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STAFF REPORT

Date: March 2, 2022  
To: TRPA Advisory Planning Commission  
From: TRPA Staff  
Subject: Consideration and Possible Recommendation of Approval to Amend the Bijou/Al Tahoe Community Plan to Add a Special Height Standard for the City of South Lake Tahoe Aquatics & Recreation Center

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Staff Recommendation:

TRPA staff requests that the Advisory Planning Commission (APC) review the materials provided in this packet to ensure the proposed Bijou/Al Tahoe Community Plan amendments are in conformance with the Regional Plan and recommend approval of the amendments to the TRPA Governing Board.

Required Motions:

To recommend approval of the proposed amendments, the APC must make the following motions, based on this staff report and materials provided within this packet:

- 1) A motion to recommend TRPA Governing Board approval of the required findings, as described in Attachment D, and a Finding of No Significant Effect, as provided in Attachment B, for adoption of the community plan amendments as provided in this packet; and
- 2) A motion to recommend TRPA Governing Board adoption of Ordinance 2022-\_\_\_, amending Ordinance No. 2020-04, as previously amended, to amend the Bijou/Al Tahoe Community Plan as shown in Attachment E, Exhibit 1.

In order for motions to pass, an affirmative vote of a majority of the quorum in attendance is required.

Approval and Adoption Process:

Local plan amendments are typically first approved and adopted by the local jurisdiction and then by the TRPA Governing Board. Upon TRPA approval and adoptions, local plans then become components of the Regional Plan. These plans may also serve as a component of a local jurisdiction's general or master plan. Local plans include area plans, community plans, and plan area statements. Local jurisdiction staff engage with TRPA staff early and often throughout the development and planning process for local plans and amendments to ensure conformance with the Regional Plan.

The Bijou/Al Tahoe Community Plan amendments as provided in this packet were initiated by the City of South Lake Tahoe in January 2021 in anticipation of a new aquatic and recreation center on a property

commonly referred to as the 56-acre site or project area (see Location Map 1 and Map 2 on the subsequent page).

The City of South Lake Tahoe is developing a [master plan](#) to envision future recreational and public services for the entire site. A new aquatic and recreation center application is currently under review with TRPA and is anticipated to come before the TRPA Governing Board for consideration in April 2022. The new center, if approved, would be located south of Lake Tahoe Boulevard adjacent to the existing El Dorado County Library. The proposed amendments include a special height standard to facilitate the construction of the building. Further discussion and rationale for the amendments can be found in the subsequent section of this staff summary and in Attachments A – E.

The City of South Lake Tahoe held a public meeting of its Planning Commission on December 16, 2021 and it recommended the City Council adopt the environmental analysis and the proposed amendments as provided in this packet. City Council held a first reading of the amendments on January 4, 2022 and a second reading with adoption on January 18, 2022 (City Ordinance 2022-1159).

The amendments were heard before the TRPA Regional Plan Implementation Committee (RPIC) on February 23, 2022. The RPIC unanimously approved the amendments with a revision that the proposed changes to the community plan would be limited to the City of South Lake Tahoe aquatic and recreation center. The initial proposal as presented by the City aquatic and recreation center applied to the entire 56-acre site has been revised within this packet to be only applicable to the aquatic and recreation center in response to RPIC comments and recommended approval.

TRPA staff anticipate bringing these proposed amendments to the Board on March 23, 2022 for consideration of final approval and adoption.

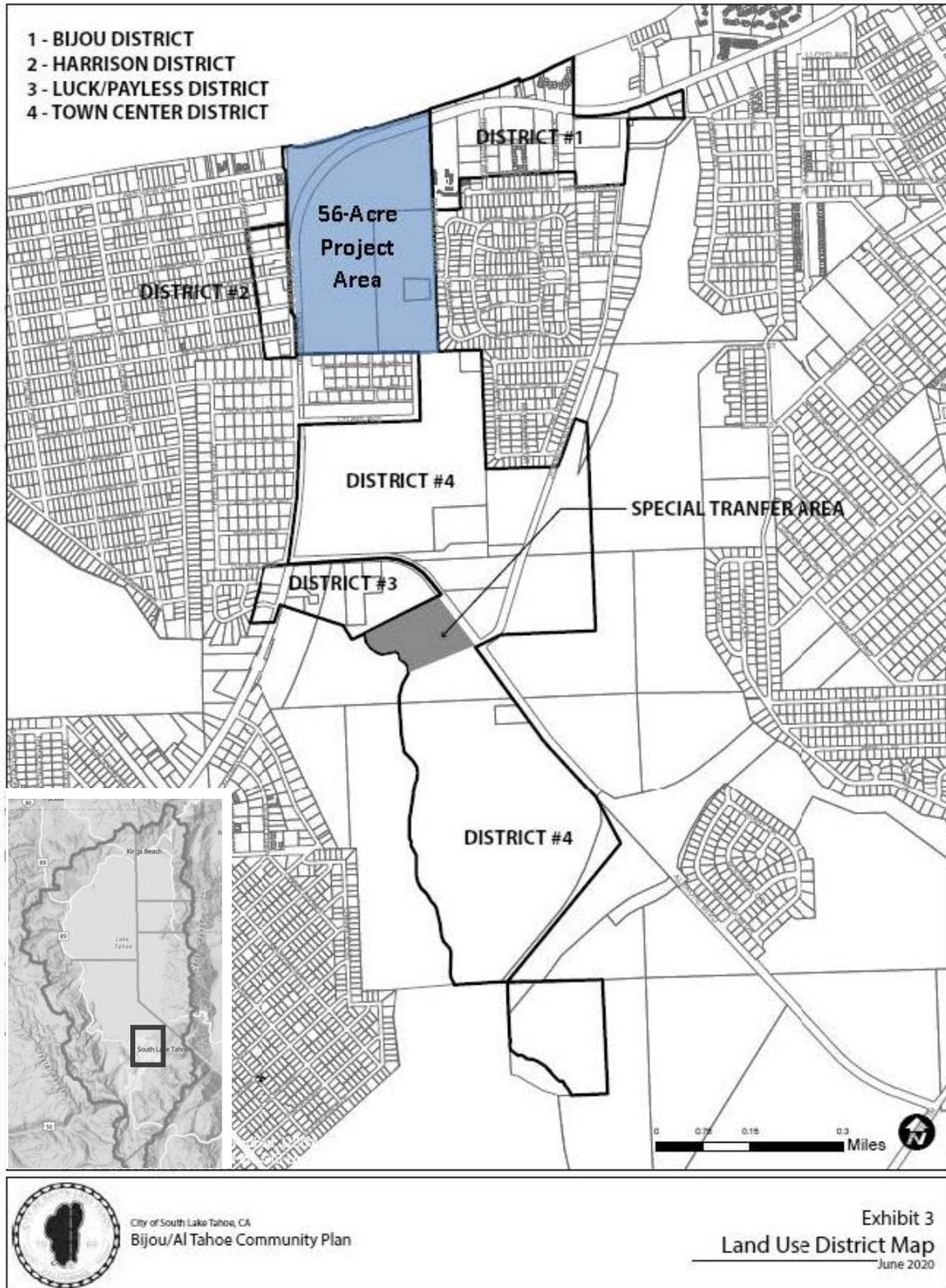
#### Summary:

