

LOT LINE ADJUSTMENT & RIGHT-OF-WAY ABANDONMENT PROJECT FINDINGS

I. OVERVIEW

The Tahoe Regional Planning Compact requires certain findings to be made before the Tahoe Regional Planning Agency (TRPA) can take certain actions, including project approval. The Regional Plan (which includes the Goals and Policies, Code of Ordinances, and local plans) sets forth which findings must be made. This document is intended to assist applicants in locating and making the required findings for their specific project. Written findings with a rationale is an application checklist item, meaning findings are required at time of application submittal.

For any questions regarding information within this packet, please call 775-589-5333 or email TRPA@trpa.gov to speak with a permitting technician.

II. HOW TO USE THIS DOCUMENT

This document lists all required findings for Single-family residential projects, organized by Code chapter and subsection. The applicant must read through the findings (Section IV in this document) to determine which pertain to their specific project. **Not all findings will be applicable to every project.** It is suggested to copy and paste the applicable findings into a separate document and provide a written response and rationale for making the findings beneath. Examples are provided in Section III of this document. The rationale must include a detailed explanation of how the project meets the required finding. Simply restating the finding is not acceptable.

III. SAMPLE FINDINGS

Finding 22.7

The impacts of the coverage and disturbance are fully mitigated through means including, but not limited to, the following:

- i. Application of best management practices; and
- ii. Restoration, in accordance with Section 22.7.3, of land in Land Capability Districts 1a, 1c, 2, and 3 in the amount of 1.5 times the area of land in such districts coverage or disturbed for the project beyond that permitted by the coefficients in Subsection 30.4

Rationale:

Temporary best management practices (BMPs) will be implemented during construction including sediment barriers and vegetation protection fencing. Permanent BMPs will include revegetation over the entire area disturbed by the project. The project is not adding coverage or new disturbance to the area.

Therefore, it is not required to provide 1.5 times the amount of restoration needed. This project will be restoring the proposed disturbed area on a 1 to 1 basis.

Finding 37.7.1:

When viewed from major arterials, scenic turnouts, public recreation areas or the waters of Lake Tahoe, from a distance of 300 feet, the additional height will not cause a building to extend above the forest canopy, when present, or a ridgeline. For height greater than that set forth in Table 37.4.1-1 for a 5:12 roof pitch, the additional height shall not increase the visual magnitude beyond that permitted for structures in the shoreland as set forth in subsection 66.3.7. Additional Visual Magnitude, or Appendix H, Visual Assessment Tool, of the Design Review Guidelines.

Rationale:

The Property is visible from a distance of 300 feet from the highwater mark of Lake Tahoe. The additional height will not cause any part of the building to extend above the forest canopy or any ridgeline as shown in the attached photo. The photo is marked with the proposed height of the addition and clearly shows the forest canopy to be higher than the proposed building addition. The property is not located on a ridgeline. The project proposed additional height for a 5:12 pitch greater than that specified in Table A. A Visual Magnitude analysis was completed for this project and is not increased beyond that permitted for the structures on the shoreland as set forth in subparagraph 30.15.E. See attached visual magnitude analysis.

Finding 30.4.4.A

The relocation is to an equal or superior portion of the parcel.

Rationale:

The project area has been verified as Land Capability Classes 1b, 4, and 5. Coverage relocation will occur within the Class 1b district with a net reduction due to coverage retirement mitigation requirements. The proposed project will consolidate coverage in the areas adjacent to the buildings. No coverage will be relocated from Class 4 or Class 5 into Class 1b.

IV. LOT LINE ADJUSTMENT & ROW ABANDONMENT PROJECT REQUIRED FINDINGS

An applicant is required to provide a written explanation for how the project complies with the following findings at the time of application submittal. The chapters and section numbers listed below are in reference to the [TRPA Code of Ordinances](#). **Not all findings will be applicable to every project.**

CHAPTER 3: ENVIRONMENTAL DOCUMENTATION

Finding 3.2.2.A

The proposed project could not have a significant effect on the environment and a finding of no significant effect shall be prepared in accordance with Rules of procedure Section 6.6.

Finding 3.2.2.B

The project could have a significant effect on the environment but, due to the listed mitigation measures that have been added to the project, the project could have no significant effect on the environment and a mitigated findings of no

significant effect shall be prepared in accordance with Rules of Procedure Section 6.7

Finding 3.2.2.C The proposed project may have a significant effect on the environment and an environmental impact statement shall be prepared in accordance with this chapter and Rules of procedure, Article 6.

CHAPTER 4: REQUIRED FINDINGS

Finding 4.4.1.A: The project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, plan area statements and maps, the Code, and other TRPA plans and programs.

Finding 4.4.1.B: The project will not cause the environmental threshold carrying capacities to be exceeded.

Finding 4.4.1.C: Wherever federal, state, or local air and water quality standards apply for the region, the strictest standards shall be attained, maintained, or exceeded pursuant to Article V (d) of the Tahoe Regional Planning Compact.