ORDINANCE NUMBER 2013-1385

SUMMARY

An ordinance amending the Douglas County Development Code, Title 20, to include Chapter 20.703, *Tahoe Area Plan Regulations,* establishing code language to implement an Area Plan, including the South Shore Area Plan, pursuant to the Tahoe Regional Planning Agency (TRPA) Code of Ordinances, Chapter 13, *Area Plans*, and other properly related matters.

TITLE

Ordinance No. 2013-1385 amending the Douglas County Development Code, Title 20, to include Chapter 20.703, *Tahoe Area Plan Regulations,* establishing code language to implement an Area Plan, including the South Shore Area Plan, pursuant to the Tahoe Regional Planning Agency (TRPA) Code of Ordinances, Chapter 13, *Area Plans*, and other properly related matters.

The Board of County Commissioners of the County of Douglas of the State of Nevada does ordain as follows:

Section I: The Douglas County Development Code, Title 20, is being amended to include Chapter 20.703, *Tahoe Area Plan Regulations*, as follows:

Chapter 20.703

Tahoe Area Plan Regulations

Sections:

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20.703.030 Applicability to land area.
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20.703.310 Conformity review for an amendment to an Area Plan.
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20.703.340 Monitoring.
20.703.350 Variances.
20.703.360 Appeals.

20.703.010 Statutory authority.

Pursuant to the Tahoe Regional Planning Agency (TRPA) Regional Plan and Code of Code of Ordinances, Chapter 13, *Area Plans*, the County adopts the following regulations to implement an Area Plan within Douglas County, Nevada.

20.703.020 Purpose.

A. The TRPA and Douglas County have found that there is a mutually beneficial need to provide Douglas County, and other local jurisdictions, the option to prepare and implement Area Plans, provided such Area Plans conform with and further the goals and policies of the TRPA Regional Plan.

B. This chapter establishing an Area Plan, in association with a Memorandum of Understanding (MOU) approved by the County and TRPA, enables TRPA to transfer limited development permitting authority to the County subject to appeal provisions to the TRPA.

C. The development activities delegated to the County within an Area Plan has been found to not have a substantial effect on the natural resources in the Lake Tahoe Region. Permitting authority as allowed and set forth in an MOU enables TRPA to focus its resources on projects of regional concern, while still maintaining an active and effective oversight role in the implementation of Area Plans.

20.703.030 Applicability to land area.

A. The provisions of the Tahoe Area Plan Regulations apply to those lands within Douglas County that are subject to an Area Plan adopted by the TRPA Governing Board.

B. The boundaries of an adopted Area Plan shall be depicted on the Official Douglas County Zoning Map.

20.703.040 Applicability to other regulations.

A. All development within the Lake Tahoe Region is required by federal and state law to comply with the Tahoe Regional Planning Compact (Public Law 96-551), Regional Plan, Code of Ordinances, and other provisions of the TRPA.

B. No Area Plan may limit TRPA's responsibility to enforce the Tahoe Regional Planning Compact, TRPA Regional Plan, and TRPA Code of Ordinances.

C. All regulations in the TRPA Code of Ordinances shall remain in effect unless superseded by the provisions of an Area Plan.

D. Other chapters and sections of this code, the Douglas County Design Criteria and Improvement Standards (DCDCIS) manual, and TRPA Code of Ordinances apply to the area within a conforming Area Plan only to the extent that a provision meets the purpose and intent of this chapter.

F. In case of conflicts between the provisions of this chapter and other code provisions, the most restrictive provision applies.

G. All Community Plans and Plan Area Statements shall remain in effect and are subject to the Tahoe Basin Regulations, consisting of Chapters 20.700 through 20.702 of this code, unless superseded by the provisions of an Area Plan subject to this chapter.

20.703.050 Definitions.

Definitions of the words used in this chapter are defined in this chapter or contained in the TRPA Code of Ordinances, Chapter 90, *Definitions*. In cases where the words are not defined in this chapter or the TRPA Code of Ordinances, refer to the definitions in Appendix A of this code. The Director has the authority to interpret the words or phrases used in this chapter to give them the meaning they have in common usage and to give this chapter its most reasonable application.

20.703.060 Tahoe zoning districts.

A. The following zoning districts have been established to implement an Area Plan within Douglas County:

1. “T-F” (Tahoe – Forest). This district is for federal, state, or county lands managed for conservation and passive public recreation purposes.

2. “T-MU” (Tahoe – Mixed Use). This district is for areas that are targeted for redevelopment and that may include a mix of tourist, recreation, commercial, light industrial, public service, and residential uses.

3. “T-MFR” (Tahoe-Multi-Family Residential, maximum density of 15 dwelling units (du)/acre). This district is for existing and future multi-family housing.

4. “T-R” (Tahoe – Recreation). This district is for private and public recreation areas, such as golf courses, beaches, state parks, and ski resorts.

5. “T-RR” (Tahoe – Resort Recreation). This district is limited to Edgewood Mountain parcels and allows for tourist, commercial and residential uses provided in conjunction with a recreation use. New development must be the result of development transfers that result in the retirement of existing development.

6. “T-SFR-8,000” (Tahoe-Single-Family Residential, 8,000-square foot minimum parcel size). This district is for existing and future single-family homes.

7. “T-T” (Tahoe-Tourist). This district is for existing and future tourist oriented uses.

8. “T-PF” (Tahoe-Public Facility). This district is for existing and future public facilities.

B. The following overlay zoning districts have been established to implement an Area Plan within Douglas County:

1. HDT (High Density Tourist) Overlay. This overlay district contains existing hotel/casino towers and is targeted for redevelopment in a manner that improves environmental conditions, creates a more sustainable and less auto-dependent development pattern, provides greater access to recreational opportunities, and provides economic opportunities. The district is the appropriate location for the Lake Tahoe Region’s highest intensity development.

2. TC (Town Center) Overlay. This overlay district is for areas targeted for redevelopment in a manner that improves environmental conditions, creates a more sustainable and less auto-dependent development pattern and provides economic opportunities and future development that will bring environmental gain to the Region.

3. PD (Planned Development) Overlay. This overlay district contains planned developments approved before December 12, 2012. All new planned developments within the Lake Tahoe Region are subject to the provisions of Chapter 39, *Subdivision*, of the TRPA Code of Ordinances and Chapter 20.676, *Planned Development (PD) Overlay District*, of this code.

C. The following shall be depicted on the Official Douglas County Zoning Map:

1. Specific and Master Plans. The boundaries of specific and master plans, including the Heavenly Mountain Resort Master Plan (updated in 2007), developed pursuant to Chapter 14, *Specific and Master Plans*, of the TRPA Code of Ordinances.

2. TRPA Jurisdictional Boundary. The TRPA jurisdictional boundary as established by the Tahoe Regional Planning Compact.

20.703.070 South Shore Area Plan.

Sections 20.703.080 through 20.703.090 include provisions to implement the South Shore Area Plan.

20.703.080 South Shore Area Plan development standards (Table).

Development Standards	**T-T/HDT Overlay** *(High Density Tourist District)*	**T-MU/TC Overlay** *(Lower Kingsbury)*	**T-RR** *(Edgewood Mountain Parcel)*	**T-R** *(Edgewood Golf Course and Lodge)*
Height (maximum) [1]	197 feet[2] /95 feet	56 feet	42 feet	42 feet/60 feet [7]
Density, Single-Family Residential [8]	1 unit per parcel (parcels less than one acre) 2 units per parcel (parcels greater than or equal to one acre)			
Density, Multiple-Family Residential (maximum) [8]	25 units/acre	25 units/acre	15 units/acre	15 units/acre
Density, Multi-person, nursing and personal care, and residential care [8]	25 units/acre	25 units/acre	25 units/acre	25 units/acre
Density, Tourist (maximum) [6] [8]	40 units/acre	40 units/acre	40 units/acre	250 units for site
Density, Recreation [8]	Developed campgrounds - 8 sites /acre Recreation vehicle sites - 10 sites/acre Group facilities - 25 persons/acre			
Front Yard Setback (feet) [3] [5]	25' (from Hwy 50)	25' (from Hwy 50 and S.R. 207)	25'	25'
Rear Yard Setback (feet) [3] [5]	25' (from Lake Parkway)	25'	25'	25'
Side Yard Setback (feet) [4] [5]	0'	0'	25'	25'
Side Yard Setback, Street Side (feet) [5]	25' (from Lake Parkway)	25'	25'	25'
Minimum Parcel Size (square feet)	10,000	10,000	20,000	20,000
Land Coverage (maximum)	Per Section 30.4 of the TRPA Code of Ordinances. High Capability Lands in the T-T/HDT Overlay and T-MU/TC Overlay zoning districts may be covered up to 70%.			

