

**TRPA
APC
PACKETS**

**JULY
1989**

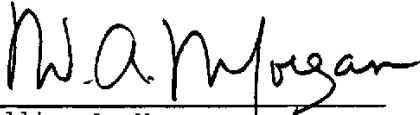
July 1989
APC

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that the Advisory Planning Commission of the Tahoe Regional Planning Agency will conduct its regular meeting at 9:30 a.m. on July 12, 1989, at the TRPA conference room, 195 U.S. Highway 50, Zephyr Cove, Nevada. The agenda for said meeting is attached hereto and made a part of this notice.

July 3, 1989

By:



William A. Morgan
Executive Director

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

TRPA Office, 195 U.S. Highway 50
Zephyr Cove, Nevada

July 12, 1989
9:30 a.m.

AGENDA

- I CALL TO ORDER AND DETERMINATION OF QUORUM
- II APPROVAL OF AGENDA
- III DISPOSITION OF MINUTES
- IV PUBLIC HEARING AND RECOMMENDATION
 - A. Scenic Resources Management Package, Including Adoption of Chapter 26 (Signs), Design Review Guidelines, and the Scenic Quality Improvement Program; Amendment of Chapters 30 (Design Standards), 2 (Definitions), 4 (Project Review and Exempt Activities), 12 (TRPA Regional Plan Maps), and Chapter 33 (Allocation of Development); and Finding of Technical Adequacy and Certification of the Environmental Impact Statement
 - B. Amendment of the Goals and Policies and Code to Modify Land Coverage Transfer Requirements Relative to Erosion Control and Other Environmentally Oriented Projects
 - C. Amendment of Chapters 4 (Project Review and Exempt Activities) and Chapter 20 (Land Coverage Standards) to Provide for Alternative Methods of Field Verifications and Land Capability Challenges
- V REPORTS
 - A. Executive Director
 - B. Legal Counsel
 - C. APC Members
 - D. Public Interest Comments
- VI RESOLUTIONS
- VII CORRESPONDENCE
- VIII PENDING MATTERS
- IX ADJOURNMENT

TAHOE REGIONAL PLANNING AGENCY

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

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Zephyr Cove, Nevada 89448-1038

(702) 588-4547
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MEMORANDUM

June 28, 1989

To: Advisory Planning Commission

From: Agency Staff

Subject: Public Hearing and Recommendation -- Scenic Resources Management Package, Including Adoption of Chapter 26 (Signs), Design Review Guidelines, and the Scenic Quality Improvement Program; Amendment of Chapters 30 (Design Standards), 2 (Definitions), 4 (Project Review and Exempt Activities), 12 (TRPA Regional Plan Maps), and Chapter 33 (Allocation of Development); and Finding of Technical Adequacy and Certification of the Environmental Impact Statement

Background: This month TRPA staff is seeking a recommendation for adoption of the Scenic Resources Management Package (scenic package) including: Chapter 26 (Signs); Design Review Guidelines; Scenic Quality Improvement Program (SQIP); and amendment of Chapters 30 (Design Standards), 2 (Definitions), 4 (Project Review and Exempt Activities), and 12 (TRPA Regional Plan Maps). Also before the APC this month for a finding of technical adequacy and recommendation for certification is the scenic package Final Environmental Impact Statement (FEIS), including responses to comments received on the Draft EIS.

Revisions to individual pieces of the scenic package based on discussion at the June meeting are included in this packet. These changes are shown using the crossout-underline format, and are shown on the attachments to this staff report. Also included at the end of the staff report are the North Tahoe Advisory Council's comments on the scenic package, distributed at the June meeting, and responses thereto. It is suggested you bring the May APC packet to the July meeting.

Discussion:

- A. Chapter 26, Signs, including related amendments to Chapter 2, Definitions, and Chapter 4, Project Review and Exempt Activities

Based on last month's APC discussion, staff is proposing to amend the following sections of Chapter 26, Signs. Specific language is located in Attachment A.