The City of South Lake Tahoe and the TRPA Governing Board adopted the Bijou/Al Tahoe Community Plan in 1995. The plan includes a guiding vision for the area, as well as goals and policies, permissible land uses, and specific design standards to ensure that development is compatible with the natural and built environment.

The community plan area is centrally located on Lake Tahoe's south shore and generally extends from Johnson Boulevard, near the Safeway grocery store, along the US Highway 50 corridor west to the commercial and retail development at the corner of US Highway 50 and Al Tahoe Boulevard and southwest of Al Tahoe Boulevard to encompass the Lake Tahoe Community College site (see Location Map 1 on the following page).

The Bijou/Al Tahoe Community Plan area includes a concentration of existing public services uses including: the Lake Tahoe Community College, South Tahoe Middle School, El Dorado County government offices, USDA Forest Service administration offices, a post office, county sheriff and city police stations, a juvenile detention center and jail, and Lake Tahoe Historical Museum. Other land uses within the plan area include recreational, commercial, retail uses, and some residential.

Location Map 1: Bijou/Al Tahoe Community Plan and the 56-Acre Project Area



Reference Map 2: 56-Acre Project Area Conceptual Plan and Proposed Location of the Aquatic and Recreation Center

MASTER PLAN



Figure 25: Master Plan

The amendments, as proposed, would allow additional building height up to a maximum of 42 feet for the City of South Lake Tahoe Aquatic and Recreation Center with no minimum cross slope or roof pitch requirements for the property commonly referred to as the 56-acre site or project area and as shown in Map 1 on the previous page. The planned building would be located on property that is publicly owned by El Dorado County. The amendments would also allow alternative “natural appearing siding” as opposed to strictly wood siding for the entire plan area as called for in the existing plan, and allow minimum roof pitch of 5:12 as opposed to 7:12 as called for in the existing plan for the entire plan area other than the aquatics and recreation center. Height limits for community plan areas outside of the 56-acre project area would remain unchanged.

The existing Bijou/Al Tahoe Community Plan establishes a minimum roof pitch of 7:12 and refers to TRPA Code of Ordinances Chapter 37 for height allowances within the plan area. The maximum building height currently allowed in the project area with a 7:12 roof pitch is 32.5 feet.

The City’s staff report (see Attachment A) provides further information and rationale for the proposed special height standard and allowance of lower roof pitch. In summary, the proposed maximum building height of 42 feet is the minimum necessary for the functionality of the proposed recreation center and to feasibly implement the project. Further, adherence to a minimum roof pitch of 7:12 would significantly increase energy demand due to additional building height and volume.

The proposed amendment does not include any changes to boundaries, maps, goals and policies, or permissible land uses within the Bijou/Al Tahoe Community Plan or the Regional Plan. Specific changes (i.e. language) proposed by these amendments is included in Exhibit 1 to Attachment A.

The Bijou/Al Tahoe Community Plan was last amended with TRPA Governing Board adoption on June 24, 2020 (Ordinance Number 2020-04) at the request of the City to allow greater height allowances at Lake Tahoe Unified School District properties in District 4 of the plan. A special height standard for the Lake Tahoe Community College and Lake Tahoe Unified School District allows height issues for those sites to be addressed by TRPA on an individual project basis and may be in excess of Chapter 37 based on project setback, visibility, or other design criteria.

Environmental Review and Regional Plan Conformance:

TRPA staff reviewed a joint Initial Study, as required by the California Environmental Quality Act, and Initial Environmental Checklist (IEC) pursuant to TRPA Code of Ordinances Chapter 3: Environmental Documentation and Article VI of the Rules of Procedure for community plan amendments. The joint document was prepared by Hauge Brueck Associates for the City of South Lake Tahoe. The IEC finds that the proposed amendments would not result in significant environmental effects (see Attachment B).

To ensure conformance with the Regional Plan and that proposed actions will not adversely impact the attainment or maintenance of environmental threshold standards, TRPA staff prepared a compliance measures evaluation and required findings. These documents are included in the packet as Attachment C and D respectively. References to regional environmental threshold standards are also included within the IEC (Attachment B).

It is important to note that the initial environmental checklist (Attachment B), conformance measures evaluation (Attachment C), and required findings (Attachment D) were prepared for the initial proposal that included the entire 56-acre site. As mentioned above, the RPIC requested that the proposed amendments be limited to the City of South Lake Tahoe Aquatic and Recreation Center. Since the revision is more restrictive (rather than less restrictive) than what was initially proposed, this packet utilizes the same environmental analysis as prepared for the initial proposal.

Contact Information:

For questions regarding this item, please contact Jennifer Self, Principal Planner, at (775) 589-5261 or [jself@trpa.gov](mailto:jself@trpa.gov).

