TAHOE REGIONAL PLANNING AGENCY

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STAFF REPORT

Date: April 21, 2021

To: Regional Plan Implementation Committee

From: TRPA Staff

Subject:
1) Amending the existing nitrate deposition threshold standard (AQ14) to a per capita VMT standard to reduce reliance on the automobile, reduce GHG emissions, and promote mobility;
2) Amendments to the implementing Goals and Policies of the Regional Plan Chapters 3 (Transportation Element) and 7 (Implementation Element) to attain the per capita VMT standard and implement the Regional Transportation Plan;
3) Amendments to Code of Ordinances to revise the transportation project impact assessment and air quality mitigation fee (Code Chapter 65.2), including related amendments to Chapters 2, 3, 22, 34, 39, 50, 82, and 90

Staff Recommendation:
Staff recommends that the TRPA Regional Plan Implementation Committee (RPIC) consider this staff report, staff presentation, and public input on the items summarized below and recommend adoption by the Governing Board of the Transportation and Sustainable Communities Threshold SC-1, Regional Plan amendments that implement the new threshold and update the 2020 Regional Transportation Plan, and Code of Ordinances amendments that implement the new threshold standard.

This item is also scheduled for Governing Board review in April, following the RPIC's consideration and recommendation. Please refer to Governing Board Agenda Item No.VII in the packet for the full staff summary, adopting ordinance, and related attachments.

Required Motions:
In order to provide direction on the proposed project, the Committee may make the following motions, based on the staff summary and evidence in the record:

1. A motion to recommend Governing Board approval of the required findings, including a finding of no significant effect, for amendments to Thresholds, Regional Plan, and Code of Ordinances, as provided in Attachments K and L of the Governing Board staff report (Item VII.A).

2. A motion to recommend Governing Board adoption of Ordinance 21-___, amending Ordinance 2019-03, as previously amended, to amend Air Quality Threshold Standard 14 as set forth in Attachment M1 of the Governing Board staff report (Item VII.A).

3. A motion to recommend Governing Board adoption of Ordinance 21-___, amending Ordinance 2019-03, as previously amended, to amend the Regional Plan Goals and Policies as set forth in Attachment M2 of the Governing Board staff report (Item VII.A).

4. A motion to recommend Governing Board adoption of Ordinance 21-___, amending Ordinance 87-9, as previously amended, to amend the Code of Ordinances as set forth in Attachment M3 of the Governing Board staff report (Item VII.A).

For the motions to pass, an affirmative vote of a majority of the quorum of the Committee is required.

Advisory Planning Commission Direction:
At the April 14, 2021 meeting, the Governing Board's Advisory Planning Commission (APC) recommended adoption of the Threshold, Regional Plan and Code of Ordinances amendments to the TRPA Governing Board with additional changes to the Regional Plan Policies and Code of Ordinance summarized below.

Background and Summary:
At the RPIC March 24, 2021 meeting, the Committee directed staff to finalize the package of Threshold, Regional Plan, and Code amendments and return for final recommendation in April.
Three actions are presented today to strengthen the ongoing implementation of the regional transportation system. At the top of the regulatory pyramid is an updated new transportation and sustainable communities threshold standard to codify the shared aspiration for a more walkable, bikeable, transit-oriented Tahoe as a regional goal. The next actions implement the new threshold standard, first at the plan level and also at the project level. At the plan level, we propose to adopt amended goals and policies for the 2020 update to the Regional Transportation Plan (and conforming amendments to the Transportation Element of the Regional Plan) as well as enhancements to the Regional Transportation Plan's project list that address and accelerate implementation of the new threshold standard. The third action proposes replacing the current project level transportation impact analysis methodology with a new analytical tool to better assess whether a redevelopment project will have a significant effect on transportation and how projects will mitigate those potential effects. These changes -- a threshold update with plan and project level amendments to implement the new threshold -- when taken together align regional goals, plans, programs, and projects to achieve the complete transportation and sustainable communities vision of the Tahoe Regional Plan.

In a Region where growth and development are capped and the Region is nearly built out, these proposed changes are primarily in response to expanding outdoor recreation visitation pressures that grow as population within a short travel distance of the Region grows. To create the first-class transportation system needed to serve more out of basin visitors, the small regional population of permanent residents, and commuters alike, the proposals link success to interim milestones for accelerated investment in and implementation of Tahoe's transportation vision in the RTP. The complete summary and background to which the changes summarized here relate is in the full staff summary for the final action by the Governing Board, Item VII.A.

The following is a summary of changes since the March RPIC meeting and also incorporates changes recommended by APC to the Governing Board on April 14, 2021. Redline documents showing each set of changes can be found and reviewed as attachments.

Threshold Update:

- Modified DP-5.3 and DP-5.5 to strengthen adaptive management process, and require that if performance lags, a set of measures reasonably expected to correct course is adopted every four years.
- Modified DP-5.2 and DP-5.3 to provide addition detail on timing, process, and content of advisory body reports.
- Modified DP-5.5 adjusted milestone targets to align with the reporting schedule and added in a 2050 milestone.
- Modified DP-5.5, when milestones are not met, now includes: *the standard of significance for all land uses in Code of Ordinances Table 65.2.3-1 shall be no-net unmitigated VMT for projects outside of Centers and a half-mile buffer around them*.
- Modified DP-5.6 to add a milestone for review and updating the threshold standard in 2050 or earlier date if the standard is attained earlier.

Regional Transportation Plan Policy Modifications:

- Environment 1.3, Connectivity 2.1, Economic Vitality & Quality of Life 5.4 and 5.5 to include coordinating with federal and tribal partners that were unintentionally left out of the list.
- Connectivity policy 2.8, updated to include "in all communities" to broaden the policy.
- Connectivity 2.11, edited to include all plans, not just area plans.
- Operations and Congestion Management policy 4.4 was updated to include the word safe, now, *Coordinate policies across multiple partners to support the use of <u>safe</u> electric assisted, low-speed devices on paths and trails to serve travel needs in Tahoe*.
- Economic Vitality & Quality of Life policy 5.2 update to include transit that is compatible with the neighborhood it serves, now *Ensure access to public transit <u>is compatible with the neighborhood</u> in identified Priority Communities.*

Project Impact Analysis Modifications:

- Low VMT screen for projects outside of town/regional centers and one-half mile buffer, reduced from 1300 VMT down to 715 VMT.
- Removed VMT calculation modification for town/regional centers.
- Added the Mobility fee will periodically be adjusted for inflation.
- Identified campgrounds and mobility hubs to be evaluated on a case-by-case basis

Contact Information:

For questions regarding the VMT Threshold Standard and Regional Plan amendments please contact Dan Segan at (775) 589-5233 or dsegan@trpa.org. For questions on the RTP please contact Michelle Glickert at (775) 589-5204 or mglickert@trpa.org. For questions on the project impact assessment and fee update please contact Melanie Sloan at (775) 589-5208 or msloan@trpa.org.

Attachments/Hyperlinks:

A. Threshold Update (redline; no changes since RPIC 3/24/21)
B. Regional Plan Amendments – Chapter 2, 3 & 7 – Strikethrough RPIC 3/24/2021 – 4/20/2021
C. Code of Ordinance Changes – Strikethrough RPIC 3/24/2021 – 4/20/2021
D. Project Impact Assessment and Fee Framework – Strikethrough RPIC 3/24/2021 to 4/20/2021

Attachment A

Threshold Update

Attachment A: Proposed updates to the threshold standards included below. The proposal includes a new threshold standard category, "transportation and sustainable communities," and the adoption of s single threshold standard in the category. *[this is also GB Attachment C. Threshold Update (strikethrough as no changes have occurred since March RPIC*]

THRESHOLD STANDARDS

Threshold standards establish the Environmental Improvement Program partners' shared goals for restoration and maintenance of the qualities of the Tahoe Region.

AIR QUALITY

NITRATE DEPOSITION

MANAGEMENT STANDARDS

AQ13) Reduce the transport of nitrates into the Basin and reduce oxides of nitrogen (NOx) produced in the Basin consistent with the water quality thresholds.

~~AQ14) Reduce vehicle miles of travel in the Basin by 10 percent of the 1981 base year values.~~

TRANSPORTATION AND SUSTAINABLE COMMUNITIES

TSC1) Reduce Annual Daily Average VMT Per Capita by 6.8% from 12.48, the 2018 baseline, to 11.63 in 2045.

Attachment B

Regional Plan Amendments – Chapter 2, 3 & 7 – Strikethrough RPIC 2/34/2021 – 4/20/2021

Proposed Regional Plan Amendments

This proposal encompasses ~~much~~ needed improvements for bringing the transportation system into the 21st Century including the current Vehicle Miles Traveled (VMT) threshold standard due to new scientific information, contemporary policies, and a new more comprehensive approach to setting and implementing threshold standards. It also includes a Regional Plan amendment update to Transportation policies and a Regional Plan amendment and framework for updating the project impact assessment and fee used as one of the implementing mechanisms. Amendments are proposed to the Regional Plan Goals and Polices Chapter 2, Land Use Element, Chapter 3, Transportation Element, and Chapter 7, the Development and Implementation Priorities.

Chapter 2 Land Use Element~~, *proposed changes*~~

GOAL AQ-2

MAINTAIN AN EFFECTIVE MOBILITY MITIGATION PROGRAM FOR THE REGION.

Administer a program that effectively mitigates significant air quality impacts resulting from new projects or changes in use. Under the mitigation program, impact fees and mitigation measures are among the strategies to address significant impacts.

POLICIES:

AQ-2.1 IN ADDITION TO OTHER POLICIES AND REGULATIONS INTENDED TO MINIMIZE AIR QUALITY IMPACTS OF DEVELOPMENT, COLLECT AND EXPEND MOBILITY MITIGATION FEES TO OFFSET AIR POLLUTION IN COORDINATION WITH THE ENVIRONMENTAL IMPROVEMENT PROGRAM (EIP). A PORTION OF MITIGATION FUNDS SHALL BE EXPENDED IN THE LOCAL JURISDICTION WHERE THE FUNDS ARE GENERATED AND A PORTION OF THE FUNDS MAY BE USED ON THE MOST COST EFFECTIVE AND ENVIRONMENTALLY BENEFICIAL PROJECTS IN THE REGION.

Chapter 3 Transportation Element~~, *proposed policy changes*~~

GOAL 1: ENVIRONMENT

Protect and enhance the environment, promote energy conservation, and reduce greenhouse gas emissions.

Policies

1.1 Support mixed-use, transit-oriented development and community revitalization projects that ~~encourages~~encourage walking, bicycling, and easy access to existing and planned transit stops in town centers.

1.2 Leverage transportation projects to benefit multiple environmental thresholds through integration with the Environmental Improvement Program.

1.3 ~~New Policy:~~ Implement greenhouse gas reduction strategies in alignment with federal, state, tribal and regional requirements and goals.

~~1.3~~

1.4 Develop and implement project impact analysis, mitigation strategies and fee programs

to reduce per capita Vehicle Miles Travelled and auto trips.

~~1.5 **New Policy:** Prioritize projects and programs that enhance non-automobile travel modes.~~

~~1.6~~ 1.5 Facilitate and promote the use of zero emission transit, fleet, and personal vehicles through implementation of the Tahoe-Truckee Plug-In Electric Vehicle Readiness Plan, education, incentives, funding, and permit streamlining.

1.~~7~~6 Collaborate with all jurisdictions and employers in the basin to develop, maintain, and implement programs to reduce employee vehicle trips.

1.~~8~~7 Coordinate with the City of South Lake Tahoe to update and maintain an Airport Master Plan and limit aviation facilities within the Tahoe Region to existing facilities.

1.~~9~~8 Traffic calming and noise reduction strategies~~,~~ to achieve ~~noise standards and~~ Community Noise Equivalent ~~Levels,~~ Level standards should be included when planning transportation improvements.

1.~~10~~9 Develop and implement a cooperative, continuous, and comprehensive Congestion Management Process to adaptively manage congestion within the Region's multi-modal transportation system, with a focus on peak traffic periods and Basin entry/exit routes.

GOAL 2: CONNECTIVITY

Enhance and sustain the connectivity and accessibility of the Tahoe transportation system, across and between modes, communities, and neighboring regions, for people and goods.

Policies

Transit

2.1 Coordinate with Federal, state, tribal and local governments, transportation management associations, and private sector partners to fund and operate reliable transportation alternatives.

2.2 Provide frequent transit service to recreational areas, including trailheads and shoreline access points.

2.3 Collaborate with regional and inter-regional partners to establish efficient transportation connections within the Trans-Sierra Region including to and from Tahoe and surrounding communities.

2.~~4~~ ~~**New Policy:**~~ Collaborate with nearby communities that share transportation to and from the Tahoe Basin, including the Town of Truckee~~, the Placer County~~ /Resort Triangle~~, Sacramento, Bay Area, Reno,~~ and the Carson/Minden Valley.

2.5 Improve the existing transit system for the user making it frequent, fun, and free in targeted locations.

2.6 Use the best available technology to implement waterborne transportation systems that ~~coordinates~~coordinate with other travel options consistent with the Shoreline Plan Greenhouse Gas Reduction Strategy.

2.7 Provide specialized and subsidized public transportation services and programs for individuals with disabilities that is consistent with the Coordinated Human Services Transportation plans.

2. 8 ~~**New Policy:**~~ Ensure all transportation projects, programs, and policies meet the transportation needs and minimize negative impacts for all communities, particularly disadvantaged communities and people with special needs.

