

Shorezone Code Amendment

Recognition of Existing Buoys in Buoy Fields

Regional Plan Implementation Committee

December 18, 2019

Background

- Shoreline Plan
 - Adopted October 2018
- Implementation
 - **Phase 1:** Permit *existing* buoys
 - **Phase 2:** Permit a limited number of *new* buoys

ISSUE

- Code contains procedures to grandfather up to three buoys in association with a littoral parcel
- There are no provisions to grandfather buoys within a buoy field

Permitting Existing Buoys

- The Shoreline Plan anticipates legally established buoys will remain
 - Part of environmental baseline
- All existing buoys must be covered by a TRPA permit
 - To qualify, must meet the grandfathering criteria

GRANDFATHERED BUOY
ASSOCIATED WITH A
LITTORAL PARCEL

- Existed prior to 1972 – **OR** –
- Is part of a state or federal lease or permit that was issued prior to 2018

Proposal

- The Shoreline Steering Committee reviewed this issue.

Recommendation

- Allow permitting of existing buoys in a buoy field offshore of a littoral parcel using the same grandfathering criteria.



BUOY FIELD

Associated with a homeowners' association or similar entity, commercial, tourist accommodation, marina, or public use.

Code Language

Add new Subparagraph E.3 to Subsection 83.3.3

CHAPTER 84: DEVELOPMENT STANDARDS LAKEWARD OF HIGH WATER IN THE SHOREZONE AND LAKEZONE

84.3. MOORING STRUCTURES

84.3.3. Mooring Buoys

In addition to the general standards in subsection 84.3.2, mooring buoys are subject to the following standards:

E. Buoy Fields.

3. Existing Buoys. TRPA may authorize existing mooring buoys offshore of a littoral parcel associated with a homeowners association or similar entity, commercial, tourist accommodation, marina, or public use, providing:
 - a. The littoral parcel owner provides a valid buoy permit issued by a federal or state agency with appropriate jurisdiction prior to September 1, 2018; or
 - b. The littoral parcel owner provides clear evidence of the existence of the buoy(s) prior to February 10, 1972.

Recommendation

- Recommend that the Governing Board:
 - Adopt the Findings (Attachment B)
 - Adopt the Ordinance (Attachment A)
- Scheduled for review by the Governing Board later today.