Memorandum to Advisory Planning Commission
Public Hearing and Recommendation of
Scenic Resources Management Package
Page 2

1. Hold the effective date of the ordinance until January 1, 1990. This will give local governments time to review their existing ordinances against Chapter 26, and propose substitute standards for use in local jurisdictions. For TRPA to adopt local substitute standards and for them to become effective on January 1, 1990, substitute standards would have to be before TRPA for action no later than October 1989. As agreed to at the June meeting, the specific timing and substitution of local standards will be discussed with local government APC members prior to the July APC meeting. Staff will inform the APC on the outcome of the meeting.
2. Subsection 26.9.C is amended to include the provision that special sign standards which are part of an overall scenic quality improvement program may be adopted for Plan Areas 032, North Stateline, 089A, South Stateline, and those parcels within Plan Area 076, Kingsbury Commercial, which abut Highway 50.
3. Paragraph 26.12.C(4) is amended to remove the words "or replaced" as an action which would require conformity. This action is essentially covered by paragraph (3) in the same section.
4. Paragraph 26.12.C(6) is amended to add a third amortization category where signs valued at greater than \$10,000.00 would have a 7 year amortization period.

Chapter 2, Definitions: Proposed amendment language is located in Attachment B.

1. Add a definition for the term "normal maintenance" to clarify what normal maintenance activities would not trigger conformity with the applicable regulations pursuant to 26.12.C(3), Removal of Non-Conforming Signs.
2. Amend the definition of street to remove the language "including major internal circulation corridors (within parking lots)." from the definition.

Chapter 4, Project Review and Exempt Activities: Located in Attachment C. No changes have been made to the June 5, 1989 draft.

6/28/89

AGENDA ITEM IV.A

B. Amendments to Chapter 30, Design Standards

The following revisions have been made and are located in Attachment D.

1. 30.13.A(1) and (2). Revisions to the intent statements of urban and rural transition scenic corridors to further distinguish the visual differences between them.
2. 30.13.C(3). Revisions to add Appendix D of the Design Review Guidelines manual as the specific location of the visual magnitude guidelines for siting of development in rural scenic corridors.

TRPA staff will also present a Regional map which specifically locates the boundaries between scenic corridor types at the meeting.

C. Amendments to Chapter 12, TRPA Regional Plan Overlay Maps

Located in Attachment E, the amendments include identification of the scenic corridor types as part of the existing scenic units overlay map. The proposed language is in Section 12.2.B(8) and is the same as language presented at the June meeting.

D. Design Review Guidelines

The Design Review Guidelines are located in Attachment F. Revisions made as a result of the APC discussion include the following:

1. The "How To Use This Manual" section has been revised to clarify that guidelines will not replace Code provisions relative to maximum structure heights and land coverage.
2. The "Alternatives to the Design Review" section includes an appeal provision (to be added to the Rules of Procedure) which will create an APC appellate committee for project proponents who may feel specific guidelines should not be attached as conditions of approval to their projects.
3. Revisions to specific shorezone guidelines in Section 11. Shorezone, based on APC discussion.
4. Additional graphics for selected guidelines to better illustrate how design solutions can fit urban, rural transition, and rural environments.

Memorandum to Advisory Planning Commission
Public Hearing and Recommendation of
Scenic Resources Management Package
Page 4

5. Notation on Appendix D cover sheet that the guidelines therein apply only to certain rural scenic corridor project types as listed in Section 30.13.C(3).

E. Scenic Quality Improvement Program (SQIP)

The revised final draft of the SQIP is located in Attachment G (not including SQIP Technical Appendices which are in the May APC packet beginning on p. 77) and, based on APC discussion at the May meeting, includes the following changes:

