA) land has been classified as man-modified and is considered as land capability 6 for purposes of assigning land coverage. In addition, approximately 13 additional acres, known as "parcels 2 and 3," along Venice Drive East have been designated "man-modified class 1b lands" pursuant to Resolution No. 82-11 of the California Regional Water Quality Control Board - Lahontan Region. In separate actions, pursuant to a litigation settlement, specific coverage allowances have been identified for parcels 2 and 3 and for parcel 4, which is also known as Cove East. No determination of man-modified status has been made for the marina parcel or Cove East. The lagoon waterways are treated by the TKPOA water treatment facility. The shorezone tolerance district is 1. The land coverage is 20 percent plus an additional 20 percent disturbed.

PLANNING STATEMENT: This area should continue to maintain the existing residential and commercial character of the neighborhood.
PLANNING CONSIDERATIONS:

1. Many of the undeveloped single family lots and portions of the Cove East parcel have been disturbed as a result of unauthorized activities. These disturbed areas and several common area parklands are in need of revegetation. There may be the potential for SEZ restoration within this Plan Area; however, specific areas for restoration have not been identified.

2. A 26-lot subdivision has been approved in this area as part of a litigation settlement, subject to reasonable conditions upon the development which are consistent with the goals and policies of the Regional Plan.

3. Over coverage is a problem in this Plan Area, especially at the marina site.

4. There is need for additional public parking in the marina area.

4.5. The Shoreline Character Types “Naturally Dominated” and “Visually Sensitive” are within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.

SPECIAL POLICIES:

1. Uses and expansion of the marina shall be in conformance with a specific plan to be prepared in accordance with the procedures set forth in Chapter 16 of the Code and approved by the Agency. Such plan shall give priority to uses which are water or marina dependent.

2. Except as otherwise provided by the TRPA/Dillingham Settlement Agreement, new development will be subject to a special water quality mitigation fee designed to offset the filled area's adverse impacts on water quality consistent with the Agency's recognition of portions of the SEZ as man-modified.

3. Land coverage limitations for areas not covered by the Tahoe Keys Property Owners Association approval of man-modification shall be subject to the TRPA/Dillingham litigation settlement or further determinations on man-modification.

4. Based on a determination by the Agency that the TKPOA regulations for pier installation and maintenance are consistent with the Regional Plan for the Lake Tahoe Basin, Goals and Policies and the shorezone provisions of the Code of Ordinances, construction and repair of piers within the Tahoe Key lagoons shall be reviewed pursuant to a Memorandum of Understanding with the TKPOA.

5. Consistent with the provisions of the TRPA/Dillingham Settlement Agreement and limitations on public access due to TKPOA ownership of certain lands, parking facilities for public use of the Upper Truckee River and adjacent land areas and temporary boat trailer parking should be encouraged in the vicinity of the marina.

6. Duplex dwellings may be allowed with TDR on the nine remaining undeveloped lots in the area bounded by Venice Drive, Tahoe Keys Boulevard, Monterey Drive, and Danube Way.
7. All ordinance standards, Design Review Criteria, New Development Limitations, and other regulations of the Agency shall apply to this Plan Area except as otherwise exempted by the TRPA/Dillingham Settlement Agreement. When reviewing a project TRPA may approve a permissible use in the Tahoe Keys Convenience Center only if it finds, in addition to other required findings, that the proposed use is consistent with the 1983 project approval for the Convenience Center as a neighborhood-serving commercial center and the related EIS. The following shall be allowed (A) uses in the Convenience Center:

- Clothing or shoe stores
- Banks or savings and loan offices
- Barber or beauty shop
- Medical offices
- Local post offices Professional offices

8. The designated Shorezone Preservation Area requires protection from additional Shorezone development affecting significant biological, scenic, and other natural resource values.

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

**General List:** The following list of permissible uses is applicable throughout the Plan Area (except as noted in Special Areas #1 and #2).

**Residential**
- Single family dwelling (A).

**Public Service**
- Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), churches (S), schools - kindergarten through secondary (S), and social service organization (S).

**Recreation**
- Participant sports facilities (S), day use areas (A), riding and hiking trails (S), and beach recreation (A).

**Resource Management**
- Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).
**Special Area #1**: The following list of permissible uses is applicable in Special Area #1. See Special Policy #7 for required findings.

**Commercial**
Amusements and recreational services (S), eating and drinking places (A), food and beverage retail sales (A), general merchandise stores (S), health care services (S), personal services (S), professional offices (S), repair services (S), financial services (S), local post offices (S), and government offices (S).

**Recreation**
Marina (A), beach recreation (A), and outdoor recreation concessions (A).

**Public Service**
Those uses listed on the General List for this Plan Area.

**Resource Management**
Those uses listed on the General List for this Plan Area.

**Special Area #2**: The following list of permissible uses is applicable in Special Area #2. All the uses listed on the General List plus the following additions:

**Residential**
Multiple family dwellings (A).

**Shorezone**: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

**Tolerance District 1**

**Primary Uses**
Beach recreation (intensive) (Special Area #2 only) (A), safety and navigational devices (A), and salvage operations (A).

**Accessory Structures***
Breakwaters or jetties (S), fences (S), and water intake lines (S). floating docks and platforms (A), and piers (A) only in Special Area #1 and only in the lagoons in this Plan Area. Shoreline protective structures (S) only in Special Area #2.

*No additional Shorezone structures shall be permitted in the designated Shorezone preservation area except as provided in Code Subsection 50.4.B
MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Multiple Family Dwellings</td>
<td>15 units per acre</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 55 CNEL.

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

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented.§

§ Amended 5/22/02
POPE BEACH

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RECREATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>REDIRECTION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>SHOREZONE PRESERVATION AREA</td>
</tr>
<tr>
<td></td>
<td>NONE</td>
</tr>
</tbody>
</table>

DESCRIPTION:

**Location:** This area follows the shoreline from Tahoe Keys to Jameson Beach and is located on TRPA maps F-17 and F-18.

**Existing Uses:** The various uses in this area are often quite different and not necessarily compatible. At Pope Beach, opportunities are available for picnicking and sunbathing. Pope Marsh provides critical habitat for several species of waterfowl and shorebirds. A bald eagle has been observed here during the nesting season.

**Existing Environment:** All but 25 acres of this 493 acre Plan Area are classified as stream environment zone. This section of shorezone is classified as a barrier beach, which implies it is especially vulnerable to disturbance and cannot tolerate any type of intensive use. Much of the SEZ has been modified to accommodate roads, parking lots, houses, and other facilities. Lodgepole pine and marsh vegetation dominate the vegetative composition. The shorezone is rated as tolerance district 1.

**PLANNING STATEMENT:** This area should continue to provide recreational opportunities for shorezone users, but expansion of existing facilities shall be discouraged and measures taken whenever possible to restore disturbed areas.

**PLANNING CONSIDERATIONS:**

1. The access road to Pope Beach creates a barrier to water flow between adjacent marsh areas.
2. Tahoe Keys may propose to release a flow of water from Tallac Lagoon into Pope Marsh.
3. Most of the development in this area is inconsistent with the Shorezone Plan and land capability classification system.
4. Unimproved roads, domestic animals, conflicts with public use of shoreline, littoral drift barriers, and flooding are problems associated with residential uses on the barrier beach nearby.
5. The marsh areas behind the barrier beaches provide excellent habitats for a wide variety of different wildlife species.
6. The Agency Wildlife Map identifies bald eagle and waterfowl habitats in this Plan Area.
7. This area is within Scenic Shoreline Units 2 and 3 and within Scenic Resources Evaluation Areas 33 and 34. Highway 89 is a scenic corridor.

8. The Shoreline Character Type “Naturally Dominated” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.

SPECIAL POLICIES:

1. Access to Pope Beach should emphasize transit, and the size of the parking lot should be reduced over the long term.

2. Conflicts between human use of the beach areas and use of the adjoining wetlands by wildlife should be minimized.

3. Mechanical raking or cleaning of the beaches should be prohibited in areas where suitable habitat for Rorippa subumbellata is likely to exist.

4. Careful consideration and impact reviews should be given to any proposal to pump water from Tallac Lagoon into Pope Marsh.

5. Expansion, maintenance and upgrade of Transmission and Receiving Facilities shall be limited to existing infrastructure corridors, unless an environmentally superior route is proposed in conjunction with the removal of the existing utility corridor and infrastructure.§

6. The designated Shorezone Preservation Area requires protection from additional Shorezone development affecting significant biological, scenic, and other natural resource values.

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

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

Residential
- Single family dwelling (S).

Public Service
- Pipelines and power transmission (S), transportation routes (S), transit stations and terminals (S) and transmission and receiving facilities (S). §

Recreation
- Beach recreation (A), cross country skiing courses (S), day use areas (A), outdoor recreation concessions (A), and riding and hiking trails (A).

§ Amended 07/27/2005
Resource Management

Reforestation (A), sanitation salvage cut (A), selection cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), farm/ranch accessory structures (S), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), prescribed fire management (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 1

Primary Uses

Beach recreation (intensive) (A), safety and navigational devices (A), salvage operations (A) and water oriented outdoor recreation concessions (A).

Accessory Structures*

Mooring buoys (S), piers (S), fences (S), boat ramps (S), floating docks and platforms (S), shoreline protective structures (S), and water intake lines (S).

* No additional Shorezone structures shall be permitted in the designated Shorezone Preservation Area except as provided in Code Subsection 50.4.B

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

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<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Shorezone</td>
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<tr>
<td>Naturally Dominated</td>
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</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL.
ADDITIONAL DEVELOPED OUTDOOR RECREATION: The following are the targets and limits for additional developed outdoor recreation facilities specified in Chapter 13 to be located within this Plan Area. Specific projects and their timing are addressed in the TRPA Five-Year Recreation Program pursuant to Chapter 33 Allocation of Development. The following additional capacities allowed are measured in persons at one time.

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

OTHER: One mile of trail.

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented.  

§ Amended 5/22/02
127  
CAMP RICHARDSON

**PLAN DESIGNATION:**

- **Land Use Classification**: RECREATION
- **Management Strategy**: MITIGATION
- **Special Designation**: RECEIVING AREA FOR:
  1. Existing Development

**DESCRIPTION:**

**Location:** This area is situated along the shorezone between Pope Beach and Taylor Creek and is depicted on TRPA maps E-17, E-18, F-17 and F-18.

**Existing Uses:** This area contains Jameson Beach and the Camp Richardson Resort, a marina, the USFS Visitor Center, Kiva Beach and picnic sites, a Forest Service work center, a bike trail, and the Tallac historical sites. Forest management practices are mostly tied to those that protect the recreation uses. Houses and piers border the shoreline at Jameson Beach.

**Existing Environment:** The entire Plan Area is classified as low hazard. Developed facilities are common throughout, but the area still retains much of its natural character. Jeffrey pine, lodgepole pine, and Basin sagebrush are the dominant plant species. The shorezone is rated as tolerance districts 1 and 7.

**PLANNING STATEMENT:** The Forest Service should continue to maintain the current balance of services and recreational opportunities.

**PLANNING CONSIDERATIONS:**

1. The resort structures are in various degrees of disrepair.
2. There are various historical values associated with the resort.
3. This area is within Scenic Roadway Unit 2, Shoreline Units 3 and 4, and Scenic Resource Evaluation Areas 32 and 33. Highway 89 is a scenic corridor.
4. The Camp Richardson access road is shared by the Jameson Beach residents and has local congestion, especially near the marina.
5. The Agency Wildlife Map identifies bald eagle and waterfowl habitats in this Plan Area.

6. **The Shoreline Character Types** “Visually Dominated”, Visually Modified, “Naturally Dominated”, and “Visually Sensitive” are within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.
SPECIAL POLICIES:

1. Restoration of the historical structures in the area should be encouraged.
2. Future development should be in conformance with a TRPA/USFS-approved master plan.
3. Conflicting use between the marina and the adjoining single family home property owners should be reduced.
4. Long-term improvements to the Jameson Beach properties should be identified and implemented through a TRPA-approved plan developed by the Jameson Beach Property Owners Association.
5. Conflicts between human use of beach areas and wildlife use of wetlands should be minimized.
6. Mechanical raking or cleaning of beaches where suitable Rorippa subumbellata habitats exist should be prohibited.
7. Expansion, maintenance and upgrade of Transmission and Receiving Facilities shall be limited to existing infrastructure corridors, unless an environmentally superior route is proposed in conjunction with the removal of the existing utility corridor and infrastructure. §

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

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

Tourist Accommodation
- Hotel, motel, and other transient dwelling units (S).

Residential
- Employee housing (S), single family dwelling (S), and summer homes (S).

Commercial
- Eating and drinking places (S), food and beverage retail sales (S), general merchandise stores (S), nursery (S), and amusements and recreation services (S).

Public Service
- Cultural facilities (S), local assembly and entertainment (S), local public health and safety facilities (S), pipelines and power transmission (S), transportation routes (S), government offices (S), transit stations and terminals (S) and transmissions and receiving facilities (S). §

Recreation
- Marinas (S), beach recreation (A), recreation vehicle park (S), boat launching facilities (S), cross country skiing courses (S), day use areas (A), group facilities (S), riding and hiking trails (A), undeveloped campgrounds (A), participant sports (S), developed campgrounds (A), outdoor recreation concessions (A), rural sports (S), and snowmobile courses (S).

§ Amended 07/27/2005
Resource Management
Reforestation (A), regeneration harvest (A), sanitation salvage cut (A), selection cut (A), special cut (A), thinning (A), timber stand improvement (A), tree farms (S), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), farm/ranch accessory structures (S), grazing (S), range pasture management (S), range improvement (S), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), prescribed fire management (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 1
Primary Uses
Beach recreation (intensive) (A), tour boats operations (S), safety and navigation devices (S), marinas (S), boat launching facilities (A), salvage operations (A), water oriented outdoor recreation concessions (A), and water borne transit (S).

Accessory Structures
Moorings buoys (A), piers (S), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (A), floating docks and platforms (A), water intake lines (A), and breakwaters or jetties (S).

Tolerance District 7
Primary Uses
Beach recreation (intensive) (A), boat launching facilities (A), marinas (S), safety and navigation devices (S), salvage operations (A), tour boat operations (S), water borne transit (S), and water oriented outdoor recreation concessions (A).

Accessory Structures
Moorings buoys (A), piers (A), fences (S), boat ramps (A), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), water intake lines (A), and breakwaters or jetties (S).
MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwellings</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Summer Homes</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Employee Housing</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>Recreation</td>
<td></td>
</tr>
<tr>
<td>Developed Campgrounds</td>
<td>8 sites per acre</td>
</tr>
<tr>
<td>Tourist Accommodation</td>
<td></td>
</tr>
<tr>
<td>Hotel, Motel, and other Transient Dwelling Units</td>
<td></td>
</tr>
<tr>
<td>• with less than 10% of the units with kitchens</td>
<td>20 units per acre</td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Dominated Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
<tr>
<td>Piers in Visually Sensitive Character Unit</td>
<td>Average 1 pier per 300 linear ft</td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 55 CNEL.

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

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented.⁶

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⁶ Amended 5/22/02
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BALDWIN BEACH

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RECREATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>REDIRECTION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>SHOREZONE PRESERVATION AREA</td>
</tr>
<tr>
<td></td>
<td>NONE</td>
</tr>
</tbody>
</table>

DESCRIPTION:

Location: This area extends north of Highway 89 to Baldwin Beach and from the boundary of Cascade Properties to the Taylor Creek Marsh. The boundaries of this area are shown on TRPA maps E-17 and E-18.

Existing Uses: This area includes the mouths of Taylor and Tallac Creeks, the fish observation chamber, hiking trails, and Baldwin Beach. Wildlife viewing, fishing, picnicking, sunbathing, and cross country skiing are the major recreational activities in the area. Timber harvest and grazing are other uses.

Existing Environment: The land capability of this area is a mixture of stream environment zones and low hazard lands. Most of the land is classified as SEZ. The entire shorezone is classified as barrier beach (high hazard). Essential habitats are managed in the area for bald eagles, waterfowl, and an endangered plant species (Rorippa subumbellata). Vegetation composition is fairly evenly distributed between white fir, lodgepole pine, willow, sagebrush, and marsh vegetation.

PLANNING STATEMENT: This area should continue to provide opportunities for low to moderate resource use when consistent with management objectives for dispersed recreation, wildlife habitat improvement, and protection of essential habitats.

PLANNING CONSIDERATIONS:

1. Winter recreational activities often disturb wintering populations of eagles.
2. Rorippa subumbellata is found adjacent to a high-intensity use area.
3. Developed facilities on Baldwin Beach, such as the parking lot, are inconsistent with uses permitted by the Shorezone Plan and the land capability classification system.
4. This area is within Scenic Roadway Unit 2, Shoreline Unit 4, and Scenic Resource Evaluation Areas 30 and 31.
5. The Agency Wildlife Map identifies bald eagle and waterfowl habitats in this Plan Area, and the USFS has identified an active goshawk nest site in this Plan Area.
6. The Shoreline Character Type “Naturally Dominated” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54

SPECIAL POLICIES:

1. The preferred method of access to Baldwin Beach is pedestrian or shuttle bus.

2. The size of the parking facilities should be reduced over the long term and the barrier beach restored accordingly.

3. The eagle use areas in the vicinity of Taylor Creek should be buffered from human activities by strictly controlling access.

4. Management efforts should continue to protect the habitat sites for Rorippa subumbellata.

5. Grazing should be strictly controlled and managed in the area of private ownership.

6. Expansion, maintenance and upgrade of Transmission and Receiving facilities shall be limited to existing infrastructure corridors, unless an environmentally superior route is proposed in conjunction with the removal of the existing utility corridor and infrastructure. §

7. The designated Shorezone Preservation Area requires protection from additional Shorezone development affecting significant biological, scenic, and other natural resource values.

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

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

Public Service

- Cultural facilities (A), local public health and safety facilities (S), pipelines and power transmission (S), public utility centers (S), government offices (S), transit stations and terminals (S), transportation routes (S) and transmission and receiving facilities (S). §

Recreation

- Beach recreation (A), cross country skiing courses (S), day use areas (A), riding and hiking trails (A), and visitor information center (A).

§ Amended 07/27/2005
Resource Management

Reforestation (A), regeneration harvest (A), sanitation salvage cut (A), selection cut (A), special cut (A), thinning (A), timber stand improvement (A), tree farms (S), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (S), structural wildlife habitat management (S), farm/ranch accessory structures (S), thinning (S), range pasture management (S), range improvement (A), fire detection and suppression (A), fuels treatment (S), insect and disease suppression (A), prescribed fire management (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 1

Primary Uses

Beach recreation (intensive) (A), safety and navigational devices (A)

Accessory Structures

Moorings (A, piers (S, fences (S), boat ramps (S), floating docks and platforms, shoreline protective structures (S), and water intake lines (A)

* No additional Shorezone structures shall be permitted in the designated Shorezone Preservation Area except as provided in Code Subsection 50.4.B

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
</tbody>
</table>

There are no Plan Area maximum allowable densities.

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL.
ADDITIONAL DEVELOPED OUTDOOR RECREATION: The following are the targets and limits for additional developed outdoor recreation facilities specified in Chapter 13 to be located within this Plan Area. Specific projects and their timing are addressed in the TRPA Five-Year Recreation Program pursuant to Chapter 33 Allocation of Development. The following additional capacities allowed are measured in persons at one time.

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

OTHER: Two miles of trail.

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 5/22/02
EMERALD BAY

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RECREATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>SHOREZONE PRESERVATION AREA</td>
</tr>
<tr>
<td></td>
<td>NONE</td>
</tr>
</tbody>
</table>

DESCRIPTION:

Location: This area extends north from Cascade Lake to Rubicon Point and is depicted on Agency maps D-15, E-17 and the Rockbound Quadrangle.

Existing Uses: This area is a scenic travel corridor and provides numerous opportunities for both dispersed and more intensive forms of recreation. Developed facilities include Emerald Point Park Campground, Emerald Bay Boat Campground, Bayview Campground and trailhead, Eagle Falls picnic area and trailhead, Inspiration vista point, Vikingsholm historical site, National Forest summer homes, and D.L. Bliss campground. Hiking trails provide several points of entrance to Desolation Wilderness, Emerald Bay, and the shoreline of Lake Tahoe. Public boat docking facilities and a swimming beach are available in Emerald Bay. Excellent fishing opportunities are available in Cascade Lake and Emerald Bay.

Existing Environment: Most of this area is classified as high hazard. Despite the rather large size of the planning area (2,900 Acres), the plant composition is dominated by a few species - red and white fir, greenleaf manzanita, and mountain whitehorn. Cascade Lake and Emerald Bay are the dominant landscape features. Canada geese nest on Fannette Island and a pair of osprey also nest in Emerald Bay. Bald eagles use Emerald Bay during the winter months. Habitats for Rorippa subumbellata are found along the beach areas of Emerald Bay. The Shorezone is tolerance districts 2, 3, 4, 6 and 7.

PLANNING STATEMENT: This area should continue to provide the current range of recreational opportunities to the extent that conflicts between uses can be minimized and the quality of the recreational experience can be maximized.

PLANNING CONSIDERATIONS:

1. The landslide danger in this area poses problems for public safety and contributes debris to the Lake.
2. Parking for the trailhead to Vikingsholm and to Desolation Wilderness is unimproved and unable to accommodate peak demand.
3. Public use of Cascade Lake is limited by the type of access.
4. Traffic congestion is severe during the summer months due, in part, to numerous switchbacks and "blind" corners.
5. Public recreation conflicts with the nesting success of geese on Fannette Island is addressed by an El Dorado County ordinance.

6. Tour boat speaker systems and search lights affect the quality of the recreational experience.

7. Scenic Roadway Unit 3, Scenic Shoreline Units 5 and 6, and Scenic Resource Evaluation Areas 26, 27, and 28 are within this Plan Area. Highway 89 is a scenic corridor.

8. The Agency Wildlife Map identifies osprey, bald eagle, and waterfowl habitats in this Plan Area.

9. The Shoreline Character Type “Naturally Dominated” and “Visually Sensitive” are within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54

SPECIAL POLICIES:

1. Parking and pull-out areas should be improved and adjacent areas protected from excessive disturbance. Parking at the trailhead to Vikingsholm should not accommodate more than 100 cars.

2. Efforts to improve the nesting success of geese on Fannette Island should continue.

3. Music and speaker volume from tour boats and overnight campers shall be regulated to promote a high quality recreational experience for all users of the Emerald Bay shoreline. Use of spotlights by tour boats at night shall be eliminated or strictly controlled.

4. Public transit opportunities should be provided to help reduce the summer traffic congestion in the vicinity of Emerald Bay.

5. Retaining walls or other similar manmade structures along the highway should incorporate the use of materials that blend with the natural character of the area.

6. All proposed uses shall be evaluated against scenic evaluation criteria to ensure maintenance of scenic quality.

7. Well water, rather than spring water, should serve the boat camp and Vikingsholm.

8. Winter access requiring plowing of the Vikingsholm access road is prohibited. The planning of special events that require sewer pumping must anticipate this prohibition.

9. The designated Shorezone Preservation Area requires protection from additional Shorezone development affecting significant biological, scenic, and other natural resource values.

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

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

Residential: Employee housing (S), summer homes (S).

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§ Amended 2/25/04
Public Service

- Cultural facilities (S); pipelines and power transmission (S), public safety facilities (S), public utility centers (S), transit stations and terminals (S), transmission and receiving facilities (S), and transportation routes. (S).

Recreation

- Beach recreation (A), beach launching facilities (S), day use areas (A), riding and hiking trails (A), undeveloped campgrounds (A), developed campgrounds (A), and outdoor recreation concessions (A).

Resource Management

- Reforestation (A), regeneration harvest (A), sanitation salvage cut (A), selection cut (A), thinning (A), timber stand improvement (S), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), prescribed fire management (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 4 and 6

- Primary Uses: Beach recreation (intensive) (A), and safety and navigational devices (A).

- Accessory Structures*: Mooring buoys (A), piers (S), fences (S), boat ramps (A), floating docks and platforms (A), shoreline protective structures (S), and water intake lines (A).

Tolerance District 2*

- Primary Uses: Safety and navigational devices (A).

- Accessory Structures: Mooring buoys (A), piers (S), fences (S), boat ramps (A), floating docks and platforms (A), shoreline protective structures (S), and water intake lines (A).
Tolerance District 7

Primary Uses

Beach recreation (intensive) (A), safety and navigational devices (A), and outdoor recreation concessions (A), waterborne transit (S) and tour boat operations (S).§

Accessory Structures*

Mooring buoys (A), piers (A), fences (S), boat ramps (A), floating docks and platforms (A), breakwaters or jetties (S), shoreline protective structures (S), and water intake lines (A).

* No additional Shorezone structures shall be permitted in the designated Shorezone Preservation Area except as provided in Code Subsection 50.4.B

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Employee Housing</td>
<td>5 units per acre</td>
</tr>
<tr>
<td>Summer Home</td>
<td>1 unit per lot or lease site</td>
</tr>
<tr>
<td>Recreation</td>
<td></td>
</tr>
<tr>
<td>Developed Campgrounds</td>
<td>8 sites per acre</td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Naturally Dominated</td>
<td>NA</td>
</tr>
<tr>
<td>Piers in Visually Sensitive Character Unit</td>
<td>Average 1 pier per 300 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL. The maximum community noise equivalent level for the Highway 89 corridor is 55 CNEL.

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

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

OTHER: Trailhead and 1 mile of trail. Upgrade vista points, upgrade and expand Vikingsholm parking to accommodate a total of 400 PAOTS.

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented.§

§ Amended 2/25/04
§ Amended 5/22/02

TRPA Plan Area Statements
146 - EMERALD BAY

Page 4
PARADISE FLAT

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RESIDENTIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>NONE</td>
</tr>
</tbody>
</table>

DESCRIPTION:

Location: The Gold Coast Plan Area is located north of Bliss State Park and south of the Rubicon residential subdivisions and can be found on TRPA maps D-14 and D-15.

Existing Uses: The primary use of the unit is residential at a density of one single family dwelling per parcel of record. The area is 75 percent built out.

Existing Environment: The area is 97 percent low hazard lands, and 3 percent SEZ. Land coverage is 5 percent with some additional disturbed land area. The shorezone tolerance district is 7.

PLANNING STATEMENT: The area should remain residential, maintaining the existing character of the neighborhood.

PLANNING CONSIDERATIONS:

1. The roads in this area are unpaved and contribute to localized erosion problems.
2. Water supply is a regional issue in this area.
3. The shoreline is particularly attractive for beach use.
4. A dam located near the outlet of Rubicon Creek restricts upstream migration of fishes.
5. The prime fish habitat in this area is tentatively identified for restoration.
6. Scenic Shoreline Unit 8 is within this Plan Area.
7. The Shoreline Character Type “Visually Sensitive” is within this Plan Area. Refer to "Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.

SPECIAL POLICIES:

1. Expansion of Bliss State Park to the north should be explored.
2. A program to pave the roads and install proper drainage should be developed and implemented.
PERMISSIBLE USES: Pursuant to Chapter 18 PERMISSIBLE USES and if applicable, Chapter 51 PERMISSIBLE USES AND ACCESSORY STRUCTURES IN THE SHOREZONE AND LAKEZONE, the following primary uses may be permitted within all or a portion of the Plan Area. The list indicates if the use is allowed (A) or must be considered under the provisions for a special use (S). Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited within this Plan Area.

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

Residential

Single family dwelling (A).

Public Service

Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), and public utility centers (S).

Recreation

Participant sports facilities (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).

Resource Management

Reforestation (A), sanitation salvage cut (A), special cut (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), prescribed fire management (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 7

Primary Uses

Beach recreation (intensive) (A), safety and navigational devices (A), and salvage operations (A).

Accessory Structures

Moorings (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).
MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Sensitive Character Unit</td>
<td>Average 1 pier per 300 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL. The maximum community noise equivalent level for the Highway 89 corridor is 55 CNEL.

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

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented.\(^\text{6}\)

\(^6\) Amended 5/22/02
149
RUBICON

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RESIDENTIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>NONE</td>
</tr>
</tbody>
</table>

DESCRIPTION:

Location: The Rubicon Plan Area is located south of Meeks Bay and encompasses all the residential area along Highway 89 extending to the Gold Coast. This Plan Area can be found on TRPA maps D-13 and D-14.

Existing Uses: The existing use is residential, primarily at a density of one single family dwelling per parcel. The planning area is approximately 50 percent built out and is currently zoned low density residential and general forest.

Existing Environment: The land capability of this area is approximately 65 percent high hazard, 25 percent moderate hazard, and 10 percent SEZ. However, a sizable portion on the moderate hazard land has been identified as being more characteristic of high hazard land. The tolerance district of the shorezone is classified as 4 (20 percent) and 2 (80 percent). The off-shore area has been identified as a prime fish habitat. The subdivision is located in a moderately to steeply sloping geomorphic unit. Numerous steep and long cut and fill slopes exist which are in need of stabilization. Vegetation is primarily xeric; revegetation of disturbed slopes is difficult and often unsuccessful. The land coverage is approximately 15 percent with an additional 25 percent classified as disturbed.

PLANNING STATEMENT: The Rubicon area should remain residential, maintaining the existing character of the neighborhood.

PLANNING CONSIDERATIONS:

1. There are numerous cut and fill slopes in need of stabilization.
2. Revegetation in this area is very difficult.
3. Interior subdivision drainage is inadequate.
4. Water quality and quantity is insufficient for build out or fire protection.
5. Homes and road cuts are highly exposed on the open slopes.
6. There is no public access to the shoreline.
7. The fire hazard rating in this area is high due, in part, to the dominance of shrub vegetation.
8. The TCPUD diverts water from Lonely Gulch Creek, which causes the Creek to dry up in the summer.
9. There are several small areas in the shorezone where prime fish habitat is tentatively identified for restoration.

10. Scenic Roadway Units 5 and 6 and Scenic Shoreline Unit 9 are within this Plan Area.

11. **The Shoreline Character Type “Visually Modified” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54**

**SPECIAL POLICIES:**

1. Some vegetation management should be allowed to reduce the risk of fire.
2. This is a high priority area for land coverage restoration.
3. Opportunities to provide public vista turnouts should be considered in this area.

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

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

**Residential**
- Single family dwelling (A).

**Public Service**
- Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), and public utility centers (S).

**Recreation**
- Participant sports facilities (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).

**Resource Management**
- Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

**Shorezone:** Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.
Tolerance District 2

Primary Uses
Safety and navigational devices (A) and salvage operations (A).

Accessory Structures
Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (A), floating docks and platforms (A), and water intake lines (S).

Tolerance District 4

Primary Uses
Beach recreation (intensive) (A), safety and navigational devices (A), and salvage operations (A).

Accessory Structures
Mooring buoys (A), piers (A), fences (S), boat ramps (A), breakwaters or jetties (S), shoreline protective structures (A), floating docks and platforms (A), and water intake lines (S).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL. The maximum community noise equivalent level for the Highway 89 corridor is 55 CNEL.

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

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 5/22/02
Language to be deleted is struck-out in red. New proposed language is underlined in blue.
150
MEEKS BAY

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RECREATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>REDIRECTION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>SCENIC RESTORATION AREA</td>
</tr>
</tbody>
</table>

DESCRIPTION:

Location: This planning area is found at the mouth of Meeks Creek and is depicted on TRPA map D-13.

Existing Uses: The USFS manages this area for recreation, including a swim site, campground, and the Meeks Bay Resort. Camp units total 40 in the campground and 100 in the resort. Marina facilities are found at the outlet of Meeks Creek.

Existing Environment: Most of this area is classified as stream environment zone. White fir and lodgepole pine are the dominant vegetation. Past disturbances have been substantially restored and mitigated with BMPs.

PLANNING STATEMENT: This area should continue to provide recreational opportunities and access to the shorezone utilizing an approved redevelopment plan.

PLANNING CONSIDERATIONS:

1. Many campsites are located in the SEZ and experience seasonal flooding.
2. The marina and concrete apron under Highway 89 pose partial barriers to fish migration up the creek, and low stream flows in late summer create stagnant water conditions in the marina.
3. This area is within Scenic Shoreline Unit 10, Scenic Roadway Units 7 and 8, and Scenic Resources Evaluation Areas 23 and 24.
4. The Shoreline Character Types Visually Modified and “Visually Sensitive” are within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.

SPECIAL POLICIES:

1. The feasibility of removing the marina facilities and the campsites from the stream environment zones should be assessed.
2. The banks along Meeks Creek should be stabilized.
3. The trailhead should be relocated and enlarged.
4. Unnatural barriers to fish passage should be removed.
5. Restoration programs in the stream environment zone should be continued. This is a high priority area for land coverage removal.

6. Additional commercial development shall be limited to parcels containing commercial uses on the effective date of the Plan.

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

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

**Tourist Accommodation**

Hotel, motel and other transient dwelling units (S).

**Commercial**

Eating and drinking places (S), food and beverage retail sales (S), general merchandise stores (S), nursery (S), amusements and recreation services (S), and secondary storage (S).

**Public Service**

Pipelines and power transmission (S), local public health and safety facilities (S), public utility centers (S), transit stations and terminals (S), transmission and receiving facilities (S), and transportation routes (S).

**Recreation**

Marinas (S), beach recreation (A), recreation vehicle park (S), boat launching facilities (S), cross country skiing courses (S), day use areas (A), group facilities (S), riding and hiking trails (A), undeveloped campgrounds (A), developed campgrounds (A), outdoor recreation concessions (A), rural sports (S), and snowmobile courses (S).

**Resource Management**

Reforestation (A), regeneration harvest (A), sanitation salvage cut (A), selection cut (A), special cut (A), thinning (A), timber stand improvement (A), tree farms (S), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), farm/ranch accessory structures (S), grazing (S), range pasture management (S), range improvement (S), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), prescribed fire management (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).
Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 1

Primary Uses

Beach recreation (intensive) (A), Safety and navigational facilities (A), salvage operations (A), tour boat operations (S), waterborne transit (S), and water oriented outdoor recreation concessions (S).

Accessory Structures

Boat ramps (A), breakwaters or jetties (S), mooring buoys (A), fences (S), floating docks and platforms (A), piers (S), shorezone protective structures (S), and water intake lines (S).

Tolerance Districts 6 and 7

Primary Uses

Beach recreation (intensive) (A), boat launching facilities (S), marinas (S), safety and navigational facilities (A), salvage operations (A), tour boat operations (S), waterborne transit (S), and water oriented outdoor recreation concessions (A).

Accessory Structures

Boat ramps (A), breakwaters or jetties (S), mooring buoys (A), fences (S), floating docks and platforms (A), piers (A), shorezone protective structures (S), and water intake lines (S).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tourist Accommodation</td>
<td></td>
</tr>
<tr>
<td>Hotels, Motels and Other</td>
<td>20 units per acre</td>
</tr>
<tr>
<td>Transient Dwellings</td>
<td></td>
</tr>
<tr>
<td>Recreation</td>
<td></td>
</tr>
<tr>
<td>Developed Campgrounds</td>
<td>8 sites per acre</td>
</tr>
<tr>
<td>Group Facilities</td>
<td>25 persons per parcel</td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Sensitive Character Unit</td>
<td>Average 1 pier per 300 linear ft</td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>
MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL. The maximum community noise equivalent level for the Highway 89 corridor is 55 CNEL.

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

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

OTHER: Move and expand the trailhead.

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 5/22/02
151
GLENRIDGE

PLAN DESIGNATION:

- Land Use Classification: RESIDENTIAL
- Management Strategy: MITIGATION
- Special Designation: SCENIC RESTORATION

DESCRIPTION:

Location: The Glenridge area is a small area on the lake’s west shore bounded on the north by Sugar Pine Point State Park and on the south by USFS land at Meeks Bay. This area is located on TRPA map D-13.

Existing Uses: The Glenridge Plan Area is a residential subdivision with a density of one single family dwelling per parcel. A church also exists in the unit. The Plan Area is currently 50 percent built out.

Existing Environment: The Glenridge is comprised of approximately 70 percent high hazard lands with remainder being moderate hazard. All the remaining undeveloped parcels within this area are located in the high hazard areas. As suggested by the amount of high hazard lands, the roads are characterized by numerous high and steep-cut and fill slopes. Impervious coverage totals about ten percent plus an additional 20 percent disturbed.

PLANNING STATEMENT: Glenridge should remain residential, maintaining the existing character of the neighborhood.

PLANNING CONSIDERATIONS:

1. Subdivision improvements do not meet minimal BMP standards.
2. The county contracts its services in this area.
3. Scenic Roadway Units 7 and 8 and Scenic Shoreline Unit 10 are within this Plan Area.
4. There is a current litigation settlement that affects the Glenridge Subdivision.
5. The Shoreline Character Type “Visually Modified” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.

SPECIAL POLICIES: No special policies.
PERMISSIBLE USES: Pursuant to Chapter 18 PERMISSIBLE USES and if applicable, Chapter 51 PERMISSIBLE USES AND ACCESSORY STRUCTURES IN THE SHOREZONE AND LAKEZONE, the following primary uses may be permitted within all or a portion of the Plan Area. The list indicates if the use is allowed (A) or must be considered under the provisions for a special use (S). Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited within this Plan Area.

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

Residential
- Single family dwelling (A).

Public Service
- Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), churches (A), and local post offices (S).

Recreation
- Participant sports facilities (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).

Resource Management
- Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 6

Primary Uses
- Beach recreation (intensive) (A), safety and navigational devices (A), and salvage operations (A).

Accessory Structures
- Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (A), floating docks and platforms (A), and water intake lines (S).
Tolerance District 2

Primary Uses

Safety and navigational devices (A) and salvage operations (A).

Accessory Structures

Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (A), floating docks and platforms (A), and water intake lines (S).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

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<th>USE</th>
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</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL. The maximum community noise equivalent level for the Highway 89 corridor is 55 CNEL.

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

SUMMER DAY USES 0 PAOT WINTER DAY USES 0 PAOT OVERNIGHT USES 0 PAOT

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 5/22/02
153
SUGAR PINE POINT

PLAN DESIGNATION:

- **Land Use Classification**: RECREATION
- **Management Strategy**: MITIGATION
- **Special Designation**: PREFERRED AFFORDABLE HOUSING AREA
  MULTI-RESIDENTIAL INCENTIVE PROGRAM
  SHOREZONE PRESERVATION AREA

DESCRIPTION:

**Location**: This area follows the shorezone south from Sugar Pine Point to just north of Meeks Bay and is depicted on TRPA maps C-12, D-12, and the Homewood Quadrangle.

**Existing Uses**: This area is managed for public recreation by the California State Parks Department. There are 175 campsites at the General Creek campground. Besides developed recreational opportunities, this area provides opportunities for dispersed recreation such as hiking and activities related to beach use.

**Existing Environment**: The land capability and shorezone tolerance of this planning area are low hazard. Important plant species in this area include both large and pole-sized fir and greenleaf manzanita. Of the 617 acres, less than 20 acres have some type of disturbance or hard coverage. Shorezone is tolerance districts 2, 6 and 7.

PLANNING STATEMENT: Overnight camping and recreation day use should continue to be the major emphasis of land use in this area.

PLANNING CONSIDERATIONS:

1. Rodents in this area have a history of plague problems.
2. There are numerous dams (human, natural log jams, and beaver dams) which impede fish movement along General Creek.
3. Several historical structures are located in this area.
4. Scenic Roadway Unit 8, Shoreline Unit II, and Scenic Resource Area 22 are within this Plan Area.
5. **The Shoreline Character Type “Naturally Dominated” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54**

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§ Amended 4/28/04
SPECIAL POLICIES:

1. Expanded use of this area for camping and other recreation should be consistent with the maintenance of the high scenic quality ratings of this area.

2. Selective removal of trees in the vicinity of the Erhman Mansion should be permitted to maintain the scenic views from the mansion.

3. The designated Shorezone Preservation Area requires protection from additional Shorezone development affecting significant biological, scenic, and other natural resource values.

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

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

**Residential**
- Employee housing (S).

**Public Service**
- Pipelines and power transmission (S), power generating (S), local public health safety facilities (S), public utility centers (S), transit stations and terminals (S), transmission and receiving facilities (S), and transportation routes (S).

**Recreation**
- Cross country skiing courses (S), day use areas (A), beach recreation (A), outdoor recreation concessions (A), riding and hiking trails (S), undeveloped campgrounds (A), developed campgrounds (A), participant sports facilities, rural sports (S), group facilities (S), and snowmobile courses (S).

**Resource Management**
- Reforestation (A), regeneration harvest (A), sanitation salvage cut (A), selection cut (A), special cut (A), thinning (A), timber stand improvement (A), tree farms (S), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (S), structural wildlife habitat management (S), farm/ranch accessory structures (S), grazing (S), range pasture management (S), range improvement (S), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), prescribed fire management (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).
**Shorezone**: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

**Tolerance District 2, 6 and 7**

**Primary Uses**

Beach recreation *(intensive)* (A), safety and navigational devices (A), salvage operations (S) outdoor recreation concessions (A), waterborne transit (S) and tour boat operations (A)

**Accessory Structures***

Mooring buoys (A), piers (A), fences (S), boat ramps (A), floating docks and platforms (A), breakwaters or jetties (S), shoreline protective structures (S), and water intake lines (A).

* No additional Shorezone structures shall be permitted in the designated Shorezone Preservation Area except as provided in Code Subsection 50.4.B

**MAXIMUM DENSITIES**: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Employee Housing</td>
<td>15 units per acre on state park property</td>
</tr>
<tr>
<td>Recreation</td>
<td></td>
</tr>
<tr>
<td>Developed Campgrounds</td>
<td>8 sites per acre</td>
</tr>
<tr>
<td>Group Facilities</td>
<td>25 persons per acre</td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Naturally Dominated</td>
<td>NA</td>
</tr>
</tbody>
</table>
MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL. The maximum community noise equivalent level for the Highway 89 corridor is 55 CNEL.

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

- SUMMER DAY USES 0 PAOT
- WINTER DAY USE 0 PAOT
- OVERNIGHT USES 280 PAOT

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented.§

§ Amended 5/22/02
TAHOMA RESIDENTIAL

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RESIDENTIAL</th>
</tr>
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<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>PREFFERED AFFORDABLE HOUSING AREA</td>
</tr>
<tr>
<td></td>
<td>SCENIC RESTORATION AREA</td>
</tr>
</tbody>
</table>

DESCRIPTION:

Location: This is the residential area located at the Placer/El Dorado County line north of Sugar Pine State Park. It can be found on TRPA maps C-11, C-12, and D-12.

Existing Uses: This area is a mixture of residential uses ranging from higher density condominiums to low density single family dwellings. The shoreline is in private ownership. The area is 70 percent built out.

Existing Environment: The area is 90 percent low hazard with the remaining ten percent in mixed classifications. The land coverage is about 20 percent and disturbance roughly 20 percent. The shorezone tolerance districts are 6 and 7 with some erosion problems.

PLANNING STATEMENT: This area should continue to be residential, maintaining the existing character of the neighborhood.

PLANNING CONSIDERATIONS:

1. The prime fish habitat in the lake is tentatively designated for habitat improvement.
2. There is a habitat for Rorippa subumbellata on the beach.
3. Subdivision improvements do not meet minimal BMP standards.
4. Seeped soils exist which exhibit lower land capability characteristics than those mapped.
5. Scenic Roadway Unit 9 and Scenic Shoreline Unit 12 are within this Plan Area. The roadway unit is targeted for scenic restoration as required by the scenic threshold.
6. The Shoreline Character Type “Visually Modified” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.
SPECIAL POLICIES:

1. Placer County, El Dorado County, and the Tahoe City Advisory Council should coordinate efforts with the TRPA and state agencies to solve water quality problems in this area.

2. Water treatment facilities such as settling ponds should be located in this area.

3. Provide opportunities for development of a variety of housing for seniors with an emphasis on affordable housing.

4. Provide opportunities for development of affordable housing.

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

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

**Residential**
- Single family dwelling (A), multiple family dwellings (A), and multi-person dwellings (S).

**Tourist Accommodation**
- Bed and breakfast facilities (S).

**Public Service**
- Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), churches (S), local post offices (S), and day care centers/pre-schools (S).

**Recreation**
- Participant sports (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).

**Resource Management**
- Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

**Shorezone:** Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.
Tolerance Districts 6 and 7

Primary Uses

Beach recreation (intensive) (A), safety and navigational devices (A), and salvage operations (A).

Accessory Structures

Moorings (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (A), floating docks and platforms (A), and water intake lines (S).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Multiple Family Dwellings</td>
<td>8 units per acre</td>
</tr>
<tr>
<td>Multi-person Dwelling</td>
<td>15 persons per acre</td>
</tr>
<tr>
<td>Tourist Accommodation</td>
<td></td>
</tr>
<tr>
<td>Bed and Breakfast Facilities</td>
<td>8 units per acre</td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area, including the Highway 89 corridor, is 55 CNEL.

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

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented.§

§ Amended 5/22/02
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CHAMBERS LANDING

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RESIDENTIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>NONE</td>
</tr>
</tbody>
</table>

DESCRIPTION:

Location: The Chambers Landing Plan Area is located approximately two miles south of Homewood extending southward from the Quail Lake drainage to McKinney Creek. The area extends west to include the existing residential area and can be found on TRPA maps C-11 and C-12.

Existing Uses: The Plan Area is primarily residential with some small commercial use (a bar and real estate office). The density is primarily one single family dwelling per parcel of record. There is also an approved condominium projects on the unit. The plan area is approximately 70 percent built out.

Existing Environment: The Chambers Landing area is approximately ten percent SEZ, 20 percent moderate hazard, and about 70 percent low hazard. Some soils within the unit are seeped and exhibit characteristics of a lower land capability than mapped. The shorezone tolerance districts are 6 and 7. The shorezone contains high quality, but degraded fish habitats. The unit is 15 percent covered and 25 percent disturbed.

PLANNING STATEMENT: This area should continue to be residential, maintaining the existing character of the neighborhood.

PLANNING CONSIDERATIONS:

1. Some seeped soils exist which exhibit characteristics of a lower land capability district than mapped.

2. A paper subdivision exists with no supporting infrastructure.

3. There are localized problems with bank erosion along McKinney Creek.

4. The prime fish habitat in Lake Tahoe is tentatively identified for habitat restoration.

5. Scenic Roadway Units 9 and 10 and Scenic Shoreline Unit 12 are within this Plan Area.

6. The Shoreline Character Type “Visually Modified” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.
SPECIAL POLICIES:

1. Additional commercial development shall be limited to parcels containing commercial uses on the effective date of the Plan.

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

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

**Residential**
- Single family dwelling (A).

**Commercial**
- Eating and drinking places (S).

**Public Service**
- Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), churches (S), and local post offices (S).

**Recreation**
- Participant sports facilities (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).

**Resource Management**
- Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

**Shorezone:** Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

**Tolerance Districts 6 and 7**

**Primary Uses**
- Beach recreation (intensive) (A), safety and navigational devices (A), and salvage operations (A).

**Accessory Structures**
- Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (A), floating docks and platforms (A), and water intake lines (S).
**MAXIMUM DENSITIES:** Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

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<tbody>
<tr>
<td>Residential</td>
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<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td><strong>Shorezone</strong></td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>

**MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL:** The maximum community noise equivalent level for this Plan Area, including the Highway 89 corridor, is 55 CNEL.

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

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

**ENVIRONMENTAL IMPROVEMENT PROGRAMS:** The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented.  

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§ Amended 5/22/02
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McKINNEY TRACT

PLAN DESIGNATION:

Land Use Classification  RESIDENTIAL
Management Strategy  MITIGATION
Special Designation  SCENIC RESTORATION AREA

DESCRIPTION:

Location: The McKinney Tract area is located just south of Homewood and north of McKinney Creek along Highway 89 on the west shore of Lake Tahoe. It can be located on TRPA map C-11.

Existing Uses: The existing use in this area is residential at a density of one single family dwelling per parcel. Most of the shoreline in this area is privately owned, although there is one public beach. The plan area is 70 percent built out.

Existing Environment: The McKinney Tract area is approximately 30 percent SEZ, 65 percent low hazard and perhaps ten percent high hazard. Some seeped soils exist in this area which exhibit a lower land capability than mapped. The unit is 15 percent covered and 22 percent disturbed. The shorezone tolerance district is 7. The area contains high quality, but degraded fish habitats.

PLANNING STATEMENT: This area should remain residential with a density of one single family dwelling per parcel.

PLANNING CONSIDERATIONS:

1. Some of the area contains seeped soils exist which exhibit characteristics of a lower land capability district than mapped

2. Prime fish habitat in Lake Tahoe is tentatively identified for habitat restoration.

3. There are problems associated with erosion and SEZ impacts in the vicinity of Tahoe Ski Bowl.

4. Scenic Roadway Unit 10 and Scenic Shoreline Unit 12 are within this Plan Area. The roadway unit is targeted for restoration as required by the scenic threshold.

5. The Shoreline Character Type “Visually Modified” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54
SPECIAL POLICIES:

1. The Scenic Roadway and Shoreline Unit should be reevaluated for attainment in this area.

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

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

Residential
- Single family dwelling (A).

Public Service
- Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), local post offices (S), and day care centers/pre-schools (S).

Recreation
- Participant sports facilities (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).

Resource Management
- Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 7

Primary Uses
- Beach recreation (intensive) (A), safety and navigational devices (A), and salvage operations (A).

Accessory Structures
- Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (A), floating docks and platforms (A), and water intake lines (S).
MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

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<tr>
<td>Piers in Visually Modified Character Unit</td>
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MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area, including the Highway 89 corridor, is 55 CNEL.

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

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

ENVIROMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented.§

§ Amended 5/22/02
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HOMEWOOD/COMMERCIAL

PLAN DESIGNATION:

- Land Use Classification: TOURIST
- Management Strategy: REDIRECTION
- Special Designation: PRELIMINARY COMMUNITY PLAN AREA
  TDR RECEIVING AREA FOR:
  1. Existing Development

SCENIC RESTORATION AREA

DESCRIPTION:

Location: This area is located along Highway 89 between Obexer’s Marina and Homewood Ski Area and is located on TRPA map C-11.

Existing Uses: The area is a mixture of small commercial services, two marinas, a sea plane base, motel facilities, and some residential use. The area is 90 percent built out.

Existing Environment: The area is 70 percent low hazard, 10 percent high hazard and 10 percent SEZ. The shorezone is tolerance district 7. The land coverage and disturbance is high.

PLANNING STATEMENT: This area should continue to be a tourist commercial area. However, there is a need for rehabilitation while maintaining the scale and character of the west shore.

PLANNING CONSIDERATIONS:

1. The prime fish habitat in Lake Tahoe is tentatively identified for habitat restoration.

2. Scenic Roadway Unit 11 and Scenic Shoreline Unit 12 are within this Plan Area, and the roadway unit is targeted for restoration as required by the scenic threshold.

3. Ownership of a narrow littoral strip is unknown.

4. Facilities at Obexer’s marina are in poor condition.

5. There are no runoff containment facilities at the marinas, and the sea plane base parking facilities are inadequate.

6. The Homewood Ski Area is adjacent to this Plan Area.

7. The Shoreline Character Types “Visually Dominated”, and “Visually Modified” are within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.
SPECIAL POLICIES:

1. Community planning for development of this area should include consideration of the adjoining ski areas in PAS 157.

2. The Community Plan or the Homewood Marina Master Plan should consider the sea plane base and establish a noise corridor for the sea plane base.

3. This area should be considered for a major water borne transit stop.

4. The marina facilities should be expanded and upgraded to accommodate increasing boating needs.

5. Tourism and recreation compatible with the west shore scale of development should be encouraged in this Plan Area.

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

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

- **Residential**: Employee housing (S), and single family dwelling (S).

- **Tourist Accommodation**: Bed and breakfast facilities (A), hotel, motels, and other transient dwelling units (A), timeshare (hotel/motel design) (S), and timeshare (residential design) (S).

- **Commercial**: Auto, mobile home and vehicle dealers (S), building materials and hardware (S), eating and drinking places (A), food and beverage retail sales (A), furniture, home furnishings and equipment (S), general merchandise stores (A), mail order and vending (A), nursery (A), outdoor retail sales (S), service stations (A), amusements and recreation services (S), outdoor amusements (S), animal husbandry services (S), auto repair and service (S), broadcasting studios (A), business support services (A), contract construction services (S), financial services (A), health care services (A), personal services (A), professional offices (A), repair services (A), secondary storage (S), small scale manufacturing (S), vehicle storage and parking (S), and warehousing (S).
Public Service

Airfields, landing strips and heliports (new non-emergency sites prohibited) (S), Churches (A), cultural facilities (A), day care centers/pre-schools (A), government offices (S), local assembly and entertainment (A), local post office (A), local public health and safety facilities (A), membership organizations (A), public utility centers (S), schools – kindergarten through secondary (A), social service organizations (A), pipelines and power transmission (S), transit stations and terminals (S), transportation routes (S), and transmission and receiving facilities (S).

Recreation

Day use areas (A), recreation center (S), participant sports facilities (A), beach recreation (A), boat launching facilities (S), cross country skiing courses (S), outdoor recreation concessions (A), marinas (A), riding and hiking trails (S), skiing facilities (S), snow mobile courses (S), and visitor information center (S).

Resource Management

Reforestation (A), sanitation salvage cut (A), thinning (A), timber stand improvement (A), tree farms (A), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 7

Primary Uses

Water oriented outdoor recreation concessions (A), beach recreation (intensive) (A), waterborne transit (A), boat launching facilities (S), tour boat operations (A), safety and navigation devices (A), marinas (S), sea plane operations (S), and salvage operations (S).

Accessory Structures

Moorings (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (A), floating docks and platforms (A), and water intake lines (S).
**MAXIMUM DENSITIES:** Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

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<tbody>
<tr>
<td>Residential</td>
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</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Multiple Family Dwelling</td>
<td>8 units per acre</td>
</tr>
<tr>
<td>Employee Housing</td>
<td>8 units per acre</td>
</tr>
<tr>
<td>Tourist Accommodation</td>
<td></td>
</tr>
<tr>
<td>Bed and Breakfast</td>
<td>10 units per acre</td>
</tr>
<tr>
<td>Hotel, Motel, and other Transient Units - with less than 10% of units with kitchens</td>
<td>20 units per acre</td>
</tr>
<tr>
<td>- with 10% or more units with kitchens</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>Timeshare</td>
<td>As per the limitations set forth in this table</td>
</tr>
<tr>
<td><strong>Shorezone</strong></td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Dominated Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
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</tr>
</tbody>
</table>

**MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL:** The maximum community noise equivalent level for this Plan Area is 60 CNEL. The maximum community noise equivalent level for the Highway 89 corridor is 60 CNEL.

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

**SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT**

**ENVIRONMENTAL IMPROVEMENT PROGRAMS:** The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

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§ Amended 5/22/02
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HOMEWOOD/RESIDENTIAL

PLAN DESIGNATION:

- Land Use Classification: RESIDENTIAL
- Management Strategy: MITIGATION
- Special Designation: SCENIC RESTORATION AREA

DESCRIPTION:

Location: The Homewood Residential Plan Area is located just north of Homewood on Highway 89 and can be found on TRPA maps C-10 and C-11.

Existing Uses: The existing uses are primarily residential with a few commercial uses. Primary density is one single family dwelling per parcel of record although two multi-unit apartment buildings exist. The plan area is 70 percent built out.

Existing Environment: Homewood is a very old subdivision along the lake’s west shore. Approximately 75 percent of the plan area is low hazard, with 15 percent high hazard and 10 percent SEZ. Some seeped soils exist in the area which exhibit characteristics lower than the mapped capability. The unit is 20 percent covered and 20 percent disturbed. The shorezone tolerance district is 7. The area contains high quality, but degraded fish habitats. A strip of land with unknown ownership separates the near-lake parcels from the lake. Current landowners for the most part utilize this property as their own.

PLANNING STATEMENT: This area should remain a low density residential area while upgrading the area in character with the west shore.

PLANNING CONSIDERATIONS:

1. Some of the area contains seeped soils which exhibit lower land capability characteristics than the capability district mapped.

2. A strip of backshore land of unknown ownership currently is used by individual landowners.

3. Several parcels off Highway 89 are not served by road or other essential public services.

4. Madden Creek Water Co. diverts water from Madden Creek causing it to dry up during the summer.

5. Scenic Roadway Unit 11 and Scenic Shoreline Unit 12 are within this Plan Area. The roadway unit is targeted for restoration as required by the scenic threshold.

6. The prime fish habitat in Lake Tahoe is tentatively identified for habitat restoration.
7. The Shoreline Character Type “Visually Modified” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54

SPECIAL POLICIES:

1. Regulate the lake front strip of land as a multi-use area for residents of the subdivision until the ownership is resolved. No new structures shall be permitted. However, repairs may be permitted on all structures until the issue is resolved.

2. TDR of allocations are allowed to be located only in areas served with paved roads, water, power and sewer service.

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

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

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<td>Single family dwelling (A).</td>
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<tr>
<td>Public Service</td>
<td>Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S),</td>
</tr>
<tr>
<td></td>
<td>transportation routes (S), public utility centers (S), churches (S), local post offices (S), and day care centers/pre-schools (S).</td>
</tr>
<tr>
<td>Recreation</td>
<td>Participant sports facilities (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).</td>
</tr>
<tr>
<td>Resource Management</td>
<td>Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural</td>
</tr>
<tr>
<td></td>
<td>and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease</td>
</tr>
<tr>
<td></td>
<td>suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).</td>
</tr>
</tbody>
</table>

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.
Tolerance District 7

Primary Uses

Beach recreation (intensive) (A), safety and navigational devices (A), and salvage operations (A).

Accessory Structures

Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (A), floating docks and platforms (A), and water intake lines (S).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
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</thead>
<tbody>
<tr>
<td>Residential</td>
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</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area, including the Highway 89 corridor, is 55 CNEL.

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

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented.§

§ Amended 5/22/02
161
TAHOE PINES

PLAN DESIGNATION:

Land Use Classification    RESIDENTIAL
Management Strategy        MITIGATION
Special Designation        NONE

DESCRIPTION:

Location: The Tahoe Pines Plan Area is located approximately one mile north of Homewood on Lake Tahoe’s west shore. It includes the outlet of Blackwood Creek, some shorezone area on the east side of Highway 89 and the residential area to the west of Highway 89. The Plan Area may be located on TRPA maps B-10 and C-10.

Existing Uses: The existing use is residential, primarily at a density of one single family dwelling per lot of record. There is an existing commercial use of the old Tahoe Pines post office building. There is also one fairly large condominium project. The area is approximately 50 percent built out. Two public beaches exist in this area.

Existing Environment: The area is comprised of approximately 25 percent high hazard lands, 20 percent moderate hazard lands, 45 percent low hazard lands, and 10 percent SEZ lands. Land coverage is approximately 17 percent and land disturbance is approximately 25 percent. The shorezone tolerance districts are 6 and 7. Blackwood Creek within this area has been fairly to highly modified. The entire shoreline within this area is a prime fish habitat, although it has been degraded.

PLANNING STATEMENT: This area should remain residential, maintaining the existing character of the neighborhood.

PLANNING CONSIDERATIONS:

1. There is relatively little public access to the lake.
2. Blackwood Creek is an important stream for fish migration, but the stream is extensively disturbed and unstable.
3. The status of paper subdivisions located in high hazard lands is unresolved.
4. Dirt roads within the subdivision are a continuing sediment source.
5. There are areas of local flooding near Blackwood Creek.
6. Scenic Roadway Unit 12 and Scenic Shoreline Unit 13 are within this Plan Area.
7. The prime fish habitat in Lake Tahoe is tentatively identified for habitat restoration.
8. The Shoreline Character Type “Visually Modified” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54

SPECIAL POLICIES:

1. Efforts to restore Blackwood Creek should continue.

2. Public access to the shoreline should be maintained or expanded on public lands, particularly on the county lands at Tahoe Pines.

3. Commercial use of the old Tahoe Pines post office building as it exists upon the adoption of this Plan Area is considered an allowed use.

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

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

Residential

Single family dwelling (A).

Commercial

In accordance with Special Policy #3.

Public Service

Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), churches (S), local post offices (S), and day care centers/pre-schools (S).

Recreation

Participant sports facilities (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).

Resource Management

Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.
Tolerance Districts 6 and 7

Primary Uses
Beach recreation (intensive) (A), safety and navigational devices (A), and salvage operations (A).

Accessory Structures
Moorings buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (A), floating docks and platforms (A), and water intake lines (S).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

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<td></td>
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<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area, including the Highway 89 corridor, is 55 CNEL.

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

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. 

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§ Amended 5/22/02
162
BLACKWOOD

PLAN DESIGNATION:

Land Use Classification  CONSERVATION
Management Strategy    MITIGATION
Special Designation     NONE

DESCRIPTION:

Location:  This area follows the Basin boundary from Twin Peaks to Ellis Peak and then eastward to Tahoe Pines. The boundaries of the area are depicted on Agency maps B-9, B-10, C-9, C-10 and the Homewood Quadrangle.

Existing Uses:  This area has a mixture of low to moderate intensity uses related to both recreation and timber management. Recreational uses include hiking, fishing, primitive camping, and off-road vehicle use. Most of the timber practices are limited to areas adjacent to the main access road and in areas of good land capability.

Existing Environment:  This area has a good mixture of different plant communities, but mature fir is the overall dominant species. Blackwood Creek and associated stream environment zones have been extensively modified in certain locations. Spotted owl and goshawk habitats are located in the bottom section of Blackwood Canyon.

PLANNING STATEMENT:  This area should be managed, as appropriate, to improve the quality of the watershed, including management of Blackwood Creek as a resident and migratory fishery.

PLANNING CONSIDERATIONS:

1. The Blackwood Creek drainage has been extensively disturbed from past resource practices and has associated water quality problems.

2. The main access road services a large area of forested land outside the Lake Tahoe Basin.

3. Blackwood Creek provides excellent spawning habitats for fishes migrating from Lake Tahoe to spawn.

4. Scenic Roadway Unit 12 and Scenic Shoreline Unit 13 are within this Plan Area.

5. The exceptionally high scenic quality along Roadway Unit 12 where it passes through this Plan Area should be protected.

6. The Agency Wildlife Map identifies this Plan Area as containing goshawk and waterfowl habitat and a major deer migration route.
7. The Shoreline Character Type “Visually Modified” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.

SPECIAL POLICIES:

1. Management activities that restore disturbed areas and improve the vegetative cover should be emphasized.

2. Blackwood Creek should be stabilized and other instream programs to minimize erosion and scouring should be performed.

3. Off-road vehicle use should be restricted to designated roads.

4. Opportunities should be provided for snowmobile use and staging area when such uses do not include the location of concession base facilities in this Plan Area.

5. Snowmobile use should be prohibited in important wildlife habitat.

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

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

Residential

- Single family dwelling (S).

Public Service

- Local public health and safety facilities (S), pipelines and power transmission (S), public utility centers (S), transit stations and terminals (S), transmission and receiving facilities (S), and transportation routes (S).

Recreation

- Cross country skiing courses (S), day use areas (S), developed campgrounds (S), riding and hiking trails (A), undeveloped campgrounds (S), off-road vehicle uses (S), snowmobile courses (S), marinas (S), beach recreation (A), and boat launching facilities (S).
Resource Management

Reforestation (A), regeneration harvest (A), sanitation salvage cut (A), selection cut (A), special cut (A), thinning (A), timber stand improvement (A), tree farms (S), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), farm/ranch accessory structures (S), grazing (S), range pasture management (A), range improvement (S) fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), prescribed fire management (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 6

Primary Uses

Beach recreation (intensive) (A), boat launching facilities (S), marinas (S), safety and navigational facilities (A), salvage operations (A), tour boat operations (S), waterborne transit (S), and water oriented outdoor recreation concessions (A).

Accessory Structures

Moorings buoys (A), piers (S), fences (S), boat ramps (A S), breakwaters or jetties (S), shoreline protective structures (A), floating docks and platforms (A), and water intake lines (S)

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

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</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>
MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL. The maximum community noise equivalent level for the Highway 89 corridor is 50 CNEL.

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

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

OTHER: Staging area; 7 miles of trail.

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented.\(^6\)

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\(^6\) Amended 5/22/02
164
SUNNYSIDE/SKYLAND

PLAN DESIGNATION:

Land Use Classification: RESIDENTIAL
Management Strategy: MITIGATION
Special Designation: NONE

DESCRIPTION:

Location: The Sunnyside/Skyland area is located on the west shore of Lake Tahoe from the Sunnyside resort on the north to the USFS/Kaspian Picnic Area on the south. The area may be located on TRPA maps C-8 and C-9.

Existing Uses: The primary use is residential. Many estate type homes and lots exist in this area. Density is one single family dwelling per parcel of record, although guest houses are allowed on some parcels. Some parcels are quite large. The entire shoreline is privately owned.

Existing Environment: The unit is comprised of about 10 percent SEZ lands, 15 percent moderate hazard lands with the remainder being low hazard lands. The unit is 12 percent covered and 20 percent disturbed. The shorezone tolerance districts are 7, 6, and 4.

PLANNING STATEMENT: This area should remain residential, maintaining the existing character of the neighborhood.

PLANNING CONSIDERATIONS:

1. Ownership of the beach is private, although Highway 89 is within a few feet of the shoreline.

2. Scenic Roadway Unit 13 and Scenic Shoreline Unit 14 are within this Plan Area.

3. The prime fish habitat in Lake Tahoe is tentatively identified for habitat restoration.

4. The Shoreline Character Types Visually Modified and “Visually Sensitive” are within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54

SPECIAL POLICIES: No Special Policies

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

**Residential**  
Single family dwelling (A).

**Public Service**  
Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), churches (S), and local post offices (S).

**Recreation**  
Participant sports facilities (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).

**Resource Management**  
Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

**Shorezone:** Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

**Tolerance Districts 4, 6 and 7**

**Primary Uses**  
Beach recreation (intensive) (A), safety and navigational devices (A), and salvage operations (A).

**Accessory Structures**  
Mooring buoys (S), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (A), floating docks and platforms (A), and water intake lines (S).

**MAXIMUM DENSITIES:** Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

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<td>Single Family Dwelling</td>
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</tr>
<tr>
<td><strong>Shorezone</strong></td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Sensitive Character Unit</td>
<td>Average 1 pier per 300 linear ft</td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>
MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area, including the Highway 89 corridor, is 55 CNEL.

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

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented.  

§ Amended 5/22/02
Language to be deleted is **struck-out in red**. New proposed language is **underlined in blue**.
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SUNNYSIDE

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>TOURIST</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>REDIRECTION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>PRELIMINARY COMMUNITY PLAN AREA</td>
</tr>
<tr>
<td></td>
<td>TDR RECEIVING AREA FOR:</td>
</tr>
<tr>
<td></td>
<td>1. Existing Development</td>
</tr>
<tr>
<td></td>
<td>SCENIC RESTORATION AREA</td>
</tr>
</tbody>
</table>

DESCRIPTION:

Location: This area is located approximately two miles south of Tahoe City on Highway 89 in the area of the Sunnyside Resort and may be located on TRPA map C-8.

Existing Uses: Existing development in this Plan Area includes a restaurant/tavern, boat storage yard, marina, and a public (USFS) campground. The area is 99 percent built out.

Existing Environment: Almost the entire area is developed, primarily by recreational uses (campground). The area is approximately 40 percent SEZ and 60 percent low hazard. It is currently zoned tourist, and shorezone tolerance district is 7. Most of the area is in public ownership. A small public beach is located in the area. Impervious coverage totals approximately 25 percent, and approximately 10 percent is considered disturbed.

PLANNING STATEMENT: The current and future uses should be directed towards the needs of tourists. The area to the west of Highway 89 should be rehabilitated to improve the scenic quality of the area while maintaining the west shore scale and character.

PLANNING CONSIDERATIONS:

1. Scenic Roadway Unit 13 and Scenic Shoreline Unit 14 are within this Plan Area, and the roadway unit is targeted for restoration as required by the scenic threshold.

2. The prime fish habitat in Lake Tahoe is tentatively identified for habitat restoration.

3. The Shoreline Character Types “Visually Dominated”, and “Visually Modified” are within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.
SPECIAL POLICIES:

1. A large-scale, comprehensive Community Plan is the preferred method of planning new development.

2. Upgrading of existing facilities should be consistent with the historical character of the area.

3. If and when a redevelopment agency is created, this PAS should be considered by the TRPA for a special designation as Eligible for Redevelopment Plans.

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

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

Residential

Employee housing (S) and single family dwelling (S).

Tourist Accommodation

Bed and breakfast facilities (A), hotel, motel, and other transient dwelling units (A), and timeshare (hotel/motel design) (S).

Commercial

Auto, mobile home and vehicle dealers (S), building materials and hardware (S), eating and drinking places (A), food and beverage retail sales (A), furniture, home furnishings and equipment (S), general merchandise stores (A), mail order and vending (A), nursery (A), outdoor retail sales (S), service stations (A), amusements and recreation services (S), broadcasting studios (A), business support services (A), contract construction services (S), financial services (A), health care services (A), personal services (A), professional offices (A), repair services (A), secondary storage (S), and vehicle storage and parking (S).

Public Service

Churches (S), cultural facilities (A), day care centers/pre-schools (A), local assembly and entertainment (A), local post office (A), local public health and safety facilities (A), membership organizations (A), public utility centers (S), regional public health and safety facilities (S), social service organizations (A), pipelines and power transmission (S), transit stations and terminals (S), transportation routes (S), and transmission and receiving facilities (S).

Recreation

Day use areas (A), participant sports facilities (S), beach recreation (A), boat launching facilities (S), cross country skiing facilities (S), developed campgrounds (A), group facilities (S), outdoor recreation concessions (A), marinas (A), recreational vehicle park (S), riding and hiking trails (S), rural sports (S), and visitor information center (S).
Resource Management
Reforestation (A), sanitation salvage cut (A), thinning (A), timber stand improvement (A), tree farms (A), early successional stage vegetation management (A), A, nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 7

Primary Uses
Water oriented outdoor recreation concessions (A), beach recreation (intensive) (A), waterborne transit (A), boat launching facilities (S), tour boat operations (A), safety and navigation devices (A), marinas (S), and salvage operations (S).

Accessory Structures
Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (A), floating docks and platforms (A), and water intake lines (A).
**MAXIMUM DENSITIES:** Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

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</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Employee Housing (Multiple family dwelling only)</td>
<td>15 units per acre</td>
</tr>
<tr>
<td><strong>Tourist Accommodation</strong></td>
<td></td>
</tr>
<tr>
<td>Bed and Breakfast Facilities</td>
<td>10 units per acre</td>
</tr>
<tr>
<td>Hotel, Motel, and other Transient Units - with less than 10% of units with kitchens</td>
<td>20 units per acre</td>
</tr>
<tr>
<td>- with 10% or more units with kitchens</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>Timeshare (hotel/motel design only)</td>
<td>As per the limitations set forth in this table</td>
</tr>
<tr>
<td><strong>Recreation</strong></td>
<td></td>
</tr>
<tr>
<td>Recreation Vehicle Parks</td>
<td>10 sites per acre</td>
</tr>
<tr>
<td>Developed Campgrounds</td>
<td>8 sites per acre</td>
</tr>
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</table>

**MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL:** The maximum community noise equivalent level for this Plan Area is 60 CNEL. The maximum community noise equivalent level for the Highway 89 corridor is 60 CNEL.

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

- **SUMMER DAY USES**: 0 PAOT
- **WINTER DAY USES**: 0 PAOT
- **OVERNIGHT USES**: 0 PAOT

**ENVIRONMENTAL IMPROVEMENT PROGRAMS:** The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented.

---

Amended 5/22/02
171
TAVERN HEIGHTS

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RESIDENTIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>SCENIC RESTORATION AREA</td>
</tr>
<tr>
<td></td>
<td>TDR RECEIVING AREA</td>
</tr>
<tr>
<td></td>
<td>1. Multi-Residential Units (Special Area #1 Only)</td>
</tr>
<tr>
<td></td>
<td>MULTI-RESIDENTIAL INCENTIVE PROGRAM AREA</td>
</tr>
</tbody>
</table>

DESCRIPTION:

Location: This is the residential area along Highway 89 between Sunnyside Resort and Tahoe City and can be located on TRPA maps C-7 and C-8.

Existing Uses: Tavern Heights is a mixture of residential uses ranging from medium density condominiums to large estates. The shoreline is in private ownership. The area is 85 percent built out.

Existing Environment: The area is 90 percent low hazard. The shoreline is classified as tolerance district 7. Approximately 20 percent of the area has been covered with impervious surfaces and an additional 20 percent has been disturbed.

PLANNING STATEMENT: This area should continue to be residential, maintaining the existing character of the neighborhood.

PLANNING CONSIDERATIONS:

1. Most of the piers in this area are extremely long due to shallow water.

2. The prime fish habitat in Lake Tahoe is tentatively identified for habitat restoration.

3. Scenic Roadway Unit 14 and Scenic Shoreline Unit 14 are within this Plan Area. The roadway unit is targeted for restoration as required by the scenic threshold.

4. The Shoreline Character Type “Visually Modified” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54
SPECIAL POLICIES:

1. The two churches and their facilities, as they exist upon the adoption of this Plan Area, are considered allowed uses.

2. Special Area #1 is designated for multi-residential use and Government Office use.

3. Government Offices in Special Area #1 shall be limited to regional post offices. No regional post office use shall commence until TRPA approves an updated U.S. Postal Service Master Plan consistent with Policy 5F of the Regional Goals and Policy Plan. Provisions for carrier service shall be required for a regional post office in Special Area #1. (If the U.S. Postal Service Master Plan is not approved by TRPA prior to submittal of a regional post office project in Special Area #1, TRPA and the U.S. Postal Service shall commit to an agreement concerning operations in the Tahoe City service area alone. Such an agreement would be a component and binding element to the U.S. Postal Service Master Plan for the Tahoe City delivery area.)

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

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

**Residential**
- Single family dwelling (A), multi-family dwellings (SA #1 only) (S).

**Tourist Accommodation**
- Bed and breakfast facilities (S).

**Public Service**
- Government Offices (S.A. #1 Only) (S), local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), and day care centers/pre-schools (S).

**Recreation**
- Participant sports facilities (S), day use areas (A), riding and hiking trails (A), and beach recreation (A).

**Resource Management**
- Reforestation (A), sanitation salvage cut (A), thinning (A), early successional stage vegetation management (A), A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive plant management (A), uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

---

§ Amended 10/27/99 Special Policies #2 and #3
Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 7

Primary Uses
Beach recreation (intensive) (A), safety and navigational devices (A), and salvage operations (S).

Accessory Structures
Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S), floating docks and platforms (A), and water intake lines (S).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Multiple-Family Dwelling</td>
<td>8 units per acre</td>
</tr>
<tr>
<td>Tourist Accommodation</td>
<td></td>
</tr>
<tr>
<td>Bed and Breakfast Facilities</td>
<td>8 units per acre</td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area, including the Highway 89 corridor, is 55 CNEL.

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

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented. §

§ Amended 5/22/02
Language to be deleted is **struck-out** in red. New proposed language is **underlined** in blue.
174
64 ACRE TRACT

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RECREATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>REDIRECTION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>SCENIC RESTORATION AREA</td>
</tr>
</tbody>
</table>

DESCRIPTION:

**Location:** This area is the federally-owned land south of the outlet to the Truckee River and is located on TRPA map C-7.

**Existing Uses:** This site contains a 100-unit mobile home park, which is being phased out, and miscellaneous commercial uses.

**Existing Environment:** This area is mostly classified as SEZ. The area has river frontage and some lake frontage. The land coverage and disturbance is moderate to high. The shorezone tolerance district is 7.

PLANNING STATEMENT: This area should be redeveloped into a public recreation area consistent with the overall design plan for Tahoe City.

PLANNING CONSIDERATIONS:

1. This is the logical site for development of a visitor information and education center, a west shore bypass, a community theater or amphitheater, bike trail and trailhead for the Tahoe Rim Trail.

2. There are unauthorized private uses on federal land.

3. Scenic Roadway Unit 14 and Scenic Shoreline Unit 14 are within this Plan Area.

4. The mobile home park and most commercial uses are being relocated.

3. **The Shoreline Character Type “Visually Modified” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.**

SPECIAL POLICIES:

1. Use all appropriate opportunities to increase opportunities for public access to the Truckee River and Lake Tahoe.

2. Increase the total mileage of bicycle trails available for public use in the Placer County General Plan area, complete linkages in the system, and complete alignments as established in the Tahoe City P.U.D. Master Plan.
3. Coordinate with the U.S. Forest Service the overall development of the 64-Acre Tract property pursuant to requirements set forth in the Recreation Element. This development should include a Visitor Center/Interpretive facility and pier, as well as public parking for accessing the Truckee River and adjacent trail systems.

4. The Recreation Element shall consider the "Parks and Recreation Master Plan" of the Tahoe City Public Utility District along with the planning programs of the California State Parks Department, and U.S. Forest Service. Capital improvements in the Plan Area should be responsive to the needs assessment that was included in the Tahoe City P.U.D. Master Plan.

5. This Plan Area is a recreation area which is in the influence area of the Tahoe City Community Plan. All projects shall be subject to the policies and standards of this Plan Area and, where applicable, shall be consistent with the planning direction provided in Chapter I of the Tahoe City Community Plan.

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

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

- **Residential**
  - Employee housing (S).

- **Public Service**
  - Cultural facilities (A), pipelines and power transmission (S), public assembly and entertainment facilities (S), local public health and safety facilities (S), transmission and receiving facilities (S), transportation routes (S), government offices (S), public utility center (S), and transit stations and terminals (S).

- **Recreation**
  - Marinas (S), beach recreation (A), boat launching facilities (S), cross country skiing courses (A), day use areas (A), group facilities (S), riding and hiking trails (A), outdoor recreation concessions (A), rural sports (S), participant sports facilities (S), snow mobile courses (S), and visitor information centers (A).

- **Resource Management**
  - Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), tree farms (S), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).
**Shorezone**: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

**Tolerance District 7**

**Primary Uses**

Water oriented outdoor recreation concessions (A), beach recreation *(intensive)* (A), waterborne transit (S), boat launching facilities (A), tour boat operations (A), safety and navigation devices (A), marinas (S), and salvage operations (S).

**Accessory Structures**

Mooring buoys (A), piers (S), fences (S), boat ramps (A), breakwaters or jetties (S), shoreline protective structures (A), floating docks and platforms (A), and water intake lines (S).

**MAXIMUM DENSITIES**: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Recreation</td>
<td></td>
</tr>
<tr>
<td>Group Facilities</td>
<td>25 people per acre</td>
</tr>
<tr>
<td><strong>Shorezone</strong></td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>

**MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL**: The maximum community noise equivalent level for this Plan Area is 55 CNEL. The maximum community noise equivalent level for the Highway 89 corridor is 55 CNEL.

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

**SUMMER DAY USES 0 PAOT**  **WINTER DAY USES 0 PAOT**  **OVERNIGHT USES 0 PAOT**

**OTHER**: Two miles of trails.
ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented.\(^6\)

\(^6\) Amended 5/22/02
175
CASCADE PROPERTIES

PLAN DESIGNATION:

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RESIDENTIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management Strategy</td>
<td>MITIGATION</td>
</tr>
<tr>
<td>Special Designation</td>
<td>NONE</td>
</tr>
</tbody>
</table>

DESCRIPTION:

**Location:** This area is located along Cascade Creek between Highway 89 and Lake Tahoe and can be located on TRPA map E-17.

**Existing Uses:** This area contains an older residential subdivision and the Cascade riding stables. The area is currently about 55 percent built out.

**Existing Environment:** The land capability of this area is approximately 35 percent high hazard, 25 percent SEZ, 25 percent moderate hazard, and 15 percent low hazard. The Shorezone Tolerance Districts are 7, 2, and 1. Dominant vegetation includes mixed conifer fir, lodgepole pine, and sagebrush. Impervious surfaces cover approximately 10 percent of the land area and an additional 25 percent is disturbed.

PLANNING STATEMENT: This area should continue to be residential, maintaining the existing character of the neighborhood.

PLANNING CONSIDERATIONS:

1. The subdivision improvements do not meet minimal BMP standards.
2. Cascade Properties is located far from any urban services.
3. Scenic Roadway Unit 3 and Scenic Shoreline Unit 5 are within this Plan Area.
4. The Shoreline Character Type “Visually Modified” is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54

SPECIAL POLICIES:

1. The subdivision should be brought up to 208 standards.
2. The provisions of this Plan Area Statement shall apply to Special Area #1 if TRPA finds that the conditions set forth in TRPA Ordinance 95-7 have been completed. If the conditions have not been satisfied, then the provisions of Plan Area 128 shall apply.
PERMISSIBLE USES: Pursuant to Chapter 18 PERMISSIBLE USES and if applicable, Chapter 51 PERMISSIBLE USES AND ACCESSORY STRUCTURES IN THE SHOREZONE AND LAKEZONE, the following primary uses may be permitted within all or a portion of the Plan Area. The list indicates if the use is allowed (A) or must be considered under the provisions for a special use (S). Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited within this Plan Area.

**General List:** The following list of permissible uses is applicable throughout the Plan Area, including Special Area #1:

**Residential**
Single family dwelling (A).

**Public Service**
Local public health and safety facilities (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), and public utility center (S).

**Recreation**
Participant sports facilities (S), day use areas (A), riding trails (A), and beach recreation (A).

**Resource Management**
Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

**Shorezone:** Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

**Tolerance District 7**

**Primary Uses**
Beach recreation (intensive) (A), safety and navigational devices (A), and salvage operations (A).

**Accessory Structures**
Mooring buoys (A), piers (A), fences (S), boat ramps (S), breakwaters or jetties (S), shoreline protective structures (S, floating docks and platforms (A), and water intake lines (S).

**Tolerance Districts 1 and 2**

**Primary Uses**
Safety and navigational devices (A), and salvage operations (A).

**Accessory Structures**
Mooring buoys (S), piers (S), fences (S), floating docks and platforms (A), shoreline protective structures (S), and water intake lines (S).
MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL. The maximum community noise equivalent level for the Highway 89 corridor is 55 CNEL.

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

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

ENVIRONMENTAL IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented.\textsuperscript{§}

\textsuperscript{§} Amended 5/22/02
Language to be deleted is **struck-out** in **red**. New proposed language is **underlined** in **blue**.
Exhibit 4

Lake Tahoe Shorezone Ordinance Amendments

Amendment of Tahoe City, Carnelian Bay, Tahoe Vista, Kings Beach Commercial, Incline Tourist, Stateline Ski Run and Bijou Al Tahoe Community Plans
**Chapter II**

**LAND USE ELEMENT**

This Land Use Element is a supplement to the Land Use Element of the City’s General Plan and the TRPA Goals and Policies Plan. Consistent with these Plans, this Element sets forth the land use regulations for the Community Plan and provides a Community Plan Area Statement which replaces the existing Plan Area Statement (98).

**A. BIJOU/AL TAHOE COMMUNITY PLAN LAND USE REGULATIONS**

Community planning is an option in which the local community in partnership with TRPA and local government may prepare their own plans and propose their own standards. Chapter 14 of the TRPA Code sets forth the provisions for community planning. This section indicates which provisions of the TRPA Regional Plan are applicable and which standards are replaced with equal or superior standards.

This is a brief summary of standards applicable to the Bijou/Al Tahoe Community Plan. In general the standards of the TRPA Code apply except as noted by:

1. the policies of the six elements of this plan,
2. the mitigation fee program of Chapter VII,
3. the City Wide Sign Standards (Appendix B),
4. the City Wide Parking, Driveway, & Loading Standards (Appendix B); and
5. the City Wide Design Manual (Appendix B).

Pursuant to Subsection 14.5.B of the Code, the following community plan statement replaces the TRPA Plan Area Statements’ regulations for this area and the City of South Lake Tahoe Zoning Code. The detailed checklist of applicable standards in Appendix A is provided to assist in the review of projects within the Bijou/Al Tahoe Community Plan area. The checklist also indicates which regulations are special to the Community Plan.

**B. BIJOU/AL TAHOE COMMUNITY PLAN AREA STATEMENT**

This Community Plan Area Statement supersedes TRPA Plan Area Statements and City of South Lake Tahoe Zoning within the Community Plan boundaries.

**PLAN DESIGNATION:**

- **Land Use Classification**: COMMERCIAL/PUBLIC SERVICE
- **Management Strategy**: REDIRECTION
- **Special Designation**: PRELIMINARY COMMUNITY PLAN AREA
  TDR RECEIVING AREA FOR:
  1. Existing Development
  2. Residential Bonus Units
  SCENIC RESTORATION AREA
  MULTI-RESIDENTIAL INCENTIVE PROGRAM
DESCRIPTION:

Location: This area is located along Highway 50 from Bijou Creek to Trout Creek, including the adjoining areas along Al Tahoe Boulevard. (See maps G-17 and G-18.)

Existing Uses: The uses in the area are diverse. The major uses include large motels, two schools, a sewer plant, a college campus, government offices, a recreation center and campground, a marina and boat ramp, public beach and several small shopping centers. The area is 65 percent built out.

Existing Environment: The area is 10 percent SEZ and 90 percent low hazard. The land coverage is 35 percent with an additional 15 percent disturbed. The shorezone tolerance districts are 1 and 4.

PLANNING STATEMENT: The area should be developed to provide regional commercial, recreational and public services for the South Shore.

PLANNING CONSIDERATIONS:

a. Development encroaches on Bijou Creek and Trout Creek. Restoration measures should be introduced into the affected areas.

b. This area has some traffic congestion problems during peak periods, particularly at the intersections of US 50 and Al Tahoe as well as US 50 and Johnson Boulevard (LOS D). Intersection improvements should be addressed at the time a major project is proposed which generates significant impacts.

c. This area needs unproved access to the beach areas, which should be considered in the Bijou District.

d. Scenic Roadway Units 34 and 35 and Scenic Shoreline Unit 31 are in this area and the roadway units are targeted for restoration as required by the scenic threshold. There have been significant scenic improvements in the area.

e. The Shoreline Character Types “Visually Dominated”, “Visually Sensitive” and “Visually Modified” are within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54

RESIDENTIAL BONUS UNITS: Pursuant to Chapter 35 (TRPA Code) the maximum number of residential bonus units which may be permitted for this Community Plan Area is 20 units.

TOURIST ACCOMMODATION BONUS UNITS: Pursuant to Chapter 35 (TRPA Code), the maximum number of tourist accommodation bonus units which may be permitted for this Community Plan Area is 0.

ADDITIONAL DEVELOPED OUTDOOR RECREATION: The following are the targets and limits for additional developed outdoor recreation facilities specified in Chapter 13 (TRPA Code) to be located within the Community Plan Area. Specific projects and their timing are addressed in Chapter V and the TRPA five-year Recreation Program pursuant to Chapter 33 (TRPA Code) allocation of Development. The following additional capacities allowed are measured in "persons at one time":

469
COMMERCIAL FLOOR AREA ALLOCATION: Pursuant to Chapter 33 (TRPA Code) the maximum amount of commercial floor area which may be allocated for additional development in the Community Plan Area is 14,900 sq. ft.

MAXIMUM CUMULATIVE NOISE LEVEL: The maximum cumulative noise equivalent levels for this Community Plan Area is as follows:

<table>
<thead>
<tr>
<th>Land Use Districts</th>
<th>CNEL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-3 (Bijou, Harrison, Lucky, Payless)</td>
<td>60</td>
</tr>
<tr>
<td>4 (Town Center)</td>
<td>60</td>
</tr>
<tr>
<td>Shorezone</td>
<td>55</td>
</tr>
<tr>
<td>US 50 Corridor</td>
<td>65</td>
</tr>
</tbody>
</table>

The following performance standards for the stationary noise sources or projects will be used to evaluate specific project impacts.

<table>
<thead>
<tr>
<th>Noise Level Descriptor</th>
<th>Daytime (7am-7pm)</th>
<th>Evening (7pm-10pm)</th>
<th>Nighttime (10pm-7am)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hourly Leq dB</td>
<td>DST 1-4 SHRZIN</td>
<td>DST 1-4 SHRZIN</td>
<td>DST 1-4 SHRZIN</td>
</tr>
<tr>
<td>60 dB</td>
<td>55 dB</td>
<td>50 d8</td>
<td>45 dB</td>
</tr>
</tbody>
</table>

Each of the noise levels specified above should be lowered by five dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises.

C. GOALS, OBJECTIVES AND POLICIES:

In addition to the goals of the CSLT General Plan and the TRPA Compact and Regional Plan, the following goals, related specific objectives and special policies are adopted for the Bijou/Al Tahoe Community Plan. The objectives are also implemented in the Community Plan elements by specific and enforceable policies.

1 (1) Urban Design and Development: To ensure that the design elements of new, remodeled, and rehabilitated developments are compatible with the scenic objectives and policies of the Bijou/Al Tahoe Community Plan.

Objective 1: Create districts within the community plan boundaries to concentrate specific uses and development.

Policy A: Establish four unique, separate districts.

a. Town Center District: Areas currently described as Campground by the Lake, South Tahoe Middle School, Johnson Boulevard areas (El Dorado County Offices) and Lake Tahoe Community College shall be combined to accommodate the following uses: Commercial (public service support orientation, or receiving area for transfer from SEZ/Scenic Corridor), Public Service, Recreation, and...
designation as a "Special Events Area."

b. **Harrison Avenue District**: This area is currently described as those properties fronting Harrison Avenue, north of Los Angeles Avenue and south of San Jose Avenue. Lake Tahoe Boulevard borders the district to the east and Riverside Avenue to the west.

The vision for the Harrison district is to create a pedestrian oriented atmosphere, within the existing commercial district, and connecting with the adjacent tourist/recreation areas (El Dorado Beach and Campground by the Lake), to serve both the local citizen and tourist. This district will be designed to reflect the "Vintage Tahoe" design theme, with the emphasis on accessibility of business activity to the pedestrian.

c. **Lucky Payless District**: Situated between Lake Tahoe Boulevard, Al Tahoe Boulevard and the Community College, the vision for this district is to intensify the retail and other commercial uses within the existing major shopping center.

d. **Bijou District**: Is the area within the community plan boundaries, stretching east of Rufus Allen Boulevard to Fairway Avenue along Lake Tahoe Boulevard, and between the edge of Lake Tahoe to Mono Lane & Treehaven Drive. The vision for this district is to increase the commercial and tourist accommodation development (outside SEZ areas) to offer a variety of services to the tourist and local citizen. The lake and beach access in this area should also be expanded to provide additional recreational opportunities within the district.

Policy B: *Create a pedestrian friendly, village atmosphere within each of the four distinct districts. Retain existing transitional areas between the distinct districts.*

   a. Encourage cohesiveness within the designated districts (structural design, signs, screening mechanisms, defined uses, setback requirements, etc.)

   b. Encourage the rehabilitation of the stream environment zones outside of, and adjacent to the community plan boundaries, specifically within the Trout Creek area (Meeks Building Supply, Ski Run Liquor, etc.) to provide a gateway to the Community Plan and open the views to the meadows, Lake Tahoe, and surrounding mountains. Encourage the removal of structures which are presently located in these areas and assist those property owners willing to relocate to properties of high land capability.

Policy C: *Encourage neighborhood improvement programs in each distinct district.*

   a. Provide public improvements, including street furniture, bicycle trails, enclosed bus shelters, curb/gutter/sidewalks, street lights, trash receptacles and underground utilities.

   b. Incorporate considerations for Art in Public Places, provided the scenic corridor quality standards as set by TRPA are maintained.

   *Policy D: Encourage the use of native, drought resistant landscaping within the Community Plan area, with the concept design to be similar to that implemented by*
the Chamber of Commerce on the east side of Highway 50 or to the demonstration garden at the Lake Tahoe Community College. Utilize landscaping as an introduction or gateway to the Community Plan.

Policy E: Prepare an urban design plan as a property owners participation project for Harrison Avenue to improve the scenic quality and enhance the business environment by providing sidewalks, street lights, landscaping, on-street parking, shared parking lots, better traffic circulation as well as providing for the rehabilitation and/or rebuilding of the commercial area which fronts Highway 50.

Policy F: Review projects for conformance with the City Wide Design, Sign, and Parking Manuals (see appendices B & C).

Policy G: Create a parkway effect as required by Chapter I of the City Design Manual (see Appendix B) along US 50 west from Al Tahoe to Rufus Allen.

Policy H: Provide for a non commercial pedestrian promenade from El Dorado Beach through the Middle School site to Al Tahoe Boulevard.

(2) Land Use Strategy and Economic Feasibility Goals: Maintain a balance between economic health and the environment, correcting past deficiencies in land use and being responsive to the needs and opportunities within the Bijou/Al Tahoe area.

Objective 1: Concentrate development to create unique areas within the community plan boundaries.

Policy A: Generate an anchor within the community plan, i.e., "Town Center District," allowing mixed uses, including public service, commercial support businesses, and recreational uses. Designate within the 55 acre area identified as the CSLT Recreation complex and Campground by the Lake a "Special Events Area", provided the events are conducted out of view from Highway 50 scenic corridor. Develop a design plan through the Parks and Recreation Commission.

Policy B: Pursue greater utilization of the portion of the college property adjacent to the post office. Encourage public, (community theater, performing arts center, government offices, etc.) recreational and commercial activities (relocation of existing development from SEZ areas, as defined in Objective 2, policy D) on the high land capability areas.

Policy C: Rehabilitate/expand existing public service facilities in the Johnson Blvd. area, and pursue the possibility of permitting commercial activities on Al Tahoe Boulevard on the Middle School District site, (LTUSD Main Office & bus garage area) which are public service support oriented. Relocate the bus garage to an appropriately zoned area.

Policy D: Open vistas and public access to Lake Tahoe by encouraging the removal, relocation or reconfiguration of existing development within the Bijou District.

Policy E: Open vistas of Freel Peak by encouraging the removal and relocation of existing development from the Bijou Creek area, stream environment zone to other areas within the Community Plan.
Objective 2: Define receiving areas within the community plan boundaries and institute a system for distribution of commercial allocation. Incentive programs should assign priority to commercial development projects which emphasize area-wide improvements, rehabilitation of substandard development, restoration of stream environment zones or creation of scenic view corridors. The distribution of allocation may be reconsidered two years after the adoption of this plan.

Policy A: Consistent with the findings of the “Economic Analysis”, distribute the 10,800 sq. ft. available as bonus allocation and the 4100 sq. ft. available outside community plan boundaries to eligible projects within the Bijou/Al Tahoe Plan area. Commercial floor area shall be issued by TRPA upon project approval pursuant to Chapter 33, however, TRPA shall only consider for approval, projects recommended by the CSLT.

Policy B: CSLT shall distribute to eligible projects on a “first come first serve basis” in accordance with Objective 2. The CSLT’s recommendation shall expire two years after its action. To be eligible for receiving a commercial allocation, a project and mitigation must contribute to improvements that provide benefits to the entire community plan area, including:

1. The project makes substantial progress toward meeting the desired area wide improvements noted for allocation in the Chapter IV Requirement Matrix. Substantial progress shall be calculated based on one square foot of allocation equals $5 worth of listed improvements or contributions to an improvement district implementing any of the listed projects.

2. In accordance with Land Use Objective 2, Policy E, projects meeting the transfer requirements from a scenic corridor or SEZ area shall not be required to pay the $5 area wide improvement contribution.

Policy C: Tie the distribution of the 14,900 sq. ft. available to projects which implement the scenic and water quality improvements that are identified in Chapter VII.

Policy D: Limit the allocation of new commercial floor area to 1,180 sq. ft. per project area, except where the commercial floor area is transferred from a scenic corridor and/or stream environment area, which is restored to a natural setting and permanently retired. Distribute the allocation on a first come, first serve basis, provided the projects conform to the community plan and city wide design/sign/parking standards.

Policy E: Allocate the transfer of 3000 sq. ft. of commercial allocation provided a match of commercial square footage is removed and relocated from a stream environment zone or scenic corridor property. Allocate an additional 1,500 sq. ft. of new commercial floor area if the originating commercial square footage is removed and relocated from both a scenic corridor and stream environment zone.

Objective 3: Recognize that economic feasibility is critical in order to implement community plan objectives.

Policy A: Define receiving areas for transfer of existing development within the Community Plan boundaries.
Policy B: Determine the needs of a joint marketing strategy within each district to promote economic diversity and vitality.

Policy C: Consistent with the Uniform Building Code (UBC) allow the economic conversion of residential structures to office type uses, such as legal, medical, financial and professional.

Objective 4: Support and encourage adequate housing in close proximity to employment generators.

Policy A: Encourage the rehabilitation of existing housing stock within and adjacent to the Community Plan to provide additional median/moderately priced homes. Pursue funding sources for the rehabilitation and potential for the first time home buyer.

Policy B: Encourage the removal of non-conforming housing stock located within the major commercial districts of the Community Plan, relocate to appropriately zoned districts within the Community Plan or areas immediately adjacent to the Community Plan boundaries.

Policy C: Encourage the development of multi family housing through the use of the 20 available bonus units.

D. LAND USE PROVISIONS

PERMISSIBLE USES MATRIX: Pursuant to the TRPA Code, Chapter 4 and 7 - Temporary Activities, Chapter 18 - Permissible Uses and, if applicable, Chapter 51 - Permissible Uses and Accessory Structures in the Shorezone and Lakezone, the following matrix describes primary uses, which are allowed by right (A), allowed subject to design review by the City of South Lake Tahoe (A1) or, must be considered under the provisions for a special use (S) within each of the land use districts. Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited, unless the matrix is amended to add it as an allowed or special use, within this Plan Area.

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

SHOREZONE (not reflected in the matrix) PERMITTED USES: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51, (TRPA Code). The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing use, allowed use located on the same or adjoining littoral parcel:
Shorezone Uses:

Primary Uses: Water oriented outdoor recreation concessions (A); beach recreation (intensive) (A), water borne transit (S), (boat launching facilities (S), tour boat operations (S), safety and navigation devices (A) and marinas (S).

Accessory Structures: Mooring buoys (A), piers (S), fences (S), boat ramps (S), floating docks and platforms (S), shoreline protective devices (S) and water intake lines (A).

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
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</thead>
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<tr>
<td>Shorezone</td>
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<td>Piers in Visually Modified</td>
<td>Average 1 pier per 100 linear ft</td>
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<tr>
<td>Character Unit</td>
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</tr>
<tr>
<td>Piers in Visually Dominated</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
<tr>
<td>Character Unit</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Sensitive</td>
<td>Average 1 pier per 300 linear ft</td>
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<tr>
<td>Character Unit</td>
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LAND USE DISTRICTS: The following land use districts are within the Bijou/Al Tahoe Community Plan boundaries (see Exhibit 2).

1. Bijou District - Commercial & Tourist Accommodation
2. Harrison District - Commercial
3. Lucky/Payless District - Commercial
4. Town Center District - Public Service, Recreation

THE MATRIX: The following matrix identifies which uses are allowed, or require a special use permit, in each land use district within the community plan area.
### BIJOU / AL TAHOE COMMUNITY PLAN PERMISSIBLE USES MATRIX

**KEY:**
- 1 - Bijou District
- 2 - Harrison District
- 3 - Lucky/Payless District
- 4 - Town Center

<table>
<thead>
<tr>
<th>LAND USE CATEGORIES</th>
<th>Districts</th>
<th>Maximum Units/Acre</th>
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#### I. RESIDENTIAL

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<tr>
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<th>Bijou 1</th>
<th>Harrison 2</th>
<th>Payless 3</th>
<th>Town Center 4</th>
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<td>S1</td>
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<thead>
<tr>
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<th>Harrison 2</th>
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<tr>
<td>Maximum</td>
<td>S</td>
<td>S</td>
<td>A1/5</td>
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<th>Harrison 3</th>
<th>Payless 3</th>
<th>Town Center 4</th>
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</thead>
<tbody>
<tr>
<td>Maximum</td>
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<td></td>
<td></td>
<td>25 Pers/Acre</td>
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<table>
<thead>
<tr>
<th>Multi-person dwelling</th>
<th>Bijou 4</th>
<th>Harrison 4</th>
<th>Payless 4</th>
<th>Town Center 4</th>
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<tr>
<td>Maximum</td>
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<td>25 Pers/Acre</td>
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<thead>
<tr>
<th>Nursing &amp; personal care</th>
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<th>Residential care</th>
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<th>Single family dwelling</th>
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<td>Maximum</td>
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<tr>
<th>Summer home</th>
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<td>Maximum</td>
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<td>25 Pers/Acre</td>
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#### II. TOURIST ACCOMMODATION

<table>
<thead>
<tr>
<th>Bed &amp; breakfast facilities</th>
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<td>Maximum</td>
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<td>15 Units/Acre</td>
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<table>
<thead>
<tr>
<th>Hotel, motel, other transient dwellings</th>
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<th>Town Center 4</th>
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<tr>
<td>Maximum</td>
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<td>40/10%+Kitchen</td>
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<table>
<thead>
<tr>
<th>Time Share (hotel/motel design)</th>
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<th>Town Center 4</th>
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<tbody>
<tr>
<td>Maximum</td>
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<td>15/10%+Kitchen</td>
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<th>Time Sharing Residential Design</th>
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<tr>
<td>Maximum</td>
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<td>15 Units/Acre</td>
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#### III. COMMERCIAL

**A. Retail**

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<thead>
<tr>
<th>Auto, mobile home and vehicle dealers</th>
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<tbody>
<tr>
<td>Maximum</td>
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<td>S6</td>
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<table>
<thead>
<tr>
<th>Bldg materials &amp; hardware</th>
<th>Payless 3</th>
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<tr>
<td>Maximum</td>
<td>S4</td>
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<table>
<thead>
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<td>Maximum</td>
<td>A1</td>
<td>A1</td>
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<table>
<thead>
<tr>
<th>Mail order and vending</th>
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<th>Town Center 4</th>
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<tr>
<td>Maximum</td>
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<td>A1</td>
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<table>
<thead>
<tr>
<th>Nursery</th>
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<td>Maximum</td>
<td>S</td>
<td>S6</td>
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<table>
<thead>
<tr>
<th>Outdoor retail sales</th>
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<td>Maximum</td>
<td>S</td>
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<table>
<thead>
<tr>
<th>Eating &amp; drinking places</th>
<th>Payless 3</th>
<th>Town Center 4</th>
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<td>Maximum</td>
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<table>
<thead>
<tr>
<th>Food &amp; bvrng, retail sales</th>
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<tr>
<td>Maximum</td>
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<td>A1</td>
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<table>
<thead>
<tr>
<th>Furniture, home furnishings &amp; equipment</th>
<th>Payless 3</th>
<th>Town Center 4</th>
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<tr>
<td>Maximum</td>
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<td>A1</td>
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<table>
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<tr>
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**B. Entertainment**

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<tr>
<th>Amusement &amp; recreation services</th>
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§ Amended 1/23/02
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<tr>
<td>C. Services</td>
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<tr>
<td>Animal husbandry services</td>
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<td>Auto repair and service</td>
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<td>Broadcasting studios</td>
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<td>Business support services</td>
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<td>Contract Construction Srvs</td>
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<td>Health care services</td>
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<tr>
<td>Laundries &amp; dry cIing plant</td>
<td>Al Al Al</td>
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<tr>
<td>Personal services</td>
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<td>Professional offices</td>
<td>A1 A1 A1 A1/5</td>
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<tr>
<td>Repair services</td>
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<td>Sales Lots</td>
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<td>Schls - Business/Vocation</td>
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<td>A1/5</td>
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<td>Secondary Storage</td>
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<td>D. Light Industrial</td>
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<td>Batch plants</td>
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<td>Printing and publishing</td>
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<tr>
<td>Recycling and scrap</td>
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<td>Small scale manufacturing</td>
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<tr>
<td>E. Wholesale/Storage</td>
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<td>Storage yards</td>
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<td>Vehicle &amp; freight terminals</td>
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<td>Vehicle storage &amp; parking</td>
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<td>Warehousing</td>
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<td>Wholesale and distribution</td>
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<tr>
<td>IV. PUBLIC SERVICE</td>
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<tr>
<td>A. General</td>
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<tr>
<td>Airfields, landing strips &amp; heliports (new non-emergency sites prhbtd)</td>
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<td>Cemeteries</td>
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<td>Hospitals</td>
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<td>Local assembly and entertainment</td>
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<td>S5</td>
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<td>Local public health and</td>
<td>S S S6</td>
<td>A1/5</td>
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<td>LAND USE CATEGORIES</td>
<td>Districts</td>
<td>Maximum Units/Acre</td>
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<tr>
<td>BIJOU / AL TAHOE COMMUNITY PLAN PERMISSIBLE USES MATRIX</td>
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<td>safety facilities</td>
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<td>Public owned assembly &amp; entertainment</td>
<td>A1/5</td>
<td>A1/5</td>
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<td>Public utility centers</td>
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<td>Regional public health and safety facilities</td>
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<td>Schools - college</td>
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<td>Schools - kindergarten</td>
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<td>A1</td>
</tr>
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<td>through secondary</td>
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<td>Schools - Preschool</td>
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<td>Social Service Organ.</td>
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<td>B. Linear Public Facilities</td>
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<td>Pipelines &amp; power transmission</td>
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<td>V. RECREATION</td>
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</tr>
<tr>
<td>Beach recreation</td>
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<td>Boat launching facilities</td>
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<td>A1</td>
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<tr>
<td>Cross country ski courses</td>
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<td></td>
</tr>
<tr>
<td>Day use areas</td>
<td>A1</td>
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<td>Developed campgrounds</td>
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<td>Downhill ski facilities</td>
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<td>Golf courses</td>
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<td>Group facilities</td>
<td>S5</td>
<td>25Pers/Acre</td>
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<td>Marinas</td>
<td>S</td>
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<td>Off-road vehicle courses</td>
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<td>Outdoor Recreation</td>
<td>S</td>
<td>A3</td>
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<tr>
<td>Concessions</td>
<td>S 7§§</td>
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<td>Participant sports facilities</td>
<td>S</td>
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<td>Recreation centers</td>
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<td>Recreational vehicle parks</td>
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<tr>
<td>Riding and hiking trails</td>
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<tr>
<td>Rural sports</td>
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<td>Snowmobile courses</td>
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<td>Sport assembly</td>
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<td>Undeveloped</td>
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<tr>
<td>campgrounds</td>
<td></td>
<td></td>
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<tr>
<td>Visitor information centers</td>
<td>A1</td>
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§ Amended 2/23/2000
§§ Amended 11/28/01
### BIJOU / AL TAHOE COMMUNITY PLAN PERMISSIBLE USES MATRIX

<table>
<thead>
<tr>
<th>LAND USE CATEGORIES</th>
<th>Maximum Units/Acre</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
</tr>
</tbody>
</table>

#### VI. RESOURCE MANAGEMENT

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

##### B. Wildlife and Fishes
- Early successional vegetation management: A A A A A
- Nonstructural fish habitat management

##### C. Range
- Farm/ranch structures
- Grazing
- Range Pasture Mgmt
- Range improvement

##### D. Open Space
- Allowed in all areas of the region: A A A A A

##### E. Vegetation Protection
- Fire Detection and suppression: A A A A A
- Fuels treatment/management
- Insect and disease suppression: S S S S
- Prescribed fire/burning management
- Sensitive plant management: A1 A1 A1 A1
- Uncommon plant community management: A A A A

##### F. Watershed Improvements
- Erosion control: A1 A1 A1 A1
- Runoff control: A1 A1 A1 A1
- Stream environment zone restoration: A1 A1 A1
## BIJOU / AL TAHOE COMMUNITY PLAN PERMISSIBLE USES MATRIX

<table>
<thead>
<tr>
<th>LAND USE CATEGORIES</th>
<th>Units/Acre</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
</tr>
</tbody>
</table>

### Footnotes

- A = Allowed use
- S = Special Use Permit Required

1. Requires Design Review
2. Pumps/Use Permit 1000’ FR LAKE
3. CSLT Use Permit
4. No Outside Storage
5. Specific Parcels Only Staff Analysis
6. College Special Area
7. Shall not be visible from the shorezone
8. Timeshare-Residential Design is only permissible on the following parcels – APNs 27-0110-08, 10, 18, 20, and 21.

[Prior to approving any timeshare project, the developer must provide the CSLT an analysis of housing impacts and work with City staff regarding how the loss of housing would be mitigated. In addition, an analysis of financial impacts is required, including a proposal of how any loss to the City, if any would be offset.]

[ […]]: Bracketed language not adopted by TRPA

1/24/96

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56 Amended 11/28/01
5 § Amended 1/23/02
Chapter II
LAND USE ELEMENT

This Land Use Element is a supplement to the Land Use Element of the TRPA Goals and Policies Plan and the Placer County General Plan. Consistent with the Regional Plan, this Element sets forth the land use regulations for the Community Plan and provides a Community Plan Area Statement which replaces the existing Plan Area Statement.

A. CARNELIAN BAY COMMUNITY PLAN LAND USE REGULATIONS

Community planning is an option in which the local community in partnership with TRPA and local government may prepare their own plans and, to some extent, their own standards.

Chapter 14 of the TRPA Code of Ordinances sets forth the provisions for community planning. This section indicates what provisions of the TRPA Regional Plan are applicable and what standards are replaced with equal or superior standards.

This is a brief summary of standards applicable to the Carnelian Bay Community Plan. In general, the standards of the TRPA Code apply except as noted by:

1. the Policies of the six Elements of this Plan, replace Plan Area Statement Policies;
2. the mitigation fee program of Chapter VII, supplement TRPA programs;
3. the Community Plan Sign Ordinance (Appendix B), replaces Chapter 26;
4. the Community Plan Parking Ordinance (Appendix B), replaces Chapter 24; and
5. the Community Plan Design Review Standards and Guidelines (Appendix B), replaces Chapter 30.

Pursuant to Subsection 14.5.B of the Code, the following Community Plan Statement replaces the TRPA Plan Area Statements' regulations for this area.

This document is both a Placer County General Plan document and, to some extent, a Placer County land use regulatory document. In the case of the Land Use Element, the Plan Area Statements (PAS) included herein, will serve as the functional equivalent of zoning for those areas.

The detailed checklist of applicable standards in Appendix A is provided to assist in the review of projects within the Carnelian Bay Community Plan. The checklist also indicates which regulations are special to the Community Plan.
B. CARNEILLIAN BAY COMMUNITY PLAN AREA STATEMENT

This Community Plan Area Statement supersedes TRPA Plan Area Statements and Placer County zoning within the Community Plan boundaries.

PLAN DESIGNATION:

- Land Use Classification: TOURIST
- Management Strategy: REDIRECTION
- Special Designation: TDR RECEIVING AREA FOR:
  1. Existing Development
  SCENIC RESTORATION AREA
  ELIGIBLE FOR REDEVELOPMENT PLANS

DESCRIPTION:

- Location: This is the commercial area around Sierra Boat Company in Carnelian Bay.

- Existing Use: The area consists of offices, motels, a large marina, small retail shops, and restaurants. There are large undeveloped fill areas around the creek. This area is approximately 65 percent disturbed.

- Existing Environment: The lands are approximately 50 percent low hazard and 50 percent SEZ. The SEZ area is disturbed. The Shorezone Tolerance Districts are 6 and 7.

PLANNING STATEMENT: This area should continue to serve the local commercial needs of both the tourist and residents of the area.

PLANNING CONSIDERATIONS:

1. Extensive SEZ disturbance is evident in this area.

2. The marina structure, road side parking and the miniature golf course have been identified as scenic problems.

3. There is a possibility to expand public use of the beach.

4. Access to Carnelian Canyon Creek for spawning fishes is thwarted by the effects of the marina, a waterfall barrier (man-made), and an underground passage below Highway 28.

5. Scenic Roadway Unit 18 and Scenic Shoreline Unit 19 are within this Plan Area and are targeted for scenic restoration as required by the scenic threshold.
6. The Shoreline Character Types “Visually Dominated”, and “Visually Modified” are within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54

OBJECTIVES AND SPECIAL POLICIES:

Urban Design and Development

1. The urban design concept is to build on Carnelian Bay's tourist recreation amenities which provide an anchor of activity in the center of the area. Further, the location of the neighborhood commercial area provides commercial services to the surrounding PASs. Development shall be consistent with these uses and shall provide a human scale of walkway, signing, landscaping, and street lighting improvements.

   a. Policy: All projects, as a condition of approval, shall implement or commit to a five year schedule to implement, the improvements noted in Transportation Policy 5 A. this condition may be waived if the project is in an assessment district already committed to the improvements.

2. Encourage rehabilitation by the remodeling, upgrading, and aesthetic improvement of buildings and structures in need of such improvements.

   a. Policy: All projects shall be subject to the Placer County Standards and Guidelines for Signage, Parking and Design (Appendix B), and the following standards. The standards presented in this Policy supplement the standards presented in Appendix B. If there is a conflict with Appendix B, the standards of this Policy shall apply. These standards may be adjusted to preserve natural features or to reduce conflicts with other standards. Setback standards on State Route 28 may only be reduced upon making the required findings of the TRPA Code for scenic corridors.

Projects subject to the requirements of this chapter shall be conditioned to meet the following standards where applicable. The specifications for improvements, e.g. street lights, pavers, etc., shall be established by Placer County or approved areawide improvement plans.

   (1) Projects fronting State Route 28 shall provide the following improvements for the roadway frontage:

      (a) Eight feet wide asphalt sidewalks.
      (b) Six inch vertical concrete curbs or as required by Caltrans.
      (c) Street trees planted 50 feet on center or pockets of shrubs planted 25 feet on center or a combination of both subject to an approved landscape plan.
      (d) Pedestrian street lights 12' high 50 feet on center or low level lights 25' on center.
(2) Projects fronting other public right-of-ways within the Community Plan shall provide on the frontage:

(a) Six feet wide minimum concrete sidewalks.
(b) Pedestrian street lights 12' high 50 feet on center.
(c) Landscaping in setback area.
(d) Six inch vertical, concrete curbs or as required by Placer County.

(3) Construction of new buildings or expansion of existing buildings shall not exceed the minimum buildings setback requirement from the property lines as follows:

(a) Front Setback - The minimum front setback shall be 45 feet from the centerline of the abutting traveled way, or 20 feet from the property line, whichever is more restrictive.
(b) Side Setbacks - Both sides shall have a total setback of 15 feet, with a five foot minimum on a side.
(c) Rear Setback - The rear setback shall be a minimum of ten feet.
(d) State Route 28 Setback - The minimum setback from State Route 28 is 20 feet from the right-of-way line.

b. Policy: For the Placer County project review process for design review and signage, retain the existence and participation of the North Tahoe Design Review Committee. TRPA should consider the recommendations of the Committee prior to taking action on any project subject to Committee review.

c. Policy: Projects which provide substantial rehabilitation by remodeling, upgrading, or other aesthetic improvements shall be eligible for the incentives listed in Incentive Subelement of the Implementation Element.

d. Policy: TRPA and Placer County staff should provide quick and responsive project review through a coordinated review process.

3. Encourage the upgrading or replacement of commercial advertising signs that detract from the aesthetic appearance of the community.

a. Policy: Outdoor advertising shall be subject to the standards and guidelines established in the Placer County Standards and Guidelines for Signage, Parking and Design (Appendix B).

b. Policy: Nonconforming signs shall be subject to an amortization plan and incentive program to provide for the eventual elimination or replacement of such signs.
4. Complete the undergrounding of overhead utilities for Carnelian Bay.
   a. Policy: Pursuant to the general recommendations for scenic improvements in Chapter IV, all projects within the scenic corridor shall be responsible for removing, relocating or screening overhead utilities as a condition of project approval. TRPA may waive this requirement if the project is part of an undergrounding program or the undergrounding has been determined by TRPA not to be necessary to meet the scenic targets of this Plan.

5. Integrate more landscaping into both private development and public projects.
   a. Policy: Projects with existing coverage in excess of 75% of their project area, shall be required to provide an increase in landscaping equal to 5% of the project area. The landscaping requirement shall be met within the project area or, if not feasible, off-site in a related area. This condition may be waived by the Design Review Committee, if the project is part of an assessment district which is providing the required increase in landscaping or the landscaping requirement has been met by a previous approval.

6. Implement the recommendations described in the Conservation Element, Scenic Target, for improving overall scenic quality.
   a. Policy: The Design Review Committee shall consider the recommendations of the Scenic Target section of Chapter IV when reviewing projects and where appropriate, incorporate conditions of approval to implement the recommendations of the Scenic Target section or the equal or superior recommendations of the applicant.

7. Preserve and enhance scenic views to Lake Tahoe and to other prominent areas of special interest.
   a. Policy: Projects located between the designated scenic corridors and Lake Tahoe shall not cause a reduction of the views of Lake Tahoe from the corridors. TRPA may consider, as an alternative, off-site improvements if it is determined there is a net increase in the lake views or river views within the scenic unit.
Commercial Development

1. Encourage development and/or activities that will enhance the "year round" economy.
2. Special event area for arts and crafts shows, seasonal sales, and other similar events shall be established.
   a. Policy: Special event area for arts and crafts shows, seasonal sales, farmer's market, boat shows and other similar events shall be considered as part of the proposed Conservancy plan for their west side property. The design and regulation of the area by the Conservancy or NTPUD should allow such events to occur as activities not subject to TRPA review.

Traffic Circulation and Parking: (See Chapter III, Transportation Element, for transportation related objectives and policies.)

Recreation: (See Chapter V, Recreation Element, for recreation related objectives and policies.)

Public Service Facilities: (See Chapter VI, Public Service Element, for public service related objectives and policies.)

PERMISSIBLE USES: Pursuant to Chapter 18, PERMISSIBLE USES, and, if applicable, Chapter 51, PERMISSIBLE USES AND ACCESSORY STRUCTURES IN THE SHOREZONE AND LAKEZONE, the following primary uses may be permitted within all of a portion of the Community Plan Area. The list indicates if the use is allowed (A) or must be considered under the provisions for a special use (S). Special uses require either a "Conditional Use Permit" (CUP), or "Minor Use Permit" (MUP), as set forth in the Placer County Zoning Ordinance. The following "S" uses shall be MUPs unless otherwise noted. Existing uses not listed shall be considered non-conforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited within this Plan Area.

The definitions of terms used in the Section on Permissible Uses are those found in Chapter 2 (Definitions), and 18 (Permissible Uses), of the TRPA Code.

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

- **Residential**
  - Employee housing (S), multiple family dwelling (S), and single family dwelling (A).

- **Tourist Accommodation**
  - Bed and Breakfast facilities (A), hotels/motels and other transient dwelling units (A) (20 units or more (S/CUP)), timesharing (hotel/motel design) (S), and timesharing (residential design) (S).
Commercial

Building materials and hardware (S), eating and drinking places (A), food and beverage retail sales (A), furniture/home furnishings and equipment (A), general merchandise stores (A), nursery (A), service stations (S/CUP), amusement and recreation services (S), outdoor amusements (S), broadcasting studios (A), business support services (S), contract construction services (S), financial services (A), health care services (A), personal services (A), professional offices (A), repair services (S), schools - business and vocational (S), schools - pre-schools (S), secondary storage (S), and vehicle storage and parking (S).

Public Service

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

Recreation

Day use areas (A), participant sports facilities (A), beach recreation (A), boat launching facilities (A), outdoor recreation concessions (A), marinas (S/CUP), and visitor information center (S).

Resource Management

Reforestation (A), sanitation salvage cut (A), thinning (A), tree farms (A), early successional stage vegetation management (A), non-structural fish habitat management (A), non-structural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), fire detection and suppression (A), fuels treatment (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.
Tolerance Districts 6 and 7

Primary Uses

Water oriented outdoor recreation concessions (S), beach recreation (intensive) (A), tour boat operations (A), safety and navigation facilities (A), marinas (S/CUP), boat launching facilities (S), and water borne transit (A).

Accessory Structures

Mooring buoys (A), piers (A), fences (S), boat ramps (A), breakwaters or jetties (S), floating docks and platforms (A), shoreline protective structures (S), and water intake lines (S).

MAXIMUM DENSITIES: Pursuant to Chapter 21, Density and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Community Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive programs, special use determinations, allocation limitations, and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Multiple Family Dwelling</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>Employee Housing</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>Tourist Accommodation</td>
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</tr>
<tr>
<td>Bed and Breakfast facilities</td>
<td>10 units per acre</td>
</tr>
<tr>
<td>Hotel, Motel and other Transient Units</td>
<td></td>
</tr>
<tr>
<td>• with less than 10% of units with kitchens</td>
<td>40 units per acre</td>
</tr>
<tr>
<td>• with 10% or more units with kitchens</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>Timeshare</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Modified Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
<tr>
<td>Piers in Visually Dominated Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>

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

TOURIST ACCOMMODATION BONUS UNITS: Pursuant to Chapter 35 of the TRPA Code of Ordinances, the maximum number of tourist accommodation bonus units which may be permitted for this Community Plan Area is 0 units.
ADDITIONAL DEVELOPED OUTDOOR RECREATION: The following are the targets and limits for additional developed outdoor recreation facilities specified in Chapter 13 to be located within this Community Plan Area. Specific projects and their timing are addressed in Chapter V and the TRPA five-year Recreation Program pursuant to Chapter 33, Allocation of Development. The following additional capacities allowed are measured in persons at one time:

SUMMER DAY USES 40 PAOT  WINTER DAY USE 0 PAOT  OVERNIGHT USES 0 PAOT

COMMERCIAL FLOOR AREA ALLOCATION: Pursuant to Chapter 33 of the TRPA Code of Ordinances, the maximum amount of commercial floor area which may be allocated for additional development in the Community Plan Area is 2,000 square feet.

MAXIMUM CUMULATIVE NOISE LEVEL: The maximum cumulative noise equivalent levels for this Community Plan Area is as follows:

1. Where applicable, a maximum 55 CNEL override for the Highway 28 corridor is permissible.
2. The maximum CNEL for all areas of the community plan except as noted in 1 above is 60 CNEL.
3. The maximum CNEL for Shorezone Tolerance Districts 6 and 7 is 55 CNEL and the maximum for the lakezone is 50 CNEL.

The following noise standards shall also be met:

Performance standards for stationary or industrial noise sources or projects affected by stationary or industrial noise sources (as measured at the property line of a noise-sensitive receiving use)

<table>
<thead>
<tr>
<th>Noise Level Descriptor</th>
<th>Daytime 7 a.m. – 7 p.m.</th>
<th>Nighttime 7 p.m. – 7 a.m.</th>
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<tr>
<td>Hourly L&lt;sub&gt;eq&lt;/sub&gt;, dB</td>
<td>55</td>
<td>45</td>
</tr>
<tr>
<td>Maximum Level, dB</td>
<td>75</td>
<td>65</td>
</tr>
</tbody>
</table>

Each of the noise levels specified above should be lowered by five dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises.

MINIMUM LOT SIZE: The minimum lot size requirement shall be as follows: 6,000 sq. ft. for corner lots, 5,000 sq. ft. for interior lots, for all commercial uses. For residential uses, 10,000 sq. ft. shall apply.

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§§ Amended 10/25/06
§ Amended 3/22/00
Appendix A
COMMUNITY
PLAN AREA STATEMENT 048

PLAN DESIGNATION:

- Land Use Classification: TOURIST
- Management Strategy: MITIGATION
- Special Designation: TDR RECEIVING AREA FOR:
  1. Existing Development
  2. Multi-Residential Units

PREFERRED AFFORDABLE HOUSING AREA
MULTI-RESIDENTIAL INCENTIVE PROGRAM

DESCRIPTION:

Location: This area is located east of the commercial core, from the Hyatt and IVGID beaches, around the Hyatt Hotel, up to State Route 28. It is located on TRPA Plan Area Statement maps H-3 and H-4.

Existing Uses: This area contains some condominiums, a resort and racquet club, some retail commercial uses, a hotel casino and beach, an IVGID beach and recreation area, and open space at the Village Green. There are several undeveloped parcels. The area is 90 to 95 percent built out.

Existing Environment: The area is 60 percent low hazard and 40 percent SEZ. This area has the ability to provide extra SEZ treatment functions. The shorezone tolerance district is 7. The land coverage is 30 percent plus an additional 10 percent disturbed.

PLANNING STATEMENT: This area should continue to provide a mixture of resort and recreation services and accommodations for the region.

PLANNING CONSIDERATIONS:

1. Although there is limited public access to the lake, the community may prefer that the IVGID beach and boat ramp remain private.

2. The residents would like public docking facilities somewhere in Incline Village. Community support for short-term versus long-term facilities in

§ Amended 3/27/96
unknown. Short-term facilities would provide a docking/berthing area. Long-term (overnight) facilities would require additional services such as gas. Incline Village and Crystal Bay residents generally travel to Tahoe City for fuel. Locating a marina close to Incline Village could reduce Vehicle Miles Traveled to Tahoe City. Another possibility would be a water-serving marina.

3. Environmental restoration, specifically stream environment restoration facilities, are important. Both Third and Incline Creeks provide migratory fish habitats. The lake habitat is tentatively designated for habitat restoration. Road culverts currently act as barriers to upstream migration.

4. A non-vehicular connection to north side of State Route 28 (to the golf course and Chateau) should be considered, possibly using a tunnel under the highway. The path should be designed to accommodate golf carts, pedestrian and cyclists.

5. State Route 28 should remain a two lane facility. Traffic flow and safety should be improved through identification of existing entrances and the addition of acceleration and deceleration lanes and turn pockets.

6. There are considerable pedestrian and automobile conflicts on Lakeshore Boulevard at the Hyatt and IVGID beaches.

7. This plan should remain as the tourist/recreation area, connected with the town core by sidewalks and bicycle paths. It should not be considered as part of the town core.

8. Scenic quality of Scenic Roadway Unit 22 and Scenic Shoreline Unit 23 should be improved.

9. The upstairs of Country Club Mall could potentially be converted from residential to retail commercial in order to create a specialty shopping center (high-end retail).

10. Substitute lighting standards, specifically for large properties, should be considered.

11. Shared parking between the Hyatt, the IVGID recreation center, the college, and the church (northeast corner of Country Club Boulevard and State Route 28) should be implemented. Transit and path use should be increased.

12. The expansion of Sierra Nevada College is located in this plan area. Expansion should include housing for students and disincentives for driving automobiles.

13. Overhead utility lines and poles along State Route 28 should be placed underground.
14. The Shoreline Character Types “Visually Sensitive”, is within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54.

SPECIAL POLICIES:

Land Use

1. Strengthen the plan area’s land use theme of major tourist accommodation, retail and services.

2. Ensure compatibility of adjacent land uses.
   a. Residential uses should be buffered from commercial uses and from State Route 28 through site planning, landscaping, vegetation and screening.

3. Encourage land use patterns that reduce the need for travel and increase access to transit.
   a. Sierra Nevada College should provide student housing.

4. Following community plan adoption, an additional 11,806 square feet of commercial floor area may be allocated within the Incline Village Tourist Community Plan Area. The method of distribution is addressed by the Washoe County Commercial Allocation Program.
   a. Projects seeking an allocation of additional commercial floor area shall be subject to the Washoe County Commercial Allocation Program.
   b. TRPA shall only consider, for approval of new commercial floor area, those projects which have been recommended by Washoe County.
   c. Only projects that make substantial progress toward developing the area-wide improvements listed in Chapter Seven of this community plan shall be eligible for commercial area allocations. Substantial progress shall be based on one square foot of allocation equals five dollars or more worth of improvements.

5. Following community plan adoption, one hundred and ten (110) residential bonus units may be allocated within the Incline Village Tourist Community Plan Area.
   a. Projects utilizing the bonus unit incentive program provided under Chapter 35 of TRPA's Code of Ordinances, which are required to provide mitigation measures to acquire residential bonus units, shall participate in capital improvement projects within the community plan area provided under Section 35.3 of the Code.
Community Design

1. Maintain the essential elements of the forested setting of this plan area through site design and building design.
   a. Site and building design should be oriented to the pedestrian/bicycle path network.
   b. All new and remodeled projects shall provide on-site pedestrian paths. Projects are encouraged to provide bicycle paths. The paths should contribute to the area-wide network of bicycle, pedestrian and golf cart connections.
   c. The visual appearance of parking areas should be minimized through landscaping and site planning. All new and remodeled projects shall provide landscaped screening of on-grade parking areas. Such screening may consist of either man-made or plant materials or combinations of both, and shall be effective year round.
   d. All new and remodeled projects shall completely screen from public views all ground and roof-mounted mechanical and communications equipment.
   e. All non-conforming signs shall be removed and replaced, consistent with the adopted TRPA Code amortization schedule.
   f. All overhead utility lines and poles along State Route 28 and all new connections and lines shall be placed underground. Washoe County shall establish a special assessment district, or other means, to implement the undergrounding within the public right-of-way. On-site utilities shall be placed underground as part of project approval.

Economic Development

1. Encourage retail businesses to locate in this area which serve visitors and residents in and around this plan area.
2. Support development of local and regional cultural facilities in the plan area.
   a. Construction of an outdoor amphitheater and/or a performing arts center in this plan area is supported.
3. Create a strong local economy which is less impacted by seasonal visitation and less reliant on tourism.
   a. The plan supports the expansion of Sierra Nevada College into this plan area.
Housing

1. Provide housing opportunities for employees and students of the Incline Village Tourist Community Plan Area.
   a. Washoe County efforts, in the preparation of the Comprehensive Housing Affordability Study, the Consolidated Plan and Housing Element are supported.
   b. Housing shall be integrated into the neighborhood and harmonized with its surroundings through consideration of compatibility factors such as density, site planning and architecture.
   c. Sierra Nevada College should provide student housing with their proposed campus expansion to this plan area.
   e. Residential bonus units assigned to the plan area are encouraged to be used for affordable and/or employee housing.

Street and Highway Infrastructure

1. Reduce ease of private automobile use.
   a. No new or expanded roads are permitted which allow for increased traffic with the exception of improvements to existing intersections.

2. Attain and maintain level of service at key intersections in the plan area consistent with the TRPA RTP/AQP.
   a. The number of existing and future driveways providing access to and from businesses along State Route 28 should be decreased.
   b. Existing entrances shall meet the minimum dimensions standards in Chapter 24, TRPA Code of Ordinances.

3. Achieve vehicle miles of travel fairshare target within the plan area. The fairshare VMT target for Incline Village Tourist Community Plan is an increase of no more than 1,850 VMT. This increase is included as part of the overall Washoe County VMT reduction target of 3,300 VMT.

Parking Facilities

1. Limit expansion of parking facilities (existing and future).
   a. The number of parking spaces required by the Washoe County Development Code should be the maximum number of parking spaces permitted. Single family dwellings are exempt from this policy. The Development Code parking requirements may be modified per Article 410 of the Washoe County Development Code.
Transit Facilities

1. Improve and increase transit service and use.
   a. Transit shelters shall be improved. Transit shelters should be provided at all transit stops.
   b. TART hours of operation and frequency of route circulation (i.e., service bus stops more often) should be increased.
   c. An efficient method for transit stops which does not interrupt traffic circulation (i.e., bus pullout) should be determined.
   d. Within 90 days of community plan adoption, a new Incline Village/Crystal Bay Subcommittee of the Truckee/North Tahoe Transportation Management Association will be established for the purpose of coordinating public and private transit services within Incline Village and Crystal Bay. Membership in the subcommittee should include, but not be limited to, Washoe County, TART, IVGID, the Incline Village/Crystal Bay Chamber of Commerce, the Crystal Bay Casino Association, the Hyatt Lake Tahoe, Sierra Nevada College, the Ponderosa Ranch, TRPA and other interested parties.

2. Increase the supply of alternative, non-polluting transportation modes by implementing the following measures:
   a. A jitney/shuttle between Incline Village/Crystal Bay commercial nodes should be provided. The jitney should be specifically targeted for visitors.
   b. A Door-to-door Dial-A-Taxi service should be encouraged.
   c. The construction of a golf cart path, which connects the Village Green with the golf course, is encouraged.
   d. The implementation of employer based vehicle trip reduction programs is encouraged.
   e. Waterborne transit, for general public transit use around the basin, is supported.

3. Establish a Reno-North Tahoe Transit Service.
   a. Interested parties, including the Truckee North Tahoe Transportation Management Association and the Washoe County Regional Transportation Commission, shall discuss the establishment of a Reno-North Tahoe transit service. The service would include transportation between the casinos and the Reno-Tahoe International Airport and include regular stops in the North Stateline area.
Bicycle and Pedestrian Facilities

1. Connect tourist, commercial, residential and recreational land uses with bicycle and pedestrian paths.
   
   a. A Class I bicycle path along Country Club Boulevard from Lakeshore Boulevard to Drivers Way (north end of plan area) should be developed.
   
   c. New paths should be developed and existing paths improved which connect Ski Beach to the golf course. The path(s) should also connect this plan area with the Incline Village Commercial Community Plan Area. The path(s) should accommodate golf carts, pedestrians and bicyclists.

Conservation

1. Implement environmental improvement and restoration projects as part of the community plan.

2. Utilize an incentive system containing tradeoffs between land coverage and other units of use and environmental threshold-related and other community improvements recommended by the plan. Make the incentive system available to both new and existing land uses.

3. Attain and maintain environmental threshold carrying capacity targets contained in the plan.
   
   a. The plan recognizes and includes all improvement projects implemented in the plan area since July 1, 1987.
   
   b. All projects, whether the proponent is a private or public entity, shall contribute towards the applicable improvements identified in this chapter.
   
   c. Appropriate public agencies are requested to implement public improvement projects identified in this chapter. The policy shall apply to plans and programs which may be contained in an agency's capital improvements program.

4. Encourage the coordinated planting of colorful spring flowers and colorful autumn foliage.
   
   (For reference, TRPA has a list of native plant species.)

5. Develop a program to place existing overhead utility lines along State Route 28 underground within the plan area by July 1, 2007. Include funding and implementation methods in the program.
Recreation

1. Encourage the expansion of bicycle trails.
   a. Develop a Class I bicycle trail along Country Club Drive from Lakeshore Drive to Ski Way.

2. Encourage the expansion of recreational trails to connect major uses in the plan area.

Public Services

1. Continue to permit public service uses in the plan area. Use the permissible use list as a mechanism.

2. Identify locations for home and business mail delivery to uses within the plan area.

3. Require expansions of public service uses to demonstrate their compatibility with surrounding land uses, especially those with potential adverse impacts to human health.

Implementation

1. Off-site mitigation which may be required as part of a man-modified land capability determination shall be implemented within the community plan area.

2. Projects containing existing land coverage greater than 70 percent shall reduce on-site coverage by a minimum of 5 percent or to 70 percent, whichever is less, as part of the project.

3. Project applications who elect to participate in substitute air quality or water quality mitigation fee projects(s) shall implement such programs or projects within the community plan area.
   Refer to Chapter Two for additional information.

4. Each project seeking an allocation of additional floor area shall contribute towards achieving the capital improvements proposed for the plan. Projects shall also be subject to the plan’s commercial floor area allocation procedures.
   Refer to Chapter Two for additional information.
5. Community plan projects using new commercial floor area (i.e., a commercial allocation) may be developed following Award of Intermodal Surface Transportation Efficiency Act (ISTEA) scenic byway Funds by the Federal Highway Administration for State Route 28 corridor improvements within the Incline Village Tourist Community Plan Area.

a. The irrevocable commitment for the release of additional commercial floor area has been accomplished.

6. Projects utilizing the bonus unit incentive program provided under Chapter 35 of TRPA’s Code of Ordinances which are required to provide mitigation measures shall participate in capital improvement projects within the community plan area.

Refer to Chapter Two for additional information.

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

θ General List: The following list of permissible uses is applicable throughout the Plan Area (except as noted for Special Area #1).

Residential
Employee housing (S), multiple family dwelling (S), multi-person dwelling (S), nursing and personal care (S), residential care (S) and single family dwelling (A).

Tourist Accommodation
Bed and breakfast facilities (A), hotels, motels, and other transient dwelling units (A), and timeshare (residential design) (S), timeshare (hotel/motel design) (S).

Commercial
Eating and drinking places (A), food and beverage retail sales (A), furniture, home furnishings and equipment (A), general merchandise stores (A), mail order and vending (A), nursery (S), outdoor retail sales (S), service stations (S), amusements and recreation services (S), gaming - nonrestricted (A), privately owned assembly and entertainment (S), outdoor amusements (S), broadcasting studios (A), business support services (A), financial services (A), health care services (A), personal services (A), professional offices (A), schools - business and vocational (S) and vehicle storage and parking (S).
Public Service
Cemeteries (S), churches (S), collection stations (A), cultural facilities (A), day care centers/pre-schools (A), government offices (A), hospitals (A), local assembly and entertainment (A), local post office (A), local public health and safety facilities (A), membership organizations (A), publicly owned assembly and entertainment (S), regional public health and safety facilities (S), schools - college (S), social service organizations (A), pipelines and power transmission (S), transit stations and terminals (S), transportation routes (S), transmission and receiving facilities (S) and threshold-related research facilities.\(^\S\)

Recreation
Beach recreation (A), boat launching facilities (S), cross country skiing courses (S), day use areas (A), golf courses (S), marinas (S), outdoor recreation concessions (A), participant sports facilities (S), recreation centers (S), riding and hiking trails (A), sport assembly (S), and visitor information centers (A).

Resource Management
Reforestation (A), regeneration harvest (S), sanitation salvage cut (A), special cut (S), thinning (A), timber stand improvements (S), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), stream environment zone restoration (A).

\(\theta\)  Special Area #1: The following list of permissible uses is applicable throughout Special Area #1.

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

\(^\S\) Amended 2/23/2000.
Recreation

Beach recreation (A), boat launching facilities (S), cross country skiing courses (S), day use areas (A), golf courses (S), marinas (S), outdoor recreation concessions (A), participant sports facilities (S), recreation centers (S), riding and hiking trails (A), sport assembly (S), and visitor information centers (A).

Resource Management

Reforestation (A), regeneration harvest (S), sanitation salvage cut (A), special cut (S), thinning (A), timber stand improvements (S), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), stream environment zone restoration (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 7

Primary Use

Water oriented outdoor recreation concessions (A), beach recreation (intensive) (A), water borne transit (S), tour boat operations (S), safety and navigation facilities (A), marinas (S), boat launching facilities (S), and salvage operations (S).

Accessory Structure

Moorings buoys (A), piers (A), fences (S), boat ramps (A), breakwaters or jetties (S), shoreline protective structures (S), water intake lines (A), and floating platforms and docks (A).
MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive programs, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Multi-Family Dwelling</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>Multi-Person Dwelling</td>
<td>25 people per acre</td>
</tr>
<tr>
<td>Nursing and Personal Care</td>
<td>25 people per acre</td>
</tr>
<tr>
<td>Residential Care</td>
<td>25 people per acre</td>
</tr>
<tr>
<td>Single Family</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Tourist Accommodation</td>
<td></td>
</tr>
<tr>
<td>Bed and Breakfast</td>
<td>5 units per site</td>
</tr>
<tr>
<td></td>
<td>10 units per acre</td>
</tr>
<tr>
<td>Hotel, Motel and other Transient Units</td>
<td></td>
</tr>
<tr>
<td>• Less than 10% of units with kitchens</td>
<td>40 units per acre</td>
</tr>
<tr>
<td>• 10% or more units with kitchens</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>Timeshare</td>
<td>Based on hotel, motel and other transient use densities set forth above.</td>
</tr>
</tbody>
</table>

Shorezone

Piers in Visually Sensitive Character Unit

Average 1 pier per 300 linear ft

RESIDENTIAL BONUS UNITS: Pursuant to Chapter 35, the maximum number of residential bonus units which may be permitted for this Plan Area is one hundred and ten (110) units.

MAXIMUM COMMUNITY NOISE LEVEL EQUIVALENT: The maximum community noise equivalent level for this Plan Area is 55 CNEL. The maximum community noise equivalent level for the State Route 28 corridor is 55 CNEL.

Performance Standards for Stationary or Industrial Noise Sources or Projects Affected by Stationary or Industrial Noise Sources (As Measured at Property Line of a Noise-Sensitive Receiving Use)

<table>
<thead>
<tr>
<th>Noise Level Descriptor</th>
<th>Daytime (7 a.m. - 7 p.m.)</th>
<th>Nighttime (7 p.m. - 7 a.m.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hourly $L_{eq}$, dB</td>
<td>55</td>
<td>45</td>
</tr>
<tr>
<td>Maximum Level, dB</td>
<td>75</td>
<td>65</td>
</tr>
</tbody>
</table>

Each of the noise levels specified above should be lowered by five dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises.

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

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

TOURIST ACCOMMODATION BONUS UNITS: Pursuant to Chapter 35, the maximum number of tourist accommodation bonus units which may be permitted for the Community Plan Area is 0 units.

COMMERCIAL FLOOR AREA ALLOCATION: Pursuant to Chapter 33, maximum amount of commercial floor area which may be allocated for additional development in the Community Plan Area is 11,806 square feet.

IMPROVEMENT PROGRAMS: For improvements programs, see Chapter Seven, Implementation, of the adopted community plan.
Chapter II  
LAND USE ELEMENT

This Land Use Element is a supplement to the Land Use Element of the TRPA Goals and Policies Plan and the Placer County General Plan. Consistent with the Regional Plan, this Element sets forth the land use regulations for the Community Plan and provides a Community Plan Area Statement which replaces the existing Plan Area Statement.

A. KINGS BEACH COMMUNITY PLAN LAND USE REGULATIONS

Community planning is an option in which the local community in partnership with TRPA and local government may prepare their own plans and, to some extent, their own standards.

Chapter 14 of the TRPA Code of Ordinances sets forth the provisions for community planning. This section indicates what provisions of the TRPA Regional Plan are applicable and what standards are replaced with equal of superior standards.

This is a brief summary of standards applicable to the Kings Beach Community Plan. In general the standards of the TRPA Code apply except as noted by:

1. the Policies of the six Elements of this plan, replace Plan Area Statement policies;
2. the proposed mitigation fee program of Chapter VII, supplement TRPA programs;
3. the Community Plan Sign Ordinance (Appendix B), replaces Chapter 26;
4. the Community Plan Parking Ordinance (Appendix B), replaces Chapter 24; and
5. the Community Plan Design Review Standards and Guidelines (Appendix B), replaces Chapter 30.

Pursuant to Subsection 14.5.B of the Code, the following Community Plan Statement replaces the TRPA Plan Area Statements' regulations for this area.

This document is both a Placer County General Plan document and, to some extent, a Placer County land use regulatory document. In the case of the Land Use Element, the Plan Area Statements (PAS) included herein, will serve as the functional equivalent of zoning for those areas.

The detailed checklist of applicable standards in Appendix A is provided to assist in the review of projects within the Kings Beach Community Plan. The checklist also indicates which regulations are special to the Community Plan.
B. KINGS BEACH COMMUNITY PLAN AREA STATEMENT

This Community Plan Area Statement supersedes TRPA Plan Area Statements and Placer County Zoning within the Community Plan boundaries.

**PLAN DESIGNATION:**

- Land Use Classification: COMMERCIAL/PUBLIC SERVICE
- Management Strategy: REDIRECTION
- Special Designation: PRELIMINARY COMMUNITY PLAN AREA
  TDR RECEIVING AREA FOR:
  1. Existing Development
  2. Multi-Residential Units
  SCENIC RESTORATION AREA
  ELIGIBLE FOR REDEVELOPMENT PLANS
  MULTI-RESIDENTIAL INCENTIVE PROGRAM

**DESCRIPTION:**

- **Location:** This is the commercial strip along Highway 28 in Kings Beach and is located on TRPA maps E-4 and F-4.

- **Existing Uses:** The area is a mixture of commercial, recreation, and residential uses. The shorezone uses consist of motels, condominiums, single family dwellings, and public and private recreation. The area is 80 percent built out.

- **Existing Environment:** The lands are classified 60 percent low hazard, 30 percent SEZ and 10 percent high hazard. The shorezone tolerance levels are 7, 6 and 1. Most of the wetlands have been filled. The land coverage for the total area is 45 percent plus an additional 15 percent disturbed. The land coverage plus disturbance is 90 percent in the commercial areas.

**PLANNING STATEMENT:** This area should continue to serve the regional tourist and commercial needs of the north shore. The area should be redeveloped to concentrate use, restore stream environment zones, and increase shorezone access. The overall planning goal is to provide an attractive destination resort community.

**PLANNING CONSIDERATIONS:**

1. The commercial development needs to be upgraded and revitalized.

2. The commercial development is a "strip" and the four lane highway has adversely affected the character of the community. Programs should be implemented to facilitate pedestrian activity along the State Highway.

3. The prime fish habitat in Lake Tahoe is tentatively identified for habitat restoration.

4. The Griff Creek Stream Restoration Project, completed in 1985, substantially improved the stream environment zone and fish habitat in the area where Griff Creek passes under Highway 28.
5. Scenic Roadway Unit 20 and Scenic Shoreline Unit 21 are within this Plan area and the roadway unit is targeted for scenic restoration as required by the scenic threshold.

6. There is a narrow littoral strip of land claimed by Placer County in the western portion of this Plan area.

7. The Shoreline Character Types “Visually Sensitive”, and “Visually Modified” are within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54

OBJECTIVES AND SPECIAL POLICIES:

θ Urban Design and Development

1. The overall theme for Kings Beach is "Major Tourist Accommodation, Retail, and Services." The themes for the subareas of the Community Plan are implemented through the Special Areas. Commercial activities with direct frontage on State Route 28 should be oriented toward tourist needs, e.g. accommodation, dining, and retail sales. The Plan encourages a mix of tourist, commercial, and residential uses, but encourages service oriented commercial to be located off State Route 28. The State Park area should be looked upon as the town center or town plaza with a concentration of tourist-related uses around it.

a. Policy: In Special Area 1 (Downtown Area Commercial), tourist-oriented commercial uses are the predominant theme. This area represents the "heart" of the downtown Kings Beach Community, and generally fronts on State Route 28. This area has historically had a wide range of commercial activity not always compatible among themselves and not always appropriate for a tourist-oriented economy. The policy of this Plan is to keep the types of activities more homogeneous and oriented to the visiting public.

b. Policy: In Special Area 2 (East and West Entry Commercial Areas), more emphasis is placed on commercial services oriented more to the local population, such as auto repair, building materials and hardware, laundries and dry cleaning, and storage yards, to name a few. These areas are generally at the entrance points at either end of the commercial districts. Community Plan coverage incentives pursuant to Subsection 20.3.B(2) shall not apply to Placer County APNs 090-222-028 and –029.§

c. Policy: In Special Area 3 (Recreation Area), permissible uses are oriented toward outdoor recreation activities. This area is generally defined geographically on the State Beach area, and is bounded generally between State Route 28 and the lake, in the middle of the downtown area. Limited commercial activity is permitted to reflect the historical relation between lake-front recreation and tourist-related commercial activities.

§ Amended 1/23/02
d. **Policy**: In Special Area 4 (Tourist Accommodation), tourist oriented uses are encouraged by the permissible use list. This area is located generally at the western edge of the Community Plan, primarily fronting State Route 28. Tourist accommodation uses have been established in this area historically, and should continue to be a primary land use.

2. The urban design concept is to build on Kings Beach's tourist/recreation amenities which provide an anchor of activity in the center of the area. Further, the location of the neighborhood commercial area provides commercial services to the surrounding PASs. Development shall be consistent with these uses and shall provide a human scale of walkway, signing, landscaping, and street lighting improvements. The State Route should have a main-street look rather than that of fast traveled highway.

   a. **Policy**: All projects, as a condition of approval, shall implement or commit to a five year schedule to implement, the improvements noted in Transportation Policy 5 A (see Chapter 19 of Appendix B). This condition may be waived if the project is in an assessment district already committed to the improvements.

   b. **Policy**: All projects shall be subject to the Placer County Standards and Guidelines for Signage, Parking and Design (Appendix B).

   c. **Policy**: For the Placer County project review process for design review and signage, retain the existence and participation of the North Tahoe Design Review Committee. TRPA should consider the recommendations of the Committee prior to taking action on any project subject to Committee review.

3. Encourage rehabilitation by the remodeling, upgrading, and aesthetic improvement of buildings and structures in need of such improvements. Correcting existing urban "blight" is a key objective of this Plan.

   a. **Policy**: Projects which provide substantial rehabilitation by remodeling, upgrading, or other aesthetic improvements shall be eligible for the incentives listed in Incentive Subelement of the Implementation Element.

   b. **Policy**: The Redevelopment Agency should concentrate on the downtown area and other areas in need of upgrading. The focus should be on rehabilitation, code enforcement, provision of low-to-moderate housing, facade improvement, property assembly, parks and recreation facilities, parking, beach access, and infrastructure improvements.

   c. **Policy**: TRPA and Placer County staff should provide quick and responsive project review through a coordinated review process.
4. Encourage the upgrading or replacement of commercial advertising signs that detract from the aesthetic appearance of the community.
   
a. **Policy:** Outdoor advertising shall be subject to the standards and guidelines established in the Placer County Standards and Guidelines for Signage, Parking and Design (Appendix B).

b. **Policy:** Nonconforming signs shall be subject to an amortization plan and incentive program to provide for the eventual elimination or replacement of such signs.

5. Complete the undergrounding of overhead utilities for Kings Beach. Undergrounding of utilities on State Route 267 should be given priority, with the back-street areas to follow.

a. **Policy:** Pursuant to the general recommendations for scenic improvements in Chapter IV, all projects within the scenic corridor shall be responsible for removing, relocating or screening overhead utilities as a condition of project approval. TRPA may waive this requirement if the project is part of an undergrounding program or the undergrounding has been determined by TRPA not to be necessary to meet the scenic targets of this Plan.

6. Integrate more landscaping into both private development and public projects.

a. **Policy:** Projects with existing coverage in excess of 75% of their project area, shall be required to provide an increase in landscaping equal to 5% of the project area. The landscaping requirement shall be met within the project area or, if not feasible, off-site in a related area. This condition may be waived by the Design Review Committee, if the project is part of an assessment district which is providing the required increase in landscaping or the landscaping requirement has been met by a previous approval.

7. Implement the recommendations described in the Conservation Element, Scenic Target, for improving overall scenic quality.

a. **Policy:** The Design Review Committee shall consider the recommendations of the Scenic Target section of Chapter IV when reviewing projects and, where appropriate, incorporate conditions of approval to implement the recommendations of the Scenic Target section or the equal or superior recommendations of the applicant.

8. Preserve and enhance scenic views to Lake Tahoe and to other prominent areas of special interest.

a. **Policy:** Projects located between the designated scenic corridors and Lake Tahoe shall not cause a reduction of the views of Lake Tahoe from the corridors. TRPA may consider as an alternative, offsite improvements if it is determined there is a net increase in the lake views within the scenic unit.
9. The development of better quality affordable housing is a primary goal of this Plan for the neighborhoods in and surrounding the CP.

   a. **Policy:** An employee housing mitigation program shall be required of projects creating jobs for 20 or more employees.

**Commercial Development:**

1. The Plan acknowledges the community's tourist orientation and the critical role of recreation in the Kings Beach economy. Tourism is the foundation of the economic base and its interrelationship with recreation should continue to be fostered.

2. Encourage development and/or activities that will enhance the "year round" economy.

3. Special event area for arts and crafts shows, seasonal sales, and other similar events shall be established. Arts and cultural events are encouraged as part of the theme for Kings Beach.

   a. **Policy:** Special event area for arts and crafts shows, seasonal sales, farmer's market, boat shows and other similar events shall be considered in the State Park area. The design and regulation of the area by the County or NTPUD should allow such events to occur as activities not subject to TRPA review.

   b. **Policy:** The Plan allows for the establishment of galleries and working studios. Living spaces for the artist inside and working space outside shall be considered special uses. Outside display of art onsite of offsite shall require review of the Design Review Committee.

**Traffic Circulation and Parking:** (See Chapter III, Transportation Element for transportation related objectives and policies.)

**Recreation:** (See Chapter V, Recreation Element for recreation related objectives and policies.)

**Public Service Facilities:** (See Chapter VI, Public Service Element for other public service related objectives and policies.)

**PERMISSIBLE USES:** Pursuant to Chapter 18 PERMISSIBLE USES and, if applicable, Chapter 51 PERMISSIBLE USES AND ACCESSORY STRUCTURES IN THE SHORELINE AND LAKEZONE of the TRPA Code of Ordinances, the following primary uses may be permitted within all of a portion of the Community Plan Area. The list indicates if the use is allowed (A) or must be considered under the provision for a special use (S). Special uses require either a "Conditional Use Permit" (CUP), or "Minor Use Permit" (MUP), as set forth in the Placer County Zoning Ordinance. The following "S" uses shall be MUPs unless otherwise noted. Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited within this Plan Area.
The definitions of terms used in the Section on Permissible Uses are those found in Chapters 2 (Definitions) and 18 (Permissible Uses), of the TRPA Code.

0 Special Area #1 (Downtown Commercial Area): The following list of permissible uses is applicable throughout the Special Area.

Residential
Employee housing (S), Multiple family dwelling (S), Multi-person dwelling (S), Residential care (S)

*New single family dwellings that are not accessory to a commercial use are not permitted. However, single family dwellings existing as of the date of Plan adoption are not assigned nonconforming status. Single family dwellings in existence as of the date of Plan adoption may be reconstructed on the same parcel(s). Single family dwellings in conjunction with a valid commercial enterprise are considered an accessory use and follow the permit requirements of the primary use.

Tourist Accommodation
Bed and breakfast facilities (A); Hotel, motel, and other transient dwelling units up to 20 units (A), greater than 20 units (S/CUP)

Commercial
A. Retail
Building materials and hardware (S), Eating and drinking places (A), Food and beverage retail sales (A), Furniture, home furnishings and equipment (A), General merchandise stores (A), Mail order and vending (A), Nursery (A), Outdoor retail sales (S), Service stations (S/CUP)

B. Entertainment
Amusements and recreation services (A), Outdoor amusements (S),

C. Services
Animal husbandry services (A), Broadcasting studios (A), Business support services (A), Financial services (A), Health care services (A), Personal services (A), Professional services (A), Sales lots (S), Schools - business and vocational (A)

D. Light Industrial
Printing and publishing (A), Small scale manufacturing (S),

E. Wholesale/Storage
Vehicle storage and parking (S)
Public Service

A. General
Churches (S), Collection stations (A), Cultural facilities (A), Day care centers (A), Government offices (S), Hospitals (A), Local assembly and entertainment (A), Local post office (A), Local public health and safety facilities (A), Membership organizations (A), Schools - college (A), Schools - kindergarten through secondary (A), Social service organizations (A), \(^\text{§}\) and Threshold-related research facilities (S).

B. Linear Public Facilities
Pipelines and power transmission (S), Transit stations and terminals (S), Transportation routes (S/CUP), Transmission and receiving facilities (S)

Recreation

A. Urban Recreation
Day use areas (A), Recreation centers (A), Participant sports facilities (S),

B. Developed Outdoor Recreation
Beach recreation (A), Boat launching facilities (A), Golf courses (S), Outdoor recreation concessions (S), Marinas (S), Recreational vehicle park (S), Riding and hiking trails (A), Visitor information center (A)

C. Dispersed Outdoor Recreation
Allowed in all areas of the region

Resource Management

A. Timber Management
Reforestation (A), Sanitation salvage cut (A),

B. Open Space
Allowed in all areas of the region

C. Vegetation Protection
Fire detection and suppression (A), Fuels treatment/management (A), Insect and disease suppression (A), Prescribed fire/burning management (A), Sensitive plant management (A), Uncommon plant community management (A)

D. Watershed Improvements
Erosion control (A), Runoff control (A), Stream environment zone restoration (A)

\(^\text{§}\) Amended 2/23/2000
Special Area #2 - (East Entry Commercial Area): The following list of permissible uses is applicable throughout the Special Area.

Residential
Employee housing (S), Multiple family dwelling (S), Multi-person dwelling (S), Residential care (S), Single family dwelling (A)

Tourist Accommodation
Bed and breakfast facilities (A), Hotel, motel, and other transient dwelling units up to 20 units (A), greater than 20 units (S/CUP)

Commercial
A. Retail
Building materials and hardware (S), Eating and drinking places (A), Food and beverage retail sales (A), Furniture, home furnishings and equipment (A), General merchandise stores (A), Mail order and vending (A), Nursery (A), Outdoor retail sales (S), Service stations (S/CUP)

B. Entertainment
Amusements and recreation services (A), Outdoor amusements (S)

C. Services
Animal husbandry services (A), Broadcasting studios (A), Business support services (A), Financial services (A), Health care services (A), Personal services (A), Professional services (A), Sales lots (S), Schools - business and vocational (A)

D. Light Industrial
Printing and publishing (A), Small scale manufacturing (S)

E. Wholesale/Storage
Vehicle storage and parking (S)

Public Service
A. General
Churches (S), Collection stations (A), Cultural facilities (A), Day care centers (A), Government offices (S), Hospitals (A), Local assembly and entertainments (A), Local post office (A), Local public health and safety facilities (A), Membership organizations (A), Schools - college (A), Schools - kindergarten through secondary (A), Social service organizations (A) § and Threshold-related research facilities (S).

§ Amended 2/23/2000
B. Linear Public Facilities
Pipelines and power transmission (S), Transit stations and terminals (S), Transportation routes (S/CUP), Transmission and receiving facilities (S)

Recreation
A. Urban Recreation
Day use areas (A), Recreation centers (A), Participant sports facilities (S)

B. Developed Outdoor Recreation
Outdoor recreation concessions (S), Recreational vehicle park (S), Visitor information center (A)

C. Dispersed Outdoor Recreation
Allowed in all areas of the region

Resource Management
A. Timber Management
Reforestation (A), Sanitation salvage cut (A)

B. Open Space
Allowed in all areas of the region

C. Vegetation Protection
Fire detection and suppression (A), Fuels treatment/management (A), Insect and disease suppression (A), Prescribed fire/burning management (A), Sensitive plant management (A), Uncommon plant community management (A)

D. Watershed Improvements
Erosion control (A), Runoff control (A), Stream environment zone restoration (A)

Special Area #2 - (West Entry Commercial Area). The following list of permissible uses is applicable throughout the Special Area.

Residential
Employee housing (S), Multiple family dwelling (S), Multi-person dwelling (S), Residential care (S), Single family dwelling (A)

Tourist Accommodation
Bed and breakfast facilities (A), Hotel, motel, and other transient dwelling units up to 20 units (A), greater than 20 units (S/CUP), Timesharing (hotel/motel design) (S), Timesharing (residential design) (S).§

§ Amended 4/22/1998
Commercial

A. Retail
Building materials and hardware (S), Eating and drinking places (A), Food and beverage retail sales (A), Furniture, home furnishings and equipment (A), General merchandise stores (A), Mail order and vending (A), Nursery (A), Outdoor retail sales (S), Service stations (S/CUP)

B. Entertainment
Amusements and recreation services (A), Outdoor amusements (S)

C. Services
Animal husbandry services (A), Broadcasting studios (A), Business support services (A), Financial services (A), Health care services (A), Personal services (A), Professional services (A), Sales lots (S), Schools - business and vocational (A)

D. Light Industrial
Printing and publishing (A), Small scale manufacturing (S)

E. Wholesale/Storage
Vehicle storage and parking (S)

Public Service

A. General
Churches (S), Collection stations (A), Cultural facilities (A), Day care centers (A), Government offices (S), Hospitals (A), Local assembly and entertainment (A), Local post office (A), Local public health and safety facilities (A), Membership organizations (A), Schools - college (A), Schools - kindergarten through secondary (A), Social service organizations (A) § and Threshold-related research facilities (S).

B. Linear Public Facilities
Pipelines and power transmission (S), Transit stations and terminals (S), Transportation routes (S/CUP), Transmission and receiving facilities (S)

Recreation

A. Urban Recreation
Day use areas (A), Recreation centers (A), Participant sports facilities (S)

§ Amended 2/23/2000
B. Developed Outdoor Recreation
    Beach recreation (A), Boat launching facilities (A), Golf courses (S), Outdoor recreation concessions (S), Marinas (S), Recreational vehicle park (S), Riding and hiking trails (A), Visitor information center (A)

C. Dispersed Outdoor Recreation
    Allowed in all areas of the region

resource management

A. Timber Management
    Reforestation (A), Sanitation salvage cut (A)

B. Open Space
    Allowed in all areas of the region

C. Vegetation Protection
    Fire detection and suppression (A), Fuels treatment/management (A), Insect and disease suppression (A), Prescribed fire/burning management (A), Sensitive plant management (A), Uncommon plant community management (A)

D. Watershed Improvements
    Erosion control (A), Runoff control (A), Stream environment zone restoration (A)

Special Area #3 (Recreation Area): The following list of permissible uses is applicable throughout the special area.

Commercial

A. Retail
    Retail sales (S), Outdoor retail sales (S), Eating and drinking establishments (S)

B. Entertainment
    Outdoor amusements (S)

Public Service

A. General
    Cultural facilities (A), Day care centers (A), Government offices (A), Membership organizations (A), Publicly owned assembly and entertainment (A), Social service organizations (A) and Threshold-related research facilities (S).

§ Amended 2/23/2000
B. Linear Public Facilities
Pipelines and power transmission (S), Transit stations and terminals (S), Transportation routes (S/CUP), Transmission and receiving facilities (S)

Recreation
A. Urban Recreation
Day use areas (A), Recreation centers (A), Participant sports facilities (A), Sport assembly (A)

B. Developed Outdoor Recreation
Beach recreation (A), Boat launching facilities (A), Group facilities (A), Outdoor recreation concessions (S), Marinas (S), Riding and hiking trails (A), Visitor information center (A)

C. Dispersed Outdoor Recreation
Allowed in all areas of the region

Resource Management
A. Timber Management
Reforestation (A), Sanitation salvage cut (A)

B. Wildlife and Fishes
Early successional stage vegetation management (A), Nonstructural fish habitat management (A), Nonstructural wildlife habitat management (A), Structural fish habitat management (A), Structural wildlife habitat management (A)

C. Open Space
Allowed in all areas of the region

D. Vegetation Protection
Fire detection and suppression (A), Fuels treatment/management (A), Insect and disease suppression (A), Prescribed fire/burning management (A), Sensitive plant management (A), Uncommon plant community management (A)

E. Watershed Improvements
Erosion control (A), Runoff control (A), Stream environment zone restoration (A),

Special Area #4 - (Beach Street Tourist/Residential Area): The following list of permissible uses is applicable throughout the Special Area.

Residential
Employee housing (S), Multiple family dwelling (S), Multi-person dwelling (S), Single family dwelling (A)
Tourist Accommodation

Bed and breakfast facilities (A), Hotel, motel and other transient dwelling units, up to 20 units (A), greater than 20 units (S), Time sharing (hotel/motel design) (S), Time sharing (residential design) (S)

Commercial

A. Retail
Eating and drinking places (A), Service stations (S)

B. Entertainment
Amusements and recreation services (A), Privately owned assembly and entertainment (A), Outdoor amusements (S)

C. Services
Business support services (A), Financial services (A), Health care services (A), Personal services (A), Professional offices (A), Schools - business and vocational (A), Schools - pre-schools (A), Secondary storage (S)

D. Wholesale/Storage
Vehicle storage and parking (S)

Public Service

A. General
Churches (S), Collection Stations (S), Cultural facilities (S), Day care centers (A), Government offices (A), Hospitals (S), Local assembly and entertainment (A), Local post office (A), Local public health and safety facilities (A), Membership organizations (A), Publicly owned assembly and entertainment (A), Schools - college (S), Schools - kindergarten through secondary (S), Social service organizations (A) and Threshold-related research facilities (S).

B. Linear Public Facilities
Pipelines and power transmission (S), Transit stations and terminals (S), Transportation routes (S), Transmission and receiving facilities (S)

Recreation

A. Urban Recreation
Day use areas (A), Recreation centers (S), Participant sports facilities (A), Sport assembly (S)

§ Amended 2/23/2000
B. Developed Outdoor Recreation
Beach recreation (A), Boat launching facilities (A), Cross country skiing courses (A), Developed campgrounds (S), Golf courses (S), Group facilities (S), Outdoor recreation concessions (S), Marinas (S), Recreational vehicle park (S), Riding and hiking trails (A), Rural sports (A), Visitor information center (A)

C. Dispersed Outdoor Recreation
Allowed in all areas of the region

Resource Management
A. Timber Management
Reforestation (A), Sanitation salvage cut (A), Thinning (A), Timber stand improvement (A), Tree farms (A)

B. Wildlife and Fishes
Early successional stage vegetation management (A), Nonstructural fish habitat management (A), Nonstructural wildlife habitat management (A), Structural fish habitat management (A), structural wildlife habitat management (A)

C. Open Space
Allowed in all areas of the region

D. Vegetation Protection
Fire detection and suppression (A), Fuels treatment/management (A), Insect and disease suppression (A), Sensitive plant management (A), Uncommon plant community management (A)

E. Watershed Improvements
Erosion control (A), Runoff control (A), Stream environment zone restoration (A)

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.
Tolerance Districts 6 and 7

Primary Uses

Water oriented outdoor recreation concessions (S), beach recreation (intensive) (A), water borne transit operations (S), safety and navigation facilities (A), marinas (S), boat launching facilities (S), and salvage operations (S).

Accessory Structures

Mooring buoys (A), piers (A), fences (S), boat ramps (A), break-waters or jetties (S), shoreline protective structures (S), water intake lines (A), and floating platforms and docks (A).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations, and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Multiple Family Dwelling</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>Multi-Person Dwelling</td>
<td>25 people per acre</td>
</tr>
<tr>
<td>Nursing and Personal Care</td>
<td>25 people per acre</td>
</tr>
<tr>
<td>Residential Care</td>
<td>25 people per acre</td>
</tr>
<tr>
<td>Employee Housing</td>
<td>As per the limitations set forth in this table</td>
</tr>
<tr>
<td>Tourist Accommodation</td>
<td></td>
</tr>
<tr>
<td>Bed and Breakfast facilities</td>
<td>10 units per acre</td>
</tr>
<tr>
<td>Hotel, Motel and other Transient Units</td>
<td></td>
</tr>
<tr>
<td>• with less than 10% of units with kitchens</td>
<td>40 units per acre</td>
</tr>
<tr>
<td>• with 10% or more units with kitchens</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>Timeshare</td>
<td>As set forth above</td>
</tr>
<tr>
<td></td>
<td>Special Area #2, West Entry Commercial Area Only, 20 units per acre §</td>
</tr>
</tbody>
</table>

Shorezone

| Piers in Visually Modified Character Unit | Average 1 pier per 100 linear ft |
| Piers in Visually Sensitive Character Unit | Average 1 pier per 300 linear ft |

§ Amended 4/22/1998
RESIDENTIAL BONUS UNITS: Pursuant to Chapter 35, the maximum number of residential bonus units which may be permitted for this Community Plan area is 0 units.

TOURIST ACCOMMODATION BONUS UNITS: Pursuant to Chapter 35, the maximum number of tourist accommodation units which may be permitted for this Community Plan area is 0 units.

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

SUMMER DAY USES 750 PAOT  WINTER DAY USE 0 PAOT  OVERNIGHT USES 0 PAOT

COMMERCIAL FLOOR AREA ALLOCATION: Pursuant to Chapter 33, the maximum amount of commercial floor area which may be allocated for additional development in the Community Plan area is 40,000 square feet.

MAXIMUM CUMULATIVE NOISE LEVEL: The maximum cumulative noise equivalent for this Community Plan area is as follows:

1. Where applicable, a maximum 55 CNEL override for the Highway 28 corridor is permissible.
2. The maximum CNEL for Special Area 4 and 4 is 55 CNEL.
3. The maximum CNEL for all areas of the Community Plan except as noted in 1 and 2 above is 65 CNEL.
4. The maximum CNEL for shorezone tolerance districts 6 and 7 is 55 CNEL and the maximum for the lakezone is 50 CNEL.

MINIMUM LOT SIZE: The minimum lot size requirement shall be as follows: 6,000 sq. ft. for corner lots, 5,000 sq. ft. for interior lots, for all commercial uses. For residential uses, 10,000 sq. ft. shall apply.

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⁵⁵ Amended 10/26/06
⁵ Amended 3/22/2000 deleted
Chapter II
LAND USE ELEMENT

This Land Use Element is a supplement to the Land Use Element of the City's General Plan and the TRPA Goals and Policies Plan. Consistent with these Plans this Element sets forth the land use regulations for the Community Plan and provides a Community Plan Area Statement which replaces the existing Plan Area Statements (089B and 091).

A. STATELINE/SKI RUN COMMUNITY PLAN LAND USE REGULATIONS

Community planning is an option in which the local community in partnership with TRPA and local government may prepare their own plans and propose their own standards. Chapter l4 of the TRPA Code sets forth the provisions for community planning. This section indicates which provisions of the TRPA Regional Plan are applicable and which standards are replaced with equal or superior standards.

This is a brief summary of standards applicable to the Stateline/Ski Run Community Plan. In general the standards of the TRPA Code apply except as noted by:

1. The Policies of the six Elements of this plan;
2. The Mitigation Fee Program of Chapter VII;
3. The Citywide Sign Ordinance;
4. The Citywide Parking Ordinance; and
5. The Design Manual.

Pursuant to Subsection l4.5.B of the Code, the following community plan statement replaces the TRPA Plan Area Statements’ regulations for this area and the City of South Lake Tahoe Zoning Code. The detailed checklist of applicable standards in Appendix A is provided to assist in the review of projects within the Stateline/Ski Run Community Plan area. The checklist also indicates which regulations are specific to the Community Plan.

B. STATELINE/SKI RUN COMMUNITY PLAN AREA STATEMENT

This Community Plan Area Statement supersedes TRPA Plan Area Statements and the City of South Lake Tahoe Zoning within the Community Plan boundaries.

PLAN DESIGNATION:

| Land Use Classification     | TOURIST            |
| Management Strategy         | REDIRECTION        |
| Special Designation         | TDR RECEIVING AREA FOR: |
|                            | 1. Existing Development |
|                            | 2. Multi-Residential Units§ |
|                            | SCENIC RESTORATION AREA |
|                            | PREFERRED AFFORDABLE HOUSING LOCATION |
|                            | MULTI-RESIDENTIAL INCENTIVE PROGRAM |

§ Amended 04/28/04
DESCRIPTION:

Location: This area encompasses a motel/commercial strip along Lake Tahoe Boulevard and to a lesser extent Ski Run Boulevard. A portion of the Lakeside Park motel area is also included (see maps H-16, H-17 and G-17). The South Tahoe Redevelopment Demonstration Plan areas for Ski Run and Stateline are contained within the Stateline/Ski Run Community Plan boundaries.

Existing Uses: This area contains numerous motels and commercial establishments, the Crescent V shopping center, Ski Run Marina and a few residential uses.

Existing Environment: The land classification of this area is a mixture of low and high hazard. The shorezone tolerance district is 1. Land coverage and disturbance is high.

PLANNING STATEMENT: This area should continue as a major tourist center providing visitor accommodations and services. An emphasis should be placed upon redirection through redevelopment, which will provide scenic, economic and environmental improvements. These improvements will also benefit local residents, i.e. jobs, shopping, etc.

PLANNING CONSIDERATIONS:

a. This area has traffic congestion problems during peak periods, particularly along Highway 50 east of Ski Run Blvd.

b. Pedestrian facilities and physical infrastructure are inadequate.

c. This area contains Scenic Roadway Units 32 and 33, which are targeted for restoration as required by the scenic threshold. Scenic Shoreline Unit 31 is also in this area. (see Chapter IV)

d. Local drainage/flooding problems exist.

e. Extensive modifications to the SEZ have occurred and there is disturbed barrier beach with littoral drift problems.

f. Substantial water quality, dredging, siltation and parking problems exist at Ski Run Marina.

g. There is a need to upgrade and/or replace substandard housing and create some additional affordable housing within this area.

h. Additional fire hydrants are needed in the Ski Run area.

i. The Shoreline Character Types “Visually Dominated”, and “Visually Sensitive” are within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54
RESIDENTIAL BONUS UNITS: Pursuant to Chapter 35 (TRPA Code) the maximum number of residential bonus units which may be permitted for this Community Plan Area is 145 units.

TOURIST ACCOMMODATION BONUS UNITS: Pursuant to Chapter 35 (TRPA Code), the maximum number of tourist accommodation bonus units which may be permitted for this Community Plan Area is 25 units to be located within the Ski Run Village (3b), Upper Ski Run North (5a), or Upper Ski Run South (5b) Districts.

ADDITIONAL DEVELOPED OUTDOOR RECREATION: The following are the targets and limits for additional developed outdoor recreation facilities specified in Chapter 13 (TRPA Code) to be located within the Community Plan Area. Specific projects and their timing are addressed in Chapter V and the TRPA five-year Recreation Program pursuant to Chapter 33 (TRPA Code) allocation of Development. The following additional capacities allowed are measured in "persons at one time":

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

COMMERCIAL FLOOR AREA ALLOCATION: Pursuant to Chapter 33 (TRPA Code) the maximum amount of commercial floor area which may be allocated for additional development in the Community Plan Area, is 45,000 sq.ft.

MAXIMUM CUMULATIVE NOISE LEVEL: The maximum community noise equivalent level for this Community Plan area is as follows:

<table>
<thead>
<tr>
<th>LAND USE DISTRICTS</th>
<th>CNEL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1A through 3B &amp; 7A</td>
<td>65</td>
</tr>
<tr>
<td>4A – 6D</td>
<td>55</td>
</tr>
<tr>
<td>Shorezone</td>
<td>55</td>
</tr>
<tr>
<td>US 50 Corridor</td>
<td>65</td>
</tr>
</tbody>
</table>

C. GOALS, OBJECTIVES AND POLICIES:
In addition to the goals of [the CSLT General Plan and] the TRPA Compact and Regional Plan, the following goals, related specific objectives and special policies are adopted for the Stateline/Ski Run Community Plan. The objectives are also implemented in the Community Plan elements by specific and enforceable policies.

Urban Design and Development: To ensure that the design elements of new, remodeled, and rehabilitated development are compatible with the scenic objectives and policies of the Stateline/Ski Run Community Plan.

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56 Amended 10/25/06
5 Amended 3/22/00
Objective 1: Concentrate retail development in unique districts and thus eliminate the retail strip commercial character of Highway 50.

Policy A: Establish three unique, separate, retail/restaurant areas:
   a. within the primary tourist location inside the Loop Roads along US 50;
   b. secondary tourist area at the Ski Run Blvd. & US 50 intersections;
   c. 2 1/2 block retail area on Ski Run Boulevard in the vicinity of Tamarack (also known as Ski Run Village).

Policy B: Property outside these areas would be limited to non strip commercial uses, such as tourist accommodation uses, and offices.

Policy C: Anchor the Casino Core within the primary tourist retail area along US 50 from the California/Nevada state line to Park Avenue with the establishment of a specialty retail center in the vicinity of Park Avenue.

Policy D: Connect the Casino Core anchor and the specialty retail anchor with a pedestrian street environment, created through the eventual reduction of US 50 from five lanes to three lanes.

Policy E: Provide shops along the Stateline pedestrian corridor with windows and doorways, located next to the sidewalk, oriented to Lake Tahoe Boulevard as well as landscaped areas, outdoor dining, benches, lighting and kiosks.

Policy F: Ensure adequate services for residents within the vicinity of the primary tourist area through retention of local oriented retail uses (i.e. market, pharmacy, apparel, etc.) in the Crescent V Shopping Center with rear pedestrian alternate access, while providing opportunities for some tourist oriented retail.

Policy G: Provide for the siting of a transit center and tram to Heavenly Valley properly designed to help activate the pedestrian street environment.

Policy H: (Deleted§)

Policy I: Prepare an urban design plan for Ski Run Boulevard to improve the scenic quality and enhance the business environment by providing sidewalks, street lights, landscaping, on-street parking, shared parking lots, better traffic circulation and a restaurant pedestrian pocket in the vicinity of the Tamarack intersection.

Policy J: When a project oriented traffic study or sewer unit analysis requires a reduction of tourist units, the tourist units should be reduced from within the TRPA defined "project area".

§ Amended 10/28/98
Policy K: Transfer of tourist accommodation units from the area within the Loop Roads to areas outside the Loop Roads is prohibited §§ except from project areas within a project approved by the South Tahoe Redevelopment Agency where: 1) densities for permissible land uses have been maximized, as determined by project approval, and, 2) which incorporate environmental benefits as determined by the criteria of TRPA Code Section 33.3D(3). For project areas satisfying this exception, excess banked tourist accommodation units may be transferred to areas outside the Loop Roads, subject to all other applicable Ordinances, Plan Areas, and Policies. (Land Use Districts 1a, 1b, 2a, 3a)

Policy L: Review projects for conformance with the Design Manual & Sign Ordinance (see appendix B).

Policy M: Create a parkway effect as required by Chapter I of the City Design Manual (see appendix B).
   a. along US 50, west from the Loop Road intersection to Fairway Avenue;
   b. along Ski Run, from US 50 to the limits of the Plan area, south of Pioneer Trail;
   c. along Park Avenue
   d. along the North Loop Road
   e. along the South Loop Road.

Policy N: Provide for a non commercial pedestrian trail and an open space system along Park Avenue to link the mountains to the Lake, as well as along the front of Tahoe Meadows.

Policy O: Utilize stream environment zone restoration and storm drainage basins to create view corridors and passive open space, and at the same time, create a buffer zone to help relieve the strip commercial character of the major roads.

Policy P: Place locations for affordable housing within convenient distances to local serving retail uses.

Land Use Strategy And Economic Feasibility Goals: Maintain a balance between economic health and the environment by correcting past deficiencies in land use and being responsive to the needs and opportunities within the Stateline/Ski Run area.

Objective 1: Concentrate development to create unique areas within the community plan boundaries.

§§ Amended 05/23/07
Policy A: Intensify T.A.U.’s within the area surrounded by the Loop Roads when feasible. Conduct a study to evaluate the effect of permitting additional height within 500 feet of the existing highrise buildings located on the south shore in the Stateline area. This study could either be prepared for the area as a whole or could be conducted in conjunction with a project specific scenic evaluation; e.g. Park Avenue project area.

Policy B: Provide 25 bonus TAU’s, which can be used in accordance with Chapter 35 (TRPA Code) as an incentive for the conversion of existing residential structures to bed and breakfast style accommodations, or the construction of new bed and breakfast style tourist units, within Districts 5a, 3b and 5b, on Ski Run Boulevard or for an incentive to rehabilitate substandard motel structures or for the demolition of the substandard motel structures and transfer of units to any buildable property within districts which permit motels, 1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 3a, 3b, 5a and 5b. (rev. 3/26/97) (see TAU distribution system, objective 2. Policy E).

Policy C: Limit the activities within the Stateline Pedestrian District and Ski Run Pedestrian District to encourage high quality retail activities and restaurants (see landuse matrix).

Policy D: Utilize stream environment zone (SEZ) restoration to provide view corridors and open space resources i.e. for multiple benefits. This in turn will create a buffer zone, which will assist in defining areas of concentrated development. (See Capital Improvement Program {CIP} in Chapter VII - Area-wide Drainage System Basin E.)

Objective 2: Define receiving areas within the community plan boundaries and institute a system for distribution of commercial allocation and bonus TAU’s

Policy A: Within the 45,000 square foot limitation, allocations of commercial floor area shall be issued by TRPA upon approval pursuant to Chapter 33. However, TRPA shall only consider for approval, projects recommended by the City of South Lake Tahoe. On a first come first serve basis, the City shall review proposed projects based on the following criteria and make an appropriate recommendation. The City’s recommendation shall expire two years after its action. Consistent with the findings of the “Economic Analysis and Opportunities Study”, (as provided by Rosall Remmen Cares, 1989) distribute the 45,000 sq.ft. of commercial allocation within the Stateline/Ski Run Community Plan area as follows:

- Project 3 project area located between U.S. 50 and Cedar Avenue and from Stateline to Park Avenues along U.S. 50 (portions of Districts 2a and 1a), Total Allocation: 10,000 square feet.
• **Park Avenue project area** located along US 50 frontage from Embassy Suites to the Loop Road diversions (portions of Districts 2a & 3a):

  Total Allocation: 20,000 square feet  
  Maximum per project: none  

  The use of the 20,000 square feet is for use by the Park Ave. proponents within the following parameters.  
  a. That it be used only for pedestrian oriented commercial uses; and  
  b. That it be used only on the US 50 frontage; and  
  c. That the design be consistent with the Redevelopment Plan (see Chapter III of the Design Manual, District 2a).

• **Ski Run Blvd. Within the Stateline/Ski Run Community Plan Area.** The four Districts on Ski Run Blvd. (3b, 5a, 5b, and 6c) and only that portion of District 2b which includes the southeast corner shopping center and the adjacent car wash parcel if it is added to the shopping center redesign, be eligible for 7,000 s.f. of commercial floor area, subject to:  
  1. A first come, first serve distribution system, based on a project application.  
  2. A limitation of 2,000 s.f. per parcel, and  
  3. Compliance with the applicable Community Design Standards.

• **Ski Run Pedestrian District 3b:**

  Total Allocation: 8,000 square feet  
  Maximum per project: 2,000- s.f. (rev. 3/4/97)  

  There will be specific timelines in which to use allocation, e.g. use it or it goes back to the pool. Two years after the adoption of this Plan, TRPA and the City of South Lake Tahoe may consider reassignment of the unpermitted allocations listed above. An exception may be made for allocation preservations that have experienced unforeseeable governmental delays, beyond the control of the project proponent.

• **SE Corner Ski Run/US 50 Sub Area (2b) and Park Ave. project area** 2 years from adoption of plan to obtain permit, (the only exception to this requirement is unforeseeable governmental delay beyond the control of the project proponent); and 3 years from issuance of permit to complete the project.

• **Ski Run Pedestrian District (3b) and Laurel Avenue Sub area (2a)** 2 years from adoption of plan to obtain permit, (the only exception to this requirement is unforeseeable governmental delay beyond the control of the project proponent); and 3 years from issuance of permit to complete the project.

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Amended 5/26/99
Policy B: The Ski Run Pedestrian District (3b) shall be eligible for the commercial floor area allocation described in Policy A, above, provided:

1. That all projects receiving a commercial floor area allocation from the Ski Run Pedestrian District or projects subject to the Design Review or Special Use Permit Process, shall either have in place (previously constructed) or shall construct all of the infrastructure improvements along the subject property frontage including:
   a. Curb, gutter and 5-foot asphalt sidewalk and associated improvements including handicap access required by the City Engineering Division (Public improvements) and
   b. 5-foot additional decorative sidewalk, street trees and street lights

Policy C: Should the 30,000 sq.ft. of commercial floor area acquired by the Redevelopment Agency for Redevelopment Project #1 not be utilized in conjunction with Project #1, any unused square footage shall be allocated to the Stateline Area (Districts 2a or 3a).

Policy D: TAU Distribution - Bonus TAU's will be distributed on a "first come first serve" basis in accordance with "objective 1", Policy B, and Chapter 35 of the TRPA Code. The maximum number of TAU's per project shall be limited to 10.

Objective 3: Recognizing economic feasibility is critical in order to implement community plan objectives.

Policy A: City/Redevelopment Agency will facilitate the establishment of a rehabilitation loan program for the enhancement of existing commercial businesses, including motels. Provide opportunities for individuals as well as groups of property owners to revitalize their businesses.

Policy B: Form business districts to assist in the development of a joint marketing strategy to promote economic diversity and vitality.

Policy C: Consistent with the Uniform Building Code (UBC) allow the economic conversion of residential structures to office uses, such as legal, medical, financial and professional.

Objective 4: Support and encourage adequate housing in close proximity to employment generators, which is affordable to workers in the visitor industry.

Policy A: As a top priority, the South Tahoe Housing Authority should facilitate the establishment of a housing rehabilitation program to upgrade existing housing stock throughout the Plan Area.

Policy B: Encourage multi family units to be constructed on the large, developable parcels within district 6c by providing up to 50% land coverage for such projects.

§ Amended 05/26/99 Note 2, 3 & 4 were deleted
§§ Amended 2/28/96
Policy C: Consider economy of scale issues associated with affordable housing projects, particularly the property described above in Policy A.

Policy D: Replace units providing low cost housing with comparable units onsite whenever possible or, if not possible onsite, provide within the same zoning classification.

Intergovernmental Coordination Goal: Continue to coordinate with adjacent governmental entities to facilitate compatible land use strategies.

Objective 1: Highlight opportunities and conflicts regarding the Community Plan provisions within Douglas County and El Dorado County

Policy A: TAUs can be acquired within the City of South Lake Tahoe for transfer to another jurisdiction if the financial impacts are adequately mitigated and subject to City concurrence.

Policy B: Multiple family development rights can be acquired within the City of South Lake Tahoe for transfer to another jurisdiction if, through a development agreement, the units from which the allocations were transferred are rebuilt and/or rehabilitated as affordable housing. The units to be transferred would be targeted by the community plan.

Policy C: The transfer of commercial square footage for the development of the "perpendicular spine" aka Mountain Lake Parkway, is in conflict with the movement of pedestrians along US 50 in California.

Policy D: Encourage casino internal space rearrangement to locate retail on US 50.

Policy E: Encourage coordination of lane widths (12 foot travel lane and a 4 foot bike lane), transit locations, between the two jurisdictions and the Stateline Area (see Exhibit 4).

Policy F: Establish a free trade of commercial square footage between the City of South Lake Tahoe and El Dorado County so that, on a case by case basis, commercial floor area in the County can be transferred from non-community plan areas into community plan areas within the City and the City of South Lake Tahoe would consider transfers into El Dorado County on a case by case basis. In addition, leave the door open for discussion with Douglas County regarding the same issue.

Objective 2: Coordinate The South Tahoe Redevelopment Demonstration Plan with the Community Plan

Policy A: The South Tahoe Redevelopment Demonstration Plan shall be amended to conform with the provisions of this Community Plan. Until the amendments are approved, this Plan shall supersede conflicting provisions in the Redevelopment Plan.
D.   LAND USE PROVISIONS

PERMISSIBLE USES MATRIX: Pursuant to the TRPA Code, Chapter 4, Section 2c, Temporary Activities and Chapter 7, Temporary Uses, Activities and Structures, Chapter 18 - Permissible Uses and, if applicable, Chapter 51 - Permissible Uses and Accessory Structures in the Shorezone and Lakezone, the following matrix describes primary uses, which are allowed by right (A), allowed subject to design review by the City of South Lake Tahoe (A1) or, must be considered under the provisions for a special use (S) within each of the land use districts. Footnote numbers by allowed or special uses indicate special conditions imposed on that use category as noted in the bottom of the matrix. Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited, unless the matrix is amended to add it as an allowed or special use, within this Plan Area.

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

SHOREZONE PERMITTED USES (not reflected in the matrix): Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51, (TRPA Code). The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel:

**Tolerance District 1**

<table>
<thead>
<tr>
<th>Primary Uses</th>
<th>Accessory Structures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water oriented outdoor recreation concessions (A); beach recreation (intensive) (A), water borne transit (S), boat launching facilities (S), tour boat operations (S), safety and navigation devices (A) and marinas (S)</td>
<td>Mooring buoys (A), piers (S), fences (S), boat ramps (S), floating docks and platforms (S), shoreline protective devices (S) and water intake lines (A).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shorezone</td>
<td></td>
</tr>
<tr>
<td>Piers in Visually Dominated Character Unit</td>
<td>Average 1 pier per 100 linear ft</td>
</tr>
<tr>
<td>Piers in Visually Sensitive Character Unit</td>
<td>Average 1 pier per 300 linear ft</td>
</tr>
</tbody>
</table>

LAND USE DISTRICTS: The following land use districts are within the Stateline/Ski Run Community Plan boundaries (see Exhibit 2).
<table>
<thead>
<tr>
<th>District</th>
<th>Use Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1a Lakeside District</td>
<td>Major Tourist Accommodation</td>
</tr>
<tr>
<td>1b VanSickle District</td>
<td>Tourist Accommodation</td>
</tr>
<tr>
<td>1c Montreal District</td>
<td>Tourist Accommodation, Multi Family Residential</td>
</tr>
<tr>
<td>1d Midway District</td>
<td>Tourist Accommodation, Multi Family Residential</td>
</tr>
<tr>
<td>1e Tahoe Marina Hotel District</td>
<td>Major Tourist Accommodation</td>
</tr>
<tr>
<td>1f Lower Ski Run West District</td>
<td>Major Tourist Accommodation</td>
</tr>
<tr>
<td>2a Stateline Pedestrian District</td>
<td>Major Tourist Accommodation &amp; Retail/Restaurant with Extensive Tourist Amenities</td>
</tr>
<tr>
<td>2b Lower Ski Run South District</td>
<td>Retail/Restaurants</td>
</tr>
<tr>
<td>3a Crescent V District</td>
<td>Local Oriented Retail with some Tourist Related Retail</td>
</tr>
<tr>
<td>3b Ski Run Pedestrian District</td>
<td>Pedestrian oriented retail including restaurants, office, medical, personal services, etc.</td>
</tr>
<tr>
<td>4a Van Sickle District</td>
<td>SEZ Restoration/Recreation</td>
</tr>
<tr>
<td>4b Basin E District</td>
<td>SEZ Restoration/Recreation</td>
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<tr>
<td>4c Osgood Basin District</td>
<td>Drainage Improvements</td>
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<tr>
<td>5a Upper Ski Run North District</td>
<td>Tourist Accommodation including Bed &amp; Breakfast style/ Recreation Related Retail, Professional Offices</td>
</tr>
<tr>
<td>5b Upper Ski Run South District</td>
<td>Professional Office, Tourist Accommodation</td>
</tr>
<tr>
<td>6a Van Sickle District</td>
<td>Multi Family Residential</td>
</tr>
<tr>
<td>6b Pentagon District</td>
<td>Multi Family Residential</td>
</tr>
<tr>
<td>6c Upper Ski Run District</td>
<td>Multi Family Residential</td>
</tr>
<tr>
<td>7a Transportation Corridor District</td>
<td>Major Road Improvements</td>
</tr>
</tbody>
</table>
The Matrix: The following matrix identifies which uses are allowed, or require a special use permit, in each landuse district within the community plan area.

<table>
<thead>
<tr>
<th>LAND USE CATEGORIES</th>
<th>DISTRICTS</th>
<th>MAXIMUM UNITS/ACRE</th>
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</thead>
<tbody>
<tr>
<td>I. RESIDENTIAL</td>
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<tr>
<td>Domestic Animal Raising</td>
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<tr>
<td>Employee Housing</td>
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<tr>
<td>Mobile Home Dwelling</td>
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<tr>
<td>Multiple Family Dwelling</td>
<td>S S S S S S S S S S S A1 A1 15</td>
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<tr>
<td>Multi-Person Dwelling</td>
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<tr>
<td>Nursing &amp; Personal Care</td>
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<tr>
<td>Residential Care</td>
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<tr>
<td>Single Family Dwelling</td>
<td>A S S S S S2 S S S11 1 per parcel</td>
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<tr>
<td>Summer Home</td>
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<td>II. TOURIST ACCOMMODATION</td>
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<tr>
<td>Bed &amp; Breakfast Facilities</td>
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<tr>
<td>Hotel, Motel, Other Transient Dwelling Units</td>
<td>A1 A1 A1 A1 A1 A1 S A1 A20 A20 40(no kitchen)</td>
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<tr>
<td>*Time Sharing (Hotel/Motel Design)</td>
<td>A1 A1 A1 S S S S A1 A1 A20 40(no kitchen)</td>
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<tr>
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<tr>
<td>III. COMMERCIAL</td>
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<tr>
<td>A. Retail</td>
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<tr>
<td>Auto, Mobile Home, and Vehicle Dealers</td>
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<td>Building Material &amp; Hardware</td>
<td>S4</td>
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<td>General Merchandise Stores</td>
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<tr>
<td>Mail Order and Vending</td>
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<td>Nursery</td>
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<td>Outdoor Retail Sales</td>
<td>S S S S S S S S S S S S S S S S S A14</td>
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<tr>
<td>Eating &amp; Drinking Places</td>
<td>S6 S6 A1 A1 A1 A1 A1 A1 A1 A1 A1 A1</td>
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<tr>
<td>Food &amp; Beverage Retail Sales</td>
<td>S S S S A14</td>
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<td>Furniture, Home Furnishings &amp; Equipment</td>
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<tr>
<td>Service Stations</td>
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<tr>
<td>B. Entertainment</td>
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<tr>
<td>Amusement &amp; Recreation Services</td>
<td>S S 15 S S S S S S S S S S</td>
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<tr>
<td>Privately Owned Assembly and Entertainment</td>
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<tr>
<td>Outdoor Amusements</td>
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<tr>
<td>C. Services</td>
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<td>Animal Husbandry Services</td>
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<tr>
<td>Auto Repair and Service</td>
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Amended 10/25/06
Amended 6/26/96
Amended 12/22/00
Amended 2/28/96
### LAND USE CATEGORIES

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<th>5a</th>
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<th>6a</th>
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<th>6c</th>
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<td>Schools – Business &amp; Vocational</td>
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</tbody>
</table>

### D. Light Industrial

- Batch Plants
- Food & Kindred Products
- Fuel & Ice Dealers
- Industrial Services
- Printing & Publishing
- Recycling & Scrap
- Small Scale Manufacturing

### E. Wholesale/Storage

- Storage Yards
- Vehicle & Freight Terminals
- Vehicle Storage & Parking
- Warehousing
- Wholesale & Distribution

### IV. PUBLIC SERVICE

#### A. General

- Airfields, Landing Strips & Heliports (New/Non-Emergency Sites Prohibited)
- Cemeteries
- Churches
- Collection Stations
- Cultural Facilities
- Daycare Centers/Preschool
- Government Offices
- Hospitals
- Local Assembly & Entertainment
- Local Post Office
- Local Public Health and Safety Facilities
- Power Generating
- Public Owned Assembly & Entertainment
- Public Utility Centers
- Regional Public Health and Safety Facilities
- School – College
- Schools – Kindergarten through Secondary
- Social Service Organizations

#### B. Linear Public Facilities

- Pipelines & Power Transmission
- Transit Stations & Terminals
- Transportation Routes
- Transmission & Receiving Facilities
<table>
<thead>
<tr>
<th>LAND USE CATEGORIES</th>
<th>DISTRICTS</th>
<th>MAXIMUM UNITS/ACRE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1a 1b 1c 1d 1e 1f 2a 2b* 3a 3b 4a 4b 4c 5a 5b 6a 6b 6c 7a</td>
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<tr>
<td><strong>V. RECREATION</strong></td>
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<tr>
<td>Beach Recreation</td>
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<tr>
<td>Boat Launching Facilities</td>
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<td>Cross Country Ski Courses</td>
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<tr>
<td>Day Use Areas</td>
<td>A1 A1 A1 A1 A1 A1 A1 A1 A1 A1 A1 A1 A1 A1 A1 A1 A1 A1 A1 A1</td>
<td>25 Persons/acre</td>
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<tr>
<td>Developed Campgrounds</td>
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<td>Downhill Ski Facilities</td>
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<td>Golf Courses</td>
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<td>Participant Sport Facilities§</td>
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<td>Recreation Centers</td>
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<td>Riding and Hiking Trails</td>
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<td>Visitor Information Centers</td>
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<td><strong>V. RESOURCE MANAGEMENT</strong></td>
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<td>Tree Farms</td>
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<td>B. Wildlife and Fisheries</td>
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<tr>
<td>Early Succession Vegetation Management</td>
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<td>Nonstructural Fish Habitat Management</td>
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<td>C. Range</td>
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<td>Farm/Ranch Structures</td>
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§ Amended 6/26/96
### LAND USE CATEGORIES

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<th>LAND USE CATEGORIES</th>
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<th>MAXIMUM UNITS/ACRE</th>
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### F. Watershed Improvements

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**Footnotes**

A = Allowed  
S = Special Use Permit Required  
** Note all special uses within 2b are appropriate for development on SW Corner.  
Refer to Redevelopment Demonstration Plan.

1. Requires CSLT Design Review  
2. Caretaker Residence Only  
3. New Auto Parts Only  
4. Wallpaper, Paint, Hardware Only  
5. Sporting Goods, Equipment and Accessory Bike and Moped  
6. Not Freestanding Building  
7. Entrance Only Fronting Highway 50  
8. ATM Only  
9. Jewelry Repair Only  
10. See Recreation Element, Objective 5, Policy A (rev. by TRPA  
11. For condominium projects only, with multiple units per parcel.  
12. No outside storage or display, no blacksmith or trusses and the like.  
13. Offsite rental of sporting equipment, beauty and barber shops only and to be consistent with the “window, door, window, door” concept. §  
14. Allowed only within existing buildings.  
15. Allow consideration for placement of the use, only in the vicinity of the public plaza that enhances and directly links to the highway 50 pedestrian corridor.  
16. Allow consideration, for placement of the use, of an emergency outpatient medical center (“urgent care facility) only in the vicinity of Park Avenue.  
17. Allow consideration for placement of Realty Offices only within the district  
18. Allow consideration for placement of Realty Offices only.  Such use shall occupy no more than five (5) percent of the commercial floor area within any project area within the district.  
19. The parcel 27-323-10, physical address 3521 Pioneer Trail, has been added to the Stateline/Ski Run Community Plan in District 6c to facilitate affordable housing. Community plan development incentives may only apply to this parcel if and when a deed restricted affordable housing project is developed.  
20. If District 6A is developed for Tourist Accommodation purposes, the maximum density is 15 units per acre and the following special provisions will apply in addition to the design requirements of the Community Plan. (A) Affordable multiple family units shall be provided on site as part of the TAU project. The number of affordable housing units to be provided shall be at least 20% of the number of the project’s TAU’s. The deed restriction for the affordable units shall require that at least one household member to work within the Lake Tahoe Basin, unless such condition would preclude the project from obtaining Federal affordable housing subsidy funding. (B) Design of the project shall incorporate provisions for pedestrian access to the nearby commercial uses and provide a native landscaping plan that minimizes the project’s visual intrusion into the roadway corridor. In addition, the developer shall be obligated to implement, or work with the California Tahoe Conservancy by committing the required funding for the bike trail component of the Stateline/Ski Run Community Plan’s Implementation Element for the Van Sickle District.

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§ Amended 3/26/97  
§§ Amended 3/26/99  
§§§ Amended 12/22/00  
§§§§ Amended 05/23/07  
§§§§ Amended 3/28/01  
§§§§ Amended 10/29/06  

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Stateline/Ski Run Community Plan  
CHAPTER II–LAND USE ELEMENT  
March, 1994  
II-15
Chapter II
LAND USE ELEMENT

This Land Use Element is a supplement to the Land Use Element of the TRPA Goals and Policies Plan. Consistent with the Regional Plan, this Element sets forth the land use regulations for the Community Plan and provides a Community Plan Area Statement which replaces the existing Plan Area Statement.

A. TAHOE CITY COMMUNITY PLAN LAND USE REGULATIONS

Community planning is an option in which the local community in partnership with TRPA and local government may prepare their own plans and, to some extent, their own standards.

Chapter 14 of the TRPA Code of Ordinances sets forth the provisions for community planning. This section indicates what provisions of the TRPA Regional Plan are applicable and what standards are replaced with equal or superior standards.

This is a brief summary of standards applicable to the Tahoe City Community Plan. In general the standards of the TRPA Code apply except as noted by:

1. The Policies of the six Elements of this plan, replace Plan Area Statement policies;
2. The mitigation fee program of Chapter VII, supplement TRPA programs;
3. The Community Plan Sign Ordinance (Appendix B), replaces Chapter 26;
4. The Community Plan Parking Ordinance (Appendix B), replaces Chapter 24; and

Pursuant to Subsection 14.5.B of the Code, the following Community Plan Statement replaces the TRPA Plan Area Statements' regulations for this area.

This document is both a Placer County General Plan document and, to some extent, a Placer County land use regulatory document. In the case of the Land Use Element, the Plan Area Statements (PAS) included herein, will serve as the functional equivalent of zoning for those areas.

The detailed checklist of applicable standards in Appendix A is provided to assist in the review of projects within the Tahoe City Community Plan. The checklist also indicates which regulations are special to the Community Plan.
B. TAHOE CITY COMMUNITY PLAN AREA STATEMENT

This Community Plan Area Statement supersedes TRPA Plan Area Statements and Placer County zoning within the Community Plan boundaries.

PLAN DESIGNATION:

- Land Use Classification: COMMERCIAL/PUBLIC SERVICE
- Management Strategy: REDIRECTION
- Special Designation: TDR RECEIVING AREA FOR:
  1. Existing Development
  2. Multi-Residential Units
  SCENIC RESTORATION AREA
  PREFERRED AFFORDABLE HOUSING AREA
  MULTI-RESIDENTIAL INCENTIVE PROGRAM

DESCRIPTION:

Location: This Plan Area is split by the Truckee River near its outlet and is located on TRPA map C-7 and Placer County zoning map 28.

Existing Uses: This area encompasses most of the commercial uses in Tahoe City, and also includes some condominiums, the State Park Campground, and the Commons Beach. This area serves as the commercial center for the northwest portion of the Tahoe Region. This area serves as one of the main entrances and arrival points to the Tahoe Region. The commercial area is 70 percent built out.

Existing Environment: Much of this planning area borders both the Truckee River and Lake Tahoe. Development has mostly taken place in stream environment zones. The area is 55 percent SEZ (mostly disturbed), 35 percent low hazard, and the rest is high or moderate hazard. The land coverage ranges from 60 percent in the downtown area to 9 percent in the recreation areas. Much of the SEZ area drains directly to the Truckee River, instead of Lake Tahoe.

PLANNING STATEMENT: This area should continue to serve the commercial needs of the northwest portion of the Tahoe Region and act as the scenic gateway to Lake Tahoe for visitors and residents arriving through the Truckee River corridor.

PLANNING CONSIDERATIONS:

1. A large portion of the land area classified as SEZ has a high percentage of coverage. Also, a significant portion of this CP drains directly into the Truckee River, and thus does not directly affect the water quality of Lake Tahoe.

2. Overall town planning is inconsistent and inefficient, particularly in older areas that have not been remodeled or renovated recently. However, the influence of Design Guidelines and local advisory committees has resulted in improvements in recent years.
3. There is traffic congestion and inadequate parking for the commercial and recreational areas.

4. Scenic Roadway Units 14, 15, and 42 and Scenic Shoreline Unit 15 are within this Plan Area and are targeted for scenic restoration as required by the scenic threshold.

5. The Shoreline Character Types “Visually Dominated”, and “Visually Modified” are within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54

OBJECTIVES AND SPECIAL POLICIES:

Urban Design and Development:

1. The overall theme for the Tahoe City Community Plan is "Major Tourist Accommodation, Retail, and Services." The themes for sub-areas of the Community Plan are implemented through the Special Areas. Commercial activities which cater primarily to tourist accommodations, retail, and services should be located in the downtown area of the Tahoe City. Heavy commercial, industrial, or public service facilities, that are visually obtrusive, uses should be encouraged to locate in other, more suitable locations, and revisions or expansions should be prohibited from direct frontage on the State Highways. River and lake frontages should be reserved for a variety of uses that encourage the public to utilize these areas.

   a. Policy: In Special Area 1 (Retail/Tourist Area), tourist oriented uses are encouraged by the permissible use list. Priority should be given to locating tourist retail uses on street and sidewalk frontages.

   b. Policy: In Special Area 2 (Public Service/Industrial Area), public service and light industrial services are encouraged by the permissible use list. Such projects shall not be visible or shall be screened from view from the scenic corridors.

   c. Policy: In Special Area 3 (Recreation Area), public outdoor recreation uses are encouraged by the permissible use list. This area is targeted for increased public access to lake and river access.

   d. Policy: In Special Area 4 (Tourist/Residential Area), tourist and residential uses are encouraged by the permissible use list.

   e. Policy: In Special Area 5 (Retail/Service Area), resident oriented commercial uses are encouraged by the permissible use list.

2. The urban design concept is to build on Tahoe City's small town main street theme by providing anchors of activity on each end of the main street. Further, the unity and continuity of the downtown commercial area shall be provided through development on a human scale of uniform sidewalk improvements, signing, landscaping, and street lighting program.
a. Policy: All projects, as a condition of approval, shall implement or commit to a five year schedule to implement, the sidewalk improvements noted in CP Transportation Policy 4 A and B. This condition may be waived if the project is in an assessment district already committed to the improvements.

3. Encourage rehabilitation by the remodeling, upgrading, and aesthetic improvement of buildings and structures in need of such improvements.
   a. Policy: All projects shall be subject to the Placer County Standards And Guidelines For Signage, Parking And Design (Appendix B).
   b. Policy: For the Placer County project review process for design review and signage, retain the existence and participation of the Tahoe City Design Review Committee. TRPA should consider the recommendations of the Committee prior to taking action on any project subject to Committee review.
   c. Policy: Projects which provide substantial rehabilitation by remodeling, upgrading, or other aesthetic improvements shall be eligible for the incentives listed in Incentive Sub-element of the Implementation Element.
   d. Policy: If and when a redevelopment agency is created, the focus should be on the Wye area and other areas in need of upgrading. Upon a request by the redevelopment agency, this Plan Area shall be considered by TRPA for a Special designation as Eligible for Redevelopment Plans.
   e. Policy: TRPA and Placer County staff should provide quick and responsive project review through a coordinated review process.

4. Encourage the upgrading or replacement of commercial advertising signs that detract from the aesthetic appearance of the community.
   a. Policy: Outdoor advertising shall be subject to the standards and guidelines established in the Placer County Standards And Guidelines For Signage, Parking and Design (Appendix B).
   b. Policy: Nonconforming signs shall be subject to an amortization plan and incentive program to provide for the eventual elimination or replacement of such signs.

5. Complete the undergrounding of overhead utilities for downtown Tahoe City.
   a. Policy: Pursuant to the general recommendations for scenic improvements in Chapter IV, all projects within the scenic corridor shall be responsible for removing, relocating or screening overhead utilities as a condition of project approval. TRPA may waive this requirement if the project is part of an undergrounding program or the under grounding has been determined by TRPA not to be necessary to meet the scenic targets of this Plan.
6. Integrate more landscaping into both private development and public projects.
   
a. Policy: Projects with existing coverage in excess of 75% of their project area, shall be required to provide an increase in landscaping equal to 5% of the project area. The landscaping requirement shall be met within the project area or, if not feasible, off-site in a related area. This condition may be waived by the Design Review Committee, if the project is part of an assessment district which is providing the required increase in landscaping or the landscaping requirement has been met by a previous approval.

7. Implement the recommendations described in the Conservation Element, Scenic Target, for improving overall scenic quality.
   
a. Policy: The Design Review Committee shall consider the recommendations of the Scenic Target section of Chapter IV when reviewing projects and where appropriate, incorporate conditions of approval to implement the recommendations of the Scenic Target section or the equal or superior recommendations of the applicant.

8. Preserve and enhance scenic views to Lake Tahoe and to other prominent areas of special interest.
   
a. Policy: Projects located between the designated scenic corridors and Lake Tahoe or the Truckee River shall not cause a reduction of the views of Lake Tahoe or the Truckee River from the corridors. TRPA may consider as an alternative, offsite improvements if it is determined there is a net increase in the lake views or river views within the scenic unit.

9. Provide a gateway entrance to Lake Tahoe at the Wye intersection by providing visitor information services, scenic improvements, and transportation facilities and services.

10. When and if a suitable access can be provided, consider PAS 001B for inclusion as a special area in this Community Plan.

   **Commercial Development:**

1. Encourage development and/or activities that will enhance the "year round" economy.

2. Special event area for arts and crafts shows, seasonal sales, and other similar events shall be established.
   
a. Policy: Special event area for arts and crafts shows, seasonal sales, farmer's market, and other similar events shall be considered as part of the proposed community parking lot on the 64-Acre Tract. The design and regulation of the area by the USFS or TCPUD should allow such events to occur as activities not subject to TRPA review.
Traffic Circulation and Parking: (See Chapter III Transportation Element for transportation related objectives and policies).

Recreation: (See Chapter V Recreation Element for recreation related objectives and policies)

Public Service Facilities: (See Chapter VI Public Service Element for public service related objectives and policies)

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

The Definitions of terms used in the Section on Permissible Uses are those found in Chapters 2 (Definitions), and 18 (Permissible Uses), of the TRPA Code.

Special Area #1 (Retail/Tourist Area): The following list of permissible uses is applicable throughout the Special Area.

<table>
<thead>
<tr>
<th>Residential</th>
<th>Employee housing (S).</th>
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<tbody>
<tr>
<td>Tourist Accommodation</td>
<td>Bed and Breakfast facilities (A), hotel, motel, and other transient dwelling units (A) time sharing (hotel/motel design) (S), time sharing (residential design) (S).</td>
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<tr>
<td>Commercial</td>
<td>Retail</td>
</tr>
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<td></td>
<td>Auto, mobile home and vehicle dealers (S); Building materials and hardware (S), Eating and drinking places (A), Food and beverage retail sales (A), Furniture, home furnishings and equipment (A), General merchandise stores (A), Mail order and vending (A), Nursery (S), Outdoor retail sales (S), Service stations (S)</td>
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<td>Entertainment</td>
</tr>
<tr>
<td></td>
<td>Amusements and recreation services (S), Privately-owned assembly and entertainment (S).</td>
</tr>
</tbody>
</table>
C. Services
   Auto repair and service (S), Broadcasting studios (A), Business support services (A), Contract construction services (A); Financial services (A), Health care services (A), Laundries and dry cleaning plant (S); Personal services (A), Professional offices (A), Repair services (A), Schools - business and vocational (A); Secondary storage (S).

D. Light Industrial
   Printing and publishing (A).

E. Wholesale/Storage
   Vehicle storage and parking (S)

Public Service

A. General
   Churches (S), Cultural facilities (A), Day care centers/pre-schools (A), Government offices (S), Local assembly and entertainment (S), Local post office (A), Local public health and safety facilities (A), Membership organizations (S), publicly-owned assembly and entertainment (S); regional public health and safety facilities (S); social services organizations (S); collection stations (S). and\textsuperscript{5} threshold-related research facilities (S).

B. Linear Public Facilities
   Pipelines and power transmission (A), Transit stations and terminals (A), Transportation routes (A), Transmission and receiving facilities (S)

Recreation
   Day use area (A); recreation centers (S); participant sports facilities (S); sport assembly (S); beach recreation (A); boat launching facilities (A); cross country skiing courses (S); golf courses (S); group facilities (S); outdoor recreation concessions (A); marinas (S); riding and hiking trails (A); rural sports (S); snow mobile courses (S); visitor information center (A).

\textsuperscript{5} Amended 2/23/00
Resource Management

Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), tree farms (A), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

Special Area #2 (Public Service/Industrial Area): The following list of permissible uses is applicable throughout the Special Area.

Residential

Employee housing (S).

Commercial

A. Retail

Building materials and hardware (S); Nursery (S); Outdoor retail sales (S); Service stations (S).

B. Services

Animal husbandry services (S); Auto repair and service (S); Business support services (A); Contract Construction services (S); Professional offices (A); Repair services (S); Sales lots (S); Secondary storage (S).

C. Light Industrial

Food and kindred products (S); Fuel and ice dealers (A); Industrial services (A); Printing and Publishing (A); Small scale manufacturing (A).

D. Wholesale/Storage

Storage yards (S); Vehicle and freight terminals (A); Vehicle storage and parking (S); Warehousing (S); Wholesale and distribution (S).

Public Service

A. General

Collection stations (A); cultural facilities (A); government offices (S); local public health and safety facilities (A); public utility centers (A); regional public health and safety facilities (S) and § threshold-related facilities (S).

§ Amended 2/23/00
B. **Linear Public**
   Pipelines and power transmission (S); Facilities transit stations and terminals (A); transportation routes (A); transmission and receiving facilities (S).

C. **Recreation**
   Day use areas (A), cross country skiing courses (S); golf courses (S); outdoor recreation concessions (S); riding and hiking trails (S); snowmobile courses (A); visitor information centers (S).

**Resource Management**

Same as Special Area #1.

**Special Area #3 (Recreation Area):** The following list of permissible uses is applicable throughout the Special Area.

**Residential**

Employee housing (S).

**Commercial**

A. **Retail**
   Eating and drinking places (S); food and beverage retail sales (S); general merchandise stores (S); nursery (S).

B. **Wholesale/Storage**
   Vehicle parking and storage (S).

**Public Service**

A. **General**
   Cultural facilities (A); day care centers/pre-schools (S); government offices (S); local assembly and entertainment (S); local post office (S); local assembly and entertainment (A); local post office (S); local public health and safety facilities (S); publicly owned assembly and entertainment (S); public utility centers (S); regional public health and safety facilities (S); collection stations (S) and § threshold-related research facilities.

B. **Linear Public**
   Pipelines and power transmission Facilities (S); transit stations and terminals (A); transportation routes (A); transmission and receiving facilities (S).

§ Amended 2/23/00
Recreation

Day use areas (A); recreation centers (A); participant sports facilities (A); sport assembly (S); beach recreation (A); boat launching facilities (A); cross country skiing courses (A); developed campground (S); group facilities (S); outdoor recreation concessions (S); marina (S); recreational vehicle park (S); riding and hiking trails (A); rural sports (A); snow mobile courses (S); visitor information center (A).

Resource Management

Same as Special Area #1.

Special Area #4 (Tourist/Residential Area): The following list of permissible uses is applicable throughout the Special Area.

Residential

Employee housing (S); multiple family dwelling (A); single family dwelling (A).

Tourist Accommodation

Bed and breakfast facilities (A); hotel, motel, and other transient dwelling units (A); timesharing (hotel/motel design) (S); time-sharing (residential design) (S).

Commercial

A. Retail

Eating and drinking places (S); food and beverage retail sales (S); general merchandise stores (S); financial services (S).

Public Service

A. General

Churches (S); cultural facilities (A); day care centers/pre-schools (S); government offices (S); local assembly and entertainment (S); local post office (A); local public health and safety facilities (A) and § threshold-related research facilities (S).

B. Linear Public

Pipelines and power transmission Facilities (A); transit stations and terminals (S); transportation routes (A); transmission and receiving facilities (S).

Recreation

Day use areas (A); recreation centers (S); beach recreation (A); boat launching facilities (A); cross country ski courses (A); outdoor recreation concessions (S); marinas (S); riding and hiking trails (A); visitor information center (S).

§ Amended 2/23/00
Special Area #5 (Retail Area): The following list of permissible uses is applicable throughout the Special Area.

**Residential**
Employee housing (A); multiple family dwelling (A); nursing and personal care (S); residential care (S), and single family dwelling (A), Placer County only, (S) TRPA only*.§§

**Tourist Accommodation**
Bed and breakfast facilities (A); hotel, motel, and other transient dwelling units (S); timesharing (hotel/motel design) (S); time-sharing (residential design) (S).

**Commercial**
A. Retail
Auto mobile home and vehicle dealers (S); building materials and hardware (S); eating and drinking places (A); food and beverage retail sales (A); furniture, home furnishings and equipment (A); general merchandise stores (A); mail order and vending (A); nursery (S); outdoor retail sales (S); service stations (A).
B. Entertainment
Amusements and recreation services (A); privately owned assembly and entertainment (S).
C. Services
Animal husbandry services (S); auto repair and service (S); broadcasting studios (A); business support services (A); contract construction services (A); financial services (A); health care services (A); laundries and dry cleaning plant (S); personal services (A); professional offices (A); repair services (S); schools - business and vocational (A); secondary storage (S).
D. Light Industrial
Printing and publishing (A).
E. Wholesale/Storage
Vehicle storage and parking (A).

* §Single family use is an allowed (A) use under Placer County's General Plan/zoning laws.

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§§ Amended 8/28/02
§ Amended 8/28/02
Public Service

A. General
Churches (S); cultural facilities (A); day care centers/pre-schools (A); government offices (S); local assembly and entertainment (S); local post office (A); local public health and safety facilities (A); membership organizations (A); publicly owned assembly and entertainment (S); regional public health and safety facilities (S); social services organizations (A); collection stations (S) §§ and threshold-related facilities.

B. Linear Public
Pipeline and power transmission Facilities (A); transit stations and terminals (A); transportation routes (A); transmission and receiving facilities (S).

Recreation

Day use areas (A); recreation centers (S); participant sports facilities (S); sport assembly (S); cross country skiing courses (S); group facilities (S); outdoor recreation concessions (A); riding and hiking trails (A); rural sports (S); snow mobile courses (S); visitor information center (A).

Resource Management

Same as Special Area #1.

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance Districts 4, 6 and 7

Primary Uses
Water oriented outdoor recreation concessions (A), beach recreation (intensive) (A), tour boat operations (A), safety and navigation facilities (A), marinas (S), boat launching facilities (S), construction equipment storage (S), and waterborne transit (A).

Accessory Structures
Mooring buoys (A), piers (A), fences (S), boat ramps (A), breakwaters or jetties (S), floating docks and platforms (A), shoreline protective structures (A), and water intake lines (A).

§§ Amended 2/23/00
MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54
SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the
maximum allowable densities that may be permitted for any parcel located within the
Plan area. The actual development permitted may be further limited by transfer of
development rights limitations, residential density incentive program, special use
determinations, allocation limitations, and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
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<td>Residential</td>
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<td>Employee Housing</td>
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<td>Tourist Accommodation</td>
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<td>Bed and Breakfast facilities</td>
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<td>Average 1 pier per 100 linear ft</td>
</tr>
</tbody>
</table>

RESIDENTIAL BONUS UNITS: Pursuant to Chapter 35, the maximum number of
residential bonus units which may be permitted for this Community Plan area is 20 units.

TOURIST ACCOMMODATION BONUS UNITS: Pursuant to Chapter 35, the maximum
number of tourist accommodation units which may be permitted for this Community Plan
area is 25 units.

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

SUMMER DAY USES 600 PAOT  WINTER DAY USE 0 PAOT  OVERNIGHT USES 0 PAOT

COMMERCIAL FLOOR AREA ALLOCATION: Pursuant to Chapter 33, the maximum
amount of commercial floor area which may be allocated for additional development in
the Community Plan area is 50,000 square feet.

Amended 10/25/06
Amended 3/22/2000
**MAXIMUM CUMULATIVE NOISE LEVEL:** The maximum cumulative noise equivalent for this Community Plan area is as follows:

1. Where applicable, a maximum 55 CNEL override for the Highway 28 and Highway 89 corridors is permissible.

2. The maximum CNEL for Special Areas #3 and #4 and #5 is 55 CNEL.

3. The maximum CNEL for all areas of the Community Plan except as noted in 1 and 2 above is 65 CNEL.

4. The maximum CNEL for Shorezone Tolerance Districts 4, 6 and 7 is 55 CNEL and the maximum for the lakezone is 50 CNEL.
Figure 3 Tahoe City CP  Boundaries Map C-7
Amended map area #5
Chapter II
LAND USE ELEMENT

This Land Use Element is a supplement to the Land Use Element of the TRPA Goals and Policies Plan and the Placer County General Plan. Consistent with the Regional Plan, this Element sets forth the land use regulations for the Community Plan and provides a Community Plan Area Statement which replaces the existing Plan Area Statement.

A. TAHOE VISTA COMMUNITY PLAN LAND USE REGULATIONS

Community planning is an option in which the local community in partnership with TRPA and local government may prepare their own plans and some extend their own standards.

Chapter 14 of the TRPA Code of Ordinances sets forth the provisions for community planning. This section indicates what provisions of the TRPA Regional Plan are applicable and what standards are replaced with equal or superior standards.

This is a brief summary of standards applicable to the Tahoe Vista Community Plan. In general the standards of the TRPA Code apply except as noted by:

1. The Policies of the six Elements of this Plan,
2. The mitigation fee program for Chapter 7,
3. The Community Plan Sign Ordinance (Appendix B),
4. The Community Plan Parking Ordinance (Appendix B), and

Pursuant to Subsection 14.5.B of the Code, the following Community Plan Statement replaces the TRPA Plan Area Statements' regulations for this area.

This document is both a Placer County General Plan document, and to some extent, a Placer County land use regulatory document. In the case if the Land Use Element the Community Plan Area Statement include herein, will serve as the functional equivalent of zoning for the area.

The detailed checklist of applicable standards in Appendix A is provided to assist in the review of projects within the Tahoe Vista Community Plan. The checklist also indicates which regulations are special to the Community Plan.
B. TAHOE VISTA COMMUNITY PLAN AREA STATEMENT.

This Community Plan Area Statement supersedes TRPA Plan Area Statements and Placer County Zoning within the Community Plan boundaries.

**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 National Avenue in Tahoe Vista. This area is located on TRPA maps E-3 and E-4 and Placer County Zoning Map 34.

- **Existing Uses**: 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 of the residents and tourists of the north shore.

**PLANNING CONSIDERATIONS:**

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

2. High coverage exists on lands adjacent to the shoreline and in the sand dune areas.

§ Amended 1/28/98
3. The prime fish habitat in this Plan Area is tentatively identified for habitat restoration.

4. Outdoor recreation opportunities associated with the Lake and the NTPUD Park exist.

5. Scenic Roadway Unit(s) 20 and Scenic Shoreline Unit(s) 21 are within this Plan Area and the roadway unit is targeted for scenic restoration as required by the scenic threshold.

6. The Shoreline Character Types “Visually Dominated”, “Visually Sensitive” and “Visually Modified” are within this Plan Area. Refer to “Shoreline Character Type” overlay map and TRPA Code of Ordinances Chapters 12, 50 & 54

OBJECTIVES AND SPECIAL POLICIES:

Urban Design and Development:

1. The overall theme for the Tahoe Vista Community Plan is "Major Tourist Accommodation, Retail and Services/Industrial Storage and Services." The themes for the sub areas of the Community Plan are implemented through the Special Areas. Commercial activities which cater primarily to tourist accommodation, retail, and services should be located in the S.R. 28 area of Tahoe Vista. Heavy commercial, industrial or public service facilities that are visually obtrusive uses should be encouraged to locate in the National Avenue area. Lake frontages should be reserved for a variety of uses that encourage the public to utilize these areas. This objective and the following policies shall be considered when making special use findings for appropriateness and Community Plan consistency.

   a. Policy: In Special Area 1 (Tourist Area), tourist oriented uses are encouraged by the permissible use list. Priority should be given to locating tourist accommodation uses and beach access in this area.

   b. Policy: In Special Area 2 (Commercial Core), a mixed use of tourist and residential serving commercial is encouraged by the permissible use list.

   c. Policy: In Special Area 3 (Marina Area), public outdoor recreation and tourist uses are encouraged by the permissible use list. This area is targeted for increased public access to Lake Tahoe.

   d. Policy: In Special Area 4 (Tourist/Residential Area), tourist and residential uses are encouraged by the permissible use list.

   e. Policy: In Special Area 5 (Public Service/Industrial Area), public services and industrial uses are encouraged by the permissible use list. Wholesale/storage, light industrial and other similar uses should be limited to the National Avenue area. Heavy equipment traffic should be mitigated as to be compatible with residential uses.

   f. Policy: In Special Area 6 (Residential Area), resident oriented commercial uses are encouraged by the permissible use list.
2. The urban design concept is to build on Tahoe Vista's resort area theme by providing recreational activity. Further, the unity and continuity of the resort area shall be provided through development on a human scale of uniform sidewalk improvements, signing, landscaping, and street lighting program.

   a. Policy: All projects, as a condition of approval, shall implement the frontage improvements noted in the North Tahoe Design Standards and Guidelines for Tahoe Vista.

3. Encourage rehabilitation by the remodeling, upgrading, and aesthetic improvement of buildings and structures in need of such improvements.

   a. Policy: All projects shall be subject to the Placer County Standards and Guidelines for Signage, Parking, and Design (Appendix D).

   b. Policy: For the Placer County project review process for design review and signage, retain the existence and participation of the North Tahoe Design Review Committee. The TRPA should consider the recommendations of the Committee prior to taking action on any project subject to Committee review.

   c. Policy: Projects which provide substantial rehabilitation by remodeling, upgrading, or other aesthetic improvements shall be eligible for the incentives listed in Incentive Sub-element of the Implementation Element.

   d. Policy: The focus of redevelopment should be on the beach area and the industrial area in need of upgrading.

   e. Policy: TRPA and Placer County staff should provide quick and responsive project review through a coordinated review process.

4. Encourage the upgrading or replacement of commercial advertising signs that detract from the aesthetic appearance of the community.

   a. Policy: Outdoor advertising shall be subject to the standards and guidelines established in the Placer County Standards and Guidelines for Signage, Parking, and Design (Appendix B).

   b. Policy: Nonconforming signs shall be subject to an amortization plan and incentive program to provide for the eventual elimination or replacement of such signs.

5. Complete the undergrounding of overhead utilities for downtown Tahoe Vista.

   a. Policy: Pursuant to the Chapter IV, all projects within the scenic corridor shall be responsible for removing, relocating, or screening overhead utilities as a conditional of project approval. TRPA may waive this requirement if the project is part of an undergrounding program or the undergrounding has been determined by TRPA not to be necessary to meet the scenic targets of this Plan.
6. Integrate more landscaping into both private development and public projects.
   a. Policy: Projects with existing coverage in excess of 75% of their project area, shall be required to provide an increase in landscaping equal to 5% of the project area. The landscaping requirements shall be met within the project area or, if not feasible, off-site in a related area. This condition may be waived by the Design Review Committee, if the project is part of an assessment district which is providing the required increase in landscaping or the landscaping requirement has been met by a previous approval.

7. Implement the recommendations described in the Conservation Element, Scenic Improvements, for improving overall scenic quality.
   a. Policy: The Design Review Committee shall consider the recommendations of the Scenic Target of Chapter IV when reviewing projects and where appropriate, incorporate conditions of approval to implement the recommendations.

8. Preserve and enhance scenic views to Lake Tahoe and to other prominent areas of special interest.
   a. Policy: Projects located between the designated scenic corridors and Lake Tahoe shall not cause a reduction of the views of Lake Tahoe from the corridors. TRPA may consider as an alternative, off-site improvements, if it is determined there is a net increase in the lake views within the scenic unit.

9. Encourage development and/or activities that will enhance the "year round" economy, such as encouraging summer business to develop winter businesses.

10. Special event area for arts and crafts shows, seasonal sales, and other similar events shall be established.
    a. Policy: Special event area for arts and crafts shows, seasonal sales, farmer's market, and other similar events shall be considered for North Tahoe PUD Regional Park. The design and regulation of the area by the NTPUD should allow such events to occur as activities not subject to TRPA review.

11.§ Encourage improved lake access with recreation trails and parking, increased beach access at Tahoe Vista beaches, and increased boating access consistent with the environmental tolerances of the shorezone.
    a. Policy: Projects in Tolerance District One (1) shall not increase disturbance or land coverage and shall be limited to maintenance dredging.

Traffic Circulation and Parking: (See Chapter III Transportation Element for transportation related objectives and policies.)

Recreation: (See Chapter V Recreation Element for recreation related objectives and policies.)

§ Amended 3/24/99
Public Service Facilities: (See Chapter VI Public Service Element for public service related objectives and policies.)

PERMISSIBLE USES: Pursuant to Chapter 18 PERMISSIBLE USES AND ACCESSORY STRUCTURES IN THE SHOREZONE AND LAKEZONE, the following primary uses may be permitted within all or a portion of the Community Plan Area. The list indicates if the use is allowed (A) or must be considered under the provisions for a special use (S). Special uses require either a "Conditional Use Permit" (CUP), or "Minor Use Permit" (MUP), as set forth in the Placer County Zoning Ordinance. The following "S" uses shall be MUPs unless otherwise noted. Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited within this Plan Area.

The Definitions of terms used in the Section on Permissible Uses are those found in Chapters 2 (Definitions), and 18 (Permissible Uses), of the TRPA Code.

Special Area #1 (Tourist Area): The following list of permissible uses is applicable in Special Area #1.

Residential
Employee housing (S), single family dwelling (S), multiple family dwelling (S), and multi-person dwelling (S).

Tourist Accommodation
Bed and Breakfast facilities (A), hotel, motel, and other transient dwelling units (A) (20 units or more, (S/CUP)), time sharing (hotel/motel design) (S), and time sharing (residential design) (S).

Commercial
General merchandise stores (A), nursery (S), eating and drinking places (A), food and beverage retail sales (A), amusements and recreation services (S), privately owned assembly and entertainment (S), outdoor amusements (S), broadcasting studios (S), secondary storage (S), and vehicle storage and parking (S).

Public Service
Cultural facilities (S), day care centers - pre-schools (A), local assembly and entertainment (A), local post office (A), local public health sand safety facilities (S), public owned assembly and entertainment (S), pipelines and power transmission (S), transit stations and terminals (S), transportation routes (S/CUP), and transmissions and receiving facilities (S).
Recreation

Beach recreation (A), boat launching facilities (S), cross country ski courses (A), day use areas (A), developed campgrounds (S), group facilities (S), outdoor recreation concessions (A), participant sports facilities (S), recreation centers (S), recreational vehicle parks (S), riding and hiking trails (A), rural sports (S), snowmobile courses (S), and visitor information centers (S).

Resource Management

Reforestation (A), sanitation salvage cut (A), thinning (A), tree farms (A), early successional stage vegetation management (A), non-structural fish habitat management (A), non-structural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).

Special Area #2 (Commercial Core): The following list of permissible uses is applicable in Special Area #2.

Residential

Employee housing (S), multiple family dwelling (S), multi-person dwelling (S), and residential care (S).

Tourist Accommodation

Bed and breakfast facilities (A), hotel, motel, and other transient dwelling units (A) (20 units or more, S/CUP)), time sharing (hotel/motel design) (S), and time sharing (residential design) (S).

Commercial

Auto, mobile home and vehicle dealers (S), building materials and hardware (S), general merchandise stores (A), mail order and vending (A), nursery (A), outdoor retail sales (S), eating and drinking places (A), food and beverage retail sales (A), furniture, home furnishings and equipment (S), service stations (S/CUP), amusements and recreation services (S), privately owned assembly and entertainment (S), outdoor amusements (S), animal husbandry services (S), broadcasting studios (A), business support services (S), contract construction services (S), financial services (A), health care services (S), personal services (A), professional offices (A), repair services (S), schools - business and vocational (S), secondary storage (S), small scale manufacturing (S), and vehicle storage and parking (S).
Public Service

Churches (A), collection stations (A), cultural facilities (A), day care centers - pre-schools (A), government offices (S), hospitals (S), local assembly and entertainment (A), local post office (A), local public health and safety facilities (A), public owned assembly and entertainment (S), social service organizations (A), pipelines and power transmission (S), transit stations and terminals (S), transportation routes (S), and transmission and receiving facilities (S).

Recreation

Beach recreation (A), boat launching facilities (S), cross country ski courses (A), day use areas (A), marinas (S), outdoor recreation concessions (A), participant sports facilities (S), recreation centers (S), riding and hiking trails (S), rural sports (S), snowmobile courses (S), and visitor information centers (S).

Resource Management

Same as Special Area #1

Special Area #3 (Marina Area): The following list of permissible uses is applicable in Special Area #3.

Residential

Employee housing (S), multiple family dwelling (S), single family dwelling (S).

Tourist Accommodation

Bed and breakfast facilities (S), hotel, motel, and other transient dwelling units (S) (20 units or more, (S/CUP)), time sharing (hotel/motel design) (S), and time sharing (residential design) (S).

Commercial

Auto, mobile home and vehicle dealers (S), general merchandise stores (A), outdoor retail sales (S), eating and drinking places (A), food and beverage retail sales (A), amusements and recreation services (S), broadcasting studios (S), personal services (S), professional offices (S), secondary storage (S), small scale manufacturing (S), and vehicle storage and parking (S).

Public Service

Collection stations (A), cultural facilities (S), day care centers - pre-schools (A), local public health and safety facilities (S), pipelines and power transmission (S), transit stations and terminals (S), transportation routes (S/CUP), and transmission and receiving facilities (S).
Recreation

Beach recreation (A), boat launching facilities (A), day use areas (A), marinas (A), outdoor recreation concessions (A), and visitor information centers (S).

Resource Management

Same as Special Area #1

**Special Area #4 (Tourist Residential Area):** The following list of permissible uses is applicable in Special Area #4.

**Residential**

Employee housing (S), multiple family dwelling (S), multi-person dwelling (S), residential care (S), and single family dwelling (A).

**Tourist Accommodation**

Bed and Breakfast facilities (A), hotel, motel, and other transient dwelling units (S) (20 units or more S/CUP), time sharing (hotel/motel design) (S), and time sharing (residential design) (S).

**Commercial**

Eating and drinking places (S), secondary storage (S), small scale manufacturing (S), and vehicle storage and parking (S).

**Public Service**

Cultural facilities (S), day care centers - pre-schools (A), local public health and safety facilities (S), pipelines and power transmission (S), transit stations and terminals (S), transportation routes (S/CUP), and transmission and receiving facilities (S).

**Recreation**

Beach recreation (S), day use areas (A), outdoor recreation concessions (S).

**Resource Management**

Same as Special Area #1
Special Area #5 (Public Service/Industrial Area): The following list of permissible uses is applicable in Special Area #5.

Commercial

Auto, mobile home and vehicle dealers (A), building material and hardware (A), general merchandise stores mail order, and vending (A), nursery (A), outdoor retail sales (A), eating and drinking places (S), food and beverage retail sales (S), furniture, home furnishings and equipment (A), service stations (S), amusements and recreation services (S), privately owned assembly and entertainment (S), animal husbandry services (A), auto repair and service (A), broadcasting studios (A), business support services (A), contract construction services (A), financial services (A), health care services (A), laundries and dry cleaning plant (A), personal services (A), professional offices (A), repair services (A), sales lots (A), schools -business and vocational (A), secondary storage (A), batch plants (S), food and kindred products (A), fuel and ice dealers (S), industrial services (S), printing and publishing (A), recycling and scrap (A), small scale manufacturing (A), storage yards (A), vehicle and freight terminals (A), vehicle storage and parking (A), warehousing (A), and wholesale and distribution (A).

Public Service

Churches (S), collection stations (A), cultural facilities (A), day care centers - pre-schools (A), government offices (A), local assembly and entertainment (S), local post office (A), local public health and safety facilities (A), public owned assembly and entertainment (A), public utility centers (A), regional public health and safety facilities (S), schools - kindergarten through secondary (S), social service organizations (A), pipelines and power transmission (A), transit stations and terminals (A), transportation routes (S/CUP), and transmission and receiving facilities (A).

Recreation

Cross country ski courses (A), day use areas (A), outdoor recreation concessions (S), participant sports facilities (A), recreation centers (A), riding and hiking trails (A), rural sports (A), and snowmobile courses (A).

Resource Management

Same as Special Area #1
**Special Area #6 (Residential Area):** The following list of permissible uses is applicable in Special Area #6.

- **Residential**
  - Employee housing (A), mobile home dwelling (S), multiple family dwelling (A), multi-person dwelling (A), residential care (A), and single family dwelling (A).

- **Public Service**
  - Churches (S), day care centers - pre-schools (A), local public health and safety facilities (S), schools - kindergarten through secondary (S), pipelines and power transmission (S), transit stations and terminals (S), transportation routes (S), and transmission and receiving facilities (S).

- **Recreation**
  - Cross country ski courses (S), day use areas (A), developed campgrounds (S), recreational vehicle parks (S), riding and hiking trails (S), and rural sports (S).

- **Resource Management**
  - Same as Special Area #1

**Shorezone:** Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18 and 51. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same of adjoining littoral parcel.

**Tolerance District 1:**

- **Primary Uses**
  - Water oriented outdoor recreation concessions (S), beach recreation (intensive) (A), § boat launching facilities (S) (Special Area #3 only), and safety and navigation facilities (A).

- **Accessory Structures**
  - Mooring buoys (A), piers (S), fences (S), boat ramps (S) (Special Area #3 only), breakwaters or jetties (S), floating docks and platforms (A), shoreline protective structures (A), and water intake lines (A).

**Tolerance Districts 6 and 7:**

- **Primary Uses**
  - Water oriented outdoor recreation concessions (A), beach recreation (intensive) (A), salvage operators (S), tour boats operations (S), safety and navigation facilities (A), marinas (S), boat launching facilities (S), construction equipment storage (S), and waterborne transit (A).

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§ Amended 3/24/99
Accessory Structures: Mooring buoys (A), piers (A), fences (S), boat ramps (A), breakwaters or jetties (S), floating docks and platforms (A), shoreline protective structures (S), and water intake lines (A).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY and Chapter 54 SHOREZONE DEVELOPMENT STANDARDS, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Community Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive programs, special use determinations, allocation limitations, and general site development standards.

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<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
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<td>Mobile Home dwelling</td>
<td>10 units per acre</td>
</tr>
<tr>
<td>Multiple Family Dwelling</td>
<td>15 units per acre</td>
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<tr>
<td>Multi-Person Dwelling</td>
<td>25 people per acre</td>
</tr>
<tr>
<td>Residential Care</td>
<td>25 people per acre</td>
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<td>Bed and Breakfast facilities</td>
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</tr>
<tr>
<td>Piers in Visually Sensitive Character Unit</td>
<td>Average 1 pier per 300 linear ft</td>
</tr>
</tbody>
</table>

RESIDENTIAL BONUS UNITS: Pursuant to Chapter 35, the maximum number of residential bonus units which may be permitted for this Community Plan Area is 20 units.

TOURIST ACCOMMODATION BONUS UNITS: Pursuant to Chapter 35, the maximum number of tourist accommodation bonus units which may be permitted for this Community Plan Area is 0 units.
ADDITIONAL DEVELOPED OUTDOOR RECREATION: The following are the targets and limits for additional developed outdoor recreation facilities specified in Chapter 13 to be located within this Community Plan Area. Specific projects and their timing are addressed in Chapter V and the TRPA Five-Year Recreation Program pursuant to Chapter 33 Allocation of Development. The following additional capacities allowed are measured in persons at one time.

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

COMMERCIAL FLOOR AREA ALLOCATION: Pursuant to Chapter 33, the maximum amount of commercial floor area which may be allocated for additional development in the Community Plan Area until is 7,500 square feet.

MAXIMUM CUMULATIVE NOISE LEVEL: The maximum cumulative noise equivalent levels for this Community Plan Area are as follows:

1. Where applicable, a maximum 55 CNEL override for the Highway 28 corridor is permissible.
2. The maximum CNEL for Special Area #1, #3, #4 and #6 is 55 CNEL.
3. The maximum CNEL for all areas of the Community Plan except as noted in 1 and 2 above is 65 CNEL.
4. The maximum CNEL for shorezone tolerance districts 1, 6 and 7 is 55 CNEL and the maximum for the lakezone is 50 CNEL.

MINIMUM LOT SIZE: The minimum lot size requirement shall be as follows: 6,000 sq. ft. for corner lots, 5,000 sq. ft. for interior lots, for all commercial uses. For residential uses, 10,000 sq. ft. shall apply.

§§ Amended 10/25/06
§ Amended 3/22/00 (deleted)
Exhibit 5

Lake Tahoe Shorezone Ordinance Amendments

Adoption of the GIS Data Layers Maps to add Parcel Base, Shoreline Character Types, Shorezone Preservation Areas, Streammouth Setback, and Source Water Assessment Maps
This is a map representing the Shoreline Character Type GIS File: Shoreline Character Type data layer indicates four landscape level categories that describe the nearshore and upland backdrop visible from Lake Tahoe. The four categories for Shoreline Character Types for Lake Tahoe are: Naturally Dominated, Visually Sensitive, Visually Modified, and Visually Dominated Shoreline.

Lake Tahoe

Scenic Type
- Naturally Dominated
- Visually Dominated
- Visually Modified
- Visually Sensitive

Shoreline Character Type

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This is a map representing the Shorezone Preservation Areas GIS File: The Shorezone Preservation Area data layer indicates the location of sections of the Lake Tahoe shoreline that are in a natural state and have been determined to warrant additional protection from shorezone development to maintain the significant biological, scenic, and other natural resources.
This is a map representing the Streammouth Setbacks GIS File: The Streammouth Setback data layer indicates the location of streams that flow into Lake Tahoe that have been determined to warrant additional protection from shorezone development to maintain the significant biological, scenic and other natural resources.

Streammouth Setbacks Width (feet)

- 50
- 200
- 500
- 800
- 1000

Lake Tahoe

Washoe Co.

Carson Co.

Douglas Co.

Placer Co.

El Dorado Co.
This is a map representing the Sourcewater Assessment GIS File: The Source Water Assessment data layer indicates the location of drinking water sources serving five (5) or more user service connections in the Region, protection zones around each source, and uses with a higher propensity to contaminate source water.