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March 27, 2023

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DENIAL OF APPLICATION, SINGLE USE PIER EXPANSION, 204 PINE STREET, PLACER COUNTY, CALIFORNIA, ASSESSORS PARCEL NUMBER (APN) 098-210-012, TRPA FILE NUMBER ERSP2020-0373

Dear Applicant:

The Tahoe Regional Planning Agency (TRPA) has completed review of your application for the subject property. Unfortunately, TRPA is unable to approve your application to expand a non-conforming single use pier. This application is denied, as further discussed below.

The existing pier is a single use, nonconforming structure serving the upland parcel located at 204 Pine Street.

The proposed project includes elements that are considered an “expansion” per the following definition:

“Expansion” as defined by Chapter 90: Definitions of the Code of Ordinances

Outside of the shorezone, “expansion” means an increase in size or extent of an existing structure or use that results in additional commercial floor area, additional residential units, additional tourist accommodation units, additional PAOTs, additional land coverage, vehicle trips, or other capacities regulated by this Code. Within the shorezone, “expansion” means an increase in size or extent, including an increase in the dimensions of a structure, and the addition of any structure or edifice to an existing structure.

The proposed elements that are considered an expansion consistent with TRPA’s definition are a proposed increase in the length of the pier and the addition of a boatlift (to be converted from a buoy).

TRPA’s shoreline code explicitly prohibits expansions of non-conforming piers unless the project can make all of the findings consistent with TRPA Code Sections 82.7.1.C and 84.4.3.F.4, which are:

Chapter 82: Existing Structures and Exempt Activities

Code Section 82.7.1.C: Nonconforming Structures: Except as expressly allowed in Chapter 84, expansion of nonconforming structures shall be prohibited. *(See referenced code section in Chapter 84)*

Chapter 84: Development Standards Lakeward of the High Water in the Shorezone and Lakezone

Code Section 84.4.3.F.44. Expansion of a non-conforming pier.
An existing pier that does not conform to the applicable development standards set forth in this Section shall not be expanded except if all of the following conditions are met:

- a. The expansion is limited to an existing boat house and does not increase the extent to which the boat house is non-conforming;
- b. The expansion shall not increase the functional capacity of the pier;
- c. The effect of the expansion is to increase the contrast rating of the structure; and
- d. The expansion is the minimum necessary to accomplish the scenic quality improvement set forth in (c) above.

Since the proposed expansions do not relate to an existing boat house, TRPA cannot approve your application.

In order for TRPA to approve the additional length and the buoy to boatlift conversion, the pier would have to comply with the design standards for a single parcel pier. The pier would need to have a maximum 10-foot width at the pierhead and one 3-foot by 30-foot catwalk. Because these modifications to your application are unacceptable to you, your application is hereby denied.

Pursuant to Rule 11.2 of the TRPA Rules of Procedure, this decision may be appealed within twenty-one (21) days of the date of this correspondence.

Should you have questions, please contact me at 775-589-5283.

Sincerely,



Tiffany Good
Permitting Program Manager
Permitting and Compliance

cc: John Marshall, General Counsel, TRPA
Wendy Jepson, Permitting and Compliance Manager, TRPA