1. Section I.D. pages 2-5. Specific adopted policies from the Goals and Policies regarding Community Design and Scenic Resources have been added to clarify direction and intent.
2. Section I.D., page 7. In the Regional Design Principles Section, staff has revised the intent of urban areas to match the intent listed in the Chapter 30 amendments describing urban/rural transition/rural environments.
3. Section II.A.5, pages 15-17. Staff has revised methods by which scenic restoration on private parcels may be accomplished. Previously worded language regarding mandatory preparation of a plan and schedule as a condition of project approval has been made permissive. The revision also includes a description of alternative improvement processes which may be considered to provide latitude and flexibility on a case-by-case basis.
4. Section II.B.2 pages 18-20, includes revised language for several of the incentives based on APC discussion. The revisions remove the use of excess coverage credits as an incentive, and add the language "consider amending" to the Chapter 33 incentive (10%/1,000 sq. ft. commercial floor area expansion), based on further environmental documentation.
5. Section II.C, pages 22-24. Staff has removed the implementation schedule policy which inferred local jurisdiction responsibility for attaining the threshold targets, and had removed the substitution of time schedule by local jurisdiction which is not needed based on removal of the first item. Staff has revised the interim target schedule and rate of improvements to more closely reflect the Regional Plan and threshold interim progress dates.
6. Section II.D, page 25. Staff has added wording under subsection (b) to clarify that visual assessment recommendations in the Technical Appendices are not mandatory, and have been derived by visual resource management consultants who are specifically trained in the use of TRPA's scenic thresholds.

F. Final Environmental Impact Statement (FEIS)

The FEIS has been prepared based on written comments received during the comment period and APC discussion on both the Draft EIS and the draft scenic package. The FEIS is located in Attachment H, and has the following changes as a result of last month's APC meeting:

1. Section IV.F(4), page IV-10. Mitigation measures for potential adverse impacts to scenic resources were amended to include in the development of special sign standards for parcels within Plan Area 076, Kingsbury Commercial, which abut Highway 50. This mitigation is repeated in the summary of mitigation resources listed in Section VI.A(4) on page VI-2.

Recommendation: TRPA staff requests that the APC conduct the public hearing on this matter and, based on its outcome, recommend that the Governing Board:

1. Adopt Chapter 26, the Design Review Guidelines and the Scenic Quality Improvement Program on the following conditions:
 - a. That TRPA will hold the effective date of Chapter 26 until January 1, 1990; and
 - b. That TRPA will amend the appropriate Rules of Procedure to provide for an APC appellate committee to hear appeals of Design Review Guidelines which have been imposed as conditions of project approval.
- 2) Adopt related amendments to Chapters 2, 4, 12, and 30;
- 3) Find that the Environmental Impact Statement is technically adequate with respect to Chapter 26, the Design Review Guidelines, and related amendments to Chapters 2, 4, 12 and 30; and recommended certification of the Environmental Impact Statement.

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

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June 30, 1989

North Tahoe Advisory Council
Janet Mize, Chairman
P. O. Box 805
Kings Beach, CA 95719

Dear Ms. Mize:

Thank you for your recent comment letter on TRPA's proposed scenic package. We have found your comments to be helpful in putting together our final draft, and are enclosing responses thereto.

Proposed Sign Ordinance

1. NTAC Comment: There needs to be a very strong motivation for compliance.

Response: TRPA agrees with the comment, and intends to work with local jurisdictions to obtain compliance. TRPA also has the ability under Chapter 8 of the Code of Ordinances to require compliance with its standards.

2. NTAC Comment: Provide exclusion for historic signs.

Response: The request made by this comment is not clear. TRPA's intent with respect to historic signs was to let local government and the individual community plans address the issue. This would retain the opportunity to provide special sign standards for historic signs or historic sign districts.

3. NTAC Comment: Off-site signage should not be prohibited. (Perhaps by allowing this, some temporary signage can be eliminated.)

Response: Off-site signage is specifically prohibited in TRPA's Goals and Policies Plan (Land Use Element, Community Design Subelement) and off-premise signs have been illegal in the Region since the adoption of TRPA Ordinance 24 in 1977. The ability to provide highway directional signs within public rights-of-way to areas and uses which are not located on the highway is preserved under Section 26.4.Q of the proposed ordinance.

4. NTAC Comment: A variance provision is needed.

Response: During the Consensus Building Workshops held prior to the adoption of the 1986 Regional Plan, it was agreed that TRPA standards would not contain variance provisions. This included variances from future sign standards. It may be possible however for TRPA to approve substitute standards for use in a specific community plan or local jurisdiction which contain variance provisions.

5. NTAC Comment: For all of Tables A & B, "property line" should be changed to "edge of Right of Way".

Response: The intent of the comment is unclear. In most instances the property line and the edge of the right-of-way (public and private) is the same place.