[1] Structures must not project above the forest canopy, ridge lines, or otherwise detract from the viewshed, except as permitted within the T-T/HDT and T-MU/TC Overlay zoning districts. For structures within the T-MU/TC Overlay zoning district that are over three stories, the findings in Section 37.7.16 of the TRPA Code of Ordinances must be met. Eighty percent of structures fronting Highway 50 within the T-T/HDT Overlay zoning district shall not exceed 56 feet in height when an existing building or buildings are being replaced within 100 feet of the right-of-way. See DCDCIS Manual, Part I, Division 7, South Shore Design Standards and Guidelines and TRPA Code of Ordinances for additional height requirements.

[2] Limited to replacement structures, provided, the structures to be demolished and replaced are an existing casino hotel, with existing structures of at least eight stories, or 85 feet of height as measured from the lowest point of natural grade. Such structures shall also comply with Section 37.7.17 of the TRPA Code of Ordinances.

[3] Setbacks from major roadways (Highway 50, S.R. 207, and Lake Parkway) shall be measured from the back of curb line. All other setbacks shall be measured from property lines.

[4] Setbacks between structures must conform to International Building Code requirements.

[5] Projections, including roof overhangs and eves, porte coheres, decks, stairs and stairway landings, awnings, oriel and bay windows, and canopies, may encroach up to 20 percent into a setback as long as the projection conforms to International Building Code requirements.

[6] Bed and breakfast facilities are limited to 10 units/acre; all others are limited to 40 units/acre if less than 10% of the units have kitchens and 15 units/acre if greater than or equal to 10% of the units have kitchens. The 250 TAUs allowed on the Edgewood Golf Course and Lodge site shall be limited to Special Area (SA) #1 as shown on the Record of Survey Map for Park Cattle Co. recorded in the Official Records of Douglas County as Document No. 34529.

[7] The Edgewood Lodge may be constructed to a maximum of 60 feet in height; all other structures shall not exceed 42 feet in height.

[8] For mixed-use projects, the density standards contained in this table shall be superseded by the maximum densities calculated in accordance with Section 31.5.2 of the TRPA Code of Ordinances.

20.703.090 South Shore Area Plan permitted, development permitted, and special use permitted uses (Table).

The following list represents those uses in the South Shore Area Plan which are permitted by right (P), require a County Special Use Permit (S), or are prohibited (blank space). "TRPA" is placed before any use requiring a TRPA review or Special Use Determination. Uses not listed are prohibited. Uses listed as permitted may require a Design Review pursuant to Chapter 20.614, *Design Review*, of this code. In cases where a TRPA review or Special Use Determination is required, a County Design Review or Special Use Permit shall not be required. In all cases, the County is responsible for Building Permit and Site Improvement Permit review and approval.

20.703.090 Use	**T-T/HDT**	**T-R**	**T-RR**	**T-MU/TC [3]**
.010 Residential				
(A) Employee housing	TRPA-P	S[5]	TRPA-S	P
(B) Mobile Home Dwelling **[1]**				P
(C) Multiple-family dwelling.	TRPA-P	S[5]	TRPA-S	P
(D) Multi-person dwelling	TRPA-S		TRPA-S	S
(E) Nursing and personal care				S
(F) Residential care				S
(G) Single-family dwelling (includes condominiums)	TRPA-S **[2]**	S **[2]**	TRPA-S **[2]**	P
.020 Tourist Accommodation				
(A) Bed and breakfast facilities		S[5]	TRPA-S	P
(B) Hotel, motel, and other transient dwelling units	TRPA-P	S[5]	TRPA-S	P
(C) Time sharing (hotel/motel design)	TRPA-S	S[5]	TRPA-S	S
(D) Time sharing (residential design)	TRPA-S	S[5]	TRPA-S	S
.030 Commercial				
(A) Eating and drinking places	TRPA-P	P	TRPA-P	P
(B) Nursery				P
(C) Outdoor retail sales	TRPA-S		TRPA-S	P
(D) Retail or personal service facility	TRPA-P	P[5]	TRPA-S	P
(E) Service stations	TRPA-S			S
.040 Entertainment				
(A) Amusements and recreation services	TRPA-P	S[5]	TRPA-S	P

(B) Gaming-non restricted	TRPA-P			P

20.703.090 Use (Cont.)	**T-T/HDT**	**T-R**	**T-RR**	**T-MU/TC**
(C) Outdoor amusements	TRPA-P			S
(D) Privately owned assembly and entertainment	TRPA-S	S[5]	TRPA-S	S
.050 Services				
(A) Animal services				P
(B) Business support services	TRPA-P			P
(C) Health care services	TRPA-P			P
(D) Laundries and dry cleaning plant				S
(E) Professional offices	TRPA-P			P
.060 Light industrial [4]				
(A) Food and kindred products				S
(B) Industrial services				S
(C) Small scale manufacturing				P
.070 Wholesale/Storage				
(A) Storage yards				S
(B) Vehicle and freight terminals				S
(C) Vehicle storage & parking	TRPA-P			S
(D) Warehousing				P
.080 Public service				
(A) Collection stations	TRPA-S			S
(B) Cultural facilities	TRPA-P	S[5]	TRPA-S	P
(C) Day care centers/pre-schools	TRPA-P	S[5]		S
(D) Government offices and facilities				P
(E) Hospitals				S
(F) Local assembly and entertainment	TRPA-P	S[5]	TRPA-S	p
(G) Membership organizations				P
(H) Post office	TRPA-P			P
(I) Power generating				
(J) Public health and safety facilities	TRPA-P	S	TRPA-S	P
(K) Public owned assembly and entertainment	TRPA-S	S		S
(L) Public utility centers		S		S

20.703.090 Use (Cont.)	T-T/HDT	T-R	T-RR	T-MU/TC
(M) Religious assembly	TRPA-S			S
(N) Schools – college	TRPA-S			S
(O) Schools - kindergarten through secondary				S
(P) Social service organizations				P
(Q) Threshold related research facilities	TRPA-S	S[5]	TRPA-S	S
.090 Linear public facilities				
(A) Pipelines and power transmission	TRPA-S	S	TRPA-S	S
(B) Transit stations and terminals	TRPA-P	S		P
(C) Transmission and receiving facilities	TRPA-S	S	TRPA-S	S
(D) Transportation routes [6]	P	P	P	P
.100 Recreation				
(A) Beach recreation		TRPA-P		
(B) Campground, developed	TRPA-P	S[5]	TRPA-S	
(C) Campground, undeveloped		S[5]	TRPA-S	
(D) Cross country ski courses		P	TRPA-S	
(E) Day use areas	TRPA-P	P	TRPA-S	P
(F) Downhill ski facilities			TRPA-S	
(G) Equestrian stables.			TRPA-S	
(H) Golf courses		P	TRPA-S	
(I) Group facilities	TRPA-P	S	TRPA-S	TRPA-S
(J) Marinas		TRPA-S		
(K) Off-road vehicle courses			TRPA-S	
(L) Outdoor recreation concessions	TRPA-P	P	TRPA-P	P
(M) Participant sports facilities	TRPA-P	S	TRPA-P	P
(N) Recreation centers	TRPA-S		TRPA-P	P
(O) Riding and hiking trails	TRPA-P	P	TRPA-P	P
(P) Snowmobile courses		S	TRPA-S	
(Q) Sport assembly	TRPA-S	S[5]	TRPA-P	S
(R) Visitor information centers	TRPA-P		TRPA-P	P
.110 Resource management				
(A) Resource protection, restoration, and management	TRPA-P	P	TRPA-P	P

[1] Mobile home dwellings shall only be allowed within mobile home parks established before December 12, 2012.
[2] Single-family dwellings in Special Area 1 as shown on the Record of Survey Map for Park Cattle Company recorded in the official Records of Douglas County (Document No. 34529) are limited to two or more units, such as a town house or condominium. A special use permit shall only be required if two or more units are being proposed.
[3] Primary uses on the Kahle Community Center site (APN 1318-23-401-005) shall be limited to government offices, public recreation, health care services, health and wellness services (refer to "Retail or personal service facility" definition), and uses considered accessory to a primary use.
[4] Light industrial uses in the T-C/MUC Overlay zoning district (lower Kingsbury area) are only allowed east of Shady Lane.
[5] The following uses outside of Special Area 1 as shown on the Record of Survey Map for Park Cattle Company recorded in the official Records of Douglas County (Document No. 34529) within the T-R zoning district are prohibited: employee housing; multiple-family dwelling; bed and breakfast facilities; hotel, motel, and other transient dwelling units; time sharing (hotel motel design); time sharing (residential design); retail and personal service; amusements and recreation services; privately owned assembly and entertainment; cultural facilities; day-care centers/pre-schools; local assembly and entertainment; threshold related research facilities; campground (developed); campground (undeveloped); and sport assembly.
[6] New transportation routes shall only be allowed if included in the adopted Regional Transportation Plan or Bicycle and Pedestrian Plan.
[7] Snowmobile courses are prohibited within Special Area 1 as shown on the Record of Survey Map for Park Cattle Company recorded in the official Records of Douglas County (Document No. 34529).

20.703.095 Accessory uses.

Accessory uses may be permitted per Sections 21.3.1. through 21.3.8. of the TRPA Code of Ordinances.

20.703.100 Reserved

20.703.110 Reserved

20.703.120 Reserved

20.703.130 List of primary uses and use definitions.

Use	Definition
Residential	
Employee housing	Residential units owned and maintained by public or private entities for housing employees.
Mobile home dwelling	A home built entirely in the factory on a non-removable steel chassis that is transported to the building site on its own wheels and was installed prior to June 15, 1976, when the Federal Manufactured Home Construction and Safety Standards (commonly known as the HUD Code) went into effect.
Multiple-family dwelling	More than one residential unit located on a parcel. Multiple-family dwellings may be contained in separate buildings such as two or more detached houses on a single parcel, or in a larger building on a parcel such as a duplex, a triplex, or an apartment building. Vacation rentals are included, up to but not exceeding a four-plex, provided they meet the Local Government Neighborhood Compatibility Requirements as defined in the TRPA Code of Ordinances. One detached secondary residence is included.
Multi-person dwelling	A building designed primarily for permanent occupancy by individuals unrelated by blood, marriage, or adoption in other than single-family dwelling units or transient dwelling units. A multi-person dwelling includes, but is not limited to, facilities such as dormitories and boarding houses, but not such facilities as hotels, motels, and apartment houses.
Nursing and personal care	Residential establishments with in-patient beds providing nursing and health-related care as a principal use, such as skilled nursing care facilities, extended care facilities, convalescent and rest homes, and board and care homes.
Raising domestic animals	The keeping, feeding, or grazing of animals as an avocation, hobby, or school project, secondary to the principal residential use of a property greater than two acres. The use applies to species commonly considered as farm animals, but does not include exotic animals. Household pets, such as dogs and cats, are included when such animals are being bred for commercial reasons. Outside storage or display is included as part of the use.
Residential care	Establishments primarily engaged in the provision of residential social and personal care for children, the aged, and special categories of persons with some limits on ability for self care, but where medical care is not a major element. The use includes, but is not limited to, children's homes, halfway houses, orphanages, rehabilitation centers, and self-help group homes.
Single-family dwelling (includes condominiums)	One residential unit located on a parcel. A single-family dwelling unit may be contained in a detached building such as a single-family house, or in a subdivided building containing two or more parcels such as a town house condominium. Vacation rentals are included provided they meet the Local Government Neighborhood Compatibility Requirements as defined in the TRPA Code of Ordinances. A caretaker residence is included.
Summer home	A cabin-type single-family house intended primarily for intermittent vacation use and located in USFS summer home tracts or other remote recreation sites. Such structures are generally located in areas of restricted winter access.

Use	Definition
Tourist Accommodation	
Bed and breakfast facilities	Residential-type structures that have been converted to or constructed as tourist accommodation facilities where bedrooms without individual cooking facilities are rented for overnight lodging, and where at least one meal daily is provided. The use does not include "Hotels and Motels," which are defined separately; nor rooming and boarding houses (see "Multi-Family Dwellings").
Hotel, motel, and other transient dwelling units	Commercial transient lodging establishments, including hotels, motor-hotels, motels, tourist courts, or cabins, primarily engaged in providing overnight lodging for the general public whose permanent residence is elsewhere. This use does not include Bed and Breakfast Facilities or Vacation Rentals.
Time sharing (hotel/motel design)	A right to exclusively use, occupy, or possess a tourist accommodation unit of a hotel/motel design without kitchen units, according to a fixed or floating time schedule on a periodic basis occurring annually over a period of time in excess of three years.
Time sharing (residential design)	A right to exclusively use, occupy, or possess a tourist accommodation unit of a residential design with kitchen units, according to a fixed or floating time schedule on a periodic basis occurring annually over a period of time in excess of three years.
Commercial	
Eating and drinking places	Restaurants, bars, and other establishments selling prepared foods and drinks for on-premise consumption, as well as facilities for dancing and other entertainment that are accessory to the principal use of the establishment as an eating and drinking place. The use also includes drive-in restaurants, lunch counters, and refreshment stands selling prepared goods and drinks for immediate consumption.
Nursery	Commercial retail and wholesale establishment where plants are grown or stored for transplanting at other sites. Outside storage or display is included as part of the use.
Outdoor retail sales	Retail trade establishments operating outside of buildings on a daily or weekly basis, such as: roadside stands; flea markets; swap meets; seasonal sales involving Christmas trees, pumpkins, or other seasonal items; regular sales of art or handcrafted items in conjunction with community festivals or art shows; and retail sales of various products from individual motor vehicles locations outside the public right-of-way, not including bakery, ice cream, and similar vending vehicles that conduct all sales within the right-of-way and do not stop in any location except on customer demand. Outside storage or display is included as part of the use.

Use	Definition
Retail or personal service facility	An establishment for the retail sale of merchandise or the provision of personal services. A retail facility includes but is not limited to antique or art shops, clothing, drug, dry good, florist, furniture, gift, building materials, grocery, hobby, mailing services, office supply, package liquor, paint, pet, shoe, sporting, bike or moped, boats, golf carts, snowmobiles, jet skis, automobile parts, books, toy stores, and other miscellaneous retail shopping goods (auto, mobile home and vehicle sales are not included in this definition). A personal service facility includes facilities primarily engaged in providing services generally involving the care of persons, such as: beauty and barber shops; nail salons; shoe repair shops; saunas and hot tubs; massage services; laundromats (self-service laundries); dry cleaning pick-up stores and small-scale dry cleaners without pick-up and delivery services; clothing rental; dating and escort services; offsite rental of sporting equipment; health and wellness services; minor medical services, and wedding chapels. The use may also include the accessory retail sales of products related to the services provided.
Service stations	Retail trade establishments primarily engaged in the sale of gasoline, which may also provide lubrication, oil change and tune-up services, and the sale of automotive products incidental to gasoline sales. The use may also include as accessory uses towing, mechanical repair services, car washing and waxing, and trailer rental. The use does not include storage of wrecked or abandoned vehicles, paint spraying body and fender work, and retail sale of gasoline as an accessory use to food and beverage retail sales when limited to not more than two pumps.
Entertainment	
Amusements and recreation services	Establishments providing amusement or entertainment for a fee or admission charge, such as: arcades and coin-operated amusements; billiard and pool halls; bowling alleys; card rooms; clubs and ballrooms that are principal uses rather than being subordinate to an eating or drinking place; dance halls; gymnasiums; health and athletic clubs; ice skating and roller skating facilities; indoor sauna, spa, or hot tub facilities; motion picture theaters; reducing salons; and tennis, handball, racquetball, indoor archery and shooting ranges, and other indoor sports activities.
Gaming-non restricted	Establishments, regulated pursuant to Article VI(d) through (i) of the Compact, that deal, operate, carry on, conduct, maintain, or expose for play any banking or percentage game played with cards, dice, or any mechanical device or machine for money, property, checks, credit, or any representative of value. The use does not include social games played solely for drinks, or cigars or cigarettes served individually, games played in private homes or residences for prizes, or games operated by charitable or educational organizations to the extent excluded by state law. Restricted gaming is permissible only as an accessory use.
Outdoor amusements	Commercial establishments for outdoor amusement and entertainment such as: amusement parks; theme and kiddie parks; go cart and miniature auto race tracks; ice rinks; and miniature golf courses. Outside storage or display is included as part of the use.

Use	Definition
Privately owned assembly and entertainment	Commercially operated facilities for public assembly and group entertainment with a capacity of greater than 300 people, such as: auditoriums; exhibition and convention halls; theaters, meeting halls and facilities for "live" theatrical presentations or concerts by bands and orchestras; amphitheaters; meeting halls for rent; and similar public assembly uses.
Services	
Animal services	Establishments primarily engaged in performing services for animals, such as veterinary services, animal hospitals, animal grooming, and pet sitting and overnight boarding services.
Business support services	Service establishments within buildings that provide other businesses with services including maintenance, repair and service, testing, and rental. This includes establishments such as: outdoor advertising services, mail advertising services (reproduction and shipping); blueprinting, photocopying, and photofinishing; computer-related services (rental, repair, and maintenance); commercial art and design (production); film processing laboratories; and services to structures such as window cleaning, exterminators, janitorial services, and business equipment repair services.
Health care services	Service establishments primarily engaged in furnishing medical, mental health, surgical, and other personal health services such as: medical, dental, and psychiatric offices; medical and dental laboratories; outpatient care facilities; and allied health services. Associations or groups primarily engaged in providing medical or other health services to members are included. Nursing homes and similar long-term personal care facilities are classified in "Nursing and personal care," and mental health-related services, including various types of counseling practiced by licensed individuals other than medical doctors or psychiatrists or unlicensed individuals, are included under Professional Offices.
Laundries and dry cleaning plant	Service establishments primarily engaged in high-volume laundry and garment services, such as power laundries (family and commercial); garment pressing and dry cleaning; linen supply; diaper service; industrial laundries; and carpet and upholstery cleaners. The use does not include coin-operated laundries or dry cleaning pick-up stores without dry cleaning equipment (see "Retail and personal service facilities").
Professional offices	A place where the following kinds of business are transacted or services rendered: engineering, architectural and surveying; real estate agencies; educational, scientific and research organizations; financial services; writers and artists; advertising agencies; photography and commercial art studios; publishing with offsite printing facilities; broadcasting studios; employment services; off premise concessions (OPC); reporting services; computer services; management, public relations, and consulting services; organizational offices; detective agencies; professional services; attorneys; and counseling services (other than licensed psychiatrists; see "Health Care Services"). Incidental offices are considered accessory uses to a primary use.
Schools - business and vocational	Business and vocational schools offering specialized trade and commercial courses.

Use	Definition
Light Industrial	
Food and kindred products	Manufacturing establishments producing or processing foods and beverages for human consumption and certain related products for distribution within the region, such as beverages and liquors processing, and miscellaneous food preparation from raw products. Outside storage or display is included as part of the use.
Industrial services	Service establishments providing other businesses with services, including maintenance, repair, service, testing, publishing, and rental. This includes establishments such as: welding repair, armature rewinding, and heavy equipment repair, vehicle repair; research and development laboratories, including testing facilities; soils and materials testing laboratories; equipment rental businesses that are entirely within buildings, including leasing tools, machinery and other business item ; and other business services of a "heavy service" nature. Outside storage or display is included as part of the use.
Recycling and scrap	Establishments engaged in assembling, breaking up, sorting, temporary storage, and distribution of recyclable or reusable scrap and waste materials, including auto wreckers engaged in dismantling automobiles for scrap. Outside storage or display is included as part of the use. The use does not include terminal waste disposal sites, which are prohibited, and temporary storage of toxic or radioactive waste materials.
Small scale manufacturing	Establishments considered to be light manufacturing or cottage industry that produce jewelry, silverware and plated ware; musical instruments; toys; sporting and athletic goods; pens, pencils, and other office and artists' materials; buttons, costume novelties, miscellaneous notions; brooms and brushes; caskets; and other miscellaneous manufacturing industries. The use also includes artisan and craftsman-type operations that are not home occupations and that are not secondary to on-site retail sales. The use also includes small-scale blacksmith and welding services and the manufacture of trusses. Outside storage or display is included as part of the use.
Wholesale/storage	
Storage yards	Service establishments primarily engaged in the outdoor storage of motor vehicles, construction equipment, materials or supplies, fire wood lots, or industrial supplies. Outside storage or display is included as part of the use.
Vehicle and freight terminals	Transportation establishments furnishing services incidental to transportation, such as: freight forwarding services; transportation arrangement services; packing, crating, inspection and weighing services; freight terminal facilities; joint terminal and service facilities; trucking facilities, including transfer and storage; and postal service bulk mailing distribution centers. Outside storage or display is included as part of the use.
Vehicle storage & parking	Service establishments primarily engaged in the business of storing operative cars, buses, or other motor vehicles. The use includes both day use and long-term public and commercial garages, parking lots, and structures. Outside storage or display is included as part of the use. The use does not include wrecking yards (see "Recycling and scrap").

Use	Definition
Warehousing	Establishments primarily engaged in the storage of furniture, household goods, or other commercial goods, such as warehouses and storage or mini-storage facilities offered for rent or lease to the general public. The use does not include warehouse facilities where the primary purpose of storage is for goods for wholesaling distribution. Outside storage or display is included as part of the use. The use does not include terminal facilities for handling freight (see "Vehicle and freight terminals").
Wholesale and distribution	Establishments engaged in the storage of merchandise for sale to retailers; to industrial, commercial, institutional, or professional business users; or to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies. The use includes such establishments as: merchant wholesalers; agents, merchandise or commodity brokers, and commission merchants; and assemblers. Outside storage or display is included as part of the use.
Public service	
Collection stations	Establishments engaged in the temporary accumulation and storage of recyclable or discarded materials, including toxic and hazardous wastes, which are subsequently transported to recycling centers or solid waste disposal sites for further processing on a regular and consistent schedule. Outside storage or display is included as part of the use.
Cultural facilities	Permanent public or quasi-public facilities generally of a noncommercial nature, such as art exhibitions, planetariums, botanical gardens, libraries, museums, archives, interpretive centers, and arboretums.
Day care centers/pre-schools	Establishments used for the care of seven or more children residing elsewhere.
Government offices and facilities	Buildings containing offices or facilities for public or quasi-public entities, including administrative offices, meeting rooms, fire stations and other fire prevention facilities, police and sheriff substations, and animal care and wildlife care facilities.
Hospitals	Establishments primarily engaged in providing diagnostic services and extensive medical treatment, including surgical and other hospital services. Such establishments have an organized medical staff, inpatient beds, and equipment and facilities to provide complete health care.
Local assembly and entertainment	Facilities for public assembly and entertainment for the local community, not to exceed a capacity of 300 people, such as community centers, meeting halls, and multi-purpose centers.
Membership organizations	Permanent meeting facilities for organizations operating on a membership basis for the promotion of the interests of the members, such as: business associations; professional membership organizations; labor unions and similar organizations; civic, social and fraternal organizations; political organizations; and other membership organizations. The use does not include country clubs in conjunction with golf courses (see "Golf Courses"); religious organizations ("see Religious assembly"); and lodging (see "Multi-person Dwelling").
Post office	Establishments providing mail service and delivery, such as postal substations and neighborhood delivery centers.

Use	Definition
Power generating	Establishments engaged in the generation of electrical energy for sale to consumers, including hydro facilities, gas facilities, and diesel facilities. Outside storage or display is included as part of the use. Transmission lines located off the site of the power plant are included under "Pipelines and power transmission." Electrical substations are included under "Public utility centers."
Public health and safety facilities	Facilities operated by public or quasi-public entities for the local protection of the public, such as: satellite highway maintenance and snow removal facilities; water tanks, pumps, wells and related facilities; monitoring facilities; sewage pumps and related facilities; and emergency services. Outside storage or display is included as part of the use.
Public owned assembly and entertainment	Facilities owned and operated by a public or nonprofit entity for public assembly and group entertainment with a capacity of greater than 300 people, such as: public auditoriums; exhibition and convention halls; civic theaters, meeting halls and facilities for live theatrical presentations or concerts by bands, choirs, and orchestras; meeting halls for rent; community centers; and similar public assembly uses.
Public utility centers	Public and quasi-public facilities serving as junction points for transferring utility services from one transmission to another or to local distribution and service, such as: electrical substations and switching stations; major telephone switching centers; natural gas regulating and distribution facilities; public water system wells, treatment plants and storage; and community wastewater treatment plants and settling ponds. Outside storage or display is included as part of the use. The use does not include office or service centers (see "Professional Offices or Government Offices").
Religious assembly	Religious organization assembly or institutional facility operated for worship or promotion of religious activities, including churches and incidental religious education. Other establishments maintained by religious organizations, such as full-time educational institutions, hospitals, and other potentially related operations (such as a recreational camp) are not considered a religious assembly and are classified according to their respective activities.
Schools – college	Junior colleges, colleges, universities, and professional schools granting associate arts degrees, certificates, undergraduate and graduate degrees, and requiring for admission at least a high school diploma or equivalent general academic training.
Schools - kindergarten through secondary	Kindergarten, elementary, and secondary schools serving grades up to 12, including denominational and sectarian.
Social service organizations	Public and quasi-public establishments providing social services and rehabilitation services, counseling centers, welfare offices, job counseling and training centers, or vocational rehabilitation agencies, serving persons with social or personal problems requiring special services and the handicapped and the disadvantaged. The use includes organizations soliciting funds to be used directly for these and related services. The use also includes establishments engaged in community improvement and neighborhood development.

Use	Definition
Threshold related research facilities	Public or non-profit research establishments primarily engaged in implementing social, political, and scientific research relating to the Lake Tahoe Environmental Thresholds or the Lake Tahoe ecosystem. The use includes laboratories, monitoring stations, scientific interpretive centers, research and training classrooms, and related support facilities. Overnight multi-person facilities, outside storage, and caretaker facilities may be considered as accessory to this use. The use does not include facilities unrelated to threshold-related research, such as: general college administrative offices and classrooms (see Schools-College); and government administrative offices (see Government offices and facilities); or non- threshold-related research (which may be conducted under the "Professional office" use).
Linear public facilities	
Pipelines and power transmission	Transportation facilities primarily engaged in the pipeline transportation of refined products of petroleum, such as: gasoline and fuel oils; natural gas; mixed, manufactured, or liquefied petroleum gas; or the pipeline transmission of other commodities. The use includes facilities for the transmission of electrical energy for sale, including transmission and distribution facilities. Outside storage or display is included as part of the use. The use does not include offices or service centers (see "Professional offices"); equipment and material storage yards (see "Storage yards"); distribution substations (see "Public utility centers"); and power plants (see "Power generating plants").
Transit stations and terminals	Passenger stations for vehicular and mass transit systems; also, terminal facilities providing maintenance and service for the vehicles operated in the transit system. The use includes, but is not limited to, buses, taxis, railway, and ferries. Outside storage or display is included as part of the use.
Transmission and receiving facilities	Communication facilities for public or quasi-public, commercial, and private electronic, optic, radio, microwave, electromagnetic, and photo-electrical transmission and distribution, such as: repeater and receiving facilities, feeder lines, and earth stations for satellite communications for radio, television, telegraph, telephone, data network, and other microwave applications. The use includes local distribution facilities such as lines, poles, cabinets, and conduits. Outside storage or display is included as part of the use. The use does not include uses described under Broadcasting Studios.
Transportation route	Public right-of-ways that are improved to permit vehicular, pedestrian, and bicycle travel.
Recreation	
Beach recreation	Recreational use of a beach, supported by developed facilities such as sanitation facilities, parking, picnic sites, and rental services, and nearshore facilities such as multiple-use piers and buoys. Nearshore and foreshore facilities are included in Chapter 81, *Permissible Uses and Structures in the Shorezone and Lakezone*, of the TRPA Code of Ordinances.

Boat launching facilities	Recreational establishments that provide boat launching, parking, and short-term trailer storage for the general public. The storage, mooring, and maintenance of boats are included under "Marinas." Raft launching is included under "Day Use Areas." Outside storage or display is included as part of the use.

Use	Definition
Campground, developed	Land or premises designed to be used and rented for temporary occupancy by campers traveling by motorized vehicle or recreational vehicles, and that contain such facilities as campsites with parking areas, barbecue grills, tables, restrooms, and at least some utilities.
Campground, undeveloped	Land permanently established to be used for temporary occupancy by campers traveling by foot or horse, which may contain tent sites, fire rings, and sanitary facilities, but which does not contain utilities.
Cross country ski courses	Land or premises used as a commercial operation for nordic skiing. Outside storage or display is included as part of the use.
Day use areas	Land or premises, other than Participant Sports Facilities, designated by the owner to be used by individuals or the general public, for a fee or otherwise, for outdoor recreation purposes on a daily basis such as regional and local parks, picnic sites, vista points, snow play areas, rafting facilities, and playgrounds.
Downhill ski facilities	Uses and facilities pertaining to ski areas, including but not limited to: runs, trails, lift-lines cables, chairs, cars, warming huts, care taking quarters, parking, vehicles, day lodges, shops for sale and rental of ski equipment, ski pro shop, first aid stations, ski school facilities and assembly areas, day nurseries, maintenance facilities, lounges, eating and drinking establishments, and other ski oriented shops. Outside storage or display is included as part of the use. Uses and facilities serving non-skiing activities or operating year-round such as tennis courts, swimming pools, hot tubs, restaurants, bars, and retail sales constructed on lands which serve or are utilized in the operation of a ski area shall be considered under the appropriate use classification in the TRPA Code of Ordinances.
Equestrian stables.	Equestrian stables for boarding horses that may be used for sleigh and carriage rides or horseback riding.
Golf courses	An area of land laid out for the game of golf, including driving ranges and putting greens. A golf course may include accessory uses such as eating and drinking places, clubhouses, and general retail stores. Outside storage or display is included as part of the use.
Group facilities	Establishments that provide overnight accommodations and outdoor recreation to organized groups such as recreational camps, group or organized camps, and religious camps.
Marinas	Establishments primarily providing water-oriented services, such as: yachting and rowing clubs; boat rentals; storage and launching facilities; sport fishing activities, excursion boat and sightseeing facilities; and other marina-related activities, including but not limited to fuel sales, boat pumpout facilities, and boat and engine repair. Marinas contain water-oriented facilities and structures, which are regulated and defined in Chapter 81. Outside storage or display is included as part of the use. The use does not include condominiums, hotels, restaurants, and other such uses with accessory water-oriented, multiple-use facilities.

Use	Definition
Off-road vehicle courses	Areas authorized by the Agency for the use of off-road vehicles including, but not limited to, dirt bike, enduro, hill climbing, or other off-road motorcycle courses. The use also includes areas authorized by the Agency for competitive events utilizing four-wheel-drive vehicles. The use does not include the use of vehicles associated with timber harvest activities on approved skid trails or maintenance vehicles.
Outdoor recreation concessions	Facilities that are dependent on the use of outdoor recreation areas, such as onsite food and beverage sales, onsite recreational equipment rentals, parasailing, rafting, and onsite recreation instruction. The use also includes outfitter or guide service establishments whose base facilities are located on or near a recreation area, such as horse packing outfitters or snowmobiling outfitters. Outside storage or display is included as part of the use.
Participant sports facilities	Facilities for various outdoor sports and recreation including, but not limited to, tennis courts, swim and tennis clubs, ice skating rinks, zip lines, and athletic fields (non-professional). Outside storage or display is included as part of the use.
Recreation centers	Indoor recreation establishments operated by a public or quasi-public agency providing indoor sports and community services, such as swimming pools, multi-purpose courts, weight rooms, and meeting and crafts rooms.
Riding and hiking trails	Planned paths for pedestrian, bike, and equestrian traffic, including trail heads.
Snowmobile courses	Mapped areas, pathways, and trails utilized in, and approved for, commercial snowmobile operations.
Sport assembly	Commercial facilities for spectator-oriented, specialized, sports assembly that do not exceed a 5,000-person seating capacity, such as stadiums, arenas, and field houses.
Visitor information centers	Nonprofit establishments providing visitor information and orientation.
Resource management	
Resource protection, restoration, and management	Activities associated with the protection, restoration, and management of timber, wildlife and fishes, open space, vegetation, and watersheds to protect and restore the Lake Tahoe environment.

20.703.140 Design standards and guidelines.

A. All development under the jurisdiction of the TRPA must comply with the provisions of the DCDCIS manual, unless a stricter provision has been adopted in this section or by the TRPA, including, but not limited to:

1. BMPs shall be required pursuant to Section 60.4, *Best Management Practice Requirements*, of the TRPA Code of Ordinances and as described in the Handbook of Best Management Practices (2012), and as amended.

B. In order to ensure quality design and bring the South Shore Area Plan into threshold attainment, all future development within the South Shore Area Plan shall be designed to meet the provisions of Part I, Planning Design Criteria, Division 7, South Shore Design Standards and Guidelines, of the DCDCIS manual.

20.703.150 Parking and loading.

A. The number of required parking and loading spaces shall be based on the requirements set forth in Chapter 20.692*, Off-Street Parking and Loading*, of this code. In cases where parking and loading standards for a use listed in this Chapter are not addressed in Chapter 20.692, the Director may determine parking requirements based on a similar use or require a parking analysis, pursuant to Subsection B below, to determine minimum parking requirements.

B. In lieu of meeting the above requirements in Subsection A, an applicant may prepare and submit a parking analysis including:

1. A parking demand estimate;
2. Proposed alternatives to reduce or relax minimum parking standards, which may include:
    a. Joint use of parking facilities (see Section 20.692.070 of this code);
    b. In-lieu payment to meet parking requirements;
    c. On-street parking (see Section 20.692.050.B.3. of this code);
    d. Free or discounted transit; and
    e. Paid parking management; and
3. Methods to ensure compliance with alternatives.

C. Parking requirements for uses other than single-family dwellings may be reduced 20 percent if a parking analysis indicates public transit service exists within 300 feet of the property and is a viable alternative for the parking reduction.

D. Off-site parking locations may be approved if it can be found that it will not violate other TRPA applicable standards. Such parking must be located within 300 feet of the facility it serves or must be directly connected by transit during the hours of operation.

E. Commercial, tourist accommodation, public service, recreation and multi-residential projects must provide, within the project area, snow storage areas of a size adequate to store snow removed from parking, driveway and pedestrian access areas, as required by the Part I, Planning Design Criteria, Division 2, Non-Residential, Section 2.8, Snow Storage, of the DCDCIS Manual.

F. Bicycle access and racks shall be provided with all commercial, recreation, and multi-family residential projects in accordance with Part I, Planning Design Criteria, Division 2, Non-Residential, Section 2.6, Bicycle Access, of the DCDCIS Manual.

20.703.160 Landscape and irrigation plans.

A. Landscape and irrigation plans are required with all non-residential projects and must comply with Chapter 20.694, *Landscape Standards*, of this code, except when in conflict with a TRPA provision, in which case the TRPA provision applies. Plant species listed in the TRPA Recommended and Approved Native and Adapted Plants for the Tahoe Basin must be used for lawns and landscaping. Plant species not found on the TRPA recommended native and adapted plant list may only be used for landscaping as accent plantings. Such plants must be limited to borders, entryways, flowerbeds,

and other similar locations to provide accents to the overall native or adapted landscape design.

20.703.170 Lighting standards.

A. Exterior lighting must be deflected away from all adjacent properties, public streets and public rights-of-way. Any light source must incorporate a cut-off shield to prevent the light source from being directly visible from areas offsite. Exterior light sources must be directed downward to avoid sky lighting.

B. Exterior lighting must be stationary and not blink, flash, or change intensity.

C. String lights, building or roofline tube lighting, and reflective or luminescent wall surfaces are prohibited. Exterior lighting must not be attached to trees except for the Christmas season, which is between Thanksgiving and March 1 of the following year.

D. Fixture mounting height must be appropriate to the purpose, but not exceed 15 feet above ground level within 100 feet of residential properties and 25 feet above ground level elsewhere.

E. Exterior lighting must be used for purposes of illumination only and must 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 is authorized, provided the illuminated area does not exceed 25 feet above grade on a vertical wall and the light source is shielded from public view.

F. The commercial operation of searchlights for advertising or any other purpose is prohibited.

G. 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 22 of the TRPA Code of Ordinances.

20.703.180 Signage.

A. The installation, modification, or replacement of a sign requires review and approval as a project by either TRPA or the County in accordance with Chapter 38, Signs, of the TRPA Code of Ordinances, or substitute sign standards adopted as part of an Area Plan, including the signage standards in the South Shore Design Standards and Guidelines and Subsections F and G below.

B. TRPA shall review all signage associated with a project that has not been delegated to the County through an MOU. The County shall not require a sign permit, pursuant to Chapter 20.618, *Sign Permit*, of this code, for signage approved by the TRPA.

C. For all signage associated with a project delegated to the County through an MOU, the County shall require a sign permit as required by Chapter 20.618, Sign Permit.

D. For all non-residential developments containing three or more units, the County shall require a master sign plan to ensure the consistent design of signage throughout a project, pursuant to Section 20.696.375, *Master sign plan required*, of this code.

E. In all cases, the County is responsible for the review and approval of Building Permits for signage.

F. Changeable Copy (Readerboard) Signs. One changeable copy sign is allowed, instead of a freestanding sign, with a project containing a gaming use, service station (gasoline price signs only), theater marquees, recreational and public uses, and institutional uses within the T-MU/TC Overlay and T-T/HDT Overlay zoning districts. Two changeable copy sign may be permitted as part of a project including both a gaming and theater use. Changeable copy signs include electronic message display signs which display words, symbols, figures, or images that can be electronically or mechanically changed by remote. The message change sequence can be accomplished immediately or by means of fade or dissolve modes. The maximum speed of a revolution, frame or motion of the electronic message display area may not exceed four cycles per hour. The electronic message display area must have automatic photocell dimming capabilities based on ambient outside light set at seventy-five percent of full capacity for daytime (full sun) and forty percent for nighttime, or equivalent for other lighting technologies. Certification from the sign contractor that the sign's light intensity has been factory pre-set not to exceed the limits noted above is required. In no case shall a changeable copy sign be visible from the shoreline of Lake Tahoe.

G. Points of Interest (Wayfinding) and Community Entry Sign. Points of interest (wayfinding) signs and a community entry sign are subject to the following:

1. Signs identifying special points of interest and a community entry point may be approved as identified in an integrated community facility sign plan, as proposed or amended by the Tahoe Chamber of Commerce and approved by the Board. The Chamber of Commerce will be responsible for the placement and maintenance of all signs authorized by this section.

2. The approval of the Board is subject to the following:

a. Before the installation of any sign structure, the location, size, height, width and general design must be approved by the County as being in conformance with the general purpose of this chapter. Where applicable, an encroachment permit must be obtained.

b. The maximum area for a community entry monument sign is 100 square feet and the total sign structure height must not exceed 20 feet measured from the adjacent natural grade.

c. All signs must have proper access and maintenance easements.

d. Signs along an NDOT right-of-way must be approved by NDOT.

20.703.190 Scenic quality.

A. The County shall require a Scenic Assessment with all project applications requiring a Scenic Assessment, pursuant to Chapter 66, *Scenic Quality*, of the TRPA Code of Ordinances.

B. Prior to approving a project that may potentially affect an identified scenic resource, the County shall find that a project is consistent with applicable

recommendations in the Scenic Assessment for preserving or improving the scenic quality of the identified scenic resource.

20.703.200 Area-wide water quality.

A. Area-wide water quality treatments and funding mechanisms may be established in lieu of certain site-specific BMPs, subject to the provisions of Section 13.5.3.B.3., Area-wide Water Quality Treatments and Funding Mechanisms, of the TRPA Code of Ordinances.

B. The Stateline Stormwater Association, formed by the Stateline Regional Stormwater Treatment Disposal System Agreement (Document No. 405734), is recognized as providing area-wide water quality treatment for properties, subject to the terms of the agreement and applicable Nevada Division of Environmental Protection (NDEP) permit, within the South Shore Area Plan.

20.703.205 Noise.

All provisions of Chapter 68, *Noise Limitations*, of the TRPA Code of Ordinances shall apply to projects subject to the provisions of this chapter.

A. CNEL Noise Standards. All applications for projects, including those delegated to the County through an MOU, must demonstrate compliance with the following noise standards: 65 CNEL for the T-T/HDT Overlay and T-MU/TC Overlay zoning districts; 55 CNEL for the T-RR and T-R zoning districts; 65 CNEL for the U.S. 50 Highway and Lake Parkway corridor; and 55 CNEL for the State Route 207 corridor. Highway corridors are limited to the area within 300 feet from the edge of right-of-way.

B. Single-Event Noise. All applications for projects, including those delegated to the County through an MOU, must demonstrate compliance with the single-event noise standards set forth in Section 68.3.1 of the TRPA Code of Ordinances.

C. Exemptions. The standards set for in Chapter 68 of the TRPA Code of Ordinances shall not apply to approved construction or maintenance projects or the demolition of structures provided such activities are limited to the hours between 8:00 a.m. and 6:30 p.m. The standards set forth in Chapter 68 shall not apply to safety signals, warning devices, or emergency pressure relief valves, and other similar devices. Emergency work to protect life or property shall be exempt from noise standards, as shall be fireworks used in accordance with an authorized permit.

20.703.210 TRPA Code of Ordinances.

Sections 20.703.230 through 20.703.290 specify the provisions of the TRPA Code of Ordinances that the County will enforce as part of a conforming Area Plan.

20.703.220 General provisions.

A. Applicability of the TRPA Code of Ordinances. For projects delegated to the County pursuant to an MOU, the Director shall review projects delegated to the Executive Director of the TRPA, the Commission shall review projects delegated to the Advisory Planning Commission and Hearings Officer, and the Board shall review projects

reviewed by the TRPA Governing Board pursuant to the provisions of the TRPA Code of Ordinances.

B. Exempt Activities. The County may approve exempt activities and qualified exempt activities identified in Sections 2.3.1. through 2.3.8., *Exempt Activities*, of the TRPA Code of Ordinances, or as further specified in an MOU.

C. Environmental Documentation. For projects delegated to the County, the County shall require environmental documentation be submitted with project applications to ensure compliance with Chapter 3, *Environmental Documentation*, of the TRPA Code of Ordinances and require that they are prepared in accordance with Article 6, *Environmental Impact Statement*, of the TRPA Code of Ordinances, *Rules and Procedures*.

D. Required Findings. For projects delegated to the County through an MOU, the County shall require a statement of justification addressing all applicable findings within this code and the TRPA Code of Ordinances, including Chapter 4, *Required Findings*, to ensure compliance with both County and TRPA standards.

E. Compliance. The TRPA shall specify the provisions of Chapter 5, *Compliance*, of the TRPA Code of Ordinances that the County is responsible for enforcing in an MOU.

F. Tracking, Accounting, and Banking. The information that the County is responsible for tracking, accounting, or banking shall be specified in an MOU to ensure that the TRPA is provided the necessary information to comply with the provisions of Chapter 6, *Tracking, Accounting, and Banking*, of the TRPA Code of Ordinances.

G. Timelines. In the review of projects delegated to the County by TRPA through an MOU, the County shall follow all timelines established in the TRPA Code of Ordinances.

H. Expiration of Approvals. All project approvals shall expire if they do not meet the provisions of Section 2.2.4., *Expiration of TRPA Approvals*, of the TRPA Code of Ordinances.

20.703.230 Planning.

A. TRPA Regional Plan Maps. The TRPA and County shall coordinate GIS data to ensure that both agencies have access to the official TRPA maps listed in Chapter 10, *TRPA Regional Plan Maps*, of the TRPA Code of Ordinances as well as other information necessary to implement conforming Area Plans.

B. Plan Area Statements and Community Plans. The provisions of Chapter 11, *Plan Area Statements and Plan Area Maps*, and Chapter 12, *Community Plans*, of the TRPA Code of Ordinances shall not be applicable once Community Plans and Plan Area Statements are replaced by a conforming Area Plan.

C. Area Plans. The County, in coordination with TRPA, shall prepare an Area Plan, and modifications to a conforming Area Plan, in accordance with Chapter 13, *Areas Plans*, of the TRPA Code of Ordinances.

D. Specific and Master Plans. The TRPA, in coordination with the County, shall process all requests for specific and master plans in accordance with Chapter 14, *Specific and Master Plans*, of the TRPA Code of Ordinances.

E. Environmental Improvement Program. The TRPA is responsible for coordinating the Environmental Improvement Program as discussed in Chapter 15, *Environmental Improvement Program*, of the TRPA Code of Ordinances. The County is responsible for developing and implementing Environmental Improvement Projects to assist in the attainment and maintenance of the Environmental Threshold Carrying Capacities.

F. Regional Plan and Environmental Threshold Review. The TRPA is responsible for conducting regional plan and environmental threshold review in accordance with Chapter 16, *Regional Plan and Environmental Threshold Review*, of the TRPA Code of Ordinances.

20.703.240 Land uses.

A. Permissible Uses. The permissible uses in Chapter 21, *Permissible Uses*, of the TRPA Code of Ordinances are superseded by the permissible uses identified and defined in this chapter.

B. Temporary Uses, Structures, and Activities. The County may issue a Temporary Use Permit for a temporary use, structure, or activity if the temporary use, structure, or activity meets the provisions of Chapter 22, *Temporary Uses, Structures, and Activities*, of the TRPA Code of Ordinances and is not located within an area subject to TRPA review, as outlined in an MOU.

20.703.250 Site development.

A. Land Coverage. All applications for projects, including those delegated to the County through an MOU, must demonstrate compliance with Chapter 30, *Land Coverage*, of the TRPA Code of Ordinances through the submittal of a land capability and land coverage verification completed by TRPA, or a TRPA-Certified Contractor.

B. Density. Maximum densities set forth in an Area Plan must not exceed the maximum densities established in Chapter 31, *Density*, of the TRPA Code of Ordinances.

C. Basic Services. All projects proposing a new structure or reconstruction or expansion of an existing structure shall provide basic services in accordance with Chapter 20.100, *Public Facilities and Improvement Standards*, of this code, the DCDCIS manual, and Chapter 32, *Basic Services*, of the TRPA Code of Ordinances.

D. Grading and Construction. Grading and construction in the Lake Tahoe Region shall meet the provisions of this code, the DCDCIS manual, and TRPA Code of Ordinances, Chapter 33, *Grading and Construction*. Excavation, filling, and clearing of vegetation or other disturbance of the soil shall not occur between October 15 and May 1 of each year, unless approval has been granted by TRPA.

