

128 Market St. Stateline, NV

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Mon-Fri 9:00 am-5:00 pm **Accepting Applications** 9:00 am-4:00 pm

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## ATTACHMENT R STANDARD CONDITIONS OF APPROVAL FOR RESIDENTIAL PROJECTS

The TRPA Code of Ordinances prohibits the use of the structures authorized by this permit for other than a residential use. Prohibited uses include, but are not limited to, Tourist Accommodation (e.g. vacation rentals), commercial and public service. By acceptance of this permit, the permittee agrees to use the authorized structures solely for residential purposes.

- A. The following conditions shall be satisfied prior to commencement of any construction activity on the project site, including but not limited to, grading, excavation, and clearing of trees. Failure to satisfy these conditions of approval prior to commencement of constructions activity shall be grounds for revocation of the permit. NOTE: The plans have been reviewed and approved as required under Tahoe Regional Planning Agency (TRPA) Rules, Regulations, and Ordinances only. TRPA has not reviewed and shall not be responsible for any elements contained in the plans, i.e., structural, electrical, mechanical, etc., which are not required for review under said Rules, Regulations, and Ordinances.
  - 1. The permittee shall submit final construction drawings and a plan(s) showing revegetation, slope stabilization, and drainage improvements. Revegetation, slope stabilization and drainage improvement plans shall be designed in conformance with the Lake Tahoe Basin Water Quality Management Plan, Volume II, Handbook of Best Management Practices (BMPs).
    - Equipment specifications shall be in conformance with the following: a.
      - Water conservation devices shall be used on all fixtures. (1)
      - (2) Gas water heaters shall not emit nitrogen oxides greater than 40 nanograms of nitrogen dioxide (as NO<sub>2</sub>) per joule of heat output at sea level.
      - (3) Gas space heaters shall not emit nitrogen oxides greater than 40 nanograms of nitrogen dioxide (as NO<sub>2</sub>) per joule of heat output at sea level.
      - (4) Wood heaters installed in the Region shall not cause emissions of more than 7.5 grams of particulates per hour for noncatalytic wood heaters or 4.1 grams per hour for catalytically equipped wood heaters.
      - (5) Woodstoves and fireplace inserts should be operated to minimize particulate emissions. Use only dry, seasoned wood; operate the unit with the doors closed (except when starting the fire); and do not allow a fire to smolder in the unit in a choked condition. A list of acceptable and recommended gas space and water heaters and fireplace inserts is available from TRPA.
    - b. Revegetation plans shall show areas to be revegetated, specifications for revegetation, and fencing for vegetation protection. Only species approved by TRPA shall be used for landscaping or revegetation. A list of acceptable species is available from TRPA.
    - C. Slope stabilization plans shall show all methods of stabilization to be used to stabilize all existing and proposed cut and fill slopes and areas otherwise denuded of vegetation. Said plans shall also show temporary and permanent erosion control devices and measures to be taken for dust control.

