

TAHOE REGIONAL PLANNING AGENCY  
ORDINANCE 2019-02

AN AMENDMENT TO ORDINANCE NO. 87-9, AS PREVIOUSLY AMENDED, TO AMEND THE TRPA CODE OF ORDINANCES, CHAPTERS 6, 14, 21, 30, 31, 34, 36, 37, 38, 50, 51, 52, 65, 66, 80, 81, 82, 84, AND 90 TO: (1) UPDATE REFERENCES AND CORRECT ERRORS, (2) INCORPORATE REFERENCES TO AREA PLANS, (3) CLARIFY RESIDENTIAL DENSITY STANDARDS, (4) CLARIFY DEVELOPMENT RIGHTS LANGUAGE, AND (5) CLARIFY SHOREZONE LANGUAGE; AND TO AMEND THE TRPA CODE OF ORDINANCES, CHAPTERS 50 AND 63 TO: (1) REFERENCE THE MOST RECENT THRESHOLD REPORT WHEN AWARDING COMMERCIAL FLOOR AREA ALLOCATIONS FOR SPECIAL PROJECTS, AND (2) ENABLE INSPECTION AND DECONTAMINATION OF BOAT TRAILERS AND OTHER ANCILLARY EQUIPMENT.

The Governing Board of the Tahoe Regional Planning Agency does ordain as follows:

Section 1.00    Findings

- 1.10            It is desirable to amend TRPA Ordinance 87-9, as amended, by amending the TRPA Code of Ordinances to further implement the Regional Plan pursuant to Article VI (a) and other applicable provisions of the Tahoe Regional Planning Compact.
  
- 1.20            The TRPA Code of Ordinances and Rules of Procedure amendments were the subject of an Initial Environmental Checklist (IEC), which was processed in accordance with Chapter 3: *Environmental Documentation* of the TRPA Code of Ordinances and Article VI of the Rules of Procedure. The TRPA Code of Ordinances and Rules of Procedure amendments have been determined not to have a significant effect on the environment, and are therefore exempt from the requirement of an Environmental Impact Statement (EIS) pursuant to Article VII of the Compact.
  
- 1.30            The Advisory Planning Commission (APC) and the Governing Board have each conducted a noticed public hearing on the proposed TRPA Code of Ordinances and Rules of Procedure amendments. The APC has recommended Governing Board adoption of the necessary findings and adopting ordinance. At these hearings, oral testimony and documentary evidence were received and considered.
  
- 1.40            The Governing Board finds that the TRPA Code of Ordinances and Rules of Procedure amendments adopted hereby will continue to implement the Regional Plan, as amended, in a manner that achieves and maintains the adopted environmental threshold carrying capacities as required by Article V(c) of the Compact.
  
- 1.50            Prior to the adoption of this ordinance, the Governing Board made the findings required by Section 4.5 of the TRPA Code of Ordinances, and Article V(g) of the Compact.

1.60 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.00 TRPA Code of Ordinances Amendments

Ordinance 87-9, as amended, is hereby further amended by amending the TRPA Code of Ordinances, as set forth in Attachments B and C.

Section 3.00 Interpretation and Severability

The provisions of this ordinance amending the TRPA Code of Ordinances adopted hereby shall be liberally construed to affect their purposes. If any section, clause, provision or portion thereof is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance and the amendments to the Regional Plan Package shall not be affected thereby. For this purpose, the provisions of this ordinance and the amendments to the Regional Plan Package are hereby declared respectively severable.

Section 4.00 Effective Date

The provisions of this ordinance amending the TRPA Code of Ordinances shall become effective on June 23, 2019

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held on April 24, 2019, by the following vote:

Ayes: Ms. Aldean, Mr. Beyer, Ms. Berkgigler, Mr. Bruce, Mr. Cashman, Mr. Kozeniesky for Mrs. Cegavske, Ms. Faustinos, Ms. Laine, Mr. Lawrence, Ms. Novasel, Mr. Rice, Mr. Sevison, Mr. Shute, Mr. Yeates

  
William Yeates, Chair  
Tahoe Regional Planning Agency  
Governing Board