E. Driveway Standards. Driveways must be constructed in accordance with the DCDCIS manual and this code. The provisions of Chapter 34, *Parking and Driveway Standards*, of the TRPA Code of Ordinances shall not apply.

F. Natural Hazard Standards and Floodplain Management. All development in floodplains that is allowed in Chapter 35, *Natural Hazards*, of the TRPA Code of Ordinances must comply with the provisions of Chapter 20.50, *Floodplain Management*, of this code.

G. Design Standards. Design standards and guidelines for an Area Plan, including the South Shore Design Standards and Guidelines, shall supersede the provisions of Chapter 36, *Design Standards*, of the TRPA Code of Ordinances.

H. Height. The height standards in Chapter 37, *Height*, of the TRPA Code of Ordinances shall be followed in cases where substitute height standards have not been adopted as part of an Area Plan.

I. Signs. See Section 20.703.180, *Signage*, for signage standards.

J. Subdivision. All requests for subdivisions are limited to the provisions in Chapter 39, *Subdivision*, of the TRPA Code of Ordinances. Subdivisions in the T-RR zoning

district are limited to air space condominium divisions; no lot and block subdivisions are allowed. If a request for a subdivision complies with the TRPA Code of Ordinances, then the provisions of Chapters 20.704 through 20.770, *Procedures for the Division of Land*, of this code shall apply.

20.703.260 Growth management.

A. The TRPA is responsible for enforcing and implementing Growth Management regulations, Chapters 50 through 53, of the TRPA Code of Ordinances.

B. For commodities allocated to the County by TRPA, including residential allocations and commercial floor area, the County is responsible for allocating commodities to projects and maintaining records of allocations which shall be transmitted to TRPA annually or as specified in an MOU.

20.703.270 Resource management and protection.

In the review of projects delegated to the County through a conforming Area Plan and MOU, the County shall ensure compliance with the provisions of the Resource Management and Protection regulations, Chapters 60 through 68, of the TRPA Code of Ordinances.

20.703.280 Shorezone.

The TRPA is responsible for enforcing and implementing Shorezone regulations, Chapters 80 through 85, of the TRPA Code of Ordinances.

20.703.290 Rules and procedures.

For projects delegated to the County through an MOU by the TRPA, the County shall process the applications in accordance with the procedures in the TRPA Code of Ordinances, Rules and Procedures, Article 5, *Project Revie*w.

20.703.300 Authority to condition development permits.

A. Whenever this Title or TRPA Code of Ordinances authorizes the Director, the Planning Commission, Board, or other body to condition applications for development permits, the official or entity, after review of the application and other pertinent documents and any evidence made part of the record of the public hearing, may, in addition to those standards and special conditions required for particular types of development permits, impose additional conditions reasonably necessary to assure the following:

1. Conformity with the goals and policies embodied in the TRPA Regional Plan and Code of Ordinances;

2. Standards which are generally or specially applicable to particular uses including specific conditions relative to operation of the use;

3. Compatibility between the proposed development and adjacent development and neighborhoods;

4. Preservation of the character and integrity of adjacent development and neighborhoods; and

5. Protection of the health, safety and general welfare of the citizens of the county.

B. Where additional conditions are imposed, the body imposing the conditions shall make findings which embody the basic purpose of the conditions placed on the application. The conditions imposed by recommendation of the Director or Planning Commission may be modified subsequently by the final decision-maker or by the appellate body upon appeal of those conditions.

C. The Director shall include a copy of the approved conditions with the record of the decision which is filed with the secretary of the final decision-maker and the applicant.

20.703.310 Conformity review for an amendment to an Area Plan.

Following approval of an Area Plan by the TRPA Governing Board, any subsequent amendment to a plan or ordinance contained within an approved Area Plan approved by the Board shall be forwarded to the TRPA and reviewed by the Advisory Planning Commission and Governing Board for conformity with the requirements of the TRPA Regional Plan.

20.703.320 Activities requiring TRPA approval.

A. Projects that meet one of the following criteria require review and approval by TRPA:

1. All development within the High Density Tourist District, Resort Recreation, Conservation, and Backcountry Land Use Districts shown on Map 1, Conceptual Regional Land Use Map, of the TRPA Regional Plan;
2. All development within the Shorezone of Lake Tahoe; and
3. All development meeting the criteria in the following table:

Thresholds for TRPA Governing Board Review of Projects

(all measurements are new building floor area)		
	Town Center	**Not in a Center**
Residential	≥ 50,000 square feet	≥ 25,000 square feet
Non-Residential	≥ 40,000 square feet	≥ 12,500 square feet

B. The TRPA must approve all plans associated with a Building Permit or Site Improvement Permit for projects that meet the criteria in Subsection A and that are not delegated to the County through an MOU, before the County will issue a Building Permit or Site Improvement Permit.

20.703.330 Notification to TRPA and Washoe Tribe of proposed activities.

Douglas County shall send to TRPA and the Washoe Tribe notice of all proposed activities within an Area Plan that require public notification, pursuant to Chapter 20.20,

Notice Provisions, of this code, no less than 10 days prior to a hearing to provide TRPA and the Washoe Tribe adequate time to comment.

20.703.340 Monitoring.

On at least a quarterly basis, Douglas County shall send to TRPA copies of all building permits and development information that TRPA needs to measure compliance with the terms of a conforming Area Plan. At minimum, such building permits shall contain and make clear the necessary development information that TRPA needs to measure compliance with the terms of the Area Plan, such as additional land coverage, commercial floor area, residential units, or tourist accommodation units (TAUs).

20.703.350 Variances.

Douglas County may process variances to setbacks and parking standards for projects within a conforming Area Plan in accordance with the provisions of Chapter 20.606, *Variance*, of this code, as long as it can be found that the granting of a variance will not negatively impact an environmental threshold.

20.703.360 Appeals.

A. An "aggrieved person" as defined in Article VI(j)(3) of the Tahoe Regional Planning Compact, by a final determination on a development permit by the Director or Commission made pursuant to TRPA's delegated authority as provided for in the provisions of this Chapter, may appeal the final determination of the Director or Commission to the appellate body, which is the Board or the Board of Adjustments, and the County shall process the appeal in accordance with the procedures established in Subsections C through E of Section 20.28.020, *Appeals to county*, of this code.

B. Any final decision by the Board or Board of Adjustment made pursuant to TRPA's delegated authority as provided for in the provisions of this Chapter, may be appealed to the TRPA pursuant to Sections 13.9.1 through 13.9.10, *Appeals*, of the TRPA Code of Ordinances.

C. An appeal of a final determination on a development permit based on independent local, state or federal law, exclusive of the Tahoe Regional Planning Compact (Public Law 96-551), must be made and processed pursuant to Sections 20.28.020 and 20.28.030 of this code.

SECTION II: The TRPA Code of Ordinances, Chapter 13, *Area Plans*, requires the Area Plan to be approved by the Douglas County Board of Commissioners prior to the TRPA Governing Board's review and finding of conformance. Pursuant to TRPA Code of Ordinance §13.6.4 this Ordinance cannot take effect until the TRPA Governing Board has approved the Area Plan and made a finding of conformance. All plans, policies and regulations in the TRPA Regional Plan, TRPA Code of Ordinances, Douglas County Code and Douglas County zoning maps remain in effect until superseded by a TRPA and Douglas County approved Area Plan. Following TPRA Governing Board's finding of conformance, Douglas County's limited development permitting authority within the Area Plan is contingent upon and subject to TRPA and Douglas County entering into a Memorandum of Understanding (MOU).

Section III: This ordinance shall be effective upon the TRPA Governing Board's review and approval of the Area Plan as approved by the Douglas County Board of Commissioners.

PROPOSED on _____, 2013

PROPOSED by Commissioner _____

PASSED on _____, 2013

VOTE: AYES: Commissioners _____
_____
_____
_____
_____

NAYS: Commissioners _____
_____
_____
_____
_____

Absent: _____
_____

_____
Greg Lynn, Chairman

ATTEST:

_____
Ted Thran, Clerk-Treasurer

This ordinance shall be effective on _____