- d. Drainage plans shall show all drainage facilities for all existing and proposed impervious surfaces and utility trenches. Drainage facilities shall be designed to be capable of retaining runoff waters for a 20-year, one-hour storm event. Calculations demonstrating the proposed facilities' retention capabilities may be required.
- e. Whenever possible, utilities shall occupy common trenches to minimize site disturbance.
- 2. The plans shall require TRPA review to determine their compliance with the conditions set forth above and with the approved plot plan. Plans determined to be in compliance shall so be designated by TRPA and shall be incorporated as part of the approval and permit.
- 3. A security shall be posted with TRPA to ensure compliance with the conditions of the permit. In most cases, the security shall be determined by TRPA, and will typically be equal to 110 percent of estimated costs of the revegetation, drainage improvements slope stabilization plans and other conditions of approval. For further information on acceptable types of securities, see Attachment J.
- 4. The permittee shall submit all required mitigation fees.
- 5. Prior to commencement of activity on the site, the permittee shall contact TRPA **AT LEAST 48 hours in advance** and arrange for a pre-grading inspection to verify that all temporary erosion control measures and protective fencing for vegetation are in place.
- 6. It is the permittee's obligation to locate all subsurface facilities and/or utilities prior to any grading, dredging or other subsurface activity. The permittee is responsible for contacting the Northern Underground Service Alert (USA, usually known as USA DIGS, 1-800-227-2600) prior to commencement of any activity on the site.
- 7. The permittee shall return a signed copy of the permit form stating that the permit was received and that the permit is understood and the contents are accepted prior to any activity or grading occurring within the project area. Plans shall not be stamped approved without TRPA receiving a copy of the signed permit.
- B. The following conditions shall apply to construction activity on the site:
  - 1. There shall be no grading or land disturbance performed with respect to the project between October 15 and May 1, except as follows:
    - a. The grading or land disturbance is for excavation and backfilling for a volume not in excess of three cubic yards for projects approved under the IPES system or parcels within land capability districts 4 through 7.
    - b. The activity is completed within a 48-hour period.
    - c. The excavation site is stabilized to prevent erosion.
    - d. A pre-grade inspection is performed by TRPA staff, and the activity passes the inspection.
    - e. The grading/project does not represent or involve a series of excavations, which, when viewed as a whole, would exceed the provisions of this Standard Condition of Approval, and Subsection 4.2.A of the TRPA Code of Ordinances.

Grading is prohibited any time of the year during periods of precipitation and for the resulting period of time when the site is covered with snow, or is in a saturated, muddy, or unstable condition (pursuant to Subsection 64.2.C of the TRPA Code of Ordinances).

- 2. All material obtained from excavation work shall be either contained within the foundations, retaining walls, or be disposed of at a site approved by TRPA.
- Soil and construction materials shall not be tracked offsite. Grading operations shall cease in the
  event of a danger of violating this condition exists. The site shall be cleaned and the road right-ofway shall be swept clean when necessary.

- 4. The length of open trenches (excluding foundations) shall not exceed 50 feet at the end of each working day, unless approved by the TRPA.
- 5. Loose soil mounds or surfaces shall be protected from wind and water erosion by being appropriately covered and contained when active construction is not occurring.
- 6. All excavated material shall be stored upgrade from excavated areas. No material shall be stored in stream environment zones or other areas with saturated ground.
- 7. Equipment of a size and type that will do the least amount of damage to the environment shall be used. Cleaning of equipment, including cement mixers, shall not be permitted unless approved by TRPA.
- 8. Vehicles or heavy equipment shall not be allowed in a stream environment zone or other saturated areas unless specifically authorized by TRPA. All vehicles and heavy equipment shall be confined to the area within the vegetative protection fencing unless specifically authorized by TRPA.
- 9. All trees and natural vegetation which is to remain shall be fenced for protection. Scarring of trees shall be avoided. Scarred trees shall be repaired with tree seal.
  - a. Fencing specified shall be at least 48 inches high and shall be constructed of metal posts and either orange construction fencing or metal mesh fencing also at least 48 inches high (Section 65.2.I.3 and 65.2.J.3). Job sites with violations of the fencing standards will be required to re-fence the job site with a high gauge metal fencing.
  - b. No material or equipment shall enter or be placed in the areas protected by fencing or outside the construction areas without prior approval from TRPA. Fences shall not be moved without prior approval (Section 65.2.I.2 and 65.2.J.2).
  - c. To reduce soil disturbance and damage to vegetation, the area of disturbance during the construction of a structure shall be limited to the area between the footprint of the building and the public road. For the remainder of the site the disturbance areas shall not exceed 12 feet from the footprint of the structure, parking area or cut/fill slope. The approved plans should show the fencing and approved exceptions (Section 30.14.A).
- Revegetation of compacted dirt areas not to be surfaced shall follow the guidelines delineated in Chapter VI, Vegetation Soil Stabilization Practices (BMP-VSSP) of the Handbook of Best Management Practices.
- 11. At all times during construction, environmental protection and control devices shall be maintained in a functioning state. Such devices include, but are not limited to, dust control devices and vegetative protection.
- 12. No grading, filling, clearing of vegetation, operation of equipment or disturbance of the soil shall take place in areas where any historic or prehistoric ruins or monuments or objects of antiquity are present or could be damaged. If any historic or prehistoric ruins or monuments or objects of antiquity are discovered, all grading, filling, clearing of vegetation, operation of equipment or disturbance of the soil shall immediately cease and shall not recommence until a recovery plan is approved by the TRPA.
- 13. All construction sites shall be winterized no later than October 15 of each year as follows:
  - a. Inactive winter sites shall contain erosion and drainage improvements necessary to prevent discharge from the site, including, but not limited to:
    - (1) Installation of temporary erosion controls;
    - (2) Installation of temporary protective fencing of vegetation;
    - (3) Stabilization of all disturbed areas;
    - (4) Cleanup and removal of all construction slash and debris;
    - (5) Installation of permanent mechanical stabilization and drainage improvements, where feasible, and;

- (6) Removal or stabilization of spoil piles.
- b. Active winter sites shall comply with the following:
  - (1) Installation of all permanent mechanical erosion control devices, including paving of all driveway and parking areas;
  - (2) Installation of all permanent drainage improvements;
  - (3) Parking of vehicles, equipment, and storage of materials shall be restricted to paved areas.
- 14. Work shall be performed in such a manner that the project can be winterized within 24 hours.
- 15. Rehabilitation and cleanup of the site following construction shall include, but not be limited to, removal of all construction waste and debris.
- 16. The TRPA permit and the final construction drawings shall be present on-site from the time construction commences until the final TRPA site inspection.
- 15. Upon completion of the project, as a condition of the release of the security, TRPA shall conduct a final site inspection to verify that all required improvements and revegetation are properly installed and that all the conditions of the permit have been satisfied.
- 18. The residence or residence addition shall be completed within two years of the pre-grading inspection. A completed residence or residence addition shall consist of a finished shell and roof. All permanent drainage improvements, slope stabilization and revegetation shall be complete. Permittee may apply for a one-time-only one-year extension of the two-year completion condition. Application shall be made in writing and an application fee submitted prior to the expiration of the two-year period. TRPA must find that the project has been diligently pursued each building season or that events beyond the control of the permittee prevented diligent pursuit of the project. An additional security may be required to be posted as a condition of the approved permit extension.
- 19. The permittee shall allow TRPA to enter and inspect the site at any time to determine compliance with the permit.
- 20. Violation of any of the Special or Standard Conditions shall be grounds for revocation of the permit. Failure to commence construction within the approval period shown on the permit face or failure to diligently pursue construction within the two-year completion period shall result in the expiration of the permit, without notice, by operation of law, on the date shown on the permit face.
- 21. Any normal construction activities creating noise in excess of the TRPA noise standards shall be considered exempt from said standards provided all such work is conducted between the hours of 8:00 am and 6:30 pm.
- 22. Fertilizer use on this property shall be managed to include the appropriate type of fertilizer, rate, and frequency of application to avoid release of excess nutrients and minimize use of fertilizer.
- 23. No tress shall be removed or trimmed without prior TRPA written approval unless otherwise specifically exempted under Chapter 4 of the Code of Ordinances.
- 24. The architectural design of this project shall included elements that screen from public view all external mechanical equipment, including refuse enclosures, satellite receiving dishes, communication equipment, and utility hardware on roofs, buildings or the ground. Roofs, including mechanical equipment and skylights, shall be constructed of non-glare finishes that minimize reflectivity.
- 25. The permittee is responsible for ensuring that the project, as built, does not exceed the approved land coverage figures shown on the site plan. The approved land coverage figures shall supercede scaled drawings when discrepancies occur.

- 26. The adequacy of all required BMPs, as shown on the final construction plans, shall be confirmed at the time of the TRPA pre-grading or pre-construction inspection. Any required modifications, as determined by TRPA, shall be incorporated into the project permit at that time.
- 27. The permittee agrees to indemnify, defend, and hold harmless, TRPA, its Governing Board, its Planning Commission, its agents, and employees from and against any and all loss, damage, injury, liability, and claims thereof, for actions arising directly, or indirectly, from issuance or implementation, of this permit.
- 28. This approval is based on the permittee's representation that all plans and information contained in the subject application are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.