



Mail

PO Box 5310
Stateline, NV 89449-5310

Location

128 Market Street
Stateline, NV 89449

Contact

Phone: 775-588-4547
Fax: 775-588-4527
www.trpa.gov

STAFF REPORT

Date: April 5, 2023

To: Advisory Planning Commission

From: TRPA Staff

Subject: Proposed amendments to the “Achievable” deed restriction category definition, including changes to Sections 52.3.4 and 90.2; proposed amendment to Section 34.3.3 regarding driveways for accessory dwelling units.

Summary and Staff Recommendation:

Staff requests a recommendation for approval on proposed code amendments to the “Achievable” deed restriction category definition, including changes to Sections 52.3.4 and 90.2, and an amendment to Section 34.3.3 regarding driveways for accessory dwelling units.

Required Motions:

To approve the recommendation, the Advisory Planning Commission should make the following motion, based on the staff report:

- 1) A motion to recommend adoption of the required findings (Attachment E), including a finding of no significant effect, for the adoption of Amendments to the TRPA Code of Ordinances related to: 1) the “achievable” deed restriction category definition, including changes to Sections 52.3.4 and 90.2, and 2) driveways for accessory dwelling units, including changes to Section 34.3.3 as described in this staff report.
- 2) A motion to recommend adoption of Ordinance 23-__ (Attachment A) amending Ordinance 87-9, as amended, for the adoption of amendments to the TRPA Code of Ordinances Chapters 34, 52, and 90.

In order for the motion(s) to pass, an affirmative vote of the majority of the quorum is required.

Background

Since 1987, TRPA has incentivized development of affordable and multi-family housing through its “Bonus Unit Incentive Pool.” As pressure on the housing market has intensified in recent years, the shortage of available housing has shifted from a shortage of housing for the lowest-income residents to a shortage of housing for residents, including working households, across all income brackets. Over time, TRPA has adapted both its growth management system and its “Bonus Unit Incentive Pool” to keep up with these changing needs.

Bonus Units

In the 1987 Regional Plan, TRPA recognized that there was a critical need for affordable housing, and that special development rights for deed-restricted affordable and non-deed-restricted multi-family

housing should be created. Thus, in 1987 TRPA established the “Bonus Unit Incentive Pool.” The Bonus Unit Incentive Pool comprised 1400 potential residential units of use and could be used for deed-restricted affordable housing or non-deed-restricted multi-family housing that provided additional environmental benefits. It could also be used to incentivize transfers out of sensitive areas. In 2004 the TRPA added deed-restricted “moderate” income housing to the Bonus Pool uses, and in 2018, added deed-restricted “achievable.”

The Creation of the “Achievable” Bonus Unit Category in 2018

In 2018, TRPA created the “achievable”¹ income category as part of its Development Rights Strategic Initiative. The achievable category was meant to provide housing for the “missing middle,” those households whose incomes exceeded the “affordable” (<80 percent of Area Median Income (AMI)) and “moderate” income (<120 percent AMI) categories, but who were priced out of the ownership housing market. “Achievable” income limits were set at the income level needed to afford the median-priced home. Since the median home price varies by county, the “achievable” income limits vary. Currently they vary from a low of 125 percent of AMI in the El Dorado County portion of the Tahoe Region, to a high of 230 percent of AMI in Washoe County for multi-family achievable. As home prices rise, so does the income cap for the “achievable” category.

Discussion

Utilization of “achievable” bonus units is ramping up (TRPA has issued permits for 30 achievable units to date). In past meetings the Tahoe Living Working Group has discussed needed amendments to the “achievable” housing definition to ensure that this housing is primarily occupied by local workers or by those below a certain income level. The existing wording of the achievable definition allows remote workers to be eligible for deed-restricted achievable housing, and members of the Working Group and the public have identified that housing remote workers is not aligned with the intent of the achievable program.

Proposed Updates to the “Achievable” Definition and Other Minor Code Updates

Summary of proposed changes to the Achievable Housing Definition and Deed-Restriction Compliance Program:

- Update “achievable” definition to limit the achievable category to include single or multi-family residential development to be used exclusively as a primary residence by a household that meets one or more of the following criteria:
 1. Has a household income not in excess of 120 percent of the respective county’s area median income (AMI) area median income (AMI) (moderate income households and below); or
 2. At least one occupant of the household works at least 30 hours per week or full-time equivalency for an employer with a business license or tax address within the Tahoe region or Tahoe-Truckee Unified School District. Full-time equivalency may be confirmed by employer; or

¹ The definition of “achievable” was based on the “Achievable Local Housing Policy Brief,” released by the Tahoe Truckee Community Foundation’s Mountain Housing Council, February 20, 2018, available at: <https://www.mountainhousingcouncil.org/achievable-local-housing/>.

3. Is a retired person who has lived in a deed-restricted unit in the Tahoe Basin for more than seven years.
- Update compliance requirements in the deed-restriction template to alert homeowner that TRPA may conduct an audit whereby owners of deed-restricted properties will be required to furnish documentation that the unit is being utilized in accordance with the deed-restriction.

The achievable definition would maintain provisions that the unit cannot be used as a second home or short-term rental. It would also include a notation that TRPA can set asset limits for those purchasing the home, and that for ADUs the employment requirement may be waived when the unit is permanently occupied by a family member of the owner of the primary dwelling.

The code amendment package would also include minor code updates. Currently the only minor code update proposed is to allow a separate driveway for an ADU.

See Attachment A for proposed amendments to the Code of Ordinances in “track changes.”

Committee Recommendations

TRPA’s Local Government and Housing Committee considered the proposed changes to the “achievable” definition in May of 2022 and recommended advancing them to the full Governing Board for consideration. The Regional Plan Implementation Committee (RPIC) made a recommendation for approval to the Governing Board on March 22, 2023 for both the “achievable” definition and ADU driveway updates. The RPIC also noted that increases to the penalties for violations of the deed-restriction and funding for enforcement should be included with the next large housing incentive amendment package to come forward.

Next Steps

After incorporating input received from the Advisory Planning Commission, TRPA will bring these proposed code amendments forward to the Governing Board for consideration in April 2023.

Contact Information:

For questions regarding this agenda item, please contact Karen Fink, at (775) 589-5258 or kfink@trpa.gov.

Attachments:

Attachment A: Ordinance 23-__ with Proposed Code Amendments (in track changes)

Attachment B: Employment Area for Achievable definition – Greater Tahoe-Truckee area

Attachment C: Affordable, Moderate and Achievable Deed Restriction template and Compliance Form in track changes

Attachment D: Public comment received

Attachment E: Findings and Finding of No Significant Effect

Attachment F: Initial Environmental Checklist and Threshold Indicators

Attachment G: Compliance Measures

Attachment A

Ordinance 23-__ with Proposed Code Amendments (in track changes)

TAHOE REGIONAL PLANNING AGENCY

ORDINANCE 2023-___

AN ORDINANCE AMENDING AND ORDINANCE 87-9, AS AMENDED, TO
AMEND TRPA'S CODE OF ORDINANCES AND OTHER MATTERS RELATED
THERE TO

The Governing Board of the Tahoe Regional Planning Agency does ordain as follows:

Section 1.0 **Findings**

- 1.10 The Tahoe Regional Planning Compact (P. L. 96-551, 94 Stat. 3233, 1980) created the Tahoe Regional Planning Agency (TRPA) and empowered it to set forth environmental threshold carrying capacities ("threshold standards") for the Tahoe Region.
- 1.15 The Compact directs TRPA to adopt and enforce a Regional Plan that, as implemented through agency ordinances, rules and regulations, will achieve and maintain such threshold standards while providing opportunities for orderly growth and development consistent with such thresholds.
- 1.20 The Compact further requires that the Regional Plan attain and maintain federal, state, or local air and water quality standards, whichever are strictest, in the respective portions of the region for which the standards are applicable.
- 1.25 Compact Art. V(c) states that the TRPA Governing Board and Advisory Planning Commission shall continuously review and maintain the Regional Plan.
- 1.30 In June 1987, the TRPA Governing Board adopted Ordinance 87-9, which established the Regional Plan and included, amongst other things, the Goals & Policies and the Code of Ordinances ("Code").
- 1.35 Concurrent with this Ordinance, the TRPA Governing Board will approve Ordinance 2023-___, An Ordinance to modify the "achievable" deed restriction category definition to require a local employment component, including changes to Sections 52.3.4 and 90.2; and to allow a second driveway for accessory dwelling units, including changes to Section 34.3.3.
- 1.40 TRPA has made the necessary findings required by Article V of the Compact, Chapter 4 of the Code, and all other applicable rules and regulations, and incorporates these findings fully herein.

1.55 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.0 **Amendment of the TRPA Code of Ordinances**

2.10 Ordinance 87-9, as previously amended, is hereby amended as shown in Exhibit 1

Section 3.0 **Interpretation and Severability**

3.10 The provisions of this ordinance adopted hereby shall be liberally construed to affect their purpose. If any section, clause, provision, or portion thereof is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby. For this purpose, the provisions of this ordinance are hereby declared respectively severable.

Section 4.0 **Effective Date**

4.10 This ordinance shall be effective 60 days after adoption.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held _____ by the following vote:

Ayes:

Nays:

Abstain:

Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency
Governing Board

Exhibit 1 – “Achievable” Code Amendments and Minor Code Amendments – draft code changes

Item #1 - Clarification of the Achievable Housing Definition and updates to the Deed-Restriction Compliance Program

Code of Ordinances

52.3.4. Affordable, Moderate, and Achievable ~~Income~~ Housing

All projects receiving a residential bonus unit for affordable, moderate, or achievable housing development as defined in Chapter 90: *Definitions* shall comply with criteria in Section 52.3.4.A-F. TRPA shall report to the TRPA Governing Board biennially on the implementation of the residential bonus unit program for affordable, moderate, and achievable housing development. This report shall include, but is not limited to, the number of housing developments and units awarded and constructed bonus units, number of bonus units awarded to and constructed in each income category, number of bonus units awarded to and constructed in single and multi-family housing developments, location of housing developments, and compliance with the program.

- A. Residential bonus units may be awarded to single or multi-family housing developments.
- B. The owner of the parcel, through a deed restriction running with the land, shall restrict the unit for which the bonus unit was awarded from being used as a second home or a vacation rental.
- C. A bonus unit may be used for an accessory dwelling unit as defined by Section 21.3.2, notwithstanding 52.3.4.A above, provided it is consistent with all provisions of the applicable area plan or this Code of Ordinances.
- D. The owner of the parcel, through a deed restriction running with the land, shall limit the unit for which the bonus unit was awarded to the approved use and restrict the occupants' household ~~income~~ to affordable, moderate, or achievable ~~housing~~ limits set forth in Chapter 90: *Definitions*, depending on the applicable ~~income level~~ deed-restriction type for which the bonus unit was awarded. The restriction shall also include the requirement to disclose the restrictions associated with the unit at the time of sale of the unit, the requirement to submit an annual compliance report to TRPA, and the potential to be fined up to 1/10 of the current cost of a residential unit of use annually for failure to submit the compliance report or comply with these requirements.
- E. An owner-occupant of a unit who has provided all required annual compliance reports and who has had an increase in income so that they are no longer eligible for the bonus unit may apply to TRPA and receive an exemption to the income requirement until the unit is sold. The owner must continue to be the occupant, provide annual compliance reports to remain eligible for the exemption and not be subject to the annual fine, rent the unit only to a ~~an income~~ qualified renter if no longer the occupant, or sell the unit only to a ~~an income~~ qualified buyer as defined in Section 90.2 of the Code of Ordinances.

F. A renter household which has had an increase in income or change in circumstances such that they no longer meet the qualifying criteria may remain in the home for up to one year, after which time the household is required to re-locate if qualifying factors have not been re-established.

FG. The project awarded a residential bonus unit shall be within ½ mile of a designated Town Center; within ½ mile of an existing transit stop or a transit stop that will be existing concurrent with the completion of the project; or located in an area where multi-family dwellings are an allowed or special use.

90.2. OTHER TERMS DEFINED

Achievable Housing

Single or multi-family residential development to be used exclusively as a residential dwelling by permanent residents who meet one or more of the following criteria:

1. Have a household with an income not in excess of 120 percent of the respective county's area median income (AMI) (moderate income households and below); or

2. At least one occupant of the household works at least 30 hours per week or full-time equivalency for an employer with a business license or tax address within the Tahoe region or Tahoe-Truckee Unified School District. Full-time equivalency may be confirmed by employer; or n household achievable area median income (AMI) percentage, using the following methodology:

1. Determine the county's median income where the housing development will be located using income limits for a family of three published annually by the US Department of Housing and Urban Development and, if applicable, the California Department of Housing and Community Development.

2. Determine the county's median single or multi-family housing price, as applicable, where the housing development will be located using median housing prices published annually by the TRPA.

3. Divide the median single or multi-family housing price, as applicable, (determine in Step 2) by 3.79 (buying power) to determine the annual income needed to afford an achievable housing unit.

4. Divide the annual income needed (calculated in Step 3) by the median income (determined in Step 1) to determine the achievable AMI percentage.

3. Is a retired person who has lived in a deed-restricted unit in the Tahoe Basin for more than seven years.

The employment requirement may be waived for accessory dwelling units when the unit is occupied by a family member related by birth, marriage or adoption to the owner of the primary dwelling. TRPA may include asset limits for purchasers of deed-restricted homes.

Example:

- Median Single Family or Multi-family Home Price (Step 1) / 3.79 = Annual Income Needed

Annual Income Needed (Step 3) / HUD County AMI (Step 2) = Achievable AMI Percentage

- El Dorado Median Multi-family home price of \$330,000 / 3.79 = \$87,071 Annual Income Needed

87,071 Annual Income Needed / \$65,500 HUD El Dorado AMI = 127% maximum AMI per household to be eligible for an achievable residential bonus unit

~~This calculation may be periodically adjusted to reflect changes in the affordability gap between median income and median home price within the Lake Tahoe Basin. Maximum AMI per county per household to be eligible for an achievable bonus unit will be available upon request from TRPA. Achievable housing units shall meet the criteria and restrictions in accordance with Chapter 52: *Bonus Unit Incentive Program*.~~

Achievable deed-restrictions issued before [the date this code amendment goes into effect] may utilize this definition or the definition of “achievable” in effect from December 20, 2018 to [the date this code amendment goes into effect].

Item #2 – Number of Driveways for ADUs

34.3.3. Numbers of Driveways

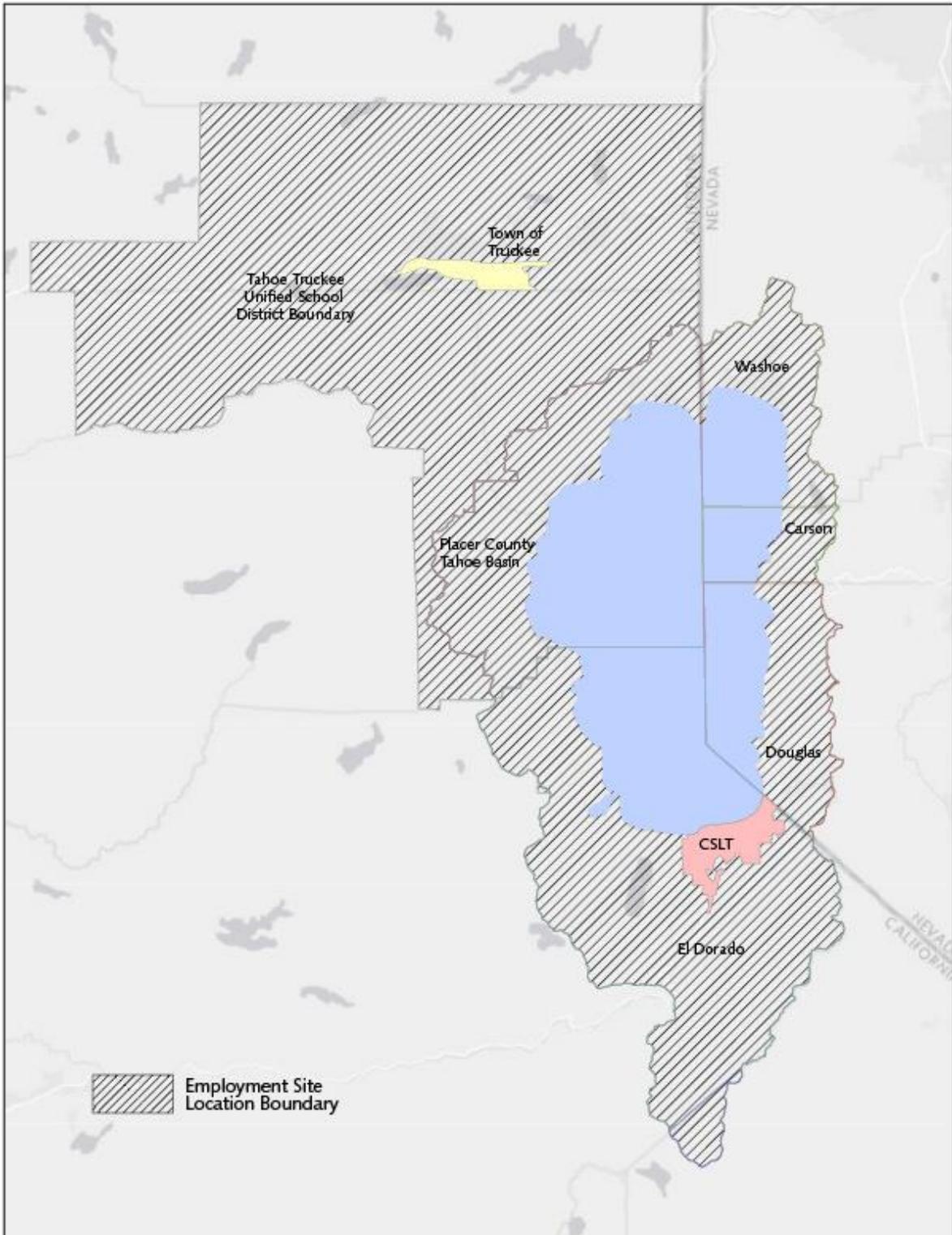
Projects generating up to 1,300 vehicle miles travelled shall be served by a single driveway with no more than two points of ingress/egress from the public right-of-way or other access road, except as provided for in subparagraph A, below. Additional or transferred development that generates more than 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.

- A. ~~A.~~ One accessory dwelling unit may be served by a separate driveway only when doing so would result in less environmental disturbance than a single driveway (e.g. sensitive land disturbance, land coverage, tree removal, grading, etc.).

Attachment B

Employment Area for Achievable definition – Greater Tahoe-Truckee area

Attachment B - Map of Proposed Boundary for Employment Location Eligibility



Attachment C

Affordable, Moderate and Achievable Deed Restriction template and Compliance Form in track changes

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

Tahoe Regional Planning Agency
Attn:
P.O. Box 5310
Stateline, NV 89449

TRPA File No. _____

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
ACHIEVABLE AREA MEDIAN INCOME HOUSING ("DEED RESTRICTION")
RECITALS**

A. Declarants are the owners of that certain real property located at _____, _____ County, State of _____, commonly known as Assessor's Parcel No. _____, and more particularly described in the attached Exhibit A (the "Property").

The Grant Deed conveying the Property to Declarant was recorded on _____, as Document No. _____, in the _____ County Recorder's Office.

B. The Property is located in the Tahoe Region as described in the Tahoe Regional Planning Compact (P.L. 96-551, State. 3233, 1980), which region is subject to the regional plan and the ordinances adopted by the Tahoe Regional Planning Agency ("TRPA") pursuant to the Tahoe Regional Planning Compact.

C. Declarants received approval from TRPA on _____ (TRPA File No. _____), to _____ (on that certain real property formerly known as Assessor's Parcel No. _____), subject to a special condition that _____ of the _____ residential units be deed restricted as Achievable ~~Area Median Income~~ housing units.

D. For purposes of this deed restriction Achievable ~~Area Median Income~~ Housing is defined as:

Single or multi-family residential development to be used exclusively as a residential dwelling by permanent residents who meet one or more of the following criteria:

1. Have a household with an income not in excess of 120 percent of the respective county's area median income (AMI) (moderate income households and below) and, if purchasing the home, whose household assets do not exceed two times the annual household income for the respective AMI category and household size; the county's area median income will be determined according to the income limits published annually by the Department of Housing and Urban Development; or

2. At least one occupant of the household works at least 30 hours per week or full-time equivalency for an employer with a business license or tax address within the Tahoe

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region or Tahoe-Truckee Unified School District. Full-time equivalency may be confirmed by employer; or

3. Is a retired person who has lived in a deed-restricted unit in the Tahoe Basin for more than seven years.

Such housing shall be occupied, rented and sold to households that meet one or more of the above criteria, and shall be rented and sold at prices affordable to households who meet one or more of the above criteria. The employment requirement for occupants with incomes over 120 percent of AMI may be waived for accessory dwelling units when the unit is occupied by a family member.