6. NTAC Comment: Public directional/informational signage (e.g., CalTrans) needs control for size and proliferation.

Response: TRPA agrees with the comment. Only highway signs which replace existing signs of the same height and area would be exempt from TRPA review and approval. Any new or replacement sign which does not meet the replacement criteria above is subject to TRPA review and approval. Further, TRPA has identified areas where public highway signs are specific visual quality problems and remedial actions for these areas are included in TRPA's proposed Scenic Quality Improvement Program.

Design Review Guidelines

1. NTAC Comment: If building height is restricted by the environment, the land coverage restrictions should be relaxed to accommodate the structure's size needs.

Response: It is important to note that the Design Review Guidelines are recommendations and not mandatory restrictions or standards. In deciding the appropriateness of individual guidelines such as building height relative to the screening ability of existing vegetation the amount of land coverage necessary to implement the project would be taken into account. Maximum heights and land coverages are established in the Code of Ordinances. The intent of the guideline in question is to assist a project proponent in selecting areas of the site which would best screen the structures.

2. NTAC Comment: Coverage overrides need to be allowed when deeper setback requirements are ordered.

Response: Such a provision exists in Section 20.3.B of the Code for longer residential driveways (which generally lead to structures with deeper setbacks) when certain environmental benefits (including preservation of scenic quality) can be shown. This provision is well-suited for use in rural transition and rural areas where the Design Review Guidelines recommend deeper setbacks along scenic highway corridors. The pattern of tourist and commercial/public services development in urban areas is essentially established at this time and generally sets the character of an area. New development in these areas should respond to the context of the setting which is created by the existing patterns. This will seldom result in structures which are setback deeper than existing setbacks, and the associated need for additional coverage.

3. NTAC Comment: Coverage overrides need to be allowed when additional access for emergency vehicles is required.

Response: The Code, under Section 30.5.B requires adequate access for emergency vehicles in commercial/public service, tourist accommodation and multi-residential projects. This does not always mean additional access nor does it necessitate additional land coverage. Uses which have more than one driveway or a service road or alley, can easily satisfy this requirement. In uses where only one driveway exists, lawn or turfgrass can be driven across to provide emergency access.

4. NTAC Comment: Exterior lighting must be allowed for identifying businesses.

Response: TRPA agrees with the comment. The Design Review Guidelines will provide for that opportunity.

5. NTAC Comment: Signs must be allowed to identify the nature of the businesses, as well as their names.

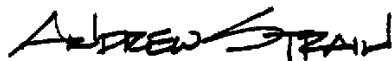
Response: TRPA agrees with the comment. The Design Review Guidelines will provide for that opportunity.

6. NTAC Comment: There must be a provision for variances.

Response: The ability to substitute alternative guideline solutions is part of the scenic package and may be used by individuals. Local jurisdictions may propose to TRPA the use of comprehensive substitute design guidelines. In that respect the ability to vary from the stated guidelines exists.

Please do not hesitate to contact me if you have any further questions or comments.

Sincerely,



Andrew Strain
Senior Planner

AS:rdh

cc: TRPA Advisory Planning Commission

CHAPTER 26, SIGNS

ATTACHMENT A

CHAPTER 26

SIGNS

Chapter Contents

- 26.0 Purpose
- 26.1 Applicability
- 26.2 Sign Package Review
- 26.3 Substitution of Standards
- 26.4 General Sign Standards
- 26.5 Signs in Conservation Plan Areas
- 26.6 Signs in Recreation Plan Areas
- 26.7 Signs in Residential Plan Areas
- 26.8 Signs in Commercial/Public Service Plan Areas
- 26.9 Signs in Tourist Plan Areas
- 26.10 Gasoline Price Signs
- 26.11 Temporary Signs
- 26.12 Existing Signs

26.0 Purpose: The purpose of this chapter is to promote and protect the public health, welfare, and safety of the general public by implementing Regional outdoor advertising regulations pursuant to Article VI of the Compact, to protect property values, create a more attractive economic and business climate, enhance the aesthetic appearance of the physical community, preserve the scenic and natural beauty and provide an enjoyable and pleasing community in accordance with Community Design Subelement of the Land Use Element and related elements of the Goals and Policies. It is further intended hereby to reduce signs or advertising distractions and obstructions that may contribute to traffic accidents.