2.9 Ensure that pedestrian and bicycle facilities are Americans with Disabilities Act (ADA) compliant and Universally Accessible.

2.10 ~~New Policy:~~ Ensure all transit is Americans with Disabilities Act (ADA) compliant, Universally Accessible, and consistent with Coordinated Human Services Transportation Plans.

2.11 Develop standards and guidelines for incorporating multimodal amenities in new development or redevelopment, as part of all plans, including but not limited to local area plans.

2.12 Implement the Safe Routes to School program.

2.13 Coordinate public and private transit service, where feasible, to reduce service costs and avoid service duplication.

2.14 ~~New Policy:~~ Support, where feasible, the implementation of on-demand, dynamically routed transit shuttles.

Active Transportation

2.15 Develop and maintain an Active Transportation Plan as part of the regional transportation plan. Include policies, a project list of existing and proposed bicycle and pedestrian facilities, and strategies for implementation in the Active Transportation Plan.

2.16 Incorporate programs and policies of the active transportation plan into regional and local land use plans and regulatory processes.

2.17 Construct, upgrade, and maintain pedestrian and bicycle facilities consistent with the active transportation plan.

Multi-modal

2.18 Accommodate the needs of all categories of travelers by designing and operating roads for safe, comfortable, and efficient travel for roadway users of all ages and abilities, such as pedestrians, bicyclists, transit riders, motorists, commercial vehicles, and emergency vehicles.

2.~~19Support~~19 Support parking management programs that incentivize non-auto modes and discourage private ~~auto mobile~~automobile use at peak times in peak locations, and that alleviate circulating vehicle trips associated with parking availability~~.~~.

2.20 ~~*New Policy:*~~Coordinate and maintain parking maximums and shared parking standards that support goals and policies of the Regional Plan.

2.21 ~~New Policy: Paid parking~~Parking revenues ~~should~~shall, where feasible, benefit infrastructure and services for transit, pedestrians, and bicyclists within areas where funds are generated.

2.22 Coordinate and include in area plans intermodal transportation facilities ("Mobility Hubs") that serve major activity centers ~~and connect~~ in and outside of the basin connecting where appropriate transit, pedestrian, bicycle ~~facilities~~, and ~~car/ride share, and car/ride share, and provide~~ park and ride facilities~~, where appropriate in and outside of the region~~.

2.~~23In~~23 In roadway improvements, construct, upgrade, and maintain active transportation and transit facilities along major travel routes. In constrained locations, all design options should be considered, including but not limited to restriping, roadway realignment, signalization, and purchase of right of way.

2.~~24Encourage~~24 Encourage partners to develop and implement plans coordinating wayfinding and signage to build awareness of alternative transportation opportunities

including transit, pedestrian, and bicycle facilities.

GOAL 3: SAFETY

Increase safety and security for all users of Tahoe's transportation system.

Policies

3.1 Coordinate the collection and analysis of safety data, identify areas of concern, and propose safety-related improvements and user awareness that support state and federal safety programs and performance measures.

3.2 Use proven safety design countermeasures for safety hotspots when designing new or modifying existing travel corridors.

3.3 Coordinate safety awareness programs.

3.4 Support emergency preparedness and response planning, including the development of regional evacuation plans.

3. 5 ~~New Policy:~~ Encourage appropriate agencies to use traffic incident management performance measures.

3.6 Design projects to maximize visibility at vehicular, bicycle, and pedestrian conflict points. Consider increased safety signage, site distance, and other design features, as appropriate.

GOAL 4: OPERATIONS AND CONGESTION MANAGEMENT

Provide an efficient transportation network through coordinated operations, system management, technology, and monitoring.

Policies

4.1 Prioritize regional and local investments that fulfill TRPA objectives in transit, active transportation, transportation demand management, and other programs which support identified TRPA transportation performance outcomes.

4. 2 ~~New Policy:~~ Enable growth of shared and on-demand shared ride mobility services (i.e., ride-, car-, and bike-sharing, e-hailing, etc.).

4.3 ~~New Policy:~~ Work to ensure that new transportation services and technologies utilize electric vehicles as feasible.

4.4 ~~New Policy:~~ Coordinate policies across multiple partners to support the safe use of electric assisted, low-speed devices on paths and trails to serve travel needs in Tahoe

4.5 Identify opportunities to implement comprehensive transportation solutions that include technology, safety, and other supporting elements when developing infrastructure projects.

4.6 Collaborate with jurisdictions and state departments of transportation to adaptively ~~manageme roadway~~manage roadways for peak traffic periods.

4.7 Promote awareness of travel options through outreach, education, and advertising, particularly in local schools.

4.8 ~~New Policy:~~ Invest resources in marketing and outreach campaigns to promote the use of non-auto travel options.

4.9 Implement programs and policies of the Tahoe Basin Intelligent Transportation Systems Strategic Plan to support needed infrastructure to achieve regional transportation goals.

~~4.10 Support the use of emerging technologies, such as the development and use of mobile device applications, to navigate the active transportation network and facilitate ridesharing, efficient parking, transit use, and transportation network companies.~~

4.10 Track and prepare for emerging transportation technologies.

4.11 Level of service (LOS) criteria for the Region's highway system and signalized intersections during peak periods shall be: "C" on rural recreational/scenic roads; "D" on rural developed area roads; "D" on urban developed area roads; "D" for signalized intersections. Level of Service "E" may be acceptable during peak periods in urban areas, but not to exceed four hours per day. These vehicle LOS standards may be exceeded when provisions for multi-modal amenities and/or services (such as transit, bicycling, and walking facilities) are adequate to provide mobility for users at a level that is proportional to the project-generated traffic in relation to overall traffic conditions on affected roadways.

4.12 Prohibit the construction of roadways to freeway design standards in the Tahoe Region~~.~~ ~~Establish~~ and establish Tahoe specific traffic design volume for project development and analysis.

4. 13 Require the development of traffic management plans for major temporary seasonal activities, including streetscape flexibility within urban centers, and the coordination of simultaneously occurring events.

4.14 Expand and build capacity in Transportation Management Associations (TMAs) in the Tahoe Region to develop public-private partnerships that support transportation initiatives.

4.15 Establish a uniform method of data collection and forecasting for resident and visitor travel behavior and demographics.

4.16 Maintain monitoring programs for all modes that assess the effectiveness of the long-term implementation of local and regional mobility strategies on a publicly accessible reporting platform (e.g., www.laketahoeinfo.org website).

4.17 Establish regional and inter-regional cooperation and cost-sharing to obtain a uniform method of transportation data collection and sharing. ~~to obtain~~

4.18 Design roadway corridors, including driveways, intersections, and scenic turnouts, to minimize impacts to regional traffic flow, transit, and bicycle and pedestrian facilities by using shared access points where feasible.

GOAL 5: ECONOMIC VITALITY & QUALITY OF LIFE

Support the economic vitality of the Tahoe Region to enable a diverse workforce, sustainable environment, and quality experience for both residents and visitors.

Policies

5.1 Encourage community revitalization and transit oriented development projects that comprehensively support regional and local transportation, housing, land use, environment, and other goals.

5.2 ~~***New Policy:***~~ Ensure access to public transit is compatible with the neighborhood in identified Priority Communities.

5.3 Encourage collaboration between public ~~lands~~land managers, departments of transportation, transit providers, and other regional partners to support sustainable recreation and multi-modal access to recreation sites~~.~~.

5.4 Collaborate with local, state, tribal, regional, federal, and private partners to develop a regional revenue source to fund Lake Tahoe transportation investments.

5.5 Collaborate with federal, bi-state, and tribal partners to establish efficient rail, air, and bus transportation connections to Tahoe within the Trans-Sierra Region including to and from Tahoe and surrounding metropolitan areas.

GOAL 6: SYSTEM PRESERVATION

Provide for the preservation of the existing transportation system through maintenance activities that support climate resiliency, water quality, and safety.

Policies

6.1 Preserve the condition of sidewalks and bicycle facilities and maintain them, where feasible, for year-round use.

6.2 ~~New Policy:~~ Improve winter transit access by providing shelters, cleared sidewalks and paths around stops, winter accessible bike racks, and warm shelters at mobility hubs and major transit stops.

6.3 Maintain and preserve pavement condition to a level that supports the safety of the traveling public and protects water quality.

6.4 Make "dig once" the basin-wide standard, requiring public and private roadway projects to include the installation of conduit to support community needs. (e.g.~~:~~ fiber optic, broadband, lighting, etc.)

6.5 Consider the increased vulnerability and risk to transportation infrastructure from climate stressors, such as increased precipitation, flooding, and drought when designing new infrastructure and repairing or maintaining existing infrastructure.

6.6 ~~New Policy:~~ Advance transportation planning through public participation and collaboration.

DP-2.2 THE MAXIMUM AMOUNT OF RESIDENTIAL ALLOCATIONS, COMMERCIAL FLOOR AREA, TOURIST BONUS UNITS AND RESIDENTIAL BONUS UNITS THAT MAY BE RELEASED BEFORE DECEMBER 31, 2032 IS OUTLINED IN THE TABLE BELOW.

TABLE REMAINS – no changes proposed

REMAINING 1987 ALLOCATIONS ARE AVAILABLE FOR USE IN ACCORDANCE WITH REGIONAL PLAN AND CODE OF ORDINANCE PROVISIONS. SUBJECT TO COMPLIANCE WITH REGIONAL PLAN POLICIES AND CODE OF ORDNANCES INCLUDING NOTE 3 ABOVE, TRPA WILL MAKE AVAILABLE UP TO 20 PERCENT OF THE 2013 RESIDENTIAL AND COMMERCIAL LAND USE ALLOCATIONS EVERY FOUR YEARS, IN CONJUNCTION WITH THE 2012 REGIONAL PLAN UPDATE AND FUTURE UPDATES OF THE REGIONAL PLAN AND RTP.

~~NEW:~~

GOAL DP-5 TRPA SHALL USE A SERIES OF MILESTONES TO ADAPTIVELY MANAGE REGIONAL LAND USE AND THE TRANSPORTATION SYSTEM TO ACHIEVE AND MAINTAIN ~~THE PER CAPITA VMT~~TRANSPORTATION AND SUSTAINABLE ~~COMMUNITIES THRESHOLD STANDARD 1~~

POLICIES:

DP-5.1 A TECHNICAL ADVISORY BODY ~~(OR BODIES)~~ WITH EXPERTISE IN TRANSPORTATION ~~AND~~, LAND USE PLANNING, AND IMPLEMENTATION SHALL PROVIDE GUIDANCE ON PROGRAM MODIFICATIONS NECESSARY TO ATTAIN AND MAINTAIN ~~THE VMT PER CAPITA~~TRANSPORTATION AND SUSTAINABLE COMMUNITIES THRESHOLD STANDARD~~:~~ 1 (TSC 1).

The advisory body will provide recommendations to the Governing Boards of the Tahoe Regional Planning Agency and the Tahoe Metropolitan Planning Organization on policy, issues, ~~and~~ projects, and programs related to regional transportation, including but not limited to the development and implementation of the Regional Transportation Plan, Sustainable Community Strategy, regional street and highway system, pedestrian and bicycle facilities, project selection for funding, and multimodal transportation planning within the Tahoe Region. The advisory body will be composed of local and regional transportation project and program implementors, one representative from the environmental community and one from the general public. The advisory body will hold ~~regularly scheduled~~ public meetings no less than once every two years to review programs, policies, and progress towards attainment of ~~the threshold standard. The advisory body will recommend program modifications, as necessary.~~TSC 1. The TRPA Transportation Planning Manager and/or his or her designee shall attend all advisory ~~committee~~body meetings. TRPA shall provide staff support as well as external expertise and resources necessary ~~to~~for the advisory ~~committee~~body to execute its approved work plan. The advisory body will be appointed by the Governing Board. The advisory

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body will prepare a charter, guiding principles, and workplan that must be approved by the Governing Board.

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DP-5.2 THE TECHNICAL ADVISORY BODY ~~(OR BODIES)~~ WILL PREPARE AND TRANSMIT A ~~REGULAR~~ ~~AND~~ ~~RECOMMENDATIONS~~ REPORT TO ~~THE~~ GOVERNING ~~BOARDS OF THE TRPA AND TMPO THAT SUMMARIZES PAST PERFORMANCE, FINDINGS, AND RECOMMENDATIONS.~~ BOARD EVERY FOUR YEARS.

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Starting in second quarter of 2022 and every ~~two~~ four years thereafter, the ~~technical~~ advisory body ~~shall review and summarize~~ will transmit a TSC 1 performance ~~related to~~ and recommendations report to the Governing Board. The report will summarize information related to TSC 1, including but not limited to: traffic volumes, volumes on bicycle and pedestrian trails, transit ridership, mode share, VMT, population, and implementation of ~~[illegible]~~ plan ~~[illegible]~~ effectiveness, and where possible, changes in VMT~~,~~ and VMT per capita~~, and effectiveness~~ at both the regional and jurisdiction level. The report will include an assessment of status relative to the milestones identified in DP-5.4 and DP-5.5. In between milestones, VMT per capita is expected to be between the established milestones. Where appropriate, the report will provide recommendations for modifications of programs, priority funding areas, and selected projects to promote attainment of TSC 1 and the other goals of the RTP. Based on its review of program implementation and effectiveness, the advisory body may recommend changes to the Regional Plan, Regional Transportation Plan, and associated programs including but not limited to:

A. Modifications to the FTIP/STIP project selection process;
B. Modifications to the TRPA Regional Grant Program funding criteria; and
C. Modifications to fee structures or transfer incentives.

Within 90 days of issuance of the report by the advisory body, the Governing Board shall review the report's recommendations. If the Governing Board does not accept any of the report's recommendations, it shall provide a written justification explaining the basis for its adoption of alternative measures.

DP-5.3 THE TECHNICAL ADVISORY BODY WILL PREPARE AND TRANSMIT A REGIONAL TRANSPORTATION PLAN SUSTAINABLE COMMUNITY STRATEGY ANALYSIS AND RECOMMENDATIONS REPORT.

In the second quarter of 2024 and second quarter of every fourth year thereafter, the advisory body will transmit a Regional Transportation Plan and Sustainable Community Strategy analysis and recommendations report to the Governing Board. In addition to the contents described in DP-5.2,

the report will also include forecasts and analyses necessary for the preparation of the updated Regional Transportation Plan and Sustainable Community Strategy. Based on its review of the implementation and effectiveness, the advisory body may recommend changes to the Regional Plan, Regional Transportation Plan and associated programs including but not limited to:

A. Modifications to the FTIP/STIP project selection process;
B. Modifications to the TRPA Regional Grant Program funding criteria;
C. Modifications to the Regional Transportation Plan project selection process;
D. Modifications to the transportation project impact assessment framework; and
E. Modifications to fee structures or transfer incentives.

When the review of performance indicates the milestones are not being met, the report must include recommendations ~~that specifically target reducing VMT Per Capita by category. The recommendations shall address the adaptive management responses~~reasonably expected to meet the next milestone. Within 90 days of issuance of the report by the advisory body, the Governing Board shall review the report's recommendations, and with the next RTP adopt measures reasonably expected to meet the next milestone identified in ~~Policy DP-5.6.~~ DP-5.5. If the Governing Board does not accept any of the report's recommendations, it shall provide a written justification explaining the basis for its adoption of alternative measures.

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DP-5.~~3~~4 SCHEDULE OF MILESTONES TO OBTAIN A REGIONAL FUNDING SOURCE FOR TRANSPORTATION PROJECTS AND PROGRAMS

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A. 2022 Regional Revenue Milestone - ~~New sources of dedicated transportation funding for Tahoe are needed to make progress toward attainment of the VMT per capita threshold standard.~~ By December 31, 2021, a proposal for dedicated sources of transportation ~~revenue~~funding for Tahoe, endorsed and supported by the Bi-State Transportation Consultation, shall be submitted to the Nevada and California legislatures.
B. 2024 Regional Revenue Milestone - ~~A~~An ongoing regional ~~revenue for~~funding source or sources dedicated to transportation ~~funding for Tahoe~~for the Tahoe Region that is reasonably expected to meet the needs set forth for it in the Regional Transportation Plan, shall commence implementation no later than December 31, 2023.

~~DP-5.4 SCHEDULE OF MILESTONES FOR IMPLEMENTATION OF REGIONAL PLAN AND REGIONAL TRANSPORTATION PLAN PROJECTS AND PROGRAMS~~ ATTAINMENT OF ~~THE THRESHOLD STANDARD~~TSC 1

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~~Starting in 2022 and every two years thereafter, the advisory body will review progress and recommend program modifications if necessary. The advisory body shall review the programs and policies of the Regional Plan that promote attaining and maintaining the VMT per capita threshold standard and assess progress on the implementation of programs and projects of the Regional Transportation Plan. Based on its review of the implementation and effectiveness of the Regional Transportation Plan and Regional Plan, the advisory body may recommend changes to the Regional Plan, Regional Transportation Plan and associated programs including but not limited to:~~

~~A. Modifications to the FTIP/STIP project selection process~~

~~B. Modifications to the TRPA regional Grant Program funding criterion~~

~~C. Modifications to the Regional Transportation Plan project selection process~~

~~D. Modifications to zoning or project permitting process~~

~~E. Modifications to fee structures or transfer incentives~~

~~DP~~ 5.~~5~~ SCHEDULE OF MILESTONES FOR ASSESSMENT OF PROGRESS TOWARDS ATTAINMENT OF ~~THE THRESHOLD STANDARD~~TSC 1

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~~Starting in 2029, and every 8 years thereafter, an assessment will be made of the progress in attaining VMT Per Capita threshold against the following milestones.~~

~~A.2029 Results Milestone – The advisory body will review progress~~Progress towards standard attainment~~. Per Capita VMT between 2026-2028 shall be equal to or below 9.95, a 2.26% reduction from the~~ will be tracked relative to the 2018 baseline~~, and a third of the way to the 2045 threshold standard goal.~~ of 12.28 VMT/Capita. The following milestones (Interim Targets and Major Evaluation Intervals) are established to assess progress toward attaining TSC 1.

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A. ~~B. 2032 Result~~2024 Milestone ~~The advisory body will review progress towards standard attainment~~ Per Capita VMT between ~~2030-2032~~2020-2022 shall be equal to or below ~~9.51~~12.35, a ~~4.27~~1.01% reduction from the 2018 baseline ~~and 63% of the way to the 2045 threshold standard goal~~.

~~C. 2045 Results~~

B. ~~2028~~ Milestone ~~The advisory body will review progress towards standard attainment~~ Per Capita VMT between ~~2042-2044~~2024-2026 shall be equal to or below ~~9.91~~12.26, a ~~6.69~~1.76% reduction from the 2018 baseline ~~and 96.3% of the threshold standard goal~~.

~~D. 2048 Results~~

C. ~~2032~~ Milestone ~~The advisory body will review progress towards standard attainment~~ Per Capita VMT between ~~2045-2047~~2028-2030 shall be equal to or below ~~9.91~~12.13, a ~~6.78~~2.77% reduction from the 2018 baseline ~~and in full attainment of the threshold standard goal~~.

~~E. 2056 Results~~

D. 2036 Milestone – Per Capita VMT between 2032-2034 shall be equal to or below 12.01, a 3.77% reduction from the 2018 baseline.

E. ~~2040~~ Milestone ~~The advisory body will review progress towards standard attainment~~ Per Capita VMT between ~~2053-2055~~2036-2038 shall be equal to or below ~~9.91~~11.88, a ~~64~~.78% reduction from the 2018 baseline ~~and in full attainment of the threshold standard goal~~.

F. 2044 Milestone – Per Capita VMT between 2040-2042 shall be equal to or below 11.76, a 5.79% reduction from the 2018 baseline.

G. 2048 Milestone – Per Capita VMT between 2044-2046 shall be equal to or below 11.64, a 6.71% reduction from the 2018 baseline.

H. 2050 Milestone – Per Capita VMT between 2046-2048 shall be equal to or below 11.63, a 6.79% reduction from the 2018 baseline.

DP-5.6 ADAPTIVE MANAGEMENT RESPONSES TO BE IMPLEMENTED AFTER A RESULTS ASSESSMENT

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The following ~~regional~~ supplemental compliance measures (management responses) shall automatically go into effect if it is found that the milestones in DP-5.~~3~~4 – DP-5.5 are found not to have not been attained ~~based on the recommendation of the advisory body:~~

~~A.~~ 2024 Regional Revenue Milestone - If ~~a regional revenue collection has~~ the milestone established DP-5.4.B is not ~~commenced by December 31, 2023 and VMT Per Capita is not at or below the level identified in the schedule:~~

~~2.~~A. ~~The~~ attained, the standard of significance for ~~project review for~~ all ~~projects~~ land uses in Code of Ordinances Table 65.2.3-1 shall be no ~~-~~ net unmitigated VMT, except for deed restricted affordable and/or workforce housing. This measure will remain in effect until ~~such revenue collection has commenced, or until an performance report as described in DP – 5.2 identifies that the pace of VMT reduction is consistent with expectations~~ the funding sources described in DP-5.4.B commences.

~~A. 2029 and subsequent VMT Per Capita Results Milestones – If Regional VMT Per Capita is not at or below the level identified in DP-5.5.A-C:~~

B. ~~The~~ 2028 VMT Per Capita Milestone – If Regional VMT Per Capita is not at or below the level identified in DP-5.5.B, (1) the per unit rate of the mobility mitigation fee will increase by 10% over the previous rate on January 1st of the following year, and (2) the standard of significance for all land uses in Code of Ordinances Table 65.2.3-1 shall be no-net unmitigated VMT for projects outside of Centers and a half-mile buffer around them. Deed restricted affordable and/or workforce housing shall be exempt from the rate increase. The rate modification and change in standards of significance shall automatically go into effect and remain in effect until such time that VMT per capita is on schedule to meet the next milestone.

~~1.~~C. 2036 VMT Per Capita Milestone – If Regional VMT Per Capita is not at or below the level identified in DP-5.5.D, (1) the per unit rate of the mobility mitigation fee will increase by 10% over the previous rate on January 1st of the following year~~.~~, and (2) the standard of significance for all land uses in Code of Ordinances Table 65.2.3-1 shall be no-net unmitigated VMT for projects outside of Centers and a half-mile buffer around them. Deed restricted affordable and/or workforce housing shall be exempt from ~~fee~~ the rate increase. The ~~fee~~ rate modification and change in standards of significance shall automatically go

into effect and remain in effect until such time ~~the advisory body finds~~ that VMT per capita is on schedule ~~with~~to meet the next ~~results~~ milestone.

D. 2044 VMT Per Capita Milestone – If Regional VMT Per Capita is not at or below the level identified in DP-5.5.F, (1) the per unit rate of the mobility mitigation fee will increase by 10% over the previous rate on January 1st of the following year, and (2) the standard of significance for all land uses in Code of Ordinances Table 65.2.3-1 shall be no-net unmitigated VMT for projects outside of Centers and a half-mile buffer around them. Deed restricted affordable and/or workforce housing shall be exempt from the rate increase. The rate modification and change in standards of significance shall automatically go into effect and remain in effect until such time that VMT per capita is on schedule to meet the next milestone.

E. 2048 VMT Per Capita Milestone – If Regional VMT Per Capita is not at or below the level identified in DP-5.5.G, (1) the per unit rate of the mobility mitigation fee will increase by 10% over the previous rate on January 1st of the following year, and (2) the standard of significance for all land uses in Code of Ordinances Table 65.2.3-1 shall be no-net unmitigated VMT for projects outside of Centers and a half-mile buffer around them. Deed restricted affordable and/or workforce housing shall be exempt from the rate increase. The rate modification and change in standards of significance shall automatically go into effect and remain in effect until such time that VMT per capita is on schedule to meet the next milestone.

~~B.~~F. 2050 Results Milestone – After completion of the ~~2048~~2050 results assessment, or upon the earliest performance report as described in DP-5.2 that identifies that the per capita target VMT threshold standard has been attained:

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~~1.~~..... _____

recommend a new target.

Attachment C

Code of Ordinance Changes – Strikethrough RPIC 3/24/2021 – 4/20/2021

TAHOE REGIONAL PLANNING AGENCY

ATTACHMENT C

CODE OF ORDINANCE CHANGES

(STRIKETHROUGH SINCE RPIC 3/24/2021)

APRIL 20, 2021

Amendments to the Code of Ordinances

#	Code Citation	Title	Action
	Chapter 2: Applicability of the Code of Ordinances		
(1)	2.2.2.A	General Projects or Matters	Eliminate trip generation and Level of Service as a determining factor for Governing Board or Hearings Officer review of a project.
(2)	2.3.6.A.8	Changes in Operation	Revise the Qualified Exemption for changes in business operation to be determined based on vehicle miles travelled rather than trip generation.
	Chapter 3: Environmental Documentation		
(3)	3.2.2.A.2	Projects Exempt from Preparation of Environmental Impact Statement	Revise the Environmental Impact Statement exemption to be based on vehicle miles travelled rather than vehicle trip generation.
	Chapter 22: Temporary Uses, Structures, and Activities		
(4)	22.7.6	Traffic Mitigation	Require a traffic control plan rather than a traffic analysis for temporary closures of US Highway 50.
	Chapter 34: Driveway and Parking Standards		
(5)	34.3	Driveways	Establish driveway standards based on whether a project requires a VMT analysis rather than a traffic analysis.
	Chapter 39: Subdivisions		
(6)	39.2.3.J	Air Quality Mitigation Fees	Require a mobility mitigation fee be paid for subdivisions based on an increase in vehicle miles travelled, rather than an air quality fee based on vehicle trip generation.
(7)	39.2.5.J	Air Quality Mitigation Fees	Require a mobility mitigation fee be paid for subdivisions based on an increase in vehicle miles travelled, rather than an air quality fee based on vehicle trip generation.
	Chapter 50: Allocation of Development		
(8)	50.4.3	LOS and VMT Monitoring	Delete the requirement for residential allocations to be based upon LOS and VMT monitoring.
(9)	50.6.1.B.2.b	"Additional" Commercial Floor Area	Revise the criteria for small commercial additions to be excluded from Commercial Floor Area. The revised criterion would be based upon vehicle miles rather than vehicle trips.

(10)	50.9.2	Definition of "Additional Recreation"	Replace vehicle trips with vehicle miles travelled as a determining factor for "additional recreation."
	Chapter 65: Existing Structures and Exempt Activities		
(11)	65.2	Traffic and Air Quality Mitigation Program	Revise the framework for Project Impact Assessment and the Mobility Mitigation Fee (formerly Air Quality Mitigation Fee).
(12)	65.3.1	Purpose	Update the reference to the Active Transportation Plan.
(13)	65.3.3.E.1	Air Quality Mitigation	Update the name of the mitigation fee – Mobility Mitigation Fee replaces Air Quality Mitigation Fee.
	Chapter 82: Existing Structures and Exempt Activities		
(14)	82.5.6	Qualified Exempt Activities	Revise the Qualified Exemption for changes in business operation to be determined based on vehicle miles travelled rather than trip generation.
	Chapter 90: Definitions		
(15)	90.2	Definitions	Delete obsolete definitions.
(16)	90.2	Definitions	Move two definitions from Chapter 65 to Chapter 90 and revise Chapter 65 references within two additional definitions.

(1) Modify Subparagraph A, *General Projects or Matters*, of Subsection 2.2.2, *Projects and Matters to be Approved by the Governing Board or Hearings Officer*, to read as follows:

CHAPTER 2: APPLICABILITY OF THE CODE OF ORDINANCES

2.2 PROJECT REVIEW

2.2.2. Projects and Matters to be Approved by the Governing Board or Hearings Officer

Categories of projects and matters listed in this subsection 2.2.2 or as otherwise required by law shall require Governing Board or Hearings Officer approval, as indicated.

A. General Projects or Matters

1. Governing Board Review

The following projects or matters require review and approval by the Governing Board:

a. EIS certification (Chapter 3: Environmental Documentation);

b. Projects for which an EIS has, or will be prepared, or at the discretion of the Executive Director;

c. Plan amendments, ordinances and resolutions;

d. Community Plans, including preliminary plan or work program, redevelopment, master or special plans;

e. Problem assessments and remedial action plans, excluding voluntary problem assessments and remedial action plans (Section 5.12 Remedial Action Plans);

f. Increases in supply of land coverage (Chapter 30: Land Coverage);

g. Delegation Memoranda of Understanding pursuant to Section 2.5 (except as otherwise provided in this Code);

h. Substantial harvest or tree removal plans (61.1.8) except for fuels management projects (61.1.7.D);

i. Mitigation fund expenditures and projects (Section 60.2 and Section 65.2);

j. Permit revocations (Chapter 5: Compliance);

k. Historic resource designations (Chapter 67: Historic Resource Protection);

l. Allocation systems (Chapter 50: Allocation of Development);

m. Establishing the level defining the top-ranked parcels, lowering the line defining the top-ranked parcels pursuant to subsection 53.5.1 and determining allowable base land coverage pursuant to subsection 53.8.1;

n. Findings of the demonstration of commitment for affordable housing pursuant to subparagraph 39.2.5.F;

o. Special project allocations (subparagraph 50.6.4.D);

p. Area Plan conformity review (Chapter 13: Area Plans); and

q. In jurisdictions with conforming Area Plans, projects that are not eligible to be delegated from TRPA review, and delegated projects that are appealed to TRPA.

2. Hearings Officer Review

The following projects or matters require review and approval by the Hearings Officer:

a. Special uses, including changes, expansions or intensifications of existing uses (Chapter 21: Permissible Uses);

b. Additional height for eligible structures, in special height districts for adopted community and redevelopment plan areas (subsection 37.5.4);

c. Additions, reconstruction, or demolition of eligible or designated historic resources (Chapter 67: Historic Resource Protection);

d. Modification to SEZs, excluding modifications for residential projects in accordance with subparagraph 30.5.2.A and erosion

control and other environmentally oriented projects and facilities in accordance with subparagraph 30.5.2.D;

e. Land capability challenges and man-modified challenges, except land capability challenges pursuant to subsection 30.3.4 submitted under the special provisions for designated land banks (Chapter 30 and 80);

f. Additional land coverage in excess of 1,000 square feet in land capability districts 1-3; and

(2) Modify Subparagraph A.8, *Changes in Operation*, of Subsection 2.3.6, *Qualified Exempt Activities*, to read as follows:

CHAPTER 2: APPLICABILITY OF THE CODE OF ORDINANCES

2.3. EXEMPT ACTIVITIES

2.3.6. Qualified Exempt Activities

The activities listed below are not subject to review and approval by TRPA, provided the applicant certifies on a TRPA-qualified exempt form that the activity fits within one or more of the following categories and the activity shall not result in the creation of additional land coverage or relocation of existing land coverage, and will comply with all restrictions set forth below. The statement shall be filed with TRPA for all qualified exempt activities at least three working days, before the activity commences and shall be made under penalty of perjury.

A. General Activities

The general activities listed below are qualified exempt.

8. Changes in Operation

Changes in operation resulting in generation of less than 650 vehicle miles travelled, in connection with a commercial, recreation or public service use, provided there is no change from one major use classification to another, the resulting use is an allowed use, and the applicant pays a mobility mitigation fee in accordance with subparagraph 65.2.4.D.

(3) Modify Paragraph A.2 of Subsection 3.2.2., *Activities and Projects Exempt from Preparation of Environmental Impact Statement*, to read as follows:

CHAPTER 3: ENVIRONMENTAL DOCUMENTATION

3.2 APPLICABILITY

3.2.2. Activities and Projects Exempt from Preparation of Environmental Impact Statement

Article VII(f) of the Compact, requires TRPA to adopt by ordinance a list of classes of projects which TRPA has determined will not have a significant effect on the environment and therefore shall be exempt from the requirement for the preparation of an environmental impact statement.

A. Projects Exempt From Preparation of Environmental Impact Statement
The projects listed below shall be exempt from preparation of an EIS and other environmental documents.

1. Construction of single-family houses and additions and accessory structures thereto, in compliance with the provisions of the Code;

2. Changes in use consisting of an increase in no more than 650 vehicle miles travelled (See Subparagraph 65.2.3.D.2); and

3. Transfers or conversions of development rights (does not include construction of new units).

(4) Modify Subsection 22.7.6, *Traffic Mitigation*, to read as follows:

CHAPTER 22: TEMPORARY USES, STRUCTURES, AND ACTIVITIES

22.7. STANDARDS FOR TEMPORARY ACTIVITIES

Except as otherwise provided in Section 22.6, temporary activities shall comply with the standards in this section.

22.7.6. Traffic Mitigation

For a temporary activity that includes the closure of a traffic lane or intersection of a state or federal highway for more than one hour, or the closure of U.S. 50 at any point between

the South Y and Kingsbury Grade for any period of time, the applicant shall submit a traffic control plan.

(5) Modify Section 34.3, *Driveways*, to read as follows:

CHAPTER 34: DRIVEWAY AND PARKING STANDARDS

34.3. DRIVEWAYS

To ensure organized and well-designed ingress and egress of vehicles from driveways, TRPA shall review the design of driveways according to the standards and procedures in this section.

34.3.1. Compliance Program

The standards set forth in subsections 34.3.2 through 34.3.5, inclusive, shall be conditions of approval for projects with driveways, and for projects for which TRPA finds that the driveways are not in compliance with the standards set forth in subsections 34.3.2 through 34.3.5, inclusive, and are causing significant adverse impacts on traffic, transportation, air quality, water quality, or safety. If TRPA finds that driveways associated with existing development are causing such impacts, TRPA may implement corrective measures pursuant to Section 5.12 Remedial Action Plans.

34.3.2. General Standards

Driveways shall comply with the following standards:

A. New Driveways
New driveways shall be designed and located so as to cause the least adverse impacts on traffic, transportation, air quality, water quality, and safety.

B. Shared Driveways
In the application of subsections 34.3.3 through 34.3.5, inclusive, TRPA shall encourage shared driveways if TRPA finds that the effect is equal or superior to the effect of separate driveways.

C. Role of Community Plans
Approved community plans may replace the standards in subsections 34.3.3 through 34.3.5, inclusive, with alternative specific provisions, provided such provisions are more appropriate to the situation and provide equal or superior measures to satisfy the environmental thresholds. See also subparagraph 12.6.3.C.

D. Standards of Caltrans and Nevada Department of Transportation
On state and federal highways, the ingress/egress standards of the California or Nevada Department of Transportation shall apply, as appropriate, in addition to

the standards in subsections 34.3.3 through 34.3.5, inclusive. Where the state standards conflict with subsections 34.3.3 through 34.3.5, inclusive, the state standards shall control.

E. Slope of Driveways

Slopes of driveways shall not exceed the standards of the county or city in whose jurisdiction the driveway is located. Driveways shall not exceed ten percent slope, unless TRPA finds that construction of a driveway with a ten percent or less slope would require excessive excavation and that the runoff from a steeper driveway shall be infiltrated as required in Section 60.4. In no case shall the driveway exceed 15 percent slope.

F. Best Management Practices

Driveways shall be managed in accordance with Section 60.4.

34.3.3. Numbers of Driveways

Projects generating up to 1,300 vehicle miles travelled shall be served by a single driveway with no more than two points of ingress/egress from the public right-of-way or other access road. Additional or transferred development that generates more than 1,300 vehicle miles travelled shall conform to the ingress/egress provisions necessary to mitigate all transportation and air quality impacts under subsection 65.2.4.

34.3.4. Width of Driveways

Driveway widths shall conform to the following standards:

A. Other Residential Uses

Two-way driveways serving residential uses other than single-family homes shall have a minimum width of 20 feet and a maximum width of 24 feet. One-way driveways serving other residential uses shall have a minimum width of ten feet and maximum width of 12 feet.

B. Commercial, Tourist Accommodation, Recreation, and Public Service Uses

Two-way driveways serving commercial, tourist accommodation, recreation, and public service uses shall have a minimum width of 20 feet and a maximum width of 30 feet. One-way driveways serving such uses shall have a minimum width of ten feet and a maximum width of 15 feet. For two-way driveways with median dividers serving such development, each direction shall have a minimum width of ten feet and a maximum width of 17 feet.

34.3.5. Service Drives

Uses, other than single-family homes, that do not require vehicle miles travelled (VMT) analysis pursuant to subparagraph 65.2.3.D may be permitted an additional service driveway for maintenance and garbage removal. The service driveway shall be at least ten feet wide and no more than 12 feet wide. Uses that do require VMT analysis pursuant to subsection 65.2.3.D may be permitted an additional service driveway or driveways for maintenance and garbage removal provided the transportation and air quality impacts of such driveways shall be mitigated under subsection 65.2.4.

(6) Modify Subparagraph J, *Air Quality Mitigation Fees*, of Subsection 39.2.3, *Subdivision of Existing Structures*, to read as follows:

CHAPTER 39: SUBDIVISION

39.2. SUBDIVISION STANDARDS

39.2.3. Subdivision of Existing Structures

Subdivision of eligible existing structures, as set forth in subparagraph 39.1.3.E, may be permitted subject to the following requirements:

J. Mobility Mitigation Fees
If the subdivision of an existing structure effects a change in use (e.g., multi-family to single-family) that results in an increase in vehicle miles travelled, then a mobility mitigation fee shall be assessed pursuant to subparagraph 65.2.4.D.

(7) Modify Subparagraph K, *Air Quality Mitigation Fees*, of Subsection 39.2.5, *Subdivision of Post-1987 Projects*, to read as follows:

CHAPTER 39: SUBDIVISION

39.2. SUBDIVISION STANDARDS

39.2.5. Subdivision of Post-1987 Projects

Subdivision of projects approved after July 1, 1987 pursuant to the 1987 Regional Plan, as it may be amended, may be permitted subject to the following requirements:

K. Mobility Mitigation Fees
Subdivisions that result in a change of use that increases vehicle miles travelled shall be assessed a mobility mitigation fee pursuant to subparagraph 65.2.4.D. Approval of a subdivision shall not be cause for a partial refund of mitigation fees assessed in connection with the underlying project approval.

(8) Delete Subsection 50.4.3, *LOS and VMT Monitoring.*

CHAPTER 50: ALLOCATION OF DEVELOPMENT

50.4 ALLOCATION AND ACCOUNTING OF DEVELOPMENT RIGHTS

TRPA shall allocate the development of additional residential units as follows:

(9) Modify Subsection 50.6.1, *Definition of "Additional Commercial Floor Area"*, Subparagraph B.2.b. to read as follows:

CHAPTER 50: ALLOCATION OF DEVELOPMENT

50.6 ALLOCATION OF ADDITIONAL COMMERCIAL FLOOR AREA

50.6.1. Requirement of Allocation

No person shall construct a project or commence a use that creates additional commercial floor area without first receiving an allocation approved by TRPA or obtaining necessary development rights pursuant to Chapter 51: *Banking, Conversion, and Transfer of Development Rights*. In order to construct the project or commence the use, the recipient shall comply with all other applicable provisions of this Code.

B. "Additional" Commercial Floor Area
Commercial floor area is considered "additional" if it is to be created pursuant to a TRPA approval issued on or after January 1, 1987.

2. Additional commercial floor area excludes the following:

b. Additions to, or expansions of, legally existing commercial floor area of 500 square feet or five percent of the existing commercial floor area, whichever is less, provided:

(i) The existing structure and any subsequent additions or expansions physically exist and were completed at least one year prior to an application pursuant to this subparagraph;

(ii) The exempt addition or expansion is not applied for or built in conjunction with any other addition or expansion;

(iii) There is no change in use;

(iv) The change in operation generates no more than 650 vehicle miles travelled;

(v) The exempt addition or expansion occurs within a single project area; and

(vi) The exempt addition or expansion does not occur within the same project area more frequently than once every ten years;

(10) Modify Subsection 50.9.2, *Definition of "Additional Recreation"*, to read as follows:

CHAPTER 50: ALLOCATION OF DEVELOPMENT

50.9. REGULATION OF ADDITIONAL RECREATION FACILITIES

TRPA shall regulate the rate and distribution of additional recreation facilities as follows:

50.9.2. Definition of "Additional Recreation"

Recreation shall be considered "additional" if it is to be created pursuant to a TRPA approval issued on or after January 1, 1987, and would result in an increase in vehicle miles travelled that requires a VMT analysis pursuant to subparagraph 65.2.4.B, or increased floor space of five percent, or 500 square feet, or would increase PAOT capacity(See subsection 11.6.11). The conversion of an existing non-recreational use to a use constituting a recreation facility shall be additional recreation subject to this chapter. The following shall not be "additional" recreation facilities:

A. The reconstruction or replacement on the same parcel of recreation facilities legally existing on or approved before January 1, 1987;

B. Modifications to legally existing recreation and their accessory uses that do not create additional service capacity;

C. Relocation of legally existing recreation facilities through a transfer approved by TRPA pursuant to Chapter 51; or

D. Dispersed recreation.

(11) Modify Section 65.2, *Air Quality Mitigation Program*, to read as follows:

CHAPTER 65: AIR QUALITY/TRANSPORTATION

65.2 AIR QUALITY, GREENHOUSE GAS REDUCTION, AND MOBILITY MITIGATION PROGRAM

65.2.1 Purpose

The purpose of this section is to implement TRPA's 1992 Air Quality Plan and Goal #4, Policy 2 of the Development and Implementation Priorities Subelement, Implementation Element of the Goals and Policies in the Regional Plan, with respect to the establishment of fees and other procedures to offset impacts from indirect sources of air pollution; reduce mobile source greenhouse gas emissions per capita; and provide a more effective multimodal transportation system that reduces vehicle miles traveled per capita.

65.2.2 Applicability

The provisions of this section are applicable to all additional development or transferred development and all changes in operation as defined in this section.

65.2.3 Definitions and Standards

For purposes of this section, the following terms are defined as provided below:

A. Change in Operation
Any modification, change, or expansion of an existing or previous use resulting in additional vehicle miles travelled. Changes in operation include, but are not limited to:

1. Expansion of gross floor area; or

2. Change in the type of generator on the trip table, normally indicated by a substantial change in products or services provided.

B. New Development
Additional development, transferred development, or a change in operation.

C. Previous Use
The most recent permanent use in the project area that existed for more than 90 consecutive days of operation within the 60 months preceding submission of a complete application to TRPA for review of a change in operation. Uses which have received CTRPA or TRPA approval, but have not operated for 90 consecutive days within the previous 60 months, shall not be recognized as previous uses. A use that regularly operated fewer than seven days per week shall have operated for 13 consecutive weeks within the previous 60 months to constitute a previous use.

D. Screened from Additional Transportation Impact Assessment

If a project meets one or more of the following criteria it shall be be screened from further transportation analysis:

1. Affordable, Moderate, or Achievable Housing

Affordable housing that is 100 percent deed-restricted affordable, moderate, or achievable and meets the requirements of Subsection 52.3.4, *Affordable, Moderate, and Achievable-Income Housing*.

2. Projects Generating Low VMT

Projects will be screened from further transportation analysis using the following vehicle miles travelled calculations:

a. 1,300 VMT ~~outside~~within Centers and the half-mile buffer around them.

b. 715 VMT in all other areas.

~~a. A 20% reduction in VMT calculation within Town Centers and the half-mile buffer around them.~~

~~c. A 35% reduction in VMT calculation in the Regional Center and High-Density Tourist District and the half-mile buffer around it.~~

3. ~~Active~~ Transportation Projects

Any of the following projects: Bicycle, pedestrian, and transit projects (excluding mobility hubs).

E. Standards of Significance

A project would have a significant impact and therefore require additional analysis and mitigation if it exceeds the applicable standards for land uses as shown in Table 65.2.3-1.

Where a project replaces existing VMT-generating land uses that leads to a net overall decrease in VMT the project will lead to a less-than-significant transportation impact. If the project leads to a net overall increase in VMT, then the standards of significance described in Table 65.2.3-1 would apply.

Standards of Significance

APPLICABLE LAND USE	STANDARD OF SIGNIFICANCE
Commercial	No-net unmitigated VMT
Mixed Uses	Evaluate each land use component of a mixed-use project independently, and apply the threshold of significance for each land use type included
Public Services	15% below existing sub-regional average VMT
Recreation – Campgrounds	Evaluated on a case-by-case basis
Recreation – Other Uses	No-net unmitigated VMT

Residential Uses	15% below existing sub-regional average VMT per resident
Tourist Accommodation Unit (TAU)	15% below existing sub-regional average VMT per TAU
Transportation	No-net unmitigated VMT

~~To determine sub-regional standards of significance~~, TRPA will prepare and maintain standards of significance at the local government jurisdiction level. The boundaries used for these standards must be consistent with the VMT Generation Areas in 65.2.3.F, calculated using the same methodology used to calculate VMT metrics for the region per 65.2.3.G, and must support greenhouse gas emissions reduction, encourage development of multimodal transportation networks, and promote a diversity of land uses that will reduce VMT per capita.

Proposed projects found to have a significant impact will be required to mitigate the project impact to at or below the standards of significance using mitigation measures in 65.2.4.C.2, 65.2.4.C.3, and payment of mobility mitigation fees.

F. VMT Generation Areas

TRPA shall create zones for each land use type and for all areas in the region. These zones will be used to calculate VMT generation for impact assessment and fee calculation. Zones will be classified as to whether they are above or below the corresponding standard of significance. Zones that are above the corresponding standard of significance are those where individuals travel farther distances to get between home, work, and shopping, and are generally reliant on the automobile to move between their destinations. Zones that are below the corresponding standard of significance are those that are characterized by shorter distance trips between destinations, and where options other than the personal automobile (e.g., bike paths, transit service, sidewalks) are in place and chosen more frequently for trips. TRPA will document and make available to applicants and the general public the zones as part of the documentation of the project impact analysis methodology.

G. VMT Metrics

For the purposes of this section the metrics to be used for applicable land uses are as shown in Table 65.2.3-2:

VMT Metrics

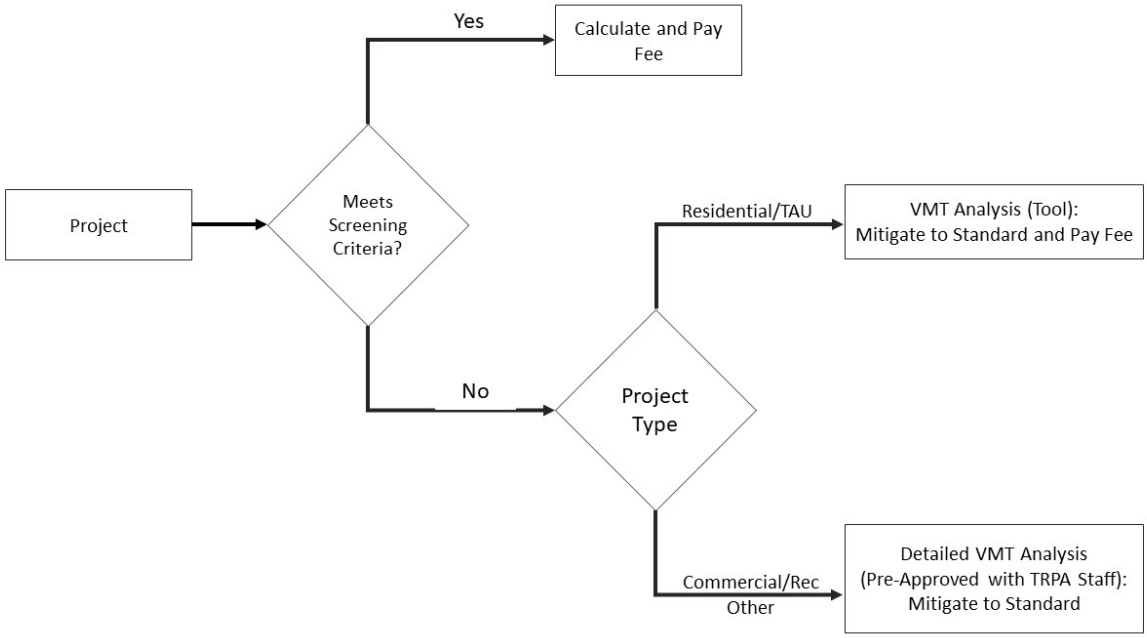
APPLICABLE LAND USE	VMT METRIC
Commercial	Total VMT
Public Service	VMT per Public Service Use
Recreation - Campgrounds	Evaluated on a case-by-case basis
Recreation – Other Uses	Total VMT
Residential Uses	VMT per resident
Tourist Accommodation Unit	VMT per TAU
Transportation Projects	Total VMT

65.2.4 Requirements for New Development

New development shall be subject to the requirements provided below and illustrated in Figure 65.2.4-1.

FIGURE 65.2.4-1

Project Impact Analysis and Mitigation Fee Process Summary



A. Applicant Responsibility

Project information about proposed uses, transportation demand management features included in the proposed project, vehicle trip generation, vehicle miles travelled, and other information relevant to the project and required for analysis of the project transportation impact shall be made available to TRPA by the applicant at the time application is made.

B. Project Impact Analysis

As part of the project application for new development, the applicant shall prepare and submit to TRPA an analysis of potential transportation and air quality impacts using the TRPA project impact analysis methodology. If more detailed VMT analysis than what can be provided using the project impact analysis methodology is necessary, the applicant shall submit a technically adequate analysis of potential transportation impacts in addition to the analysis from the project impact analysis methodology. If a project's impacts to air quality cannot fully be evaluated using the project impact analysis methodology,

additional air quality analysis may be required. ~~A traffic~~The analysis shall also include:

1. Impacts of the proposed project on regional and subregional air quality;

2. Measures necessary to mitigate all air quality impacts to a level consistent with the environmental thresholds, the Goals and Policies, the Regional Transportation Plan, and the 1992 Air Quality Plan; and

3. Additional information that TRPA may require.

C. Required Offsets

New development shall offset the potential transportation and air quality impacts of the project in accordance with the provisions provided below.

1. Regional and Cumulative Impact Fees

In order to offset regional and cumulative impacts, additional development shall contribute to the Mobility Mitigation Fund, except as provided for in subparagraph 2 below. The amount of contribution is established in subparagraph 65.2.4.D.

2. Regional and Cumulative Mitigation Measures

To offset regional and cumulative impacts, and in lieu of the contribution required under subparagraph 65.2.4.C.1, additional development may provide mitigation measures. The cost of such measures shall be equal to or greater than the contribution required under subparagraph 65.2.4.C.1. Regional and cumulative mitigation measures may include, but are not limited to:

a. Transfer and retirement of remote offsite development rights;

~~b. Integration of affordable, moderate, and achievable (i.e., below market rate) housing into the project;~~

~~c.~~b. Offsite transit facility construction and other measures to increase transit accessibility;

~~d.~~c. Offsite facilities to reduce commuter trips;

~~e.~~d. Inclusion of features in the proposed development that will reduce vehicle miles travelled, including, but not limited to, publicly available parking restricted to carpool and transit users, transit facilities, bicycle facilities, and pedestrian facilities;

~~f. Contribution to the Mobility Mitigation Fund in an amount sufficient to pay for the necessary mitigation measures; and~~

~~g.~~e. Other measures included in the project impact analysis methodology.

3. Localized Mitigation Measures

In order to offset the localized impacts of a project, when a project impact analysis has been prepared pursuant to subparagraph 65.2.4.B, all necessary mitigation measures shall be required as a condition of project approval for all new development. Mitigation measures may include, but are not limited to:

a. Inclusion of features in the proposed development that will reduce vehicle miles traveled, including, but not limited to, publicly available parking restricted to carpool and transit users, transit facilities, bicycle facilities, and pedestrian facilities;

b. Unbundle parking costs from property costs and implement market price public parking;

c. Contribution to the Mobility Mitigation Fund in an amount sufficient to pay for the actual cost of the necessary mitigation measures after exhausting all project-level mitigation options; and

d. Other measures included in the project impact analysis methodology.

D. Fee Schedule

The mobility mitigation fee shall be assessed in accordance with the mitigation fee schedule in the Rules of Procedure. The mitigation fee shall be adjusted annually consistent with the annual change in the Consumer Price Index for the San Francisco region. Fee adjustments are limited to increases, even in instances when the calculation may result in a negative percentage growth, to preserve the intent of the mobility mitigation fee and maintain consistency with the costs to implement VMT reduction measures. The current mobility mitigation fee shall be included within the schedule provided in the Rules of Procedures subsection 10.8.5.

E. Limited Exception for New Development within Adopted Area or Community Plans

New development shall be exempt from the requirements of subparagraph 65.2.4.C if located within an adopted area or community plan~~,~~ where~~in~~ the ~~transportation and air quality~~ impacts under Threshold Standard TSC-1 were evaluated in the EIS, EA, or IEC for the area or community plan and ~~mitigated by the provisions of the area or community plan, shall be exempt from the requirements of subparagraph 65.2.4.C, provided~~ TRPA finds that the new development's impacts are mitigated by the implementation element of the area or community plan ~~as a whole meets~~ consistent with the standards of subparagraphs 65.2.4.B and 65.2.4.C.

65.2.5 Use and Distribution of Mitigation Funds

A. TRPA shall deposit mobility mitigation funds in a trust account. Interest accruing to the trust account shall remain in the account until used on ~~mobility~~ VMT mitigation projects. TRPA shall keep track of the amount of funds collected for each local jurisdiction, with interest, and shall disburse funds to the local jurisdiction, or to the Tahoe Transportation District at the local jurisdiction's request, for expenditure within the jurisdiction of origin on VMT reducing projects and programs, provided TRPA finds that the expenditure is consistent with TRPA's Regional Transportation Plan constrained project list or the 1992 Air Quality Plan and is included as a project in the most recent transportation improvement program and Five Year Environmental Improvement Program (EIP) Priority Project List. . Pursuant to subparagraph 65.2.4.C.2, certain funds may be identified for the construction of specific projects. By October 1 of each year, the recipient shall submit to TRPA an annual report of the funds expended as of June 30 each year.

B. As an alternative to distributing mobility mitigation funds to the jurisdiction of origin, a portion of the mobility mitigation funds may be distributed across jurisdictional boundaries to support projects of regional priority that are specifically identified in a regional capital improvement program developed in cooperation with local jurisdictions, such as the Five Year Environmental Improvement Program (EIP) Priority Project List.

65.2.6 Revision of Fee Schedules

TRPA shall review the fee schedules in accordance with subsection 10.7 in the Rules of Procedure.

65.2.7 Mitigation Credit

The two programs below address mobility mitigation credit.

A. Mitigation Fee Credit

If a project approval expires and the project is not complete, then a mobility mitigation fee credit may be given for a subsequent similar project approval. This subparagraph shall not be construed to require a refund of a mobility mitigation fee. Credit shall be given if the following requirements are met:

1. The prior project approval was granted within the same project area as the project approval for which a credit is sought;

2. The applicant provides sufficient evidence of the payment of a mobility (previously air quality) mitigation fee; and

3. A mobility mitigation fee is required as part of the project approval for which a credit is sought.

B. Regional and Cumulative Mitigation Credit Programs

In those instances when a reduction in VMT will result from the implementation of a project that is in the most recent transportation improvement program and is an EIP Priority Project that is not associated with any required mitigation, TRPA may allow for a regional and cumulative mitigation credit to be given to the participating entities. Credit shall be given based on the number of VMT that will be reduced as a result of the proposed project. Credit cannot be awarded when the reduction in vehicle trips/VMT is a mitigation requirement pursuant to subparagraphs 65.2.4.C above. Candidate credit recipients shall submit a plan to TRPA describing the proposed project, quantifying the reduction in VMT, and specifying the areas where the credit can be used. The award of mitigation credit shall be reviewed and approved by TRPA, in consultation with the appropriate local jurisdiction and the Tahoe Transportation District, on an individual basis. Credit shall be awarded at such time that the proposed project is implemented.

(12) Modify Subsection 65.3.1, *Purpose*, to read as follows:

CHAPTER 65: AIR QUALITY/TRANSPORTATION

65.3 BICYCLE AND PEDESTRIAN FACILITIES

65.3.1 Purpose

The requirements in this section are intended to implement ~~Map 5 of the Regional Plan (Bicycle and Pedestrian Facilities) and~~ the current Active Transportation Plan.

(13) Modify Subsection 65.3.3, *Standards*, Subparagraph E.1 to read as follows:

CHAPTER 65: AIR QUALITY/TRANSPORTATION

65.3 BICYCLE AND PEDESTRIAN FACILITIES

65.3.3 Standards

E. Relationship to Other Code Requirements

1. Mobility Mitigation

Any dedication made pursuant to this section may qualify toward required offsets of the mobility mitigation program (See Section 65.2.4.C).

(14) Modify Subsection 82.5.6 to read as follows:

CHAPTER 82: EXISTING STRUCTURES AND EXEMPT ACTIVITIES

82.5. QUALIFIED EXEMPT ACTIVITIES

No TRPA review and approval is necessary for the following activities if the activity fully meets one or more of the categories in this section and the applicant files a properly completed TRPA Qualified Exempt declaration form pursuant to subsection 2.3.7 with TRPA at least five working days before the activity begins.

82.5.6. A change in operation that generates less than 650 additional vehicle miles travelled and adds less than five additional motorized watercraft, provided there is no change from one use classification to another, the resulting use is allowed by this Chapter, there is no increase in threshold impacts (e.g., noise, water quality, etc.), and the applicant pays the applicable TRPA air quality mitigation fee.

(15) Delete the following terms from Section 90.2, *Definitions: Approved Center, Insignificant Increase, and Maintenance Area*

CHAPTER 90: DEFINITIONS

90.2. OTHER TERMS DEFINED

For definitions of uses see Section 21.4 (List of Primary Uses), and Section 81.5.

(16) Modify the following terms in Section 90.2, *Definitions* to read as follows:

CHAPTER 90: DEFINITIONS

90.2. OTHER TERMS DEFINED

For definitions of uses see Section 21.4 (List of Primary Uses), and Section 81.5.

Change in Operation
See subparagraph 65.2.3.A

Previous Use
See subparagraph 65.2.3.C

Trip Table
TRPA shall adopt and maintain a trip table for the purpose of estimating the number of vehicle trips resulting from additional development or changes in operation. TRPA shall generate and update the data in the trip table by referring to recent publications on traffic and trip generation (for example, publications of the Institute of Transportation Engineers and California Department of Transportation) and field surveys conducted in the Tahoe region by TRPA or other competent technical experts.

Vehicle Trip
A one directional vehicle movement to or from a project area. The number of vehicle trips assigned to a project shall be the total daily vehicle trips to and from the project during its maximum hours of operation for the review period. When exact numbers of vehicle trips are not known for a use, they shall be determined from the trip table or other competent technical information.

Attachment D

Project Impact Assessment and Fee Framework – Strikethrough RPIC 3/24/2021 to 4/20/2021

TAHOE REGIONAL PLANNING AGENCY

ATTACHMENT D

PROJECT IMPACT ANALYSIS UPDATE: PROJECT IMPACT ASSESSMENT AND AIR QUALITY MITIGATION FEE FRAMEWORK

~~REVISED~~ APRIL 20, 2021

imagine. plan. achieve.

REGIONAL PLAN IMPLEMENTATION COMMITTEE AGENDA ITEM NOS. 4, 5, & 6

Project Impact Assessment and Fee Framework

The project level transportation impact assessment and mitigation fee updates will provide a streamlined, transparent, and predictable process for projects that modify, change[1], or expand an existing or previous use resulting in additional vehicle miles traveled (VMT) by transparently determining significant impacts and mitigations; providing a streamlined review process for simpler projects; and providing detailed analysis for significance and mitigation determination of more complex projects. For projects subject to environmental analysis for air quality and greenhouse gas, those impacts will be evaluated using VMT as factors in those analyses.

Goals of the modernized program include:

- Incentivizing development in low VMT areas
- Reducing greenhouse gas emissions
- Promoting mobility
- Reducing reliance on the personal automobile

TRPA is developing, in collaboration with Placer County, California, a project level analytical tool. The tool will use data from the TRPA Travel Demand Model to evaluate ~~all~~ projects to determine if they meet defined screening criteria, to further evaluate non-screened residential ~~or~~, and tourist accommodation unit projects for impacts to VMT and provide appropriate mitigation strategies as needed, and to calculate the mobility mitigation fee for ~~all projects.~~ projects' generated VMT. Commercial, recreation, and other projects not defined in the framework that are not screened from additional impact assessment will submit a detailed assessment of the project's impact on VMT~~.~~, including needed mitigation strategies and fee. An applicant could choose to have a more detailed analysis if they believe it would more accurately reflect the project's effect on VMT or if a pre-approved alternative analysis, e.g., a market study, would provide more information than considered in the tool.

The updated tool and fees will advance implementation of the Regional Transportation Plan (RTP) by empowering applicants with information they need to design better projects and to mitigate project impacts with strategies and fees, each of which are linked to the RTP constrained project list.

The framework proposes changes to key facets of the current project impact assessment and mitigation fee processes that include:

1. Replacing Daily Vehicle Trip Ends (DVTE) with Vehicle Miles Travelled (VMT) in each process
2. Determining if any project types should be exempt from assessment and/or fees
3. Simplifying project evaluation using specific targets for land use equivalents
4. Establishing geographic boundaries (i.e., zones) for project impact assessment
5. Defining unique projects to be assessed on a case-by-case basis
6. Requiring all projects to mitigate ~~their~~ VMT through implementation of VMT mitigations and/or paying a fee
7. ~~Imposing a fee on significant projects that produce unmitigated VMT~~
8. ~~Resetting the mitigation fee amounts~~

1 Changes in operation include but are not limited to expansion of gross floor area; or change in the applicable land use listed in Subparagraph 65.2.3.A, normally indicated by a substantial change in products or services provided

The outcomes of these updates will be to reduce the approximately 7% of additional VMT from development and redevelopment within the RTP forecast. The proposed framework demonstrates consistency with the updated per capita VMT threshold standard as it will contribute to the overall effort to attain and maintain that per capita VMT reduction standard.

The framework will be reviewed and revised within a year following an adopted update to the ~~Regional Transportation Plan~~RTP so that the updated TRPA Model data and projections and RTP constrained project list, costs, and anticipated funding, are reflected in the project impact assessment, mitigation strategies, ~~-~~and mobility mitigation fee.

Project Impact Assessment Elements

Consultant Fehr & Peers provided evaluation of the TRPA model (Appendix 1), best practices, and relevant research, and made recommendations for the project impact assessment update. Input received from the Transportation Technical Advisory Committee and individual stakeholder discussions further informed the framework and associated code changes presented here (Figure 1).

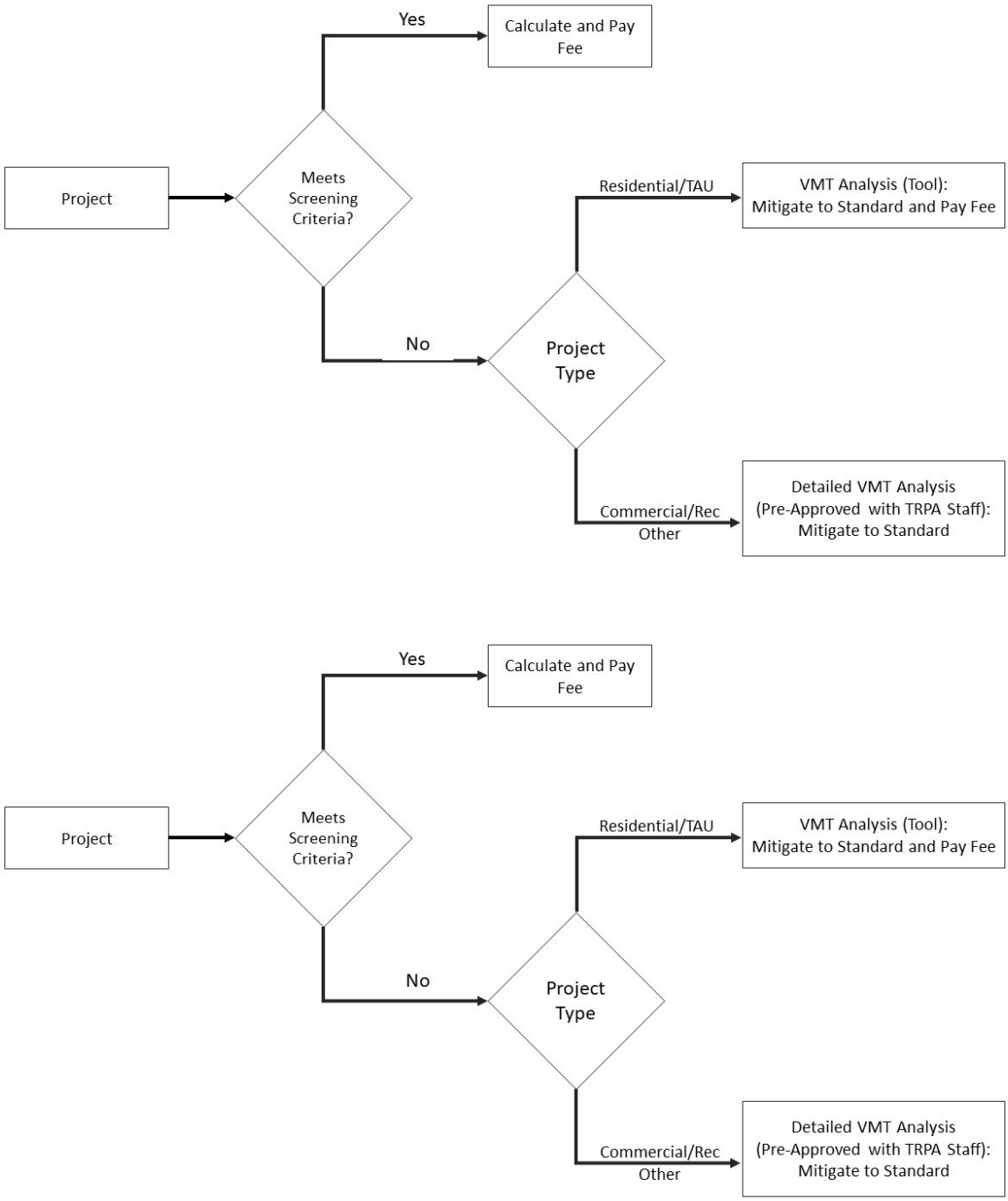


Figure 1: Proposed Project Impact Assessment and Fee Update Framework

The substantive elements of the updates are:

1. Standards of Significance

   Establish minimum expectations for projects, and ensure all development and redevelopment are consistent with the regional goal.

2. Screening Criteria

~~Promote~~Screen smaller and less complex projects where fee contribution to regional projects is more appropriate for mitigating VMT and promote projects in town centers and areas where regional investments in VMT mitigation are focused ~~and reduce analytic requirements for simpler projects~~.

3. Mobility Fee Update

Ensure projects contribute their fair share by updating the fee basis from trips to VMT ~~and incentivize development in targeted areas~~.

4. Project Tool

Provide a streamlined, transparent, and predictable process that empowers applicants with information they need to locate and design better projects.

The following section summarizes each of the facets of the project impact and mitigation fee updates.

VMT Metric

The VMT Metric is the basic unit of measurement of a project's impact to transportation. An efficiency VMT metric, which measures VMT as a ratio or rate, is most appropriate for project generated VMT~~,~~ and supports goals to improve the efficiency of vehicle travel by influencing land use and transportation network decisions. Projects whose impact is better understood through its influence on total VMT are best evaluated by an absolute VMT metric.

Table 1 lists the proposed VMT metrics for each project type.

Table 1: VMT Metrics

Project Types	VMT Metric
Commercial	Total VMT
Public Service[2]	VMT per Public Service Use
Recreation[3]	Total VMT

2 Public service uses defined Per Table 21.4-A in the Tahoe Code of Ordinances: Religious assembly, Day care centers / pre-schools, Government offices, Hospitals, Local public health and safety facilities, Schools – college, Schools – kindergarten through secondary, Social service organizations, and threshold-related research facilities

3 Recreation uses defined from Recreation Per Table 21.4-A in the Tahoe Code of Ordinances, excluding developed campgrounds: Beach recreation, Boat launching facilities, Cross country ski courses, Day use areas~~, Developed campgrounds,~~ Downhill ski facilities, Golf courses, Group facilities, Marinas, Off-road vehicle courses, Outdoor recreation concessions, Participant sports facilities, Recreation centers, Recreational vehicle parks, Riding and hiking trails, Rural sports, Snowmobile courses, Sport assembly, Undeveloped campgrounds, and Visitor information centers

Project Types	VMT Metric
Residential Uses	VMT per resident[4]
Tourist Accommodation Unit	VMT per TAU
Transportation Projects	Total VMT

Screening Criteria

The main goal of screening is to streamline VMT impact assessment by removing projects that are 1) expected to have a minor impact to transportation by producing less VMT than the adopted standard of significance or by providing a beneficial outcome (e.g., affordable housing); or 2) are simple enough that their impacts can be determined without undergoing a complex analysis.

~~Projects that are screened most effectively mitigate their impacts with VMT through paying mobility mitigation fees, which help fund implementation of projects and programs designed to mitigate anticipated future VMT in the region. Non-screened projects are of a size that can meaningfully mitigate VMT at the project level through implementation of mitigation strategies and paying fees that support regional VMT mitigations.~~

Screening criteria typically include small projects, such as a single-family residence, projects that would reduce trips or trip length, such as local serving retail or affordable housing, and projects with short or no vehicle trips, such as certain transportation projects like bike paths and sidewalks. Screening can also serve to reduce the time and cost for project development when the project is consistent with adopted local and regional plans.

Projects that are screened most effectively mitigate their impacts with VMT through paying mobility mitigation fees, which help fund implementation of projects and programs identified in the RTP to mitigate anticipated future VMT in the region. Non-screened projects are of a size that can meaningfully mitigate VMT at the project level through implementation of mitigation strategies and paying fees that support regional VMT mitigations.

Commercial, recreation, and other project types not defined here that do not meet the screening criteria will submit a detailed assessment of the project's impact on VMT. Due to the variation in design elements and resulting VMT impacts across developed campgrounds and mobility hubs, these two types of projects will be evaluated on a case-by-case basis Applicants should consult TRPA staff for guidance on the most appropriate approach to analyzing impacts.

Projects that are inconsistent with adopted plans cannot be screened and must submit a detailed assessment of the project's impact on VMT.

4 Resident is defined here per the US Census definition: all persons who are "usually resident" in a specified geographic area, and VMT generated from those residents which is calculated at the transportation analysis zone (TAZ) level

Screening Approach

The screening criteria were created referencing available data, various jurisdictional approaches, and the State of California's Office of Planning and Research (OPR) guidance on implementation of SB 743, which utilizes VMT for project impact assessment for environmental review in that state (appendices 2 and 3).

When a project is screened it is not required to mitigate to the standard of significance for the project type. Screened projects ~~are required to calculate VMT and pay~~mitigate through payment of the mobility mitigation fee for the calculated VMT associated with the project to offset the net additional VMT it generates.

Affordable Housing

Affordable housing that is 100% deed-restricted affordable, moderate, or achievable[5] and is in an area eligible for affordable housing bonus units[6] would be exempt from additional project impact assessment because data demonstrates an association between lower VMT rates and lower household incomes.[7] The low-income factor used in the TRPA model will be applied to VMT calculation for affordable housing to reflect the lower VMT associated with this type of project.

The Tahoe Living Housing Initiative's forthcoming recommendations may change how housing types in this screen are defined, analyzed, and/or charged fees. Those recommendations will inform future updates to the project impact assessment and mitigation fee processes.

Active Transportation

Transportation projects involving active transportation or transit would be exempt from additional project impact assessment because these classes of projects would likely not lead to a substantial or measurable increase in VMT, e.g., bicycle, pedestrian, and transit projects~~.[8]~~, and transportation project types that would not likely lead to a substantial or measurable increase in vehicle travel.[9] Mobility hubs can vary in VMT impacts depending on location and incorporated design elements. Due to these variations, mobility hubs will be evaluated on a case-by-case basis.

Previously Analyzed Projects

Projects analyzed in Area Plans with an environmental analysis per 65.2.4.E of the TRPA Code of Ordinances would be exempt from additional project impact assessment.

Low-VMT

The current project impact assessment process, based on daily vehicle trip ends (DVTE), identifies projects that produce less than 200 DVTE as having ~~an~~a minor or insignificant ~~effect~~increase and so not requiring additional analysis.[10] ~~This screen is carried forward into the current framework as a VMT~~

5 Per 90.2 Other Terms Defined in the TRPA Code of Ordinances
6 Per 52.3.4 Affordable, Moderate, and Achievable-Income Housing in the TRPA Code of Ordinances
7 See: Household Income and Vehicle Fuel Economy in California (sjsu.edu) and Microsoft Word - CNT Working Paper revised 2015-12-18 kn mg edits
~~8 Per the Technical Advisory on Evaluating Transportation Impacts in CEQA~~
9 Per the California Office of Planning and Research Technical Advisory on Evaluating Transportation Impacts in CEQA
10 Per 65.2.3 Definitions of the TRPA Code of Ordinances

~~equivalent to~~ To identify lower VMT producing projects which do not require more complex analysis~~.~~ low-VMT is defined in two ways, depending on the location of the project:

1. Town and regional centers and their half-mile buffer: The VMT equivalent of 200 DVTE: 1,300 VMT[11]
2. All other areas of the region: The VMT equivalent of OPR recommended 110 DVTE: 715 VMT[11]

Projects that do not meet the low-VMT screen will be required to conduct additional analysis and apply mitigations (strategies and/or fees) to reduce the project's VMT to at or below the corresponding standard of significance.

~~The low-VMT screen proposes screening projects anywhere in the region from additional analysis when the project produces less than the VMT equivalent of 200 DVTE: 1,300 VMT. The 1,300 VMT equivalent is calculated using the regional average in-basin trip length (6.53 miles[12]). With 1.4 million VMT in the Tahoe Basin on an average midweek early/late summer day, the low-VMT screen of 1,300 VMT represents less than 0.09% of daily VMT in the region.~~

The low-VMT screen for town and regional centers differs from ~~the~~ OPR guidance ~~to use~~ (110 DVTE) in a few ways.

First, OPR guidance for screening projects includes a presumption of less than significant impact for residential, retail, and office projects of any size, when located near a major transit stop or along a high-quality transit corridor, criteria geared toward urban areas and thus not appropriate in Tahoe. The low-VMT screen for town and regional centers and their half-mile buffer supports the same policy aim as the OPR guidance "major transit stop" and "high-quality transit corridor" screen, by encouraging development near transit, and is more conservative because project size in Tahoe is limited by the 1,300 VMT equivalent of 200 DTVE.

Second, the low-VMT screen for town and regional centers differs from OPR guidance because that guidance does not recognize trip length, which can vary depending on project location and the underlying land use ~~type. The low-VMT screen recognizes location, land use type,~~types and ~~trip length,~~transportation contexts; and because it best reflects the appropriate mechanisms for projects in the Tahoe region to mitigate their impacts based on their VMT. That is, when a project's impact with VMT is below the low-VMT screen, it is best able to mitigate ~~its'~~its impacts by advancing regional VMT mitigating projects and programs from the RTP by paying the mobility mitigation fee, and, when a project is above the low-VMT screen, by implementing mitigations at the project level and paying fees ~~is effective for mitigating VMT.~~. The RTP~~, with its robust VMT mitigation program and proven record for reducing VMT in the region,~~ supports the low-VMT screen by providing effective VMT reductions for low-VMT screened projects to advance by paying mobility mitigation fees.

~~The screen adjusts VMT calculations for projects in or within a one-half mile buffer of a Town Center or Regional Center if it also uses parking rates that do not exceed local jurisdiction minimum parking rates. These centers, and their half-mile buffers, produce less VMT than all other zones in the region because~~

11 Calculated using the regional average in-basin trip length of 6.53 miles, per the 2018 TRPA Travel Demand Model

~~12 Based on 2018 from the TRPA Travel Demand Model~~

~~of the proximity of a mix of land uses and non-personal automobile transportation options. This approach advances the Regional Plan goals for a more walkable, bikeable, and transit served region through improved land use and transportation solutions by moving development into and near to town and regional centers.~~

~~Projects will be screened based on their location and VMT using the following adjustment factors:~~

- ~~Regional Centers and the half-mile buffer: A 35% reduction in VMT calculation based on the greater number of pedestrian, bicycle, and transit trips in Regional Centers.[11]~~
- ~~Town Centers and the half-mile buffer: A 20% reduction in VMT calculation based on trip lengths in Town Centers averaging about 80% of the basinwide average.[13]~~

Third, the updated screening criteria functions differently than that in the OPR guidance in that all projects, including those that qualify for screening, excepting active transportation projects, will be required, at a minimum, to mitigate through paying the mobility mitigation fee. This is stricter than OPR guidance which requires no mitigation of VMT by projects below 110 DVTE.

Fourth, some stakeholders assert that the OPR screening guidance does not apply to the Tahoe Region because the entire basin is "sensitive" under CEQA. However, TRPA already prohibits or tightly controls development on sensitive lands within the basin and the proposed transportation impact assessment does not include any modifications to those development restrictions.

As a result, this framework, through overall implementation, will garner more mitigation than a screen based on OPR guidance.

~~Projects that do not meet the low-VMT screen will be required to conduct additional analysis and apply mitigations (strategies and/or fees) to reduce the project's VMT to at or below the corresponding standard of significance.~~

Standards of Significance

Standards of significance set a defined level above which a project would have a significant transportation impact, as measured by VMT, and therefore require additional analysis and/or mitigation.

Standards of significance for the proposed system have been determined based on analysis and guidance from OPR, input from stakeholders and the Transportation Technical Advisory Committee, and adapted for the needs of the Tahoe region:

- 15% below the sub-regional[12] average VMT for residential uses[10]; e.g., VMT/Resident for Residential and VMT/Tourist Accommodation Unit, and 15% below the sub-regional[12] average VMT for Public Service projects[10]
- No-net increase in VMT for commercial, recreation and transportation projects[14]9
- Other projects not defined here, developed campgrounds, and mobility hubs will be determined on a case-by-case basis

~~13 Per the 2018 Summer TRPA Travel Mode Share Survey~~
~~14 Per the California Office of Planning and Research Technical Advisory on Evaluating Transportation Impacts in CEQA~~

The framework uses sub-regional (i.e., jurisdictional[15]) standards of significance for residential, tourist accommodation uses, and public service uses. These standards of significance are designed to encourage applicants to reduce VMT by locating projects in the most efficient parts of each jurisdiction (Table 2).

Where a project replaces existing VMT-generating land uses that leads to a net overall decrease in VMT the project will lead to a less-than-significant transportation impact. If the project leads to a net overall increase in VMT, then the standards of significance described below would apply.

~~Mixed-use project evaluation will recognize internal trip capture within the project site in its trip generation calculation. The~~A mixed-use project would be evaluated using the respective standards of significance for each of the project land use types, per OPR Guidance. Mixed-use project evaluation will recognize internal trip capture within the project site in its trip generation and VMT calculation.

Table 2: Standards of Significance

Project Types	Standard of Significance~~16~~11
Commercial	No-net VMT
Mixed Uses	Evaluate each land use component of a mixed-use project independently, and apply the threshold of significance for each land use type included
Public Services	15% below sub-regional average VMT per Public Service Use~~1017~~
Recreation[18]	No-net VMT
Residential Uses	15% below sub-regional average VMT per resident~~10~~
Tourist Accommodation Unit	15% below sub-regional average VMT per TAU~~1014~~
Transportation	No-net VMT

Mitigation

The purpose of mitigations is to ensure that new development and redevelopment, projected through the year 2045 by the TRPA Model for the 2020 RTP, offsets its VMT impacts through mitigations, where feasible, and mitigation fees.

All projects are expected to have a less-than-significant impact. Projects that are not screened must reduce their impact to less-than-significant through implementing appropriate VMT mitigation strategies~~. Non~~ After exhausting all project-level mitigation options, non-screened projects ~~that cannot~~

15 Jurisdictions include Carson City, City of South Lake Tahoe, Douglas County, El Dorado County, Placer County, and Washoe County

~~16 Calculated using the regional average in-basin trip length of 6.53 miles, per the 2018 TRPA Travel Demand Model~~

~~17 Sub-regional average trip length is used as a proxy for VMT~~

18 Excluding developed campgrounds, which will be evaluated on a case-by-case basis

~~mitigate to less-than-significant should consult TRPA staff for guidance on~~with net-unmitigated VMT above the ~~most appropriate approach~~defined standard of significance may contribute to the mobility mitigation fund in an amount sufficient to ~~achieving less-than-significant impact, which may include paying a fee~~pay for the remaining ~~unmitigated VMT~~necessary mitigation measures.

Projects that receive VMT credit through 65.2.8 of the TRPA Code of Ordinances or a jurisdiction level VMT credit program[~~19~~] will have the VMT credit recognized in project impact assessment and mobility mitigation fee calculation.

Screened projects, excluding transportation projects that include bicycle, pedestrian, and/or transit, will be required to pay the mobility mitigation fee if additional VMT is generated~~.~~; these projects may apply mitigations to reduce their mobility mitigation fee. Screened 100% deed-restricted affordable, moderate, and achievable housing projects will be required to pay a fee should new VMT be generated. Forthcoming recommendations from the Tahoe Living Housing Initiative will inform future updates to the mitigation fee program and its approach to affordable, moderate, and achievable housing.

Mitigation Strategies

Mitigation strategies are those that may be used to reduce VMT associated with land use projects, land use plans, and non-active transportation projects in the Tahoe Basin.

Consultant, Fehr & Peers, identified the following VMT mitigation strategies to be appropriate to reduce project generated VMT in Tahoe, based on the draft 2020 RTP, the Placer County Resort Triangle Transportation Plan, the CAPCOA Quantifying Greenhouse Gas Mitigation Measures report, and additional research, (Appendix 4):

- Increase Transit Accessibility
- Integrate Affordable and Below Market Rate Housing
- Improve Design of Development
- Unbundle Parking Costs from Property Cost
- Implement Market Price Public Parking
- Implement Voluntary Commute Trip Reduction Program
- Implement Required Commute Trip Reduction Program
- Provide Ride-Sharing Programs
- Implement Subsidized or Discounted Transit Program
- Encourage Telecommuting and Alternative Work Schedules
- Marketing for Commute Trip Reduction Program
- Targeted Behavioral Interventions
- Employer-Sponsored Vanpool/Shuttle
- Price Workplace Parking
- Provide Traffic Calming Measures

Mobility Mitigation Fees

The Air Quality ~~Management~~Mitigation (AQM) fee is being updated and renamed to the Mobility Mitigation Fee.

~~19 Per 65.2.8 B Regional and Cumulative Mitigation Credit Programs in the TRPA Code of Ordinances~~

Fees are used by the region's jurisdictions and implementing agencies to provide the transportation infrastructure necessary to implement the policies and achieve the goals of the RTP.

Each trip that produces VMT has an origin and a destination. The origin is the production of the trip and the destination is the attraction of the trip, with each being responsible for a proportional share of the trip's associated VMT. Since 1987, TRPA has weighted the origin/production of a vehicle trip at 90 percent, and the destination/attraction end of the trip at 10 percent. Within this framework, "beds" account for the origins/productions (e.g., houses, hotel/motel rooms, campgrounds) and commercial, recreation, public service, and other uses as the destinations/attractions, meaning Residential and Tourist Accommodation Units are charged 90% of the AQM fee and Commercial, Recreation, Public Service, and Other land use projects are charged 10% of the AQM fee.

The current approach to apportioning fees based on the land use type of the project is continued under the mobility mitigation fee.

~~TRPA will develop the mobility mitigation fee following the 2020 RTP adoption.~~ The "per VMT" fee amount will be ~~calculated~~determined using significant projects identified in the adopted RTP constrained project list, ~~including~~ calculated using projects costs ~~and~~less anticipated funding~~,~~ (including estimated funds from jurisdiction-level VMT mitigating fee programs), that address new VMT from development and redevelopment projected in the TRPA model, and as modified by applicable constitutional principles and the policy considerations used to generate the existing AQM fee. The mobility mitigation fee will be adjusted annually for inflation using the Consumer Price Index for the San Francisco region.

~~Two fee rates will be determined through this process: 1) a~~The mobility mitigation fee ~~rate~~will be charged ~~to~~on all new, unmitigated VMT~~, and 2) a fee to offset any unmitigated VMT above the standards of significance. This work will be completed in consultation with jurisdictions, stakeholders, and the development community, and in consideration of current transportation fees in the region and in nearby communities. Updating the mobility mitigation fee will require a revision of the TRPA Rules of Procedure and Governing Board action at a public hearing.~~

. Screened projects will pay the mobility mitigation fee on all new VMT ~~up to the corresponding standard of significance~~.

~~After exhausting all reasonable mitigation options, non-screened projects that cannot reduce VMT to at or below the corresponding standard of significance should consult TRPA staff for guidance on the most appropriate approach to achieving less-than-significant impact, which may include paying a fee for the remaining unmitigated VMT.~~

~~It is anticipated that the updated program will collect roughly the same amount of fees as the existing AQM fee program.~~[20]

Local jurisdictions that have MOUs with TRPA will collect the TRPA mobility mitigation fee for covered projects. TRPA will collect the fee when no MOU is in place and for non-covered projects.

~~20 Approximately $400,000 per year~~

The fee will be set in consideration of current transportation fees in the region and in nearby communities and completed in consultation with jurisdictions, stakeholders, and the development community post-adoption of the 2020 RTP adoption and updates to project impact assessment and mitigation fee processes.

Updating the mobility mitigation fee will require a revision of the TRPA Rules of Procedure and Governing Board action at a public hearing.

Use of the fees will continue to require approval by the TRPA Governing Board to ensure monies are being used towards projects identified in the RTP and that reduce VMT.

Local VMT Fees

Some jurisdictions have or could have fee programs to mitigate VMT at a local scale, e.g., Placer County's Tahoe Transportation Fee Program.

The mobility mitigation fee program ~~will~~can recognize these local fee program revenues when calculating the TRPA mobility mitigation fee, as described above.

VMT Calculation

Project generated VMT is calculated based on the land use type, size, and location of the proposed project using location-based data from the TRPA travel demand model.

The travel demand model's 282 TAZs have been grouped into a set of 79 zones to simplify analysis and to recognize the underlying land use and transportation contexts more closely, e.g., neighborhoods and transportation systems, and modified to reflect actual parcel boundaries

These 79 zones are used as the basis for providing VMT data for project generated VMT and mobility mitigation fee calculation for each defined land use type (Figure 2).

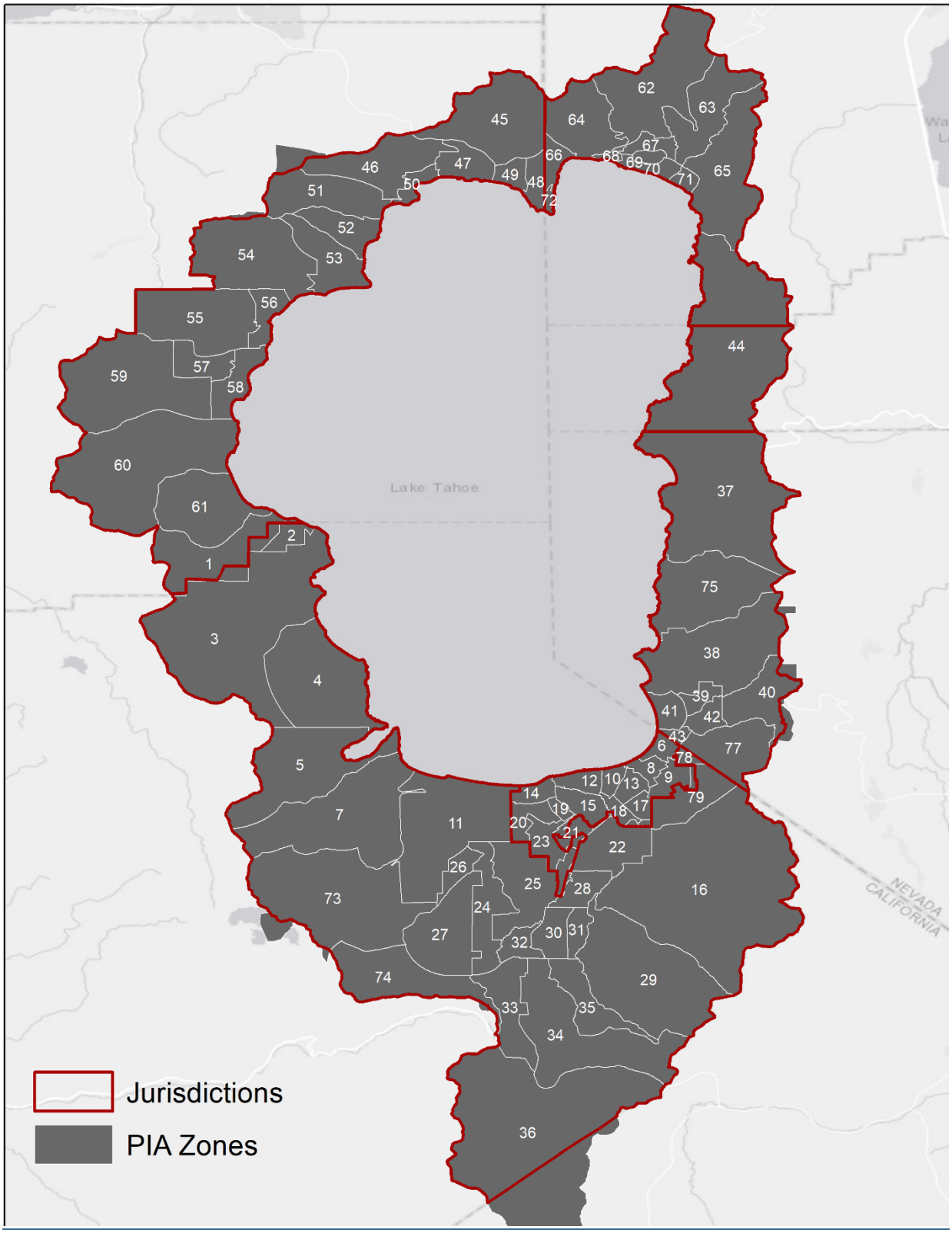


Figure 2: VMT Calculation Zones

Residential

Residential project VMT is calculated using the number of proposed residential units, residential unit size, and location (i.e., zone) of the project. Residential VMT per resident is calculated by summing all VMT of residents in each zone and then dividing by the number of residents in the zone (Appendix 5). Where a project is proposed will determine its assumed residential VMT per resident. Resident is defined here per the US Census definition: all persons who are "usually resident" in a specified geographic area.

To calculate residential project generated VMT, the project's zone VMT per resident is multiplied by the average number of people per household, scaled to the size of the residential unit, and is then multiplied by the number of proposed units:

*Zone VMT Per Resident * Persons per Household * Number of Proposed Units*

Non-Residential Project Types

Project generated VMT for non-residential projects, e.g., Commercial, Recreation, Public Service, and TAU, are calculated using a combination of ITE trip rates and the TRPA model trip lengths for the project location (i.e., zone) (Appendix 6). Average trip length was calculated for each zone by averaging all trips that started or ended in the zone.

Project generated VMT = *Zone average trip length * ITE trip generation for project type-size*

Project efficiency = *Project generated VMT / Project type-size*

Standard of Significance

Efficiency based standards of significance for each land use type utilizes the same methodology as previously described for calculating project generated VMT.

Residential Projects = *Sub-regional average VMT Per Resident * Persons per Household (scaled by residential unit size) * Number of Proposed Units * 0.85*

Non-Residential Projects = *Sub-regional average trip length * ITE trip generation for project type/size * 0.85*

Mitigation Monitoring

TRPA is committed to monitoring the efficacy of the updated program. However, approaches to monitoring VMT mitigations at the project level are evolving. The National Center for Sustainable Transportation at the University of California, Davis[21] is initiating a project to develop recommendations for monitoring VMT impacts and assessing the efficacy of VMT reduction strategies at the project level. Staff have been working with this research team on a parallel effort, VMT Measurement in the Tahoe Region. The development of project impact assessment VMT mitigation monitoring will be informed by both efforts as they develop over time.

21 https://ncst.ucdavis.edu/project/monitoring-vehicle-miles-traveled-reduction-claims-local-development-review

Framework Update

The framework will be reviewed and revised within a year following an adopted update to the Regional Transportation Plan so that the updated TRPA Model data and projections and RTP constrained project list, costs, and anticipated funding, are reflected in the project impact assessment and mitigation strategies and fees.

Tool Development

TRPA is developing a project impact assessment tool with Placer County and consultant, Fehr and Peers. The tool will be driven by data from the TRPA Travel Demand model according to the framework detailed here and for California jurisdiction impact assessment to comply with CA SB 743. The tool will be available to the public, consultants, developers, and others to ~~assist in the screening process; to assess whether projects meet screening criteria; to evaluate VMT for non-screened residential, tourist accommodation,~~facilitate consistent and ~~public service projects; to incorporate appropriate VMT mitigations into projects determined to have a significant~~transparent impact ~~(i.e., those that exceed the standards of significance); and to calculate the mobility mitigation fee~~assessment.

Contact Information:

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