E. **Household Assets.** Household Assets include the sum of all real and personal property, money, and other items of value owned or controlled by all persons in the household at the time of initial purchase of a unit, including stocks, bonds, precious metals, rare collectibles and bank accounts, but not including clothing, furniture and household appliances. Certain other assets are exempt, including retirement accounts, health savings and college savings accounts.

F. **Primary Residence.** Primary Residence shall mean the occupation and use of a residence as the primary residence, which shall be determined by TRPA taking into account the following circumstances:

i. Voter Registration.

ii. Stated address on Nevada or California Driver's License or Identification Card;

iii. Stated address on motor vehicle registration;

iv. Stated residence for income and tax purposes;

v. Such other circumstances as well as such processes for verification and investigation deemed appropriate by TRPA in determining the applicant is continuously occupying and using the residence as a primary residence; and

vi. Primary residence status may be maintained if circumstances that are unforeseen or beyond the control of the resident arise that requires the household to temporarily leave the residence for a period not to exceed six (6) months with the intent to return, and the residence is leased to another household that meets the "achievable housing" qualifications.

achievable area median income (AMI) percentage, using the following methodology:

~~1. Determine the county's median income where the housing development will be located using income limits for a family of three published annually by the US Department of Housing and Urban Development and, if applicable, the California Department of Housing and Community Development.~~

~~2. Determine the county's median single or multi-family housing price, as applicable, where the housing development will be located using median housing prices published annually by the TRPA.~~

~~3. Divide the median single or multi-family housing price, as applicable, (determine in Step 2) by 3.79 (buying power) to determine the annual income needed to afford an achievable housing unit.~~

~~4. Divide the annual income needed (calculated in Step 3) by the median income (determined in Step 1) to determine the achievable AMI percentage.~~

~~**Please note that the AMI percentages will be rounded to increments of 5%, so the percentages generated using the above methodology may differ slightly from those reported TRPA documentation.~~

DECLARATION

1. Declarants hereby declare that, for the purpose of partially satisfying TRPA's (DATE) _____ conditions of approval, the (#) _____ residential unit(s) on the Property shall be permanently restricted to Achievable ~~Area Median Income~~ Housing and shall not be used as a second home or a vacation rental.
2. The restrictions associated with the Property shall be disclosed to the buyer at the time of sale of the Property, through a Real Estate Disclosure form, a copy of which shall also be filed with the Tahoe Regional Planning Agency.
3. The owner of the Property shall submit an annual compliance report to TRPA. Failure to submit the required report, or failure to comply with the requirements of this deed-restriction may result in an annual fine of up to 1/10 of the current cost of a residential unit of use. TRPA may conduct an audit at any time requesting additional documentation to verify the responses submitted in the compliance report.
4. It shall not be deemed a violation of Section 3 above if:
 - i. The head of household or individual relied upon for qualification becomes disabled and is no longer able to work as determined by TRPA in its sole discretion; or
 - ii. The head of household or individual relied upon for qualification has lost full-time employment and is actively seeking reemployment in the Tahoe region or Tahoe-Truckee Unified School District as determined by TRPA in its sole discretion; or
 - iii. The Property is unoccupied, and the owner of the property is actively seeking to

sell or lease the Property to a qualifying household as determined by TRPA in its sole discretion.

4. An owner-occupant of a Property who has provided all required annual compliance reports and who has had an increase in income so that they no longer meet the income eligibility requirements for Achievable Housing may apply to TRPA and receive an exemption to the income requirement until the unit is sold. To receive the exemption, the owner must either continue to be the occupant and provide annual compliance reports to remain eligible for the exemption and not be subject to the annual fine; or rent the unit only to an income qualified renter if no longer the occupant. When the unit is sold it may only be sold to an income qualified buyer.
5. A renter household which has had an increase in income or change in circumstances such that they no longer meet the qualifying criteria may remain in the home for up to one year, after which time the household is required to re-locate if qualifying factors have not been re-established.
56. This Deed Restriction shall be deemed a covenant running with the land or an equitable servitude, as the case may be, and shall be binding on the Declarants and Declarants' assigns, and all persons acquiring or owning any interests in the Property.
76. The owner of the parcel shall restrict the unit for which the bonus unit was awarded from being used as a second home or a vacation rental.
87. This Deed Restriction may not be revoked or modified without the prior express written and recorded consent of the Tahoe Regional Planning Agency or its successor agency, if any. TRPA is deemed and agreed to be a third-party beneficiary of this Deed Restriction, and as such, can enforce the provisions of this Deed Restriction.

IN WITNESS WHEREOF, Declarants have executed this Deed Restriction this the day and year written below.

Declarant's Signature:

_____ Dated: _____
Name, Title
Ownership Entity

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF)
) SS.
COUNTY OF)

On _____ before me, _____ a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of _____ that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____ (Seal)

Name: _____
(typed or printed)

APPROVED AS TO FORM:

Tahoe Regional Planning Agency

Dated: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF NEVADA)
) SS.
COUNTY OF DOUGLAS)

On _____ before me, _____ a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Nevada that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____ (Seal)

Name: _____
(typed or printed)



TAHOE REGIONAL PLANNING AGENCY
 AFFORDABLE, MODERATE, OR ACHIEVABLE DEED-RESTRICTION
 COMPLIANCE FORM

Per Chapter 52, Bonus Unit Incentive Program of the Tahoe Regional Planning Agency Code of Ordinances, property owners in the Tahoe Region have the option to deed-restrict their parcel to different affordability levels in exchange for a bonus unit. On these parcels, through a deed restriction running with the land, occupants' household income or employment location is restricted to affordable, moderate, or achievable housing limits set forth in Chapter 90, depending on the applicable ~~income level~~ deed-restriction type for which the bonus unit was awarded, and the unit may not be used as a second home or a vacation rental. Deed-restrictions issued per Chapter 52 also include the requirement to disclose the restrictions associated with the unit at the time of sale of the unit, and the **requirement to submit an annual compliance report to TRPA.**

This form must be submitted by April 15 each year following the year in which the home was purchased.

- This form can be digitally signed and submitted electronically by clicking below
- or
- Print, sign and submit via: EMAIL to info@trpa.org, FAX to 775-588-4527, MAIL to PO Box 5310, Stateline NV 89449 or **IN PERSON** at the TRPA front counter located at 128 Market Street, Stateline

Property owners may be subject to a fine of up to 1/10 of the current cost of a residential unit of use (RUU) annually for failure to submit the compliance report, deed-restriction disclosure form, or otherwise comply with the requirements of Chapter 52.

Property Information:

Check one:

Single-Family Residence/Main House Single-Family Residence/Accessory Dwelling Unit (secondary residence). For Single-Family residences, if both the main house and the accessory dwelling unit(s) are deed-restricted, one compliance form may be submitted for all units.

Multi-Family Residence. For Multi-Family Residences, one compliance form may be submitted for multiple units on one parcel.

Physical Address: _____

City: _____ State: _____ County: _____ Zip: _____

Assessor's Parcel Number (APN): _____

1. Deed-restriction affordability level:

Affordable, number of units: ____ Moderate, number of units: ____ Achievable, number of units: ____

2. Units by number of bedrooms:

The deed-restriction covers these units:

Number of studio units: ____ Number of 2-br units: ____ Number of 4-br units: ____

Number of 1-br units: ____ Number of 3-br units: ____ Number of units with 5 or more bedrooms: ____

Total number of units: ____

3. The unit was occupied by the owner throughout the last year: Yes No

3a. If yes, the owner meets the income, employment and/or rent limits established by the deed-restriction, ~~and-as~~ noted in #1, above.

Yes No

4. The unit or units was/were rented: Yes No.

4a. If yes, the renter(s) meet(s) the income, employment and/or rent limits established by the deed-restriction, ~~and-as~~ noted in #1, above.

Yes No

5. ~~The-Has the~~ unit ~~HAS NOT~~ been used as a second home or vacation rental throughout the course of the last year? ~~?~~

Yes No

6. The unit has been used exclusively by a permanent resident or seasonal worker throughout the course of the last year:

Yes No

If you are not able to answer yes to either of 3a. or 4a. above, please contact TRPA.

DECLARATION: I hereby declare under penalty of perjury that all information submitted as part of this compliance form is true and accurate to the best of my knowledge and I understand that should any information submitted be inaccurate, erroneous, or incomplete, TRPA may take appropriate action.

Deed Holder(s)/Property Owner(s):

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Printed Name(s) _____ Date: _____
Signature(s): _____

Attachment D

Public comment received

From: Amanda Adams <amanda@tahoadams.com>
Sent: Saturday, February 18, 2023 8:38 PM
To: Duane Wallace <duane_wallace@hotmail.com>; Karen Fink <kfink@trpa.gov>
Cc: Joe irvin <jirvin@cityofslt.us>; Hilary Roverud <hroverud@cityofslt.us>; John Friedrich <jfriedrich@cityofslt.us>; creegan@cityofslt.us; srobbins@cityofslt.us; cbass@cityofslt.us; Heather Stroud <hstroud@cityofslt.us>
Subject: Re: Tahoe Housing Updates and Events

I agree. Remote workers are a huge boom for us in some ways. They bring outside money into our town to spend. It's like tourists but without the negatives. And brings families into our community which means more year round folks to support local businesses.

Amanda Adams

President - South Tahoe Chamber of Commerce
CA & NV REALTOR® - Paradise Real Estate | Compass

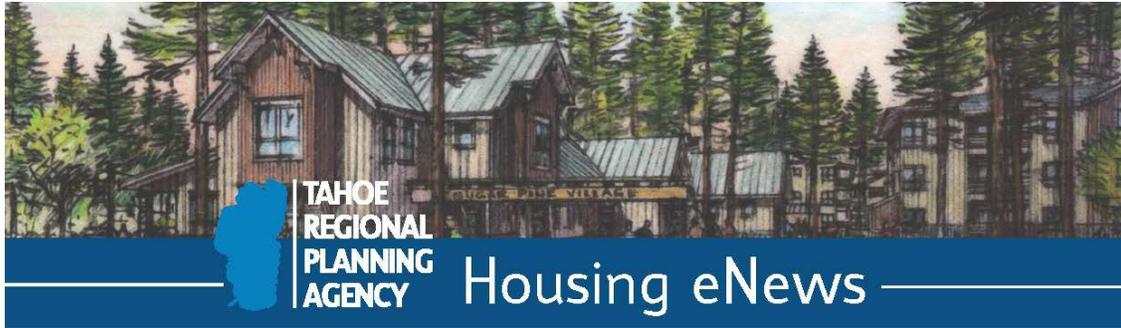
From: Duane Wallace <duane_wallace@hotmail.com>
Sent: Saturday, February 18, 2023 5:28:01 PM
To: Karen Fink <kfink@trpa.gov>
Cc: Joseph Irvin <jirvin@cityofslt.us>; 'Hilary Roverud' <hroverud@cityofslt.us>; jfriedrich@cityofslt.us <jfriedrich@cityofslt.us>; Amanda Adams <amanda@tahoadams.com>; creegan@cityofslt.us <creegan@cityofslt.us>; srobbins@cityofslt.us <srobbins@cityofslt.us>; cbass@cityofslt.us <cbass@cityofslt.us>; Heather Stroud <hstroud@cityofslt.us>
Subject: Re: Tahoe Housing Updates and Events

Karen,

I personally am OK with remote workers being able to get equal treatment. Their pay check comes here, they spend their money here and their children go to school here. In some ways they may create less traffic if they work from home. If they are here full time but working remotely from home, I don't see the distinction.

Duane

From: Karen Fink <kfink@trpa.gov>
Sent: Friday, February 17, 2023 3:18 PM
To: Duane Wallace <duane_wallace@hotmail.com>
Subject: Tahoe Housing Updates and Events



Tahoe Affordable Housing Updates and Events



"Achievable" Definition Updates

On **February 22**, TRPA will hold an informational hearing with its Regional Plan Implementation Committee on updates to the definition of "[achievable](#)" housing to include a local employment component, closing a loophole that allowed achievable units to be used by remote workers. In 2022, the [Tahoe Living Working Group](#) and Local Government and Housing Committee recommended advancing these

updates for approval to the Governing Board. This item will also include a short briefing on how TRPA incentivizes local resident housing within its growth management system. The RPIC meeting will start no earlier than **1:30 PM**.

[February 22 Meeting Materials](#)

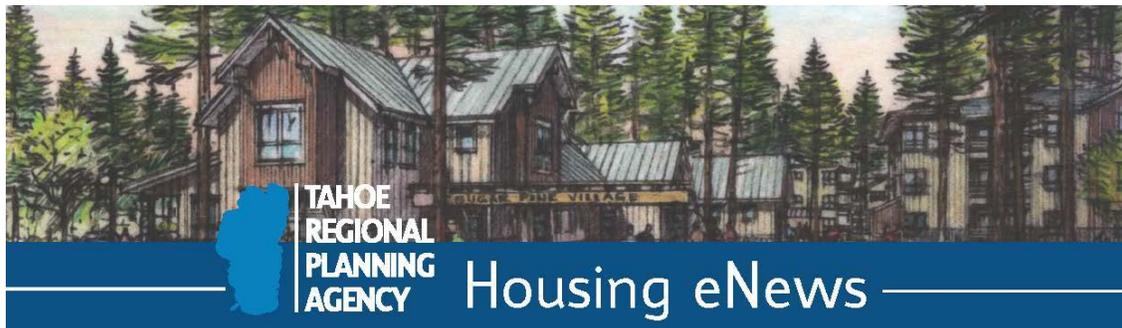
From: Duane Wallace <duane_wallace@hotmail.com>
Sent: Saturday, February 18, 2023 5:28 PM
To: Karen Fink <kfink@trpa.gov>
Cc: Joe irvin <jirvin@cityofslt.us>; Hilary Roverud <hroverud@cityofslt.us>; John Friedrich <jfriedrich@cityofslt.us>; Amanda Adams <amanda@tahoeadams.com>; ccreegan@cityofslt.us; srobbins@cityofslt.us; cbass@cityofslt.us; Heather Stroud <hstroud@cityofslt.us>
Subject: Re: Tahoe Housing Updates and Events

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Duane

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Tahoe Affordable Housing Updates and Events



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[February 22 Meeting Materials](#)

Attachment E

Findings and Finding of No Significant Effect

**REQUIRED FINDINGS & FINDING OF NO SIGNIFICANT EFFECT
FOR "ACHIEVABLE" DEFINITION AMENDMENTS; ACCESSORY DWELLING UNIT DRIVEWAY
AMENDMENT TO THE
TRPA CODE OF ORDINANCES**

This document contains required findings per Chapter 3 and 4 of the TRPA Code of Ordinances for amendments to the TRPA Code of Ordinances Sections 52.3.4 and 90.2 ("achievable" definition amendments); and Section 34.3.3 (driveways for accessory dwelling units).

Chapter 3 Findings: The following finding must be made based on the information submitted in the Initial Environmental Checklist:

1. Finding 3.3.2: The proposed amendments could not have a significant effect on the environment and a finding of no significant effect shall be prepared in accordance with TRPA's Rules of Procedure.

Rationale: TRPA staff prepared an Initial Environmental Checklist (IEC) pursuant to Article VI of TRPA Rules of Procedure and Chapter 3: *Environmental Documentation* of the TRPA Code of Ordinances to evaluate potential environmental effects of the proposed code amendments.

These amendments, as described in the staff report packet, will become part of the Code of Ordinances. Proposed changes are programmatic and not specific to any site location nor any development project, and they do not change any code requirements that affect project evaluation with respect to achieving and maintaining environmental thresholds. Future projects will still be subject to environmental review and analysis in accordance with the TRPA Regional Plan.

Based on the information contained within the IEC, the proposed amendments would not have a significant effect on the environment and TRPA staff prepared a finding of no significant effect in accordance with TRPA's Rules of Procedure Section 6.6 and Code of Ordinance Section 3.3.2.

Chapter 4 Findings: Threshold-Related Findings

1. Finding 4.4.1.A: The proposed amendments are consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Community Plan/Plan Area Statements, the TRPA Code of Ordinances, and other TRPA plans and programs.

Rationale: The proposed amendments help encourage residential bonus units to be used to provide housing for local workers. They also may contribute a small reduction in costs for building accessory dwelling units by removing a requirement that could have led to additional driveway length.

They support the following goals and policies in the Regional Plan:

- GOAL HS-1 Promote housing opportunities for full-time and seasonal residents as well as workers employed within the region.
- GOAL HS-3 Regularly evaluate housing needs in the region and update policies and ordinances if necessary to achieve state, local and regional housing goals.
- POLICY HS-3.1 TRPA shall regularly review its policies and regulations to remove identified barriers preventing the construction of necessary affordable housing in the region. TRPA staff will work with local jurisdictions to address issues including, but not limited to, workforce and moderate income housing, secondary residential units and long term residency in motel units in accordance with the timeline outline in the Implementation Element.

The amendments are consistent with the Tahoe Regional Plan and TRPA Code of Ordinances, as shown in the Conformance Review Checklist, attached to the staff report, and as demonstrated by the IEC.

TRPA therefore finds that the amendments are consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Community Plans, Plan Area Statements, the TRPA Code or Ordinances, and other TRPA plans and programs.

2. Finding 4.4.1.B: The proposed ordinance and rule amendments will not cause the environmental threshold carrying capacities to be exceeded.

Rationale: As demonstrated in the completed IEC, no significant environmental effects were identified as a result of the proposed amendments, and the IEC did not find any thresholds that would be adversely affected or exceeded. As found above, the amendments are consistent with and will help to implement the Regional Plan.

Based on the evaluation in the IEC, evaluation of compliance measures, supplemental compliance measures, and threshold indicator sheets, TRPA finds

that the amendments will not cause the thresholds to be exceeded.

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

Rationale: No applicable federal, state or local air and water quality standard will be exceeded by adoption of the amendments. The proposed amendments do not affect or change the Federal, State or local air and water quality standards applicable for the Region. Projects developed under the Regional Plan will meet the strictest applicable air quality standards and implement water quality improvements consistent with TRPA Best Management Practices (BMPs) requirements and the Lake Tahoe Total Maximum Daily Load (TMDL). Federal, State, and local air and water quality standards remain applicable for all parcels in the region, thus ensuring environmental standards will be achieved or maintained pursuant to the Bi-State Compact.

4. Finding 4.6: To approve any amendment or adoption of the Code, Rules, or other TRPA plans and programs that implement the Regional Plan, TRPA shall find that the Regional Plan and all of its elements, as implemented through the Code, Rules, and other TRPA plans and programs, as amended, achieves and maintains the thresholds.

Rationale: As demonstrated in the IEC and threshold indicators report, as well as the compliance measures consistency evaluation, the Regional Plan and all of its elements, as amended, will achieve and maintain the thresholds. The amendments make a minor adjustment to the use of the residential bonus unit incentive pool, to promote consistency with Regional Plan Goals 1 and 3, and remove a barrier to minimizing the impacts of driveways when constructing an accessory dwelling unit. The Regional Plan, as amended by the project, will continue to promote achieving and maintaining the thresholds.



Mail
PO Box 5310
Stateline, NV 89449-5310

Location
128 Market Street
Stateline, NV 89449

Contact
Phone: 775-588-4547
Fax: 775-588-4527
www.trpa.org

FINDING OF NO SIGNIFICANT EFFECT

Project Description: The “achievable” definition and accessory dwelling unit driveway amendments to the TRPA Code of Ordinances.

Staff Analysis: In accordance with Article IV of the Tahoe Regional Planning Compact, as amended, and Section 6.6 of the TRPA Rules of Procedure, TRPA staff reviewed the information submitted with the subject project.

Determination: Based on the Initial Environmental Checklist, Agency staff found that the subject project will not have a significant effect on the environment.

TRPA Executive Director/Designee

Date

Attachment F

Initial Environmental Checklist and Threshold Indicators



Mail
 PO Box 5310
 Stateline, NV 89449-5310

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 Fax: 775-588-4527
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**INITIAL ENVIRONMENTAL CHECKLIST
 FOR DETERMINATION OF ENVIRONMENTAL IMPACT**

Project Name: "Achievable" Definition Amendments; Accessory Dwelling Unit Driveway Amendment

APN/Project Location: Region-wide

County/City: Select One

Project Description:

"ACHIEVABLE" DEFINITION AMENDMENTS:

Update "achievable" definition to remove previous income caps which varied by county and were all over 120 percent of Area Median Income, and instead limit the "achievable" category to include single or multi-family residential development to be used exclusively as a primary residence by a household that meets one or more of the following criteria:

1. Has a household income not in excess of 120 percent of the respective county's area median income (AMI) area median income (AMI) (moderate income households and below); or
2. At least one occupant of the household works at least 30 hours per week or full-time equivalency for an employer with a business license or tax address within the Tahoe region or Tahoe-Truckee Unified School District. Full-time equivalency may be confirmed by employer; or
3. Is a retired person who has lived in a deed-restricted unit in the Tahoe Basin for more than seven years,

Update compliance requirements in the deed-restriction template to alert homeowner that TRPA may conduct an random audit whereby owners of deed-restricted properties will be required to furnish documentation that the unit is being utilized in accordance with the deed-restriction.

ACCESSORY DWELLING UNIT DRIVEWAY AMENDMENTS:
 Allow a separate driveway for an Accessory Dwelling Unit (ADU) when doing so would result in less environmental disturbance than a single driveway (e.g. sensitive land disturbance, land coverage, tree removal, grading, etc.).



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 Stateline, NV 89449-5310

Location
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The following questionnaire will be completed by the applicant based on evidence submitted with the application. All "Yes" and "No, With Mitigation" answers will require further written comments. Use the blank boxes to add any additional information and reference the question number and letter. If more space is required for additional information, please attached separate sheets and reference the question number and letter.

For information on the status of TRPA environmental thresholds click on the links to the Threshold Dashboard.

I. Environmental Impacts

1. Land

Current and historic status of soil conservation standards can be found at the links below:

- [Impervious Cover](#)
- [Stream Environment Zone](#)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. A change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. Unstable soil conditions during or after completion of the proposal?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. Changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. The continuation of or increase in wind or water erosion of soils, either on or off the site?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. Changes in deposition or erosion of beach sand, or changes in siltation, deposition or erosion, including natural littoral processes, which may modify the channel of a river or stream or the bed of a lake?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
g. Exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Discussion

Neither the "achievable" definition amendments nor the allowance of a separate driveway for an ADU change the coverage requirements. All projects must comply with existing coverage requirements.



Mail
 PO Box 5310
 Stateline, NV 89449-5310

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 128 Market Street
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2. Air Quality

Current and historic status of air quality standards can be found at the links below:

- [Carbon Monoxide \(CO\)](#)
- [Nitrate Deposition](#)
- [Ozone \(O3\)](#)
- [Regional Visibility](#)
- [Respirable and Fine Particulate Matter](#)
- [Sub-Regional Visibility](#)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Substantial air pollutant emissions?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. Deterioration of ambient (existing) air quality?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. The creation of objectionable odors?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. Increased use of diesel fuel?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Discussion

Changing the "achievable" definition to require that those occupying the unit work for a local employer rather than having a cap on their income will not change air pollutant emissions or other air quality factors. The driving patterns of occupants will not be significantly different based on this change. Allowing a separate driveway for an ADU, rather than a circular driveway, will not change the air quality emissions related to use of ADUs.



3. Water Quality

Current and historic status of water quality standards can be found at the links below:

- [Aquatic Invasive Species](#)
- [Deep Water \(Pelagic\) Lake Tahoe](#)
- [Groundwater](#)
- [Nearshore \(Littoral\) Lake Tahoe](#)
- [Other Lakes](#)
- [Surface Runoff](#)
- [Tributaries](#)
- [Load Reductions](#)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Changes in currents, or the course or direction of water movements?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff so that a 20 yr. 1 hr. storm runoff (approximately 1 inch per hour) cannot be contained on the site?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. Alterations to the course or flow of 100-year flood waters?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. Change in the amount of surface water in any water body?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. Alteration of the direction or rate of flow of ground water?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
g. Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
h. Substantial reduction in the amount of water otherwise available for public water supplies?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
i. Exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
j. The potential discharge of contaminants to the groundwater or any alteration of groundwater quality?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
k. Is the project located within 600 feet of a drinking water source?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Discussion

Neither the "achievable" definition amendments nor the allowance of a separate driveway for an ADU change the requirements for treatment of stormwater on a project-level basis. Regarding "k.", this is a regional level change so it is unclear whether any particular project may be in proximity to a drinking water source.



Mail
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 Stateline, NV 89449-5310

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4. Vegetation

Current and historic status of vegetation preservation standards can be found at the links below:

- [Common Vegetation](#)
- [Late Seral/Old Growth Ecosystems](#)
- [Sensitive Plants](#)
- [Uncommon Plant Communities](#)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. Removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. Introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. Change in the diversity or distribution of species, or number of any species of plants (including trees, shrubs, grass, crops, micro flora, and aquatic plants)?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. Reduction of the numbers of any unique, rare, or endangered species of plants?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. Removal of stream bank and/or backshore vegetation, including woody vegetation such as willows?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
g. Removal of any native live, dead or dying trees 30 inches or greater in diameter at breast height (dbh) within TRPA's Conservation or Recreation land use classifications?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
h. A change in the natural functioning of an old growth ecosystem?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Discussion

Neither the "achievable" definition amendments nor the allowance of a separate driveway for an ADU change the project-level requirements for addressing impacts to vegetation. A separate driveway for an ADU would only be allowed if it resulted in less disturbance to vegetation or less disturbance overall, when considering other environmental factors.



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5. Wildlife

Current and historic status of special interest species standards can be found at the links below:

- [Special Interest Species](#)

Current and historic status of the fisheries standards can be found at the links below:

- [Instream Flow](#)
- [Lake Habitat](#)
- [Stream Habitat](#)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Change in the diversity or distribution of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects, mammals, amphibians or microfauna)?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. Reduction of the number of any unique, rare or endangered species of animals?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. Deterioration of existing fish or wildlife habitat quantity or quality?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Discussion

Neither the "achievable" definition amendments nor the allowance of a separate driveway for an ADU change the requirements for considering impacts to wildlife at a project level.

6. Noise

Current and historic status of the noise standards can be found at the links below:

- [Cumulative Noise Events](#)
- [Single Noise Events](#)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Area Plan, Plan Area Statement, Community Plan or Master Plan?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. Exposure of people to severe noise levels?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. Single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. The placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. The placement of uses that would generate an incompatible noise level in close proximity to existing residential or tourist accommodation uses?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. Exposure of existing structures to levels of ground vibration that could result in structural damage?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Discussion

Changing the "achievable" definition to require that those occupying the unit work for a local employer rather than having a cap on their income will not change noise levels. The noise-related activities of occupants will not be significantly different based on this change. Allowing a separate driveway for an ADU, rather than a circular driveway, will not change noise levels related to use of ADUs.

7. Light and Glare

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Include new or modified sources of exterior lighting?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. Create new illumination which is more substantial than other lighting, if any, within the surrounding area?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. Cause light from exterior sources to be cast off -site or onto public lands?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. Create new sources of glare through the siting of the improvements or through the use of reflective materials?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Discussion

All projects must comply with light and glare requirements.

8. Land Use

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Include uses which are not listed as permissible uses in the applicable Area Plan, Plan Area Statement, adopted Community Plan, or Master Plan?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. Expand or intensify an existing non-conforming use?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Discussion

The proposal does not change permissible uses.



Mail
 PO Box 5310
 Stateline, NV 89449-5310

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 128 Market Street
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Contact
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9. Natural Resources

Will the proposal result in:

- | | Yes | No | No, with mitigation | Data insufficient |
|--|-----------------------|----------------------------------|-----------------------|-----------------------|
| a. A substantial increase in the rate of use of any natural resources? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| b. Substantial depletion of any non-renewable natural resource? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

Changing the "achievable" definition to require that those occupying the unit work for a local employer rather than having a cap on their income will not change the rate of use of natural resources. The lifestyle patterns of occupants will not be significantly different based on this change. Allowing a separate driveway for an ADU, rather than a circular driveway, will not change the rate of use of natural resources.

10. Risk of Upset

Will the proposal:

- | | Yes | No | No, with mitigation | Data insufficient |
|---|-----------------------|----------------------------------|-----------------------|-----------------------|
| a. Involve a risk of an explosion or the release of hazardous substances including, but not limited to, oil, pesticides, chemicals, or radiation in the event of an accident or upset conditions? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| b. Involve possible interference with an emergency evacuation plan? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

The proposal will not change the risk of explosion or release of hazardous substances, nor will it interfere with evacuation or change emergency evacuation plans.



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11. Population

Will the proposal:

- | | Yes | No | No, with mitigation | Data insufficient |
|--|----------------------------------|----------------------------------|-----------------------|-----------------------|
| a. Alter the location, distribution, density, or growth rate of the human population planned for the Region? | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| b. Include or result in the temporary or permanent displacement of residents? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

The proposal is intended to create more housing opportunities for employees of local businesses and organizations.

12. Housing

Will the proposal:

- | | Yes | No | No, with mitigation | Data insufficient |
|--|-----------------------|----------------------------------|-----------------------|-----------------------|
| a. Affect existing housing, or create a demand for additional housing?
<i>To determine if the proposal will affect existing housing or create a demand for additional housing, please answer the following questions:</i> | | | | |
| 1. Will the proposal decrease the amount of housing in the Tahoe Region? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 2. Will the proposal decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

The proposal will not decrease the amount of housing in the Tahoe Region. The proposal will specify that new housing that uses Bonus Units in the "achievable" category must be used by those with incomes below 120 percent of Area Median Income, or for a household with employees of local businesses. Thus it seeks to better ensure that available housing stock is used for lower-income residents and/or those residents that are employed by local employers.

The proposal does not change any regulations or incentives for housing that is currently being rented at rates affordable by lower and very-low-income households.



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 Stateline, NV 89449

Contact
 Phone: 775-588-4547
 Fax: 775-588-4527
 www.trpa.gov

13. Transportation / Circulation

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Generation of 650 or more new average daily Vehicle Miles Travelled?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. Changes to existing parking facilities, or demand for new parking?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. Substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. Alterations to present patterns of circulation or movement of people and/or goods?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. Alterations to waterborne, rail or air traffic?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Discussion

Changing the "achievable" definition to require that those occupying the unit work for a local employer rather than having a cap on their income will not change travel patterns or vehicle miles traveled. The driving patterns of occupants will not be significantly different based on this change. Allowing a separate driveway for an ADU, rather than a circular driveway, will not change the travel patterns related to use of ADUs.



Mail
 PO Box 5310
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14. Public Services

Will the proposal have an unplanned effect upon, or result in a need for new or altered governmental services in any of the following areas?:

	Yes	No	No, with mitigation	Data insufficient
a. Fire protection?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. Police protection?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. Schools?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. Parks or other recreational facilities?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. Maintenance of public facilities, including roads?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. Other governmental services?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Discussion

The proposed "achievable" definition amendments will result in the use and occupancy of homes being more closely aligned with what was envisioned and analyzed in the 2012 Regional Plan Update and other previous Regional Plans. The change corrects a possible mis-use of units constructed with Bonus Units. The change to driveways related to ADUs will not result in the need for additional public services.

15. Energy

Will the proposal result in:

- | | Yes | No | No, with mitigation | Data insufficient |
|---|-----------------------|----------------------------------|-----------------------|-----------------------|
| a. Use of substantial amounts of fuel or energy? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion:

The proposed "achievable" definition amendments will result in the use and occupancy of homes being more closely aligned with what was envisioned and analyzed in the 2012 Regional Plan Update and other previous Regional Plans. The change corrects a possible mis-use of units constructed with Bonus Units. The change to driveways related to ADUs will not result in a change to the use of fuel or energy.

16. Utilities

Except for planned improvements, will the proposal result in a need for new systems, or substantial alterations to the following utilities:

- | | Yes | No | No, with mitigation | Data insufficient |
|---|-----------------------|----------------------------------|-----------------------|-----------------------|
| a. Power or natural gas? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| b. Communication systems? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| c. Utilize additional water which amount will exceed the maximum permitted capacity of the service provider? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| d. Utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| e. Storm water drainage? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| f. Solid waste and disposal? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

The proposed "achievable" definition amendments will result in the use and occupancy of homes being more closely aligned with what was envisioned and analyzed in the 2012 Regional Plan Update and other previous Regional Plans. The change corrects a possible mis-use of units constructed with Bonus Units. The change to driveways related to ADUs will not result in the need for new utilities.



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17. Human Health

Will the proposal result in:

- | | Yes | No | No, with mitigation | Data insufficient |
|--|-----------------------|----------------------------------|-----------------------|-----------------------|
| a. Creation of any health hazard or potential health hazard (excluding mental health)? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| b. Exposure of people to potential health hazards? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

18. Scenic Resources / Community Design

Current and historic status of the scenic resources standards can be found at the links below:

- [Built Environment](#)
- [Other Areas](#)
- [Roadway and Shoreline Units](#)

Will the proposal:

- | | Yes | No | No, with mitigation | Data insufficient |
|---|-----------------------|----------------------------------|-----------------------|----------------------------------|
| a. Be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| b. Be visible from any public recreation area or TRPA designated bicycle trail? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| c. Block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| d. Be inconsistent with the height and design standards required by the applicable ordinance, Community Plan, or Area Plan? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| e. Be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

The proposed amendments are changes to regional codes, and it is unknown where any individual project may be located. All projects must comply with existing scenic requirements. The proposed amendments do not make any changes to scenic requirements.



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19. Recreation

Current and historic status of the recreation standards can be found at the links below:

- [Fair Share Distribution of Recreation Capacity](#)
- [Quality of Recreation Experience and Access to Recreational Opportunities](#)

Will the proposal:

- | | Yes | No | No, with mitigation | Data insufficient |
|---|-----------------------|----------------------------------|-----------------------|-----------------------|
| a. Create additional demand for recreation facilities? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| b. Create additional recreation capacity? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| c. Have the potential to create conflicts between recreation uses, either existing or proposed? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| d. Result in a decrease or loss of public access to any lake, waterway, or public lands? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

Changing the "achievable" definition to require that those occupying the unit work for a local employer rather than having a cap on their income will not affect recreational capacity. The recreation patterns of occupants will not be significantly different based on this change. Allowing a separate driveway for an ADU, rather than a circular driveway, will not change recreation patterns related to use of ADUs.



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20. Archaeological / Historical

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. An alteration of or adverse physical or aesthetic effect to a significant archaeological or historical site, structure, object or building?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. Is the proposed project located on a property with any known cultural, historical, and/or archaeological resources, including resources on TRPA or other regulatory official maps or records?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
c. Is the property associated with any historically significant events and/or sites or persons?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
d. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Discussion

The proposed amendments are changes to regional codes, and it is unknown where any individual project may be located. All projects must comply with existing archeological/historic requirements. The proposed amendments do not make any changes to these requirements.



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21. Findings of Significance

- | | Yes | No | No, with mitigation | Data insufficient |
|--|-----------------------|----------------------------------|-----------------------|-----------------------|
| a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California or Nevada history or prehistory? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time, while long-term impacts will endure well into the future.) | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environmental is significant?) | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| d. Does the project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

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DECLARATION:

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Signature:

<input type="text"/>	at	<input type="text" value="Select One"/>	<input type="text"/>
----------------------	----	---	----------------------

Person preparing application

County

Date

Applicant Written Comments: (Attach additional sheets if necessary)

Determination:

On the basis of this evaluation:

- a. The proposed project could not have a significant effect on the environment and a finding of no significant effect shall be prepared in accordance with TRPA's Rules of Procedure YES NO
- b. The proposed project could have a significant effect on the environment, but due to the listed mitigation measures which have been added to the project, could have no significant effect on the environment and a mitigated finding of no significant effect shall be prepared in accordance with TRPA's Rules and Procedures. YES NO
- c. The proposed project may have a significant effect on the environment and an environmental impact statement shall be prepared in accordance with this chapter and TRPA's Rules of Procedures. YES NO

Signature of Evaluator

Title of Evaluator

Date

Attachment G
Compliance Measures

Attachment G - COMPLIANCE MEASURES FOR "ACHIEVABLE" DEFINITION AMENDMENTS; ACCESSORY DWELLING UNIT DRIVEWAY AMENDMENT TO THE TRPA CODE OF ORDINANCES

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
WATER QUALITY/SEZ - IN PLACE				
1	BMP requirements, new development: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	The proposed amendments make no changes to BMP requirements and implementation programs.
2	BMP implementation program -- existing streets and highways: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Trans, Fish	N	
3	BMP implementation program -- existing urban development: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	
4	BMP implementation program -- existing urban drainage systems: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Trans, Fish	N	
5	Capital Improvements Program for Erosion and Runoff Control	WQ, Soils/SEZ, Trans, Fish	N	The proposed amendments make no changes to policies that would impact the Capital Improvement Program for Erosion and Runoff Control.
6	Excess land coverage mitigation program: <i>Code of Ordinances</i> Chapter 30	WQ, Soils/SEZ	N	The proposed amendments do not change excess mitigation requirements.
7	Effluent (Discharge) limitations: California (SWRCB, Lahontan Board) and Nevada (NDEP): <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	The effluent limitations in Chapter 5 of the TRPA Code of Ordinances are not being modified.
8	Limitations on new subdivisions: (See the Goals and Policies: Land Use Element)	WQ, Soils/SEZ, Rec, Scenic	N	New subdivisions will continue to be limited by the provisions in Chapter 39, Subdivision, of the TRPA Code of Ordinances. There is no change to limitations on new subdivisions.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
9	Land use planning and controls: See the Goals and Policies: Land Use Element and Code of Ordinances Chapters 11, 12, 13, 14, and 21	WQ, Soils/SEZ, Trans, Scenic	Y	The amendments do not make any changes to allowable uses or land use controls in Chapters 11, 12, 13, 14 and 21.
10	Residential development priorities, The Individual Parcel Evaluation System (IPES): Goals and Policies: Implementation Element and Code of Ordinances Chapter 53	WQ, Soils/SEZ	N	TRPA's residential growth management provisions and Individual Parcel Evaluation System (IPES) will remain in effect and unchanged.
11	Limits on land coverage for new development: Goals and Policies: Land Use Element and Code of Ordinances Chapter 30	WQ, Soils/SEZ, Scenic	N	No changes to limits on land coverage are proposed with the amendments.
12	Transfer of development: Goals and Policies: Land Use Element and Implementation Element	WQ, Soils/SEZ	N	The amendments do not make any changes to transfer of development policies.
13	Restrictions on SEZ encroachment and vegetation alteration: <i>Code of Ordinances Chapters 30 and 61</i>	WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic	N	The amendments will not alter existing restrictions on SEZ encroachment and vegetation alteration in the TRPA Code of Ordinances, Chapters 30 and 61.
14	SEZ restoration program: Environmental Improvement Program.	WQ, Soils/SEZ, Veg, Wildlife, Fish, Scenic	N	The amendments do not change policies and provisions that require the protection and restoration of SEZs.
15	SEZ setbacks: <i>Code of Ordinances Chapter 53</i>	WQ, Soils/SEZ, Veg, Wildlife, Fish	N	SEZ setback requirements in the TRPA Code of Ordinances, Chapter 53, Individual Parcel Evaluation System, Section 53.9, will not be altered by the amendments.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
16	Fertilizer reporting requirements: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish, Rec	N	The amendments will not modify the Resource Management and Protection regulations, Chapters 60 through 68, of the TRPA Code of Ordinances. Thus, fertilizer reporting and water quality mitigation requirements will stay in effect.
17	Water quality mitigation: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
18	Restrictions on rate and/or amount of additional development	WQ, Soils/SEZ, Wildlife, Scenic	N	The amendments do not change the rate of allocation distribution or add any new development potential.
19	Improved BMP implementation/enforcement program	WQ, Soils/SEZ	Y	See response to Compliance Measures 1 through 4.
20	Increased funding for EIP projects for erosion and runoff control	WQ, Soils/SEZ	N	The amendments will not directly increase funding for EIP projects for erosion and runoff control.
21	Artificial wetlands/runoff treatment program	WQ, Soils/SEZ	N	There are no changes to the artificial wetlands/runoff treatment program proposed.
22	Transfer of development from SEZs	WQ, Soils/SEZ, Scenic	N	The amendments do not affect existing provisions regarding the transfer of development from SEZs.
23	Improved mass transportation	WQ, Trans, Noise	Y	The amendments do not directly improve or affect mass transportation, however they may encourage more use of transit as they provide additional housing opportunities for local residents and workers.
24	Redevelopment and redirection of land use: Goals and Policies: Land Use Element and Code of Ordinances Chapter 13	WQ, Soils/SEZ, Scenic	Y	The amendments do not affect redevelopment or any redirection of land use.
25	Combustion heater rules, stationary source controls, and related rules: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	The amendments do not alter existing TRPA Code of Ordinance provisions concerning combustion heaters, stationary source controls, sewage transport, treatment, or release, garbage or hazardous materials and waste.
26	Elimination of accidental sewage releases: Goals and Policies: Land Use Element	WQ, Soils/SEZ	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
27	Reduction of sewer line exfiltration: Goals and Policies: Land Use Element	WQ, Soils/SEZ	N	
28	Effluent limitations	WQ, Soils/SEZ	N	
29	Regulation of wastewater disposal at sites not connected to sewers: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
30	Prohibition on solid waste disposal: Goals and Policies: Land Use Element	WQ, Soils/SEZ	N	
31	Mandatory garbage pick-up: Goals and Policies: Public Service Element	WQ, Soils/SEZ, Wildlife	N	
32	Hazardous material/wastes programs: Goals and Policies: Land Use Element and <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
33	BMP implementation program, Snow and ice control practices: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, AQ	N	The amendments will not change BMP requirements. See response to Compliance Measures 1 through 4.
34	Reporting requirements, highway abrasives and deicers: Goals and Policies:, Land Use Element and <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	
35	BMP implementation program--roads, trails, skidding, logging practices: <i>Code of Ordinances</i> Chapter 60, Chapter 61	WQ, Soils/SEZ, Fish	N	
36	BMP implementation program--outdoor recreation: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish, Rec	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
37	BMP implementation program--livestock confinement and grazing: <i>Code of Ordinances</i> Chapter 21, Chapter 60, Chapter 64	WQ, Soils/SEZ, Veg, Wildlife, Fish	N	
38	BMP implementation program--pesticides	WQ, Soils/SEZ	N	
39	Land use planning and controls -- timber harvesting: <i>Code of Ordinances</i> Chapter 21	WQ, Soils/SEZ, AQ, Wildlife, Fish, Scenic	N	There are no changes to allowable timber harvesting requirements or permissibility as part of the amendments.
40	Land use planning and controls - outdoor recreation: <i>Code of Ordinances</i> Chapter 21	WQ, Soils/SEZ, Wildlife, Noise, Rec, Scenic	N	There are no changes to outdoor recreation requirements or permissibility as part of this proposal.
41	Land use planning and controls--ORV use: Goals and Policies: Recreation Element	WQ, Soils/SEZ, AQ, Wildlife, Fish, Noise, Rec, Scenic	N	There are no changes to off-road vehicle use as part of this proposal.
42	Control of encroachment and coverage in sensitive areas	WQ, Soils/SEZ, Wildlife, Rec, Scenic	N	No changes to coverage regulations or regulations related to encroachment into sensitive areas are included in the amendments.
43	Control on shorezone encroachment and vegetation alteration: <i>Code of Ordinances</i> Chapter 83	WQ, Soils/SEZ, Scenic	N	No changes are being proposed that would modify existing code provisions related to the shorezone or impact these compliance measures.
44	BMP implementation program--shorezone areas: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
45	BMP implementation program--dredging and construction in Lake Tahoe: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
46	Restrictions and conditions on filling and dredging: <i>Code of Ordinances</i> Chapter 84	WQ, Soils/SEZ, Fish	N	
47	Protection of stream deltas	WQ, Soils/SEZ, Wildlife, Fish, Scenic	N	
48	Marina master plans: <i>Code of Ordinances</i> Chapter 14	WQ, AQ/Trans, Fish, Scenic	N	
49	Additional pump-out facilities: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
50	Controls on anti-fouling coatings: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	
51	Modifications to list of exempt activities	WQ, Soils/SEZ	N	The amendments do not alter the list of exempt activities. No changes are proposed.
WATER QUALITY/SEZ – SUPPLEMENTAL				
52	More stringent SEZ encroachment rules	WQ, Soils/SEZ, Wildlife, Fish	N	The amendments do not include any provisions that would impact Compliance Measures 52 through 61.
53	More stringent coverage transfer requirements	WQ, Soils/SEZ	N	
54	Modifications to IPES	WQ, Soils/SEZ	N	
55	Increased idling restrictions	WQ, Soils/SEZ, AQ	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
56	Control of upwind pollutants	WQ, Soils/SEZ, AQ	N	
57	Additional controls on combustion heaters	WQ, Soils/SEZ, AQ	N	
58	Improved exfiltration control program	WQ, Soils/SEZ	N	
59	Improved infiltration control program	WQ, Soils/SEZ	N	
60	Water conservation/flow reduction program	WQ, Soils/SEZ, Fish	N	
61	Additional land use controls	WQ, Soils/SEZ, Wildlife	N	
AIR QUALITY/TRANSPORTATION - IN PLACE				
62	Fixed Route Transit - South Shore	Trans, Rec	N	As noted in Compliance Measure 23, above, the amendments do not change plans or goals and policies related to transit or active transportation, but they could support transit indirectly by providing additional opportunities for housing for local residents and workers who may use transit for work or other activities.
63	Fixed Route Transit - North Shore: TART	Trans, Rec	N	
64	Demand Responsive Transit - South Shore	Trans	N	
65	Seasonal Trolley Services - North and South Shores: South Shore TMA and Truckee-North Tahoe TMA	Trans, Rec	N	
66	Social Service Transportation	Trans	N	
67	Shuttle programs	Trans	N	
68	Ski shuttle services	Trans, Rec	N	
69	Intercity bus services	Trans	N	
70	Passenger Transit Facilities: South Y Transit Center	Trans	N	
71	Bikeways, Bike Trails	Trans, Noise, Rec, Scenic	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
72	Pedestrian facilities	Trans, Rec, Scenic	N	
73	Wood heater controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	The amendments do not make any changes to wood or gas heater controls, or stationary source controls.
74	Gas heater controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
75	Stationary source controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
76	U.S. Postal Service Mail Delivery	Trans	N	The amendments do not include any provisions that would impact U.S. Postal Service Delivery.
77	Indirect source review/air quality mitigation: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	The amendments do not make any changes to indirect source review/air quality mitigation requirements, or idling restrictions.
78	Idling Restrictions: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
79	Vehicle Emission Limitations (State/Federal)	WQ, AQ	N	The amendments do not include any provisions related to vehicle emission limitations established by the State/Federal Government.
80	Open Burning Controls: <i>Code of Ordinances</i> Chapters 61 and Chapter 65	WQ, AQ, Scenic	N	The amendments do not make any changes to open burning controls.
81	BMP and Revegetation Practices	WQ, AQ, Wildlife, Fish	N	See response to Compliance Measures 1 through 4.
82	Employer-based Trip Reduction Programs: <i>Code of Ordinances</i> Chapter 65	Trans	N	The amendments do not make any changes to the employer-based trip reduction programs or vehicle rental programs described in Chapter 65.
83	Vehicle rental programs: <i>Code of Ordinances</i> Chapter 65	Trans	N	
84	Parking Standards	Trans	N	The amendments do not make any changes related to parking management areas, parking fees, or parking facilities.
85	Parking Management Areas	Trans	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
86	Parking Fees	Trans	N	The amendments do not make any changes that would impact traffic management, signal synchronization, aviation, waterborne transit or excursions, air quality monitoring, alternative fueled vehicle fleets or infrastructure improvements, north shore transit, or the Heavenly Ski Resort Gondola.
87	Parking Facilities	Trans	N	
88	Traffic Management Program - Tahoe City	Trans	N	
89	US 50 Traffic Signal Synchronization - South Shore	Trans	N	
90	General Aviation, The Lake Tahoe Airport	Trans, Noise	N	
91	Waterborne excursions	WQ, Trans, Rec	N	
92	Waterborne transit services	WQ, Trans, Scenic	N	
93	Air Quality Studies and Monitoring	WQ, AQ	N	
94	Alternate Fueled Vehicle - Public/Private Fleets and Infrastructure Improvements	Trans	N	
95	Demand Responsive Transit - North Shore	Trans	N	
96	Tahoe Area Regional Transit Maintenance Facility	Trans	N	
97	Heavenly Ski Resort Gondola	Trans	N	
AIR QUALITY/TRANSPORTATION – SUPPLEMENTAL				
98	Demand Responsive Transit - North Shore	Trans	N	See response to Compliance Measures 23, 62 through 97, and 1-4 (Road improvements, BMPs).
99	Transit System - South Shore	Trans	N	
100	Transit Passenger Facilities	Trans	N	
101	South Shore Transit Maintenance Facility - South Shore	Trans	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
102	Transit Service - Fallen Leaf Lake	WQ, Trans	N	
103	Transit Institutional Improvements	Trans	N	
104	Transit Capital and Operations Funding Acquisition	Trans	N	
105	Transit/Fixed Guideway Easements - South Shore	Trans	N	
106	Visitor Capture Program	Trans	N	
107	Pedestrian and Bicycle Facilities--South Shore	Trans, Rec	N	
108	Pedestrian and Bicycle Facilities--North Shore	Trans, Rec	N	
109	Parking Inventories and Studies Standards	Trans	N	
110	Parking Management Areas	Trans	N	
111	Parking Fees	Trans	N	
112	Establishment of Parking Task Force	Trans	N	
113	Construct parking facilities	Trans	N	
114	Intersection improvements--South Shore	Trans, Scenic	N	
115	Intersection improvements--North Shore	Trans, Scenic	N	
116	Roadway Improvements - South Shore	Trans, Scenic	N	
117	Roadway Improvements - North Shore	Trans, Scenic	N	
118	Loop Road - South Shore	Trans, Scenic	N	
119	Montreal Road Extension	Trans	N	
120	Kingsbury Connector	Trans	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
121	Commercial Air Service: Part 132 commercial air service	Trans	N	
122	Commercial Air Service: commercial air service that does not require Part 132 certifications	Trans	N	
123	Expansion of waterborne excursion service	WQ, Trans	N	
124	Re-instate the oxygenated fuel program	WQ, AQ	N	
125	Management Programs	Trans	N	
126	Around the Lake Transit	Trans	N	
VEGETATION - IN PLACE				
127	Vegetation Protection During Construction: <i>Code of Ordinances</i> Chapter 33	WQ, AQ, Veg, Scenic	N	The amendments will not alter the provisions of Chapter 33 in the TRPA Code of Ordinances.
128	Tree Removal: <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Scenic	N	The amendments do not alter tree removal, prescribed burning, vegetation management or plant protection and fire hazard reduction provisions of Chapter 61 of the Code.
129	Prescribed Burning: <i>Code of Ordinances</i> Chapter 61	WQ, AQ, Veg, Wildlife, Scenic	N	
130	Remedial Vegetation Management: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife	N	
131	Sensitive and Uncommon Plant Protection and Fire Hazard Reduction: <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Scenic	N	
132	Revegetation: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife, Scenic	N	
133	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	WQ, Veg	N	The amendments do not alter remedial action plan requirements.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
134	Handbook of Best Management Practices	WQ, Soils/SEZ, Veg, Fish	N	The Handbook of Best Management Practices will continue to be used to design and construct BMPs.
135	Shorezone protection	WQ, Soils/SEZ, Veg	N	See response to Compliance Measures 43 through 50.
136	Project Review	WQ, Veg	N	The amendments do not make any changes to the project review process or compliance inspections.
137	Compliance inspections	Veg	N	
138	Development Standards in the Backshore	WQ, Soils/SEZ, Veg, Wildlife, Scenic	N	See response to Compliance Measures 43 through 50.
139	Land Coverage Standards: <i>Code of Ordinances</i> Chapter 30	WQ, Veg, Wildlife, Fish, Scenic	N	See response to Compliance Measure 11.
140	Grass Lake, Research Natural Area	WQ, Veg, Wildlife, Fish, Scenic	N	N/A
141	Conservation Element, Vegetation Subelement: Goals and Policies	Veg, Wildlife, Fish	N	The amendments are consistent with the 2012 Regional Plan, including the Conservation Element and Vegetation Subelement Goals and Policies.
142	Late Successional Old Growth (LSOG): <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Fish	N	The amendments do not make any changes to provisions of Lake Successional Old Growth and Stream Environment Zone Vegetation.
143	Stream Environment Zone Vegetation: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife, Fish	N	
144	Tahoe Yellow Cress Conservation Strategy	Veg	N	The amendments do not impact efforts to conserve the Tahoe Yellow Cress.
145	Control and/or Eliminate Noxious Weeds	Veg, Wildlife	N	The amendments will not impact efforts to control or eliminate noxious weeks.
146	Freel Peak Cushion Plant Community Protection	Veg	N	N/A

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
VEGETATION – SUPPLEMENTAL				
147	Deepwater Plant Protection	WQ, Veg	N	See response to Compliance Measures 16 and 17 and 43 through 50.
WILDLIFE - IN PLACE				
148	Wildlife Resources: <i>Code of Ordinances</i> Chapter 62	Wildlife, Noise	N	See response to Compliance Measures 16 and 17.
149	Stream Restoration Program	WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic	N	The amendments do not include any changes to the Stream Restoration Program.
150	BMP and revegetation practices	WQ, Veg, Wildlife, Fish, Scenic	N	The amendments do not include any changes to existing BMP and revegetation requirements.
151	OHV limitations	WQ, Soils/SEZ, AQ, Wildlife, Noise, Rec	N	The amendments do not include any changes to OHV limitations.
152	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	Wildlife	N	See response to Compliance Measure 133.
153	Project Review	Wildlife	N	See response to Compliance Measure 136 and 137.
FISHERIES - IN PLACE				
156	Fish Resources: <i>Code of Ordinances</i> Chapter 63	WQ, Fish	N	See response to Compliance Measures 16 and 17.
157	Tree Removal: <i>Code of Ordinances</i> Chapter 61	Wildlife, Fish	N	The amendments do not change tree removal provisions of Chapter 61.
158	Shorezone BMPs	WQ, Fish	N	See response to Compliance Measures 43 through 50.
159	Filling and Dredging: <i>Code of Ordinances</i> Chapter 84	WQ, Fish	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
160	Location standards for structures in the shorezone: <i>Code of Ordinances</i> Chapter 84	WQ, Fish	N	
161	Restrictions on SEZ encroachment and vegetation alteration	WQ, Soils/SEZ, Fish	N	See response to Compliance Measures 16 and 17.
162	SEZ Restoration Program	WQ, Soils/SEZ, Fish	N	See response to Compliance Measure 14.
163	Stream restoration program	WQ, Soils/SEZ, Fish	N	See response to Compliance Measures 16 and 17.
164	Riparian restoration	WQ, Soils/SEZ, Fish	N	
165	Livestock: <i>Code of Ordinances</i> Chapter 64	WQ, Soils/SEZ, Fish	N	
166	BMP and revegetation practices	WQ, Fish	N	See response to Compliance Measures 1 through 4.
167	Fish habitat study	Fish	N	See response to Compliance Measures 16 and 17.
168	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	Fish	N	See response to Compliance Measure 133.
169	Mitigation Fee Requirements: <i>Code of Ordinances</i> Chapter 86	Fish	N	The mitigation fee requirements formerly in Chapter 86 of the TRPA Code of Ordinances (now in the Rules of Procedure) are not being modified.
170	Compliance inspection	Fish	N	The amendments are not modifying existing compliance or inspection programs or provisions.
171	Public Education Program	Wildlife, Fish	N	The amendments do not make any changes to education and outreach efforts for wildlife and fish.
NOISE - IN PLACE				

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
172	Airport noise enforcement program	Wildlife, Fish	N	The amendments are not modifying existing enforcement programs.
173	Boat noise enforcement program	Wildlife, Fish, Rec	N	
174	Motor vehicle/motorcycle noise enforcement program: <i>Code of Ordinances</i> Chapters 5 and 23	Wildlife, Fish	N	
175	ORV restrictions	AQ, Wildlife, Noise, Rec	N	The amendments are not modifying existing ORV or snowmobile conditions.
176	Snowmobile Restrictions	WQ, Wildlife, Noise, Rec	N	
177	Land use planning and controls	Wildlife, Noise	N	See response to Compliance Measure 9. There are no changes to allowed uses.
178	Vehicle trip reduction programs	Trans, Noise	N	The amendments do not make any changes to vehicle trip reduction programs.
179	Transportation corridor design criteria	Trans, Noise	N	The amendments do not make any changes to transportation corridor design criteria.
180	Airport Master Plan South Lake Tahoe	Trans, Noise	N	N/A
181	Loudspeaker restrictions	Wildlife, Noise	N	The amendments are not modifying loudspeaker restrictions.
182	Project Review	Noise	N	See response to Compliance Measures 136 and 137.
183	Complaint system: <i>Code of Ordinances</i> Chapters 5 and 68	Noise	N	Existing complaint systems are not being modified by the amendments.
184	Transportation corridor compliance program	Trans, Noise	N	None of these compliance measures will be modified with the proposal.
185	Exemptions to noise limitations	Noise	N	
186	TRPA's Environmental Improvement Program (EIP)	Noise	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
187	Personal watercraft noise controls	Wildlife, Noise	N	
NOISE – SUPPLEMENTAL				
188	Create an interagency noise enforcement MOU for the Tahoe Region.	Noise	N	An interagency noise enforcement MOU for the Tahoe Region is not being proposed as part of this set of amendments.
RECREATION - IN PLACE				
189	Allocation of Development: <i>Code of Ordinances</i> Chapter 50	Rec	N	See response to Compliance Measures 10 and 18. There are no changes to the allocation of development.
190	Master Plan Guidelines: <i>Code of Ordinances</i> Chapter 14	Rec, Scenic	N	No changes to master plans requirements are included as part of this amendment.
191	Permissible recreation uses in the shorezone and lake zone: <i>Code of Ordinances</i> Chapter 81	WQ, Noise, Rec	N	See response to Compliance Measures 43 through 50.
192	Public Outdoor recreation facilities in sensitive lands	WQ, Rec, Scenic	N	The amendments are not altering provisions regarding public outdoor recreation in sensitive lands.
193	Hiking and riding facilities	Rec	N	The amendments are not altering where hiking and riding facilities are permissible. See also Compliance Measure 40.
194	Scenic quality of recreation facilities	Rec, Scenic	N	The amendments do not include any changes to provisions related to scenic quality of recreation facilities.
195	Density standards	Rec	N	The amendments do not change density standards.
196	Bonus incentive program	Rec	Y	The amendments change the “achievable” category of the Bonus incentive program from an income cap to a requirement for local employment, for households with incomes over 120 percent of Area Median Income.
197	Required Findings: <i>Code of Ordinances</i> Chapter 4	Rec	N	The amendments do not affect required findings.
198	Lake Tahoe Recreation Sign Guidelines	Rec, Scenic	N	The amendments will not impact the Lake Tahoe Recreation Sign Guidelines.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
199	Annual user surveys	Rec	N	The amendments will not affect user surveys.
RECREATION – SUPPLEMENTAL				
200	Regional recreational plan	Rec	N	The amendments do not modify any portion of the Goals and Policies in the Regional Recreation Plan, which is the Recreation Element in the Regional Plan.
201	Establish fairshare resource capacity estimates	Rec	N	The amendments do not establish or alter fair share resource capacity estimates, alter reservations of additional resource capacity, or include economic modeling.
202	Reserve additional resource capacity	Rec	N	
203	Economic Modeling	Rec	N	
SCENIC - IN PLACE				
204	Project Review and Exempt Activities: <i>Code of Ordinances</i> Chapter 2	Scenic	N	See response to Compliance Measures 136 and 137.
205	Land Coverage Limitations: <i>Code of Ordinances</i> Chapter 30	WQ, Scenic	Y	See response to Compliance Measure 11.
206	Height Standards: <i>Code of Ordinances</i> Chapter 37	Scenic	N	The amendments do not affect height standards.
207	Driveway and Parking Standards: <i>Code of Ordinances</i> Chapter 34	Trans, Scenic	Y	The proposal allows accessory dwelling units to have a separate driveway from the main house, rather than requiring a circular driveway, when doing so would have less environmental disturbance.
208	Signs: <i>Code of Ordinances</i> Chapter 38	Scenic	N	The amendments do not make changes to design standards and guidelines relating to signage.
209	Historic Resources: <i>Code of Ordinances</i> Chapter 67	Scenic	N	See response to Compliance Measures 16 and 17.
210	Design Standards: <i>Code of Ordinances</i> Chapter 36	Scenic	N	The amendments do not make any changes to the Design Standards in Chapter 36.
211	Shorezone Tolerance Districts and Development Standards: <i>Code of Ordinances</i> Chapter 83	Scenic	N	See response to Compliance Measures 43 through 50.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
212	Development Standards Lakeward of Highwater: <i>Code of Ordinances</i> Chapter 84	WQ, Scenic	N	
213	Grading Standards: <i>Code of Ordinances</i> Chapter 33	WQ, Scenic	N	Grading and vegetation protection during construction shall continue to meet the provisions of the TRPA Code of Ordinances, Chapter 33, Grading and Construction.
214	Vegetation Protection During Construction: <i>Code of Ordinances</i> Chapter 33	AQ, Veg, Scenic	N	
215	Revegetation: <i>Code of Ordinances</i> Chapter 61	Scenic	N	See response to Compliance Measures 16 and 17.
216	Design Review Guidelines	Scenic	N	The amendments do not make any changes to the Design Review Guidelines.
217	Scenic Quality Improvement Program(SQIP)	Scenic	N	The amendments do not conflict with the SQIP and are not anticipated to impact scenic ratings.
218	Project Review Information Packet	Scenic	N	
219	Scenic Quality Ratings, Features Visible from Bike Paths and Outdoor Recreation Areas Open to the General Public	Trans, Scenic	N	
220	Nevada-side Utility Line Undergrounding Program	Scenic	N	N/A
SCENIC – SUPPLEMENTAL				
221	Real Time Monitoring Program	Scenic	N	No changes to the real time monitoring program are being proposed.
222	Integrate project identified in SQIP	Scenic	N	The amendment does not include projects identified in the SQIP.