26.1 Applicability: All signs shall comply with the applicable standards set forth in this Chapter. Except as exempted in Chapter 4, installation or replacement of signs requires review and approval as a project in accordance with this Chapter and other applicable provisions of the Code. In addition, sign projects also may have imposed, as conditions of approval, appropriate provisions of the Design Review Guidelines and the Scenic Quality Improvement Program.

26.2 Sign Package Review: As an integral part of TRPA's review of a proposed new facility or development, or expansion of an existing use, or change in use not exempted under Chapter 4, or any sign project application, all locations and areas currently occupied, or intended to be occupied, by permanent signage on the project

area shall be indicated on the submitted plans or drawings, together with the dimensions of each sign. Sign package review requirements shall not apply to sign project applications which are only face changes in existing sign structures which TRPA has approved following the enacting of this chapter of the Code.

26.3 Substitution of Standards:

26.3.A Local Government Standards: Local governments may adopt equal or superior sign standards. TRPA, upon finding the local standards are equal or superior to the TRPA sign standards as they may affect attainment and maintenance of TRPA's scenic resources thresholds, may ~~enter into a memorandum of understanding with a local government to~~ approve the local government sign standards and exempt signs approved in accordance with such local standards from TRPA review.

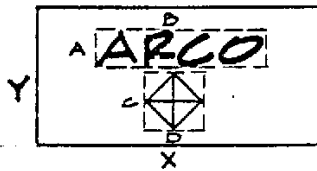
26.3.B. Community Plan Standards: Community plans may establish equal or superior sign standards for use in a specific community plan area if finding (1) or (2) is made. Substitute standards adopted by TRPA are listed as an appendix to this chapter. If adopted by local government, these standards may also be a basis for exemptions as set forth in 26.3.A.

(1) TRPA, upon finding the community plan standards are equal or superior to the TRPA sign standards as they may affect the attainment and maintenance of TRPA's scenic resource thresholds, may adopt the community plan sign standards for use during TRPA review of signs in the specific community plan area, or

(2) TRPA, upon finding the community plan scenic quality improvement program which may include substitute sign standards, is equal or superior to the TRPA scenic quality improvement program for the same plan area as they may effect the attainment and maintenance of TRPA's scenic resource thresholds, may adopt the community plan scenic quality improvement program for use during TRPA review of projects in the specific community plan area.

26.4 General Sign Standards: The following sign standards shall apply to all signs except where specifically provided otherwise:

26.4.A Maximum Area in Copy: No sign shall have more than sixty percent (60%) ~~forty (40%)~~ of the permitted sign area in copy. Sign copy shall be measured as shown below. This standard shall not apply to signs which consist of individual letters, characters, or other symbols and which have no perimeter or border as defined in Chapter 2.



$$\text{Sign copy} = (A \times B) + (C \times D)$$

Maximum

$$\text{Sign copy} = \underline{.64} (X \times Y)$$

Measuring Sign Copy

- 26.4.B Opaque Background for Internally Illuminated Signs: The background of all internally illuminated signs shall either be of an opaque material which does not transmit light, or shall be of a dark color. This standard shall not apply to signs constructed entirely of neon tubing. Dark colors which meet this standard are listed in Chapter 8 of the Design Review Guidelines Manual.
- 26.4.C Off-Premise Signs: No sign shall be erected or maintained on a parcel or project area other than the parcel or project area on which the use or activity advertised by the sign is located.
- 26.4.D Sign Illumination: No sign shall be illuminated by or contain blinking, flashing, intermittent, or moving light or lights, except the time and temperature portion of a sign.
- 26.4.E Diffuse Lighting: All signs which are illuminated shall be illuminated using indirect or diffuse lighting. No sign shall contain copy which consists of illuminated bulbs or individual lights or light sources. This standard shall not apply to signs constructed entirely of neon tubing.
- 26.4.F Roof Signs: No sign shall be mounted on the roof of a building or other structure, except for signs mounted on mansard roofs and which do not extend vertically above the top of the mansard.
- 26.4.G Prohibited Devices: Strings of pennants, banners, ribbons, streamers, balloons, spinners, or other similar moving or fluttering devices, and searchlights shall be prohibited.
- 26.4.H Signs Imitating Official Traffic Signs: No sign shall imitate the color and shape of, or directions given in, an official traffic sign or signal, or use such words as "stop," "caution," "yield," "danger," or "warning".

- 26.4.I Signs Obscuring Vision: No sign shall be placed such that it unsafely obscures the vision of a motorist upon entering or leaving a street.
- 26.4.J Signs on Natural Features and Other Structures: No sign shall be affixed to or painted on trees, rocks, or other natural features, utility poles, street sign poles, traffic signal equipment and poles, garbage receptacles, benches, and other types of street furniture, and fences.
- 26.4.K Rotating Signs: No sign shall rotate or have a rotating or moving part, or parts, except barber poles to the extent required by state law, and clocks and thermometers.
- 26.4.L Signs Attached to Motor Vehicles: No sign shall be attached to or located on stationary motor vehicles, equipment, trailers and related devices when used in a manner to augment approved signage for a business as opposed to normal operation or parking of the vehicle, equipment, trailer and related device. This subsection shall not apply to business, company, or government identification signs or nonstationary motor vehicles.
- 26.4.M Portable Signs: No sign shall be permitted which is not permanently affixed to the ground or a building or designed to be permanently affixed to the ground or a building.
- 26.4.N State of Repair: All signs and components thereof, including supports, braces, and anchors, shall be kept in a state of good repair.
- 26.4.O Removal of Sign Message: Any sign for which the sign message or face has been removed, leaving only the supporting frame, can, braces, anchors, or similar components, shall, within 30 days of the removal of the message or face, have the message or face replaced with a blank face or new message or face, or shall have the remaining components of the sign removed. See also Section 4.2. This subsection shall not be construed to alter the effect of Section 26.12, which prohibits the replacement of a nonconforming sign.
- 26.4.P Noncommercial Copy: No provision of this or any related chapter shall be construed as regulating or restricting the use of noncommercial copy or message on any sign which is permitted under this chapter. "Noncommercial copy or message" for purposes of this provision means copy or other message that does not advertise a business or similar economic means for the production of income.

- 26.4.Q Highway Signs: Highway signs, street signs and other regulatory and directional signs which are located on public rights-of-way shall conform to the applicable sign standards set forth in the Manual On Uniform Traffic Control Devices, or other standards which may be contained in a Memorandum Of Understanding between TRPA and a public agency with jurisdiction over the travel way.
- 26.4.R Increases in Maximum Allowed Sign Area: Sign area for building and freestanding signs which are visible from highways with a posted speed limit of 45 miles per hour or greater may be increased up to 20 percent over the maximum allowable area for each sign as calculated based on the applicable provisions of this ordinance.
- 26.5 Signs in Conservation Plan Areas: The following standards shall apply to signs located in Conservation plan areas:
- 26.5.A Signs on U.S. Forest Service Lands: Signs on lands managed by the U.S. Forest Service or on private lands under Forest Service jurisdiction, shall conform to standards enforced by the U.S. Forest Service as set forth in the Forest Service Catalog of Posters and Signs, FSH 7109.11a, 1980, as amended.
- 26.5.B Signs on California or Nevada State Park Lands: Signs on California State Park lands shall conform to the standards enforced by the State of California as set forth in the Department of Parks and Recreation Sign Handbook, 1973, as amended. Signs on Nevada State Park lands shall conform to the standards enforced by the State of Nevada as set forth in the State of California Department of Parks and Recreation Sign Handbook, 1973, as amended until such time that the Nevada Division of State Parks adopts different standards. In the latter event, such signs shall conform to different standards adopted.
- 26.5.C Signs on Private Lands: Except as provided in Subsection 26.5.A, signs on private lands shall conform to the standards set forth in Subsection 26.7.C.
- 26.6 Signs in Recreation Plan Areas: The following standards shall apply to signs located in Recreation plan areas.
- 26.6.A Signs at Recreation Areas: Signs at recreation areas in recreation plan areas shall conform to the following standards: