TAHOE REGIONAL PLANNING AGENCY

Governing Board Meeting

March 25, 2026

AGENDA ITEM 7A

Appeal of Denial of Moody Boat Ramp/Pier Conversion and Transfer Project, 181 Yellow Jacket Road, Douglas County, Nevada; APN 1418-10-401-004, TRPA File Number ERSP2023-1834; Appeal File Number ADMIN2025-0016

TAHOE REGIONAL PLANNING AGENCY

Governing Board Meeting

March 25, 2026

Agenda Item 7A

STAFF PRESENTATION

Appeal of Denial of Moody Boat Ramp/Pier Conversion and Transfer Project

TAHOE REGIONAL PLANNING AGENCY

Lakeside Cove Resort Boat Ramp Removal and Banking

On April 20, 2020, Lakeside Cove HOA applied for and received a permit to remove and bank a boat ramp associated with Lakeside Cove Resort

TRPA Code section 84.5.3.F

"**Conversion.** A legally existing private boat ramp may be converted to a pier, provided the converted boat ramp (pier) and littoral parcel receiving the pier shall comply with the applicable eligibility and development provisions for additional piers set forth in 84.4.2 and 84.4.3, respectively, of this Chapter."

Agenda Item 7A

TAHOE REGIONAL PLANNING AGENCY

TRPA Code section 84.4.3.G.1

"A legally existing pier may be relocated or transferred to a littoral parcel within the same Scenic Unit or to a littoral parcel within a different Scenic Unit that is in scenic attainment. *The transfer of an existing pier to a littoral parcel within another Scenic Unit that is out of attainment is prohibited*." (Emphasis added.)

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Permit Application

- Application submitted on December 29, 2023.
- On March 27, 2024, staff responded as follows:

"The banked boat ramp is located in Scenic Shoreline Travel Route 27, Lincoln Park, which is a non-attainment scenic area, and the subject site is located in Scenic Shoreline Travel Route 26, Cave Rock, which is also a non-attainment scenic area. The boat ramp conversion to a pier and transfer to the subject site is not allowed because the properties are not in the same scenic unit and the receiving parcel is in a non-attainment scenic unit."

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Appellant's Contentions

- General Pier Development Standards Supersede the prohibition in Section 84.4.3.G.1.
- Pier Transfer Provisions do not Apply to this Application.
- TRPA Code section 84.4.3.G.1 is Arbitrary.
- Section 84.4.3.G.1 should not apply because the Project will result in "Shoreline Improvement."
- TRPA has been inconsistent in its interpretation of Code requirements and failed to notify Appellant that the Code prohibited transfer into a non-attainment unit.

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General Pier Development Standards do not Supersede Section 84.4.3.G.1.

- Section 84.4.3.A.6(d)(v) allows scenic mitigation to occur, as a last resort, on a different littoral parcel in a different non-attainment unit.
- Appellant argues that if a pier being developed under the Code is allowed to mitigate (again, as a last resort) scenic impacts on a parcel in another non-attainment unit, this overrides the prohibition in Section 84.4.3.G.1.
- This general provision governs where scenic mitigation takes place when a pier has already met the Code's eligibility requirements.

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TRPA Code section 84.4.3.A.6(d)

d. The location of scenic mitigation shall occur in the following order of decreasing preference:

(i) On the littoral parcel and within the shorezone;
(ii) On the littoral parcel and within the upland area;
(iii) On a different littoral parcel within the same unit and within the shorezone;
(iv) On a different littoral parcel within the same unit and within the upland; and
(v) In a different non-attainment unit.

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The Application is for a Pier Transfer

- Appellant argues that a “shoreline development right” is being transferred, not a pier.
- The TRPA Code does not recognize a generic "shoreline development right".
- Code section 84.5.3.F provides that a banked “boat ramp may be converted to a pier, provided the converted boat ramp (pier) and littoral parcel receiving the pier shall comply with the applicable eligibility and development provisions for additional piers set forth in 84.4.2 and 84.4.3.”

TAHOE REGIONAL PLANNING AGENCY

The Section 84.4.3.G.1 is not Arbitrary

- Appellant argues it is arbitrary to allow transfers *within* a non-attainment unit and not *between* two adjacent non-attainment units.
- This argument misunderstands Scenic Threshold evaluation, improvement, and attainment goals.
- The Section categorically bans pier transfers into non-attainment scenic units to prevent any net increase in pier density or increase in visible mass within the unit.
- Intra-unit transfers merely relocate within the same impaired unit without altering overall density.

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Alleged Improvements do not Nullify the Code

- Appellant argues that removal of the boat ramp will be an ‘improvement.” The removal, however, was required under the previous permit obtained by LCR in 2020.
- Appellant argues that if the new pier complies with scenic mitigation requirements this will be a shoreline “improvement.”
- Scenic mitigation is always required for new piers that have scenic impacts.

TAHOE REGIONAL PLANNING AGENCY

TRPA has Appropriately Applied the Code

- Appellant argues that TRPA previously allowed an applicant to convert a banked boat ramp and transfer it to another parcel for banking but provides no evidence of this, just asserting a “mutual understanding” with staff.
- Staff was clear in 2021 that a pier project must be proposed on the receiving parcel.
- The claim that Appellant was never told the transfer to a non-attainment unit would be prohibited contradicts a staff email to Appellant’s consultant over a year before the application was denied.

From: Tiffany Good <tgood@trpa.gov>
Sent: Monday, December 13, 2021 6:05 PM
To: Kevin M Agan / Agan Consulting Corporation <kevin@aganconsulting.com>
Cc: Wendy Jepson <wJepson@trpa.gov>
Subject: SSTR2021-1279

Hi Kevin,

I thought we talked about the boat ramp to pier conversion/transfer needing to come in as a pier project? It looks like from the application filed for 1418-34-301-013, you want to transfer the entitlement and bank it on the receiving parcel. But in order for you to make the findings associated with a pier transfer, you need to demonstrate compliance of the reconstructed pier with the design and development standards as well as the scenic quality standards. You can't make these findings without a proposed project on the receiving parcel. And I do recall having this conversation with you earlier this year. As a result, I've made SSTR2021-1279 incomplete. Please let me know if you have correspondence indicating a different determination. I will also speak to current planning about it so that we are all on the same page.

Thanks,

Tiffany Good
Principal Planner
Permitting Program Manager
Current Planning
Direct Line: 775.589.5283
tgood@trpa.org

From: Tiffany Good <tgood@trpa.gov>
Sent: Wednesday, February 23, 2022 9:07 AM
To: Kevin M Agan / Agan Consulting Corporation <kevin@aganconsulting.com>
Cc: ACC Main Office <office@aganconsulting.com>; Wendy Jepson <wJepson@trpa.gov>
Subject: RE: Boatramp Entitlement Transfer Status (TRPA File No. SSTR2021-1279)

Hi Kevin,

I've let you know several times that this application is incomplete and that pier plans for the transfer are required. This is not the same as the transfer of other types of development rights. Please let me or Wendy know if you would like to discuss in a more formal meeting.

Thanks,

Tiffany Good
Principal Planner
Permitting Program Manager
Current Planning
Direct Line: 775.589.5283
tgood@trpa.org

TAHOE REGIONAL PLANNING AGENCY

Governing Board Meeting

March 25, 2026

Agenda Item 7A

APPELLANT PRESENTATION

Appeal of Denial of Moody Boat Ramp/Pier Conversion and Transfer Project, 181 Yellow Jacket Road, Douglas County, Nevada; APN 1418-10-401-004, TRPA File Number ERSP2023-1834; Appeal File Number ADMIN2025-0016

TAHOE REGIONAL PLANNING AGENCY

Appeal of Denial of Moody Boat Ramp/Pier Conversion and Transfer Project, 181 Yellow Jacket Road, Douglas County, Nevada; Assessor's Parcel Number (APN) 1418-10-401- 004, TRPA File Number ERSP2023-1834; Appeal File Number ADMIN2025-0016

Presented by:

Garrett Gordon, Partner, Womble Bond Dickinson, Reno, NV

University of Utah, Urban Planning, B.S.
The George Washington University Law School, J.D.
20+ years Land Use/Zoning Law in Northern Nevada
3rd Generation Reno/Lake Tahoe

March 25, 2026

AGAN CONSULTING CORPORATION
LAND & SHOREZONE CONSULTANTS

September 30, 2021

Tahoe Regional Planning Agency
Post Office Box 5310
Stateline, NV 89449

Subject: **Shorezone Entitlement Transfer – Lakeside Cove HOA**
1150 U.S. Highway 50, Skyland, Nevada
Douglas County APN: 1418-34-310-013

Dear Sir/Madam:

Attached please find the following documentation to transfer the recently "banked" boatramp entitlement to the receiving lakefront property (Moody Property/APN: 1418-10-401-004) and convert it to a pier entitlement. The receiving lakefront property is presently developing the pier project application to be filed via separate permit application:

Consequently, please find attached the following document for the above referenced entitlement transfer request:

- Signed Tahoe Regional Planning Agency Shorezone Transfer Application;
- $767 Agency Filing Fee (comprised of $546 Application Fee and $121 Information Technology Fee);
- 2021 Tahoe Regional Planning Agency Receiving Parcel Tahoe Yellow Cress Inspection Results;
- 2020 Tahoe Regional Planning Agency Sending Parcel Boatramp Entitlement Banking Permit (confirming existing the existing entitlement has been removed and the affected site has been restored);

Kevin M Agan / Agan Consulting Corporation

From: Kevin M Agan / Agan Consulting Corporation
Sent: Wednesday, November 3, 2021 7:56 AM
To: Good, Tiffany (tgood@trpa.org)
Cc: ACC Main Office; Jepson, Wendy (wjepson@trpa.org)
Subject: Aging TRPA Residential & Shorezone Permit Action Matters

Importance: High

FOR REFERENCE

Tiffany,

We know you are slammed and appreciate what you have been doing to date. Nevertheless, we are checking in on your ETA of the following applications/permit actions:

- **ERSP2018-0681** Phelps Residential Application Withdrawal Request
- **ERSP2021-0102** Tahoe Sierra Estates Beach Replenishment Permit (Filed 02/12/21)
- **ERSP2021-0465** JSN Legacy (Lager) Pier Rehabilitation Permit (Filed 04/20/21). Why is this permit application being reflected as incomplete in Accela?
- **ERSP2021-0804** Cedar Isle Enterprises Boatramp Removal/Banking Permit (Filed 06/03/21)
- **ERSP2021-1630** Big Water View Boatramp Removal/Banking Permit (Filed 10/08/21)
- **SSTR2021-1279** Lakeside Cove HOA to Moody Boatramp Entitlement Transfer to Pier Conversion Permit (Filed 10/08/21)

2019 SHORELINE SITE CONDITIONS (BEFORE BOATRAMP REMOVAL)

From: Tiffany Good <tgood@trpa.gov>
Sent: Monday, December 13, 2021 6:05 PM
To: Kevin M Agan / Agan Consulting Corporation <kevin@aganconsulting.com>
Cc: Wendy Jepson <wJepson@trpa.gov>
Subject: SSTR2021-1279

Hi Kevin,

I thought we talked about the boat ramp to pier conversion/transfer needing to come in as a pier project? It looks like from the application filed for 1418-34-301-013, you want to transfer the entitlement and bank it on the receiving parcel. But in order for you to make the findings associated with a pier transfer, you need to demonstrate compliance of the reconstructed pier with the design and development standards as well as the scenic quality standards. You can't make these findings without a proposed project on the receiving parcel. And I do recall having this conversation with you earlier this year. As a result, I've made SSTR2021-1279 incomplete. Please let me know if you have correspondence indicating a different determination. I will also speak to current planning about it so that we are all on the same page.

Thanks,

Tiffany Good
Principal Planner
Permitting Program Manager
Current Planning
Direct Line: 775.589.5283
tgood@trpa.org

TAHOE REGIONAL PLANNING AGENCY
P.O. Box 5310
Stateline, NV 89449
fax 775-588-4527
www.trpa.org
imagine. plan. achieve.

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https://laketahoeinfo.org/

From: Kevin M Agan / Agan Consulting Corporation
Sent: Monday, December 20, 2021 2:12 PM
To: Good, Tiffany (tgood@trpa.org) <tgood@trpa.org>
Cc: ACC Main Office <office@aganconsulting.com>; Jepson, Wendy (wjepson@trpa.org) <wjepson@trpa.org>
Subject: Boatramp Entitlement Transfer Status (TRPA File No. SSTR2021-1279)
Importance: High

Tiffany,

As a follow up and to be consistent with other TRPA entitlement transfer processes (i.e. development right transfer from one parcel to another), we request and believe it consistent and logical to allow the transfer to proceed and not make it the responsibility of a undefined project on the receiving parcel hold up this transfer filing.

To keep the transfer process simple and straightforward, it is encouraged to confirm (which we have prior to filing) the eligible parcel can receive this entitlement which is consistent with the TRPA development right transfer process, thus not holding up a process for a yet undefined project. Consequently, the TRPA pier entitlement transfer permit can have certain conditions that it does not imply or assure agency approval of a specified pier project, similar to other TRPA entitlement transfer permits.

As we know a pier project is cumbersome process and takes a lengthy period of time whereas an entitlement transfer permit does not unless the affected parties are burdened to process a project to be approved with the transfer request.

Please consider we are just requesting this entitlement transfer and/or banking process to be consistent with other TRPA transfer processes and streamlined to minimize resources on both sides of the counter.

We are at the ready to assist in facilitating this process and more than willing to provide proposed conditional transfer permit language if necessary.

Sincerely Yours,

Kevin M. Agan, Principal Consultant
AGAN CONSULTING CORPORATION

3 months since original submittal...

From: Kevin M Agan / Agan Consulting Corporation <kevin@aganconsulting.com>
Sent: Wednesday, May 24, 2023 8:04 AM
To: Tiffany Good <tgood@trpa.gov>
Cc: ACC Main Office <office@aganconsulting.com>
Subject: Moody Trust New Pier Project - TRPA SQA Vantage Point Selection Request (181 Yellow Jacket Road, Glenbrook, NV)
Importance: High

Tiffany,

In our endeavor to move this pending TRPA NEW pier permit application forward, please select the photograph from the lake in order for us to complete the scenic mitigation component for this project. The new pier will be less than 100 feet long emanating from the general location of the existing stone steps and landing on the shoreline. This is the new pier project that is using a banked boatramp entitlement.

Feel free to contact me with any comments or questions. Thank you.

Sincerely Yours,

Kevin M. Agan, Principal Consultant
AGAN CONSULTING CORPORATION

From: Tiffany Good <tgood@trpa.gov>
Sent: Wednesday, May 24, 2023 9:05 AM
To: Kevin M Agan / Agan Consulting Corporation <kevin@aganconsulting.com>
Cc: ACC Main Office <office@aganconsulting.com>
Subject: RE: Moody Trust New Pier Project - TRPA SQA Vantage Point Selection Request (181 Yellow Jacket Road, Glenbrook, NV)

HI Kevin,

Here is the approved scenic vantage point for 181 Yellow Jacket.

Thanks,

Tiffany Good
Permitting Program Manager

1

20 months since original submittal...

AGAN CONSULTING CORPORATION
LAND & SHOREZONE CONSULTANTS

December 22, 2023

Tahoe Regional Planning Agency
Post Office Box 5310
Stateline, NV 89449

Subject: Boatramp/Pier Conversion Project – Moody Trust Property
181 Yellow Jacket Road, Glenbrook, Nevada
Douglas County APN: 1418-10-401-004

Greetings:

As previously discussed and directed, attached for your review is the support documentation and project plans to transfer and convert an "banked" boatramp entitlement to a new pier structure, inclusive of exchanging a recently permitted mooring buoy for a new boatlift located at the above-referenced property:

- Signed Tahoe Regional Planning Agency Shorezone Project Application;
- $6,969 Agency Filing Fee (comprised of $6,050 Application Deposit; $629 Shoreline Scenic Review Fee; $629 BMP Stormwater Fee, and $138 Information Technology Fee);
- 2023 Tahoe Regional Planning Agency Approved Scenic Vantage Photograph (for reference purposes);
- 2023 Tahoe Regional Planning Agency Tahoe Yellow Cress Site Inspection Results (for reference purposes);
- 2023 Tahoe Regional Planning Agency Mooring Buoy Permit/Mapping (for reference purposes);
- 2020 Tahoe Regional Planning Agency Boatramp Entitlement Banking Permit/Authorization for Representation (Sending Parcel);

27 months since original submittal...

- 2021 Tahoe Regional Planning Agency BMP Certificate (for reference purposes);
- 2018/2019 Tahoe Regional Planning Agency Residential Permit/Mapping (for land capability and coverage reference purposes);
- Tahoe Regional Planning Agency Initial Environmental Checklist (IEC);
- Tahoe Regional Planning Agency Code Statement of Findings;
- Pier/Boatlift Color and Material Sample (Digital Photographs);
- Project Description/Construction Methodology Documents;
- Proposed Pier Project Plans/Visual Mass Calculations;
- Adjacent Property Owner List (for noticing purposes);
- Site Photographs (Existing Conditions);
- Pier/Boatlift Exhibit Drawings; and
- Current Grant Deed.

We hope this information allows you to advance this project application for agency approval as soon as practical. Should you have any comments or questions, please feel free to contact me directly at kevin@aganconsulting.com. Thank you.

Sincerely yours,

Kevin M. Agan
Principal Consultant

KMA:
Attachments

TAHOE REGIONAL PLANNING AGENCY

APPROVED
SCENIC VANTAGE POINT

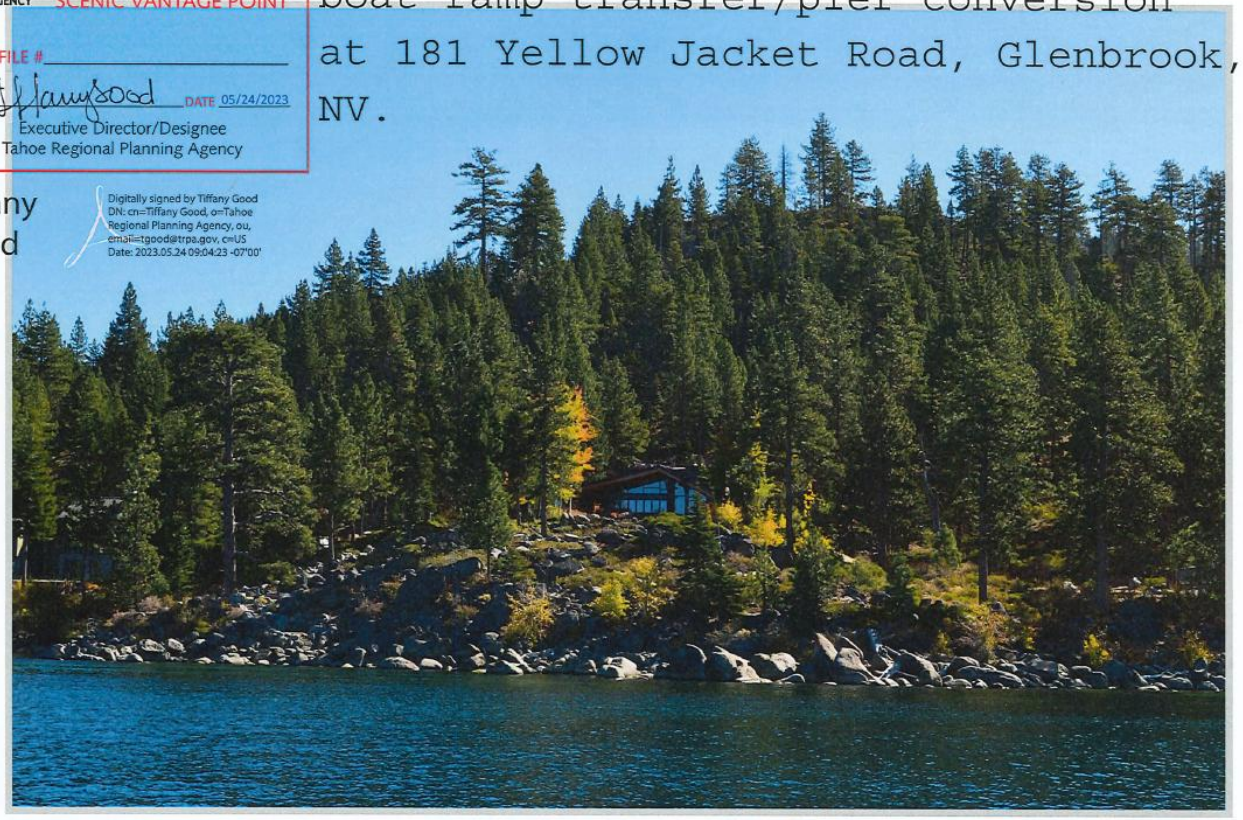
TRPA FILE #_____

BY Tiffany Good DATE 05/24/2023
Executive Director/Designee
Tahoe Regional Planning Agency

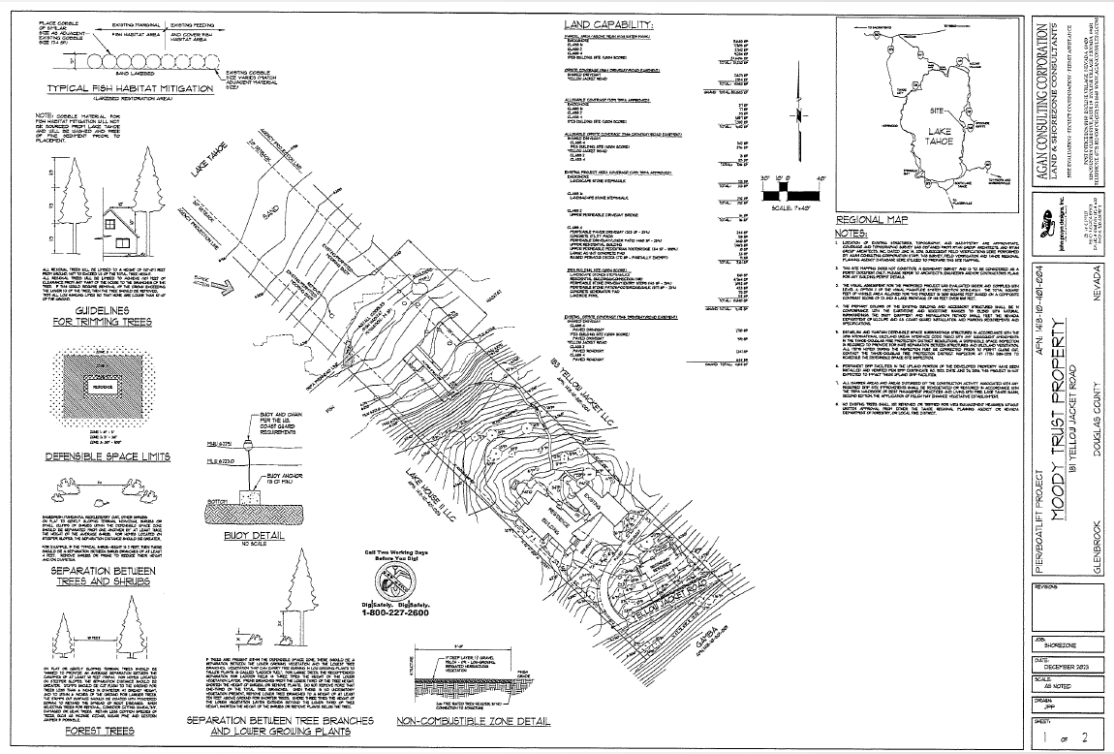
Tiffany Good

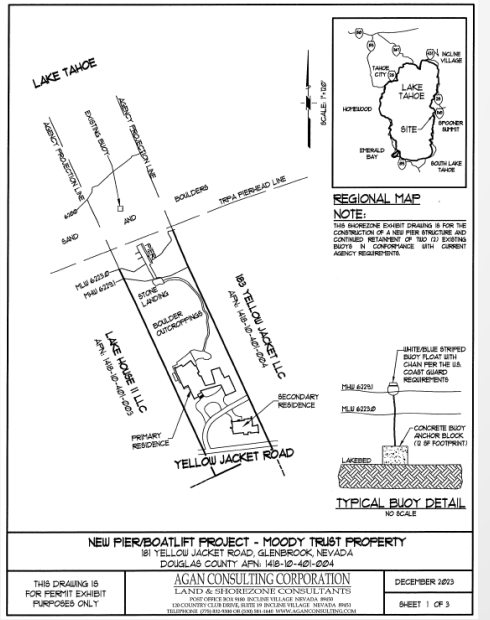
Digitally signed by Tiffany Good
DN: cn=Tiffany Good, o=Tahoe Regional Planning Agency, ou, email=tgood@trpa.gov, c=US
Date: 2023.05.24 09:04:23 -07'00'

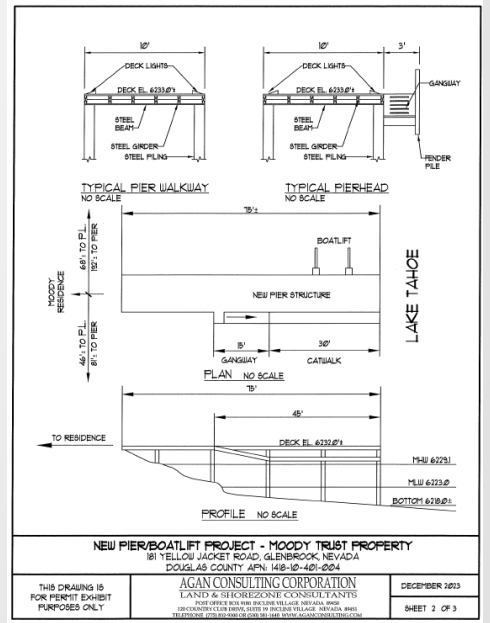
Approved scenic vantage point for boat ramp transfer/pier conversion at 181 Yellow Jacket Road, Glenbrook, NV.



SHORELINE SITE CONDITIONS [0067] MOODY TRUST PROPERTY







AGAN CONSULTING CORPORATION
LAND & SHOREZONE CONSULTANTS

February 15, 2024

Tahoe Regional Planning Agency
Post Office Box 5310
Stateline, NV 89449

Subject: **Boatramp/Pier Conversion Project – Moody Trust Property**
181 Yellow Jacket Road, Glenbrook, Nevada
Douglas County APN: 1418-10-401-004
TRPA File No. ERSP2023-1834

Greetings:

Attached for your review is the additional information requested to move this pending permit application forward:

- Updated Project Description/Construction Methodology Documentation;
- Updated Project Site Mapping/Scenic Calculations;
- Updated Shorezone Exhibit Drawings.

We hope this additional information allows you to resume processing this permit application. Should you have any comments or questions, please feel free to contact me directly at kevin@aganconsulting.com. Thank you.

Sincerely yours,

Kevin M. Agan
Principal Consultant

KMA:
Attachments

29 months since original submittal...

MOODY TRUST PROPERTY
BOATRAMP/PIER CONVERSION PROJECT
DOUGLAS COUNTY APN: 1418-10-401-004
TRPA FILE NO. ERSP2023-1834

Project Description

Existing Conditions: This lakefront acreage property is located at 181 Yellow Jacket Road within the community of Glenbrook, Nevada. This property is comprised of a large single-family residence, secondary residence, circular entry driveway/parking area, walkway and landing between the residence and shoreline, and two permitted mooring buoys. A paved joint-use driveway also provides access to this property, as well as the adjacent northerly lakefront property (APN: 1418-10-801-004) from Yellow Jacket Road community roadway. The

Advisory: A TRPA boatramp entitlement (TRPA Permit No. ERSP2020-1413) has been "banked" for transfer to this lakefront property and being utilized to convert this entitlement to a pier structure entitlement. Additionally, one of the permitted mooring buoys (TRPA Permit No. MOOR2021-1917) is being exchanged for the proposed boatlift as part of this project.

Proposed Project: Based upon securing the boatramp entitlement to transfer and conversion to a pier entitlement, the primary components of this shorezone project is as follows:

- Installation of a 75-lineal foot open pile pier structure with an adjustable catwalk and large capacity boatlift per the attached project plans. This installation via pile driving or pinning will involve 12 support pier piling and 2 boatlift support piling (14 total) projecting from the existing stone landing at the shoreline.
- Remove one permitted mooring buoy in exchange for the boatlift. Relocate and retain the secondary permitted mooring buoy to demonstrate a maximum of two moorings associated with this lakefront property in accordance with current agency requirements.
- Install electrical service from existing lake access walkway and landing to accommodate the large capacity boatlift and low-level pier deck lighting (downcast and shrouded illumination).
- Install supplemental vegetation in the upland to mitigate the additional scenic mass associated with the new pier and boatlift.

From: Brandy McMahon <bmcmahon@trpa.gov>
Sent: Wednesday, March 27, 2024 9:43:21 AM
To: Kevin M Agan / Agan Consulting Corporation <kevin@aganconsulting.com>
Subject: TRPA File # ERSP2023-1834; Moody Single-Parcel Pier Project

Dear Kevin,

I started reviewing the above referenced application, which includes a request to transfer a banked boat ramp on APN 1418-34-310-013 (ref. ERSP2020-1413) to the parcel located at 181 Yellow Jacket Road, Glenbrook, Douglas County, Nevada (APN 1418-10-401-004) and conversion to a single-parcel pier. The banked boat ramp is located in Scenic Shoreline Travel Route 27, Lincoln Park, which is a non-attainment scenic area, and the subject site is located in Scenic Shoreline Travel Route 26, Cave Rock, which is also a non-attainment scenic area. The boat ramp conversion to a pier and transfer to the subject site is not allowed because the properties are not in the same scenic unit and the receiving parcel is in a non-attainment scenic unit (see TRPA Code, 84.5.2.F and 84.4.3.G.1 below).

1

<u>30 months</u> since original submittal <u>with 181 Yellow Jacket Road, Douglas County on EVERY SINGLE SUBMITTAL</u> …with over $1,000,000 spent on the banked boat ramp and two applications per direction from TRPA.

March 3, 2025

Kevin Agan
Agan Consulting Corporation
P.O. Box 9180
Incline Village, NV 89450

Sent via email to: kevin@aganconsulting.com

DENIAL OF MOODY BOATRAMP/PIER CONVERSION AND TRANSFER PROJECT, 181 YELLOW JACKET ROAD, DOUGLAS COUNTY, NEVADA; ASSESSOR'S PARCEL NUMBERS (APN) 1418-10-401-004, TRPA FILE NUMBER ERSP2023-1834

Dear Mr. Agan,

On February 21, 2024, I was assigned a project application submitted by you that includes a request to transfer a banked boat ramp on APN 1418-34-310-013 (ref. ERSP2020-1413) to the parcel located at 181 Yellow Jacket Road, Glenbrook, Douglas County, Nevada (APN 1418-10-401-004) and conversion to a single-parcel pier. The banked boat ramp is located in Scenic Shoreline Travel Route 27, Lincoln Park, which is a non-attainment scenic area, and the subject site (location of the proposed single-parcel pier) is located in Scenic Shoreline Travel Route 26, Cave Rock, which is also a non-attainment scenic area.

As you are aware, on March 27, 2024, I sent you an email letting you know that the boat ramp conversion to a pier and transfer to the subject site is prohibited under the Tahoe Regional Planning Agency (TRPA) Code because the properties are not in the same scenic unit and the receiving parcel is in a non-attainment scenic unit (refer to TRPA Code, Sections 84.5.3.F and 84.4.3.G.1). In the email, I asked if you would like to withdraw the application.

On March 28, 2024, you sent a response to my email that said "Stay tuned for a response……"

Since you have not submitted a request to withdraw the application and the proposed project application cannot be approved pursuant to TRPA Code, Sections 84.5.3.F and 84.4.3.G.1, the Agency is denying the above referenced application.

If you should wish to appeal this decision, you must file a complete appeal application within 21 days from the date of this letter.

Sincerely,

Brandy McMahon

Brandy McMahon, AICP
Principal Planner

Section 84.5.3.F

F. Conversion. ***A legally existing private boat ramp*** may be converted to a pier, provided the converted boat ramp (pier) and littoral parcel receiving the pier shall comply with the ***applicable*** eligibility and development provisions for additional piers set forth in **84.4.2** and **84.4.3**, respectively, of this Chapter.

Section 84.4.3.G.1

A legally existing pier may be relocated or transferred to a littoral parcel within the same Scenic Unit or to a littoral parcel within a different Scenic Unit that is in scenic attainment. The transfer of an **existing pier to a littoral parcel within another Scenic Unit that is out of attainment is prohibited.**

- **A "LEGALLY EXISTING PRIVATE BOAT RAMP" IS NOT A "LEGALLY EXISTING PIER."**

Section 84.5.3.F

F. Conversion. ***A legally existing private boat ramp*** may be converted to a pier, provided the converted boat ramp (pier) and littoral parcel receiving the pier shall comply with the ***applicable*** eligibility and development provisions for additional piers set forth in **84.4.2** and 84.4.3, respectively, of this Chapter.

84.4.2. Eligibility

A. A private littoral parcel shall be eligible for an additional pier provided the following requirements are met:

1. No pier exists on the parcel at the time of project application;
2. Pier development potential on the parcel is not restricted via a deed restriction pursuant to Subsection 84.4.4.E, or other restrictive policy or covenant;
3. The parcel is not located in a Shorezone Preservation Area;
4. All applicable development standards set forth in Subsection 84.4.3 shall be met; and
5. If the private littoral parcel has access to an existing homeowners association pier, the parcel shall only be eligible for an additional multiple-parcel pier and subject to the deed restriction requirements set forth in subsection 84.4.4.E.2. A multiple-parcel pier authorized under this provision and serving only one residence is limited to the single-parcel pier design standards.

B. A littoral parcel owned by a public entity shall be eligible for a new pier provided the requirements set forth in Paragraph (A) of this subsection are met, with the exception that requirement set forth in subsection 84.4.2.A.3 may be waived subject to environmental review.

C. A commercial or tourist accommodation use located on a littoral parcel shall be eligible for an additional pier provided the associated upland includes a commercial use and the requirements set forth in Paragraph (A) of this subsection are met.

TRPA Section 84.4.2	Does Project Comply?
84.4.2.A	Complies
84.4.2.B	Does Not Apply to Project
84.4.2.C	Does Not Apply to Project

Section 84.5.3.F

F. Conversion. ***A legally existing private boat ramp*** may be converted to a pier, provided the converted boat ramp (pier) and littoral parcel receiving the pier shall comply with the ***applicable*** eligibility and development provisions for additional piers set forth in 84.4.2 and **84.4.3**, respectively, of this Chapter.

84.4.3.A.1 → Stream-Mouth Protection Zone
84.4.3.A.2 → Visually Sensitive Area
84.4.3.A.3 → One-Quarter Mile of Public Drinking Water Intake
✓ 84.4.3.A.4 → **Chapter 66 for Scenic Quality Review in the Shoreland**
✓ 84.4.3.A.5→ **Pier Color**

TRPA Section 84.4.3	Does Project Comply?
84.4.3A.1	Does Not Apply to Project
84.4.3.A.2	Does Not Apply to Project
84.4.3.A.3	Does Not Apply to Project
84.4.3.A.4	Complies
84.4.3.A.5	Complies

Section 84.5.3.F

F. Conversion. ***A legally existing private boat ramp*** may be converted to a pier, provided the converted boat ramp (pier) and littoral parcel receiving the pier shall comply with the ***applicable*** eligibility and development provisions for additional piers set forth in 84.4.2 and **84.4.3**, respectively, of this Chapter.

84.4.3.A.6	Complies with 84.4.4.3.A.6.d(v)
84.4.3.A.7	Does Not Apply to Project
84.4.3.A.8	Complies
84.4.3.A.9	Does Not Apply to Project
84.4.3.A.10	Complies
84.4.3.A.11	Complies
84.4.3.A.12	Complies
84.4.3.B	Complies
84.4.3.C	Does Not Apply to Project
84.4.3.D	Does Not Apply to Project
84.4.3.E	Does Not Apply to Project
84.4.3.F	Does Not Apply to Project
84.4.3.G	Does Not Apply to Project

6. **Scenic Mitigation.** Additional piers and expansions of existing piers shall mitigate additional visible mass according to the following provisions;

   a. In Visually Dominated Areas, as identified on the official TRPA Shoreline Conditions Map, the scenic mitigation ratio shall be 1:1.5;

   b. In Visually Modified Areas, as identified on the official TRPA Shoreline Conditions Map, the scenic mitigation ratio shall be 1:2.0;

   c. In Visually Sensitive Areas, as identified on the official TRPA Shoreline Conditions Map, the scenic mitigation ratio shall be 1:3.0;

   d. The location of scenic mitigation shall occur in the following order of decreasing preference:

      (i) On the littoral parcel and within the shorezone;

      (ii) On the littoral parcel and within the upland area;

      (iii) On a different littoral parcel within the same unit and within the shorezone;

      (iv) On a different littoral parcel within the same unit and within the upland; and

      (v) In a different non-attainment unit.

Section 84.5.3.F

F. Conversion. ***A legally existing private boat ramp*** may be converted to a pier, provided the converted boat ramp (pier) and littoral parcel receiving the pier shall comply with the ***applicable*** eligibility and development provisions for additional piers set forth in 84.4.2 and **84.4.3**, respectively, of this Chapter.

84.4.3.A.6	Complies with 84.4.4.3.A.6.d(v)
84.4.3.A.7	Does Not Apply to Project
84.4.3.A.8	Complies
84.4.3.A.9	Does Not Apply to Project
84.4.3.A.10	Complies
84.4.3.A.11	Complies
84.4.3.A.12	Complies
84.4.3.B	Complies
84.4.3.C	Does Not Apply to Project
84.4.3.D	Does Not Apply to Project
84.4.3.E	Does Not Apply to Project
84.4.3.F	Does Not Apply to Project
84.4.3.G	Does Not Apply to Project

84.4.3.A.7→ Fish Habitat Mitigation

✓ **84.4.3.A.8 → Lighting on Private Piers**

84.4.3.A.9 → Floating Piers

✓ **84.4.3.A.10 → Accessory Structures**

✓ **84.4.3.A.11→ Prohibited Structures**

✓ **84.4.3.A.12 → Signage**

Section 84.5.3.F

F. Conversion. ***A legally existing private boat ramp*** may be converted to a pier, provided the converted boat ramp (pier) and littoral parcel receiving the pier shall comply with the ***applicable*** eligibility and development provisions for additional piers set forth in 84.4.2 and **84.4.3**, respectively, of this Chapter.

84.4.3.A.6	Complies with 84.4.4.3.A.6.d(v)
84.4.3.A.7	Does Not Apply to Project
84.4.3.A.8	Complies
84.4.3.A.9	Does Not Apply to Project
84.4.3.A.10	Complies
84.4.3.A.11	Complies
84.4.3.A.12	Complies
84.4.3.B	Complies
84.4.3.C	Does Not Apply to Project
84.4.3.D	Does Not Apply to Project
84.4.3.E	Does Not Apply to Project
84.4.3.F	Does Not Apply to Project
84.4.3.G	Does Not Apply to Project

- ✓ **84.4.3.B→ Additional Standards for Single-Use Piers**

84.4.3.C → Additional Standards for Multiple-Use Piers
84.4.3.D → Additional Standards for Public Piers
84.4.3.E→ Accessory Standards for Commercial and Tourist Accommodation Piers
84.4.3.F→ Expansion or Modification of Existing Piers
84.4.3.G → Relocation or Transfer of Existing Piers

*NOT APPLY →A **legally existing pier** may be relocated or transferred to a littoral parcel within the same Scenic Unit or to a littoral parcel within a different Scenic Unit that is in scenic attainment. The transfer of an existing pier to a littoral parcel within another Scenic Unit that is out of attainment is prohibited.*

General Search

El Dorado xxx-xxx-xx; Placer xxx-xxx-xxx; Washoe xxx-xxx-xx; Douglas xxxx-xx-xxx-xxx

Parcel Number: 115-020-007

File Number:

Record Type: --Select--

Street No.:

https://aca-prod.accela.com/TR

Showing 1-10 of 17

	Record Name	Creation Date	File Number	Status	Action	Short Notes
☐	Historic Resource Determination	11/12/2025	HIST2025-1493	Incomplete		Electronic Application
☐	Historic Resource Determination	11/12/2025	HIST2025-1494	In Review		Electronic Application
☐	Preliminary Pier	06/26/2025	PREC2025-0790	Selected		ELECTRONIC

El Dorado xxx-xxx-xx; Placer xxx-xxx-xxx; Washoe xxx-xxx-xx; Douglas xxxx-xx-xxx-xxx

Parcel Number: 122-181-60

File Number:

Record Type: --Select--

Street No.: -

	Record Name	Creation Date	File Number	Status	Action	Short No
☐	Historic Resource Determination	10/29/2025	HIST2025-1411	Results Issued		FILE ATTACHE
☐	Preliminary Pier	06/16/2025	PREC2025-0717	Selected		ELECTRC
☐	Preliminary Pier	06/11/2023	PREC2023-0598	Not Selected		file attached.

- We respectfully request that you reverse the denial and grant the appeal,

<u>or alternatively</u>

- We respectfully request that you ask staff to work with us on a Code Amendment that clarifies transfer of a non-conforming, environmentally damaging boat ramp causing shoreline erosion in exchange for a new project resulting in scenic mitigation and enhancement.

"In order to preserve the scenic beauty and outdoor recreational opportunities of the region, there is a need to ensure an equilibrium between the region's natural endowment and its manmade environment." Section 1.4.2.A.9

QUESTIONS?

TAHOE REGIONAL PLANNING AGENCY

Governing Board Meeting

March 25, 2026

Agenda Item 7A

STAFF REBUTTAL

Appeal of Denial of Moody Boat Ramp/Pier Conversion and Transfer Project

TAHOE REGIONAL PLANNING AGENCY

Governing Board Meeting

March 25, 2026

AGENDA ITEM 7A

A motion to grant the appeal.

To uphold the decision of the Executive Director, vote No.