Attachments:

- A. City Staff Summary
  - Exhibit 1: Proposed Amendments to the Bijou/Al Tahoe Community Plan
- B. Initial Study and Initial Environmental Checklist (IEC)
- C. Compliance Measures Evaluation
- D. Required Findings
- E. TRPA Adopting Ordinance 2022-\_\_
  - Exhibit 1: Proposed Amendments to the Bijou/Al Tahoe Community Plan

Attachment A  
City Staff Summary



# City of South Lake Tahoe

## Report to TRPA Regional Plan Implementation Committee

**Meeting Date:** February 23, 2022

**Title:** Consideration and Possible Recommendation of Approval to Amend the Bijou/Al Tahoe Community Plan to Add a Special Height Standard for Public and Quasi-Public Facilities

**Location:** Bijou/Al Tahoe Community Plan District #4, 56-acres (Multiple APNs)

**Responsible Staff Members:** John Hitchcock, Planning Manager (530) 542-7405

### **Background:**

The City of South Lake Tahoe is proposing to amend the Bijou/Al Tahoe Community Plan (B/AT CP) to allow for additional building height for public or quasi-public buildings and lower roof pitch requirements for buildings that require flatter roofs to span large interior spaces proposed within the 56-acres project area of the B/AT CP Town Center District #4 (see Location Map 1 on page 7 of this staff report). The amendments were prepared pursuant to Chapter 12 of the Tahoe Regional Planning Agency (TRPA) Code of Ordinances, which allows local governments to adopt conforming Community Plans that contain policies and development ordinances that are consistent with and further the goals and policies of the TRPA Regional Plan.

### **Issue and Discussion:**

#### Purpose and Need

The B/AT CP was adopted by the City in 1995. As required by the TRPA Regional Plan, the B/AT CP includes specific design standards to ensure development is compatible with the natural environment and contributes to the character and quality of the built environment.

District 4 of the B/AT CP is a “centralized public service district” where a large concentration of public and institutional uses are located. These include a recreation center, campground, sheriff’s station, police station, jail, middle school, ice arena, county offices, forest service offices, and the community college. The B/AT CP established four zoning districts, as well as design and development standards for each district. A special standard for this district allows TRPA to address height issues at the community college site and Lake Tahoe Unified School District properties on an individual project basis. The TRPA interprets this to include deviation from Chapter 37 of the TRPA Code of Ordinances and the community plan’s roof pitch standard, which requires that roofs have a pitch between 7:12 and 12:12. Because of the unique design characteristics required for large institutional spaces, most of the roof pitches at the college are

lower than 7:12. However, this standard is only applicable to buildings located on the campus of the community college. All other buildings/structures within District #4 would be required to have a minimum roof pitch of 7:12.

The City is proposing to construct a new multi-generational recreation center (recreation center) within District #4 and the 56-acres project area. The recreation center will be located south of Lake Tahoe Boulevard adjacent to the existing El Dorado County Library. The new recreation center will house a swimming pool, lazy river, a gymnasium, indoor track, office and meeting spaces, and a commercial-grade kitchen. The proposed design incorporates shed-style architecture, using low-pitched roofs with clerestory windows. This design was selected to provide solar access to the interior of the building, which can help reduce energy demands from lighting and heating and to also span large spaces (i.e., swimming pool, gymnasium). The proposed design is similar to many of the structures on the community college campus; however, the project cannot be approved as proposed due to TRPA height standard and the community plan standard that requires a minimum 7:12 roof pitch.

The proposed recreation center was designed for the functionality of services, energy efficiency, and its compatibility to the surrounding neighborhood and to ensure consistency with TRPA's scenic threshold standard. A strict adherence to the standard would cause a greater scenic impact and energy demand due to additional building height and greater volume. A roof pitch of 7:12 would result in exceeding TRPA's maximum height standard of 42 feet and create a greater volume of conditioned space that would be more visually intrusive and out of character with the surrounding neighborhood. High roof pitches result in a larger interior volume than needed which must be conditioned and maintained resulting in increased energy consumption and operation costs, which is contrary to the City's long-term sustainability goals. Additionally, high roof pitches also increase construction costs due to additional building material necessitated by the roof pitch requirement without any added functionality and is inconsistent with environmental and community sustainability goals.

The proposed amendment would only apply to public and quasi-public structures that are located in the 56-acres project area. The objective of this action is to 1) revise the height standards in the B/AT CP District 4, specific to the 56-acres area to allow heights in excess of TRPA Code Chapter 37, 2) encourage redevelopment in the 56-acres project area for large public or quasi-public land uses/buildings that typically require shed roofs based on their larger size, and 3) encourage high-quality designs that achieve the City's long term sustainability and environmental goals.

Any proposed project within the 56-acre project area would be subject to the following design and development standards and guidelines:

- Citywide Design and Development Standards (Chapter 6.10 and 6.55 of the City Municipal Code),

- TRPA Code of Ordinances Section 37.7 and Chapter 66: Scenic Quality
- Findings 1, 3, 4, 5, 7, and 8 of TRPA Code Section 37.7 (Findings for Additional Building Height) for any proposed project exceeding height standards of TRPA Section 37.4 or 37.5 with a maximum allowable height of 42 feet

The standards and guidelines within the references listed above serve as mitigation to protect and preserve scenic quality and ensure that any future development is compatible with the natural environment. Specifically, these design and development standards require but are not limited to:

- Proposed development will not extend above the forest canopy or a ridgeline, when present.
- Any proposed building shall be designed to minimize interference with existing views within the area to the extent practicable.
- Find that any structure with a height exceeding height standards in TRPA Code Section 37.4 or 37.5 up to a maximum height of 42 feet is necessary for the functionality of that proposed use and the minimum necessary to feasibly implement the project.
- Proposed development is adequately screened, as seen from major arterials, the waters of lakes, and other public areas from which the building is frequently viewed.
- The maximum building height at any corner of two exterior walls of the building is not greater than 90 percent of the maximum building height.
- A frontal setback of 20 feet for commercial and public services buildings and 50 feet for recreational buildings.
- Requirement that the natural forest setting be preserved by maintaining the maximum number of trees in the project site.
- Proposed development shall have architectural treatments that use natural materials and colors that create visual interest variations in facades and building forms.

#### Initial Study/Initial Environmental Checklist

To evaluate the potential environmental impacts of the proposed amendment, the City contracted with Hauge Bruck Associates to prepare a joint Initial Study/Negative Declaration (IS/ND) pursuant to the California Environmental Quality Act (CEQA) and Initial Environmental Checklist (IEC). The Draft IS/ND/IEC provides an analysis of the potential for the project to result in significant environmental impacts.

Areas of analysis include aesthetics, agriculture and forestry, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use planning, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, utility and services systems, and additional mandatory findings of significance related to potential cumulative impacts.

The analysis demonstrates that the project either has no impacts or has less than significant impacts in all of these areas and staff recommended a Negative Declaration (ND) be adopted by the City for the proposed amendment and is recommending a Finding of No Significant Effect by the TRPA Governing Board.

### Tribal Consultation

Pursuant to state law, the City has completed requirements for consultation with Native American tribes under Assembly Bill 52 and the CEQA Guidelines. The City received a comment from the United Auburn Indian Community acknowledging the proposed project and deferring to the Washoe Tribe of Nevada and California. No other comments were received. Staff sent a notice to Chairman Serrell Smokey and Darrel Cruz, Cultural Resources Director of the Washoe Tribe of Nevada and California. At this time, no comments have been received from the Washoe Tribe of Nevada and California.

### Public Comment Period and Public Noticing

The Draft IS/ND/IEC sent, along with a Notice of Preparation and Notice of Completion, to the California State Clearinghouse for distribution to state and regional agencies for review. The IS/ND/IEC was also made available at City offices (1052 Tata Lane) and online at <https://www.cityofslt.us/DocumentCenter/View/16271/Project-Summary-Page-Bijou-Al-Tahoe-Community-Plan-Amendment-20211026>. The public review and comment period began October 22, 2021 and ended on November 22, 2021. A Notice of Availability and Notice of Intent, advertising the review period and the public hearing date, was mailed to all affected property owners within 300 feet on October 27, 2021 and published in the Tahoe Daily Tribune on October 29, 2021.

The City received seven public comments on the IS/ND/IEC. Six comments from members of the public and one comment from the Tahoe Regional Planning Agency (TRPA). All comments from the public stated their opposition to the proposed amendment primary on the following grounds: scenic impacts, historic resource impacts, CEQA project segmentation and conflict of interest issues. TRPA comments primarily focused on editorial edits, project description clarification, and additional analysis in support of the proposed amendment.

A public notice was sent to all affected property owners on December 3, 2021 providing the date and time of the Planning Commission meeting to consider the B/ATCP amendments and IS/ND and was published in the Tahoe Daily Tribune on December 3, 2021.

On December 16, 2021, the Planning Commission held a duly noticed public hearing, receive public comment, deliberated and passed Resolution 2021-18 recommending that the City Council adopt the IS/ND and the Bijou/Al Tahoe Community Plan Amendments.

A public notice was sent to all affected property owners on December 17, 2021 providing the date and time of the City Council meeting to consider the B/ATCP amendments and IS/ND and was published in the Tahoe Daily Tribune on December 17, 2021.

**Environmental Considerations:**

See “Issue and Discussion” section above.

**Financial Implications:**

None

**Policy Implications:**

City of South Lake Tahoe General Plan

The proposed amendment to the B/AT CP is consistent with the goals and policies of the City of South Lake Tahoe General Plan. The 56-acres project area is currently designated as recreation in the City’s General Plan. Recreation land use designation is defined as follows:

*This designation provides for outdoor recreation areas, active and passive recreational uses, habitat protection, and public/quasi-public uses. This designation is applied to areas with existing and proposed outdoor recreation and areas without overriding environmental constraints.*

The Land Use and Community Design Element of the General Plan include the following goals and policies to encourage development, redevelopment, and upgrades to existing development.

*Goal LU-2 : To focus future commercial, multi-family residential, tourist, civic, and social gathering space development in community plan area in order to maximize incentives and create transit-, bicycle-, and pedestrian-oriented places that serve the needs of both residents and visitors.*

*Policy LU-2.1: Community Plan Redevelopment, Expansion, and Upgrade  
The City shall encourage public and private investment in the expansion and upgrade of commercial and tourist accommodation projects within the Tahoe Valley,*

*Bijou/Al Tahoe, and Stateline/Ski Run community plan areas and use appropriate financing tools, such as redevelopment, to achieve economic and land use goals, as determined proper to achieve this objective.*

*Policy LU-2.2: Community Plan Preparation, Adoption, and Implementation*

*The City shall periodically update and implement the four Community Plans as a way to focus development commodities and revitalization efforts.*

*Policy LU-2.5: Bijou/Al Tahoe Community Plan Area*

*The City shall encourage the creation of a viable residential neighborhood with appropriate neighborhood amenities and compatible high quality family-oriented recreation and public facilities including government offices.*

Bijou/Al Tahoe Community Plan

The B/AT CP was adopted by the City and states that the area “should serve as a family oriented and recreation center, as well as the Town Center for the local Community. To accomplish this goal, policies must encourage diversification of recreational and commercial attractions to create the high-quality development expected in a family oriented resort area.” The proposed amendments will further the goals of the B/AT CP by encouraging the redevelopment of an infill site with high quality recreation opportunities with development that complements the overall natural setting.

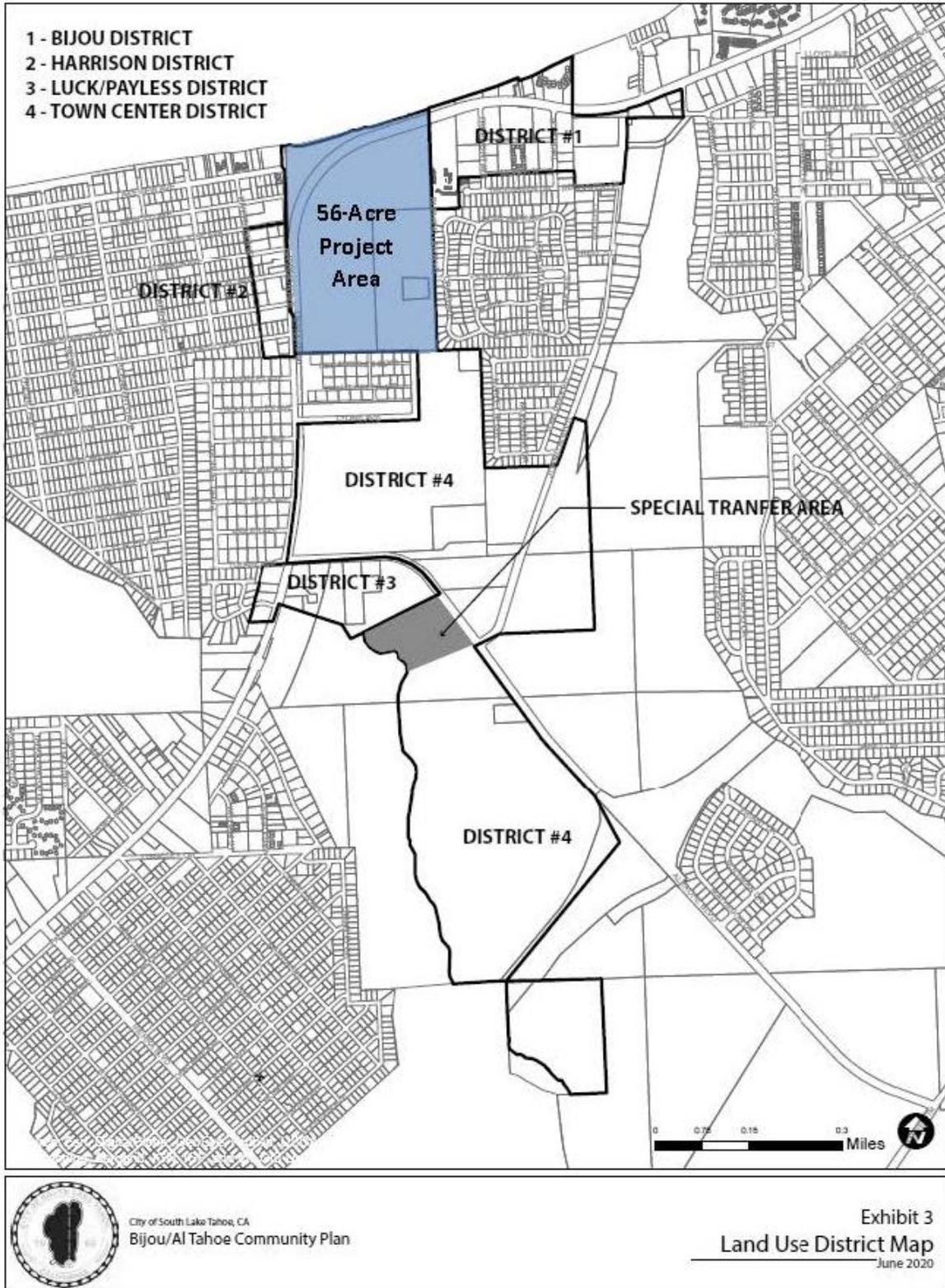
The proposed amendments are consistent with the B/AT CP “Town Center” designation, encouraging the relocation of city, county, state, and federal offices to the district and expanding recreational activities within the district and immediate surrounding areas.

In addition, the proposed B/AT CP amendment is consistent with the following policy:

*Policy A: Establish four unique, separate districts.*

*Town Center District. Areas currently described as Campground by the Lake, South Tahoe Middle School, John Boulevard areas and Lake Tahoe Community College shall be combined to accommodate the following uses: Commercial (public service support orientation, or receiving area for transfer of SEZ/Scenic Corridor), Public Service, Recreation, and designation as a “Special Events Area.”*

Location Map 1: Bijou/Al Tahoe Community Plan and the 56-Acre Project Area



Attachment A – Exhibit 1

Proposed Amendments to the Bijou/Al Tahoe Community Plan

**EXHIBIT 1: PROPOSED AMENDMENTS TO THE  
BIJOU / AL TAHOE COMMUNITY PLAN**

Amend Appendix A: *Bijou/Al Tahoe Community Plan Standards, Section Two: Public Service/Recreation Theme*, Subsection B: *Height, Special Standard*, as follows:

*Added language shown in red and underlined. Deleted language is shown with a strikethrough.*

**SECTION TWO – PUBLIC SERVICE/RECREATION THEME**

**DISTRICTS**

**MAP AND USE MATRIX IDENTIFICATION**

Town Center

4

A. PERMITTED USES

Refer to use matrix for district uses.

B. HEIGHT

Standard

Refer to TRPA Code of Ordinances Chapter 37.

Special Std.

The following shall apply to

Lake Tahoe Community College property:

**Lake Tahoe Community College and Lake Tahoe Unified School District properties:**

Height issues for these sites shall be addressed by TRPA on an individual project basis, and may be in excess of Chapter 37 based on project setback, visibility, or other design criteria.

**City of South Lake Tahoe Recreation and Aquatics Center:**  
The maximum height permitted is 42 feet, with no minimum cross slope or roof pitch requirements, provided TRPA makes Findings 1, Finding 3, Finding 4, Finding 5, Finding 7, and Finding 8 of Section 37.7.

C. BULK

Standard

Refer to Redevelopment Design Element, Sections 1 and 2

D. COVERAGE

Standard

Refer to TRPA Code of Ordinances Chapters 30.

E. SETBACKS

Standard Refer to City Wide Design Manual Section 3 of Chapter 1 & 2.

Special Std. In addition to the City Wide Design Manual, the following shall apply to specific properties located with the Town Center District, including:

The vacant 7.5 acre parcel north of Al Tahoe and west of Johnson Boulevard (Adjacent to the existing El Dorado County Government Center) shall required a minimum of a 50' setback from Johnson Boulevard and an increased interior sideyard setback of 20' in that area of the property adjoining the residentially developed district.

The vacant 12 acre parcel, north of Al Tahoe and east of Johnson Boulevard (adjacent to Bijou Community Park) shall require a minimum of a 50' setback from Johnson Boulevard for development.

Development on the Lake Tahoe Community College property shall have a minimum setback of 50' from Al Tahoe Boulevard.

#### F. SITE DESIGN

Standard Refer to City Wide Design Manual, Section 2, Chapters 1 & 2

Special Std. In addition to the City Wide Design Manual, the following standards shall apply to the entire Town Center:

1. A natural forest setting shall be preserved by designing projects that maintain the maximum number of trees, shrubs, boulders, and other natural amenities at a project site. Landscaping shall be designed to blend with the native surroundings, including trees, shrubs, ground covers and flowers.
2. Sidewalks shall connect all buildings within project area.

#### G. ARCHITECTURAL TREATMENT

Standard Refer to City Wide Design Standards, Section 2 of Chapters 1 & 2 and City Lighting Standards.

Special Std. In addition to the City Design Standards, the following standards shall apply:

3. Buildings shall be designed with interest (no box forms, variations in elevation, etc.) and shall incorporate

architectural features which blend with the surrounding buildings.

4. Wood siding or natural appearing siding shall be used on the exterior of all remodeled newly constructed buildings.
5. Roofs shall have a minimum pitch of 7-5:12 and a maximum roof pitch of 12:12. The South Lake Tahoe Aquatic and Recreation Center may have a minimum pitch of 0:12.
6. Real stone shall be incorporated into the building design. Manufactured stone may be used on a project only if the applicant demonstrates the application of the stone will appear “real.”
7. All projects shall incorporate days use amenities, including; outdoor furniture, bicycle racks and trash receptacles.

Attachment B

Initial Study and Initial Environmental Checklist (IEC)

INITIAL ENVIRONMENTAL CHECKLIST (TRPA) AND  
INITIAL STUDY (CEQA) JOINT DOCUMENT FOR  
AMENDMENTS TO THE BIJOU/AL TAHOE  
COMMUNITY PLAN

SEPTEMBER 2021

PREPARED BY: HAUGE BRUECK ASSOCIATES  
PREPARED FOR: CITY OF SOUTH LAKE TAHOE

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## 1.0 INTRODUCTION

The City of South Lake Tahoe is proposing to amend the Bijou/Al Tahoe Community Plan (B/ATCP) to allow for greater building height for public or quasi-public buildings that require flatter roofs to span large interior spaces proposed within the 56-acre area of the B/ATCP District 4. The amendments will be considered pursuant to Chapter 12 of the Tahoe Regional Planning Agency (TRPA) Code of Ordinances, which allows local governments to adopt conforming Community Plans that contain policies and development ordinances that are consistent with and further the goals and policies of the TRPA Regional Plan.

### 1.1 INITIAL STUDY/INITIAL ENVIRONMENTAL CHECKLIST

This Initial Study/Initial Environmental Checklist (IS/IEC) has been prepared to address the potential environmental effects of amending the Bijou/Al Tahoe Community Plan (B/ATCP), located in the City of South Lake Tahoe, California. An Initial Study is a preliminary environmental analysis that is used by the California Environmental Quality Act (CEQA) lead agency as a basis for determining whether an EIR, a Mitigated Negative Declaration, or a Negative Declaration is required for a project under CEQA guidelines. An Initial Environmental Checklist is a preliminary environmental analysis that is used for determining whether an EIS, a Mitigated Finding of No Significant Effect, or a Finding of No Significant Effect is required for a project under TRPA Rules of Procedure.

The IS/IEC contains a project description, description of environmental setting, identification and explanation of environmental effects, discussion of mitigation for potentially significant environmental effects, evaluation of the project's consistency with existing, applicable land use controls, and the names of persons who prepared the study.

The IS has been prepared pursuant to the California Environmental Quality Act (CEQA) of 1970, Cal. Pub. Res. Code §21000 et seq. The City of South Lake Tahoe is the CEQA lead agency for this project. The IEC has been prepared pursuant to the requirements of Article VI of the TRPA Rules of Procedures and Chapter 3 of TRPA's Code of Ordinances. TRPA serves as lead agency pursuant to its own regulations.

### 1.2 TIERING PROCESS

#### California Environmental Quality Act

The CEQA concept of "tiering" refers to the evaluation of general environmental matters in a broad program-level EIR, with subsequent focused environmental documents for individual projects that implement the program. This environmental document incorporates by reference and tiers from the discussions in the 2011 General Plan EIR (the Program EIR) and concentrates on issues specific to the B/ATCP. CEQA and the CEQA Guidelines encourage the use of tiered environmental documents to reduce delays and excessive paperwork in the environmental review process. This is accomplished in tiered documents by eliminating repetitive analyses of issues that were adequately addressed in the Program EIR and by incorporating those analyses by reference.

Section 15168(d) of the State CEQA Guidelines provides for simplifying the preparation of environmental documents on individual parts of the program by incorporating by reference analyses and discussions that apply to the program as a whole. Where an EIR has been prepared or certified for a program or plan, the environmental review for a later activity consistent with the program or plan should be limited to effects

that were not analyzed as significant in the prior EIR or that are susceptible to substantial reduction or avoidance (CEQA Guidelines Section 15152[d]).

This Initial Study is tiered from the City of South Lake Tahoe General Plan EIR, in accordance with Sections 15152 and 15168 of the CEQA Guidelines and Public Resources Code Section 21094. The 2011 General Plan EIR is a Program EIR that was prepared pursuant to Section 15168 of the CEQA Guidelines. The 2011 General Plan is a comprehensive land use plan that guides physical development within the City of South Lake Tahoe through 2030. The 2011 General Plan EIR analyzes full implementation of uses and physical development proposed under the General Plan, and it identifies measures to mitigate the significant adverse program-level and cumulative impacts associated with that growth.

This IS/IEC will evaluate the potential environmental impacts of the proposed B/ATCP amendments with respect to the 2011 General Plan EIR to determine what level of additional environmental review, if any, is appropriate. As shown in the Determination in Section 5.2 of this document and based on the analysis contained in this IS/IEC, it has been determined that the proposed amendments would not have significant effects on the environment that were not adequately addressed in the 2011 General Plan EIR; therefore, a Negative Declaration will be prepared.

This IS/IEC concludes that potentially significant impacts are addressed by adopted policies and regulations applicable to the area, and the mitigation measures that have been adopted as part of the approval of the 2011 General Plan. These mitigation measures, to the extent they are applicable to the B/ATCP, will be incorporated into project approval. Nothing in this Initial Study in any way alters the obligations of the City to implement the General Plan mitigation measures. All future projects within the B/ATCP boundary would be subject to project-level environmental review and permitting by the City and/or TRPA, with the permitting agency determined based on the size, nature and location of the project (Section 13.7.3 of the TRPA Code).

### **Tahoe Regional Planning Agency**

The TRPA concept of "tiering" refers to the coverage of general matters in a broader EIS (Program EIS) and subsequent documents incorporating by reference the general discussions and concentrating solely on the issues specific to the document subsequently prepared. Therefore, when an EIS has been certified for a project or matter, TRPA shall limit the analysis for a later related or consistent project or matter, to effects which were not examined as significant effects in the prior EIS or which are susceptible to substantial reduction or avoidance by revisions in the project or matter through conditions of approval or mitigation. Tiering is limited to situations where a later project or matter is consistent with a program, plan, policy or ordinance for which an EIS was prepared, is consistent with applicable TRPA plans, and a supplemental EIS is not required.

This Initial Environmental Checklist is tiered from the TRPA 2012 RPU EIS in accordance with Section 6.12 of the TRPA Rules of Procedures. The 2012 RPU EIS is a Program EIS that was prepared pursuant to Article VI of TRPA Rules of Procedures (Environmental Impact Statements) and Chapter 3 (Environmental Documentation) of the TRPA Code of Ordinances. The 2012 RPU is a comprehensive land use plan that guides physical development within the Lake Tahoe Region through 2035. The 2012 RPU EIS analyzes full implementation of uses and physical development proposed under the 2012 RPU, and it identifies measures to mitigate the significant adverse program-level and cumulative impacts associated with that growth. The proposed amendments are an element of the growth that was anticipated in the 2012 RPU

and evaluated in the 2012 RPU EIS. By tiering from the 2012 RPU EIS, this Initial Environmental Checklist will rely on the 2012 RPU EIS for the following:

- a discussion of general background and setting information for environmental topic areas;
- overall growth-related issues;
- issues that were evaluated in sufficient detail in the 2012 RPU EIS for which there is no significant new information or change in circumstances that would require further analysis; and
- assessment of cumulative impacts.

This Initial Environmental Checklist evaluates the potential environmental impacts of the proposed project with respect to the 2012 RPU EIS to determine what level of additional environmental review, if any, is appropriate. As shown in the Determination in Section 5.3 of this document and based on the analysis contained in this Initial Environmental Checklist, it has been determined that the proposed project would not have significant effects on the environment. Therefore, a Finding of No Significant Effect will be prepared.

This Initial Environmental Checklist concludes that many potentially significant project impacts are addressed by the measures that have been adopted as part of the approval of the 2012 RPU. Therefore, those 2012 RPU EIS mitigation measures that are related to, and may reduce the impacts of, this project will be identified in this Initial Environmental Checklist. These mitigation measures will be incorporated into the approval for this project. Nothing in this Initial Environmental Checklist in any way alters the obligations of the City or TRPA to implement the mitigation measures adopted as part of the RPU.

### **1.3 BACKGROUND**

All of the land within the Lake Tahoe Basin falls under the jurisdiction of the Tahoe Regional Planning Agency. This includes land under the local jurisdiction of the City of South Lake Tahoe. In order to be responsive to the unique needs and opportunities of the Region and local communities, the TRPA Regional Plan encourages and authorizes local jurisdictions to develop and adopt individual Area Plans that provide more specific development objectives and standards that are adapted to the needs of the specified area. Local jurisdictions are permitted to develop, adopt, and implement regulations so long as they are consistent with the TRPA Regional Plan. The General Plan and Zoning Ordinances are the City's primary policy documents that guide land use, transportation, infrastructure, community design, housing, environmental, and other decisions in a manner consistent with the planning statutes for the State of California. The B/ATCP is designed to supplement the City's General Plan and Zoning Ordinance by designating zoning districts and providing specific guidance for the area included within the B/ATCP boundary. The Community Plan is considered a specific plan pursuant to California State Law.

The process of amending a specific plan is provided in CA Government Code Section 65359 and generally follows the general plan amendment process outlined in Sections 65350 through 65358. This includes public hearings with public notice, and adoption by resolution or by ordinance. Specific plans may be amended as often as necessary by the local legislative body, but the amendments must be consistent with the adopted general plan for the area. TRPA Code of Ordinances Chapter 12 also indicates plan amendments require public hearing, and must be consistent with the Regional Plan. Amendments require findings, conformance review (conformance checklist), and threshold and compliance measure evaluations.

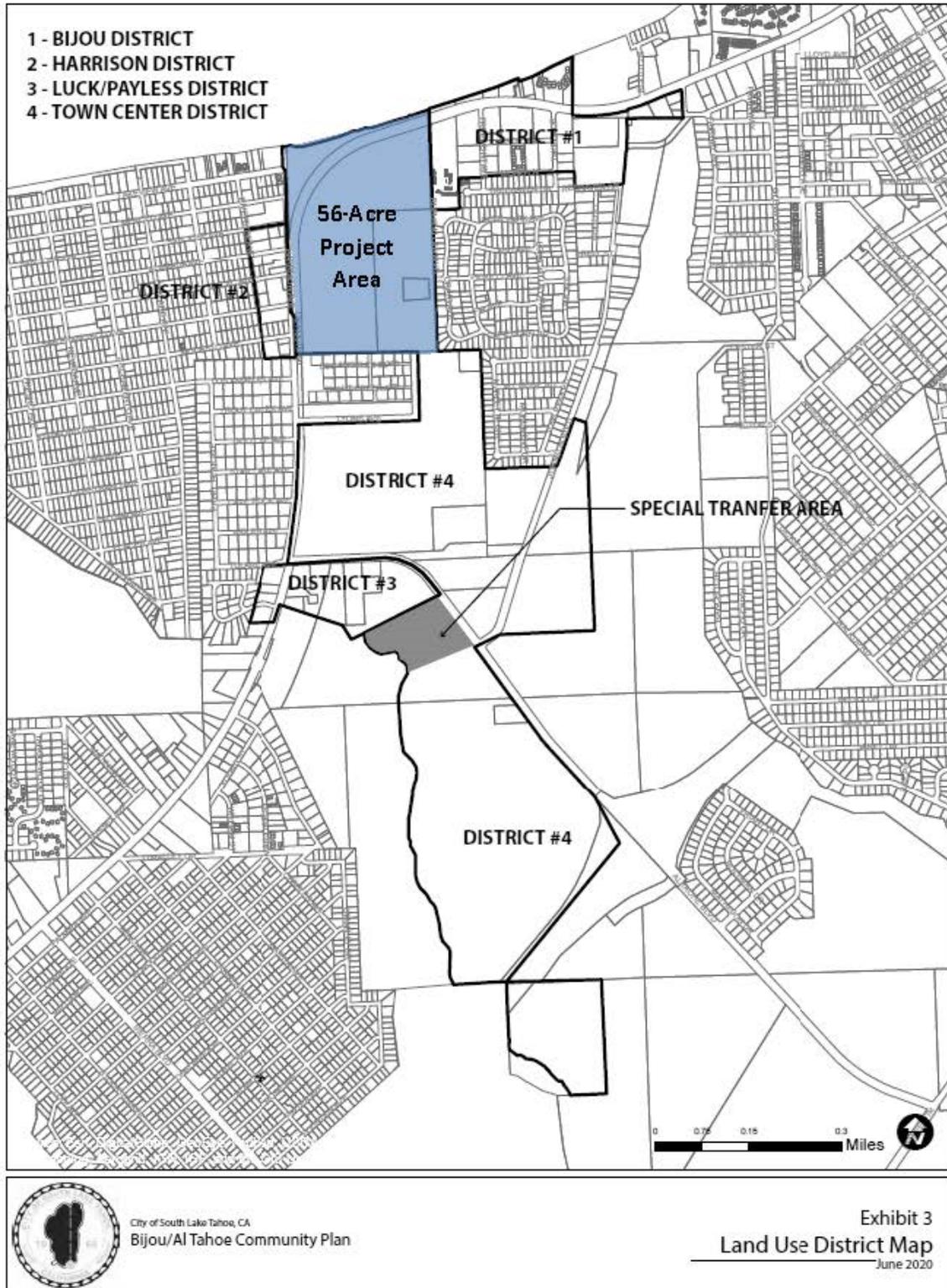
The 1995 B/ATCP serves as a comprehensive land use plan, consistent with the Regional Plan and General Plan at the time it was written, although it does not address all the issues identified in the current Regional and General Plans due to age, with its most recent amendments occurring in October 2020. The B/ATCP establishes the area vision and is intended to support and implement the City's and TRPA's goals, policies and strategies. The B/ATCP includes vision statements for land use, transportation, conservation, recreation, and public service. The Planning Statement indicates, "The area should be developed to provide regional commercial, recreational and public services for the South Shore." The amendments apply to the B/ATCP District 4 whose vision is to:

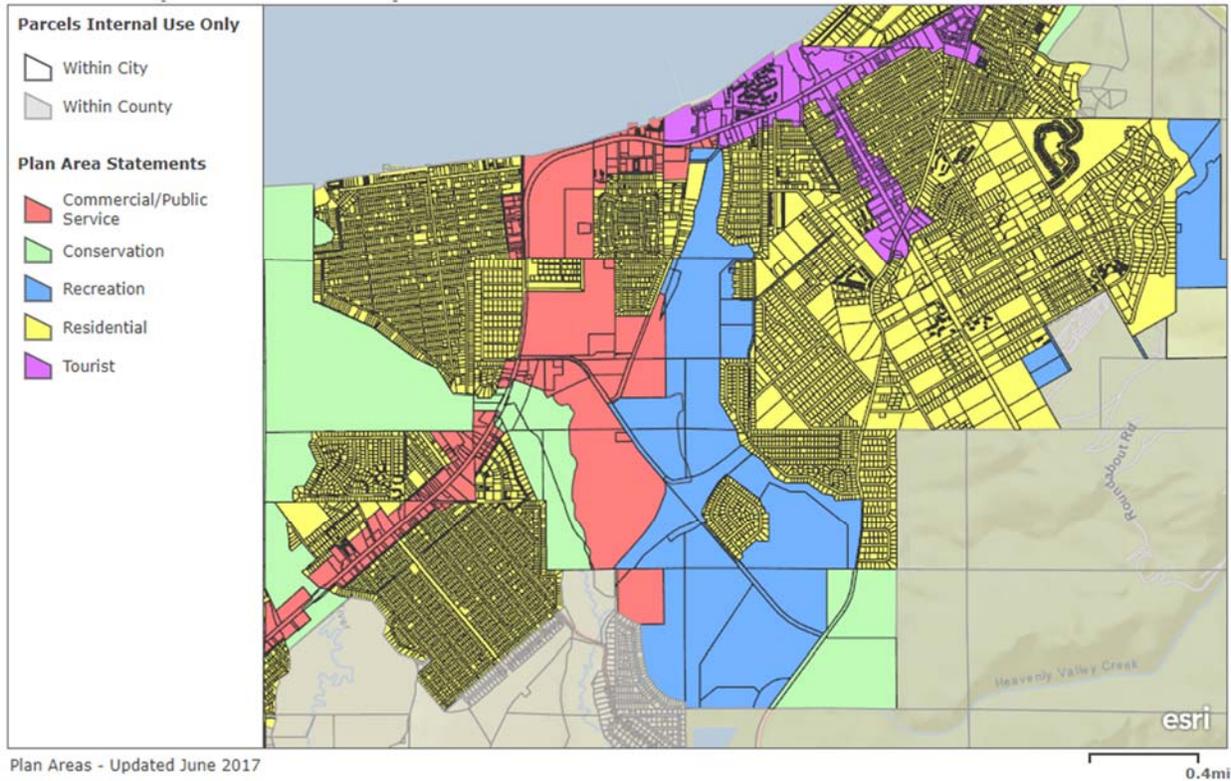
*"Create a centralized public service district by expanding the existing El Dorado County Government Center (Al Tahoe and Johnson Boulevards). Encourage the relocation of city, county, state and federal offices to the district that will provide an anchor for the community plan. Expand recreational activities within the district and the immediate surrounding areas."*

#### **1.4 PROJECT LOCATION, SETTING AND SURROUNDING LAND USES**

The B/ATCP functions as the central commercial hub in the South Lake Tahoe area. The boundaries of the B/ATCP generally extend from Fairway Avenue along US 50, just west of Al Tahoe Boulevard, as well as property between Johnson Boulevard and US 50, including property on Al Tahoe Boulevard terminating at the west boundary of Bijou Park and at the east boundary of Lake Tahoe Community College. District 4 of the Bijou/Al Tahoe Community Plan is a centralized public service district where a large concentration of public and institutional uses are located. These include a recreation center, campground, sheriff's precinct, jail, middle school, ice arena, county offices, forest service offices, and the community college. Land use patterns in this area are widely varied and include commercial, governmental office, school, and recreation, although the predominant theme of businesses is retail oriented including restaurants, and a sizable area of the B/ATCP is devoted to public service uses (e.g., schools, parks, government offices). The area proposed for building height and roof pitch amendments serves as a direct recreation access point to Lake Tahoe (Lakeview Commons) along with the City and County owned facilities located south of US 50 across from Lakeview Commons. The area is served by transit, with US 50 stops near Rufus Allen Blvd (Library), San Jose Ave, and Modesto Ave (So Tahoe Visitor Center), with links to other Tahoe Transportation District routes. A bike lane and multi-use path parallel to US 50 run through the B/ATCP boundary and link to other bike lanes, bike routes, and multi-use trails in the South Shore with connections extending to Stateline, Meyers, Tahoe Keys, and Camp Richardson. The proposed amendment area is located within a portion of B/ATCP District 4, which is designated public service and recreation. Since the adoption of the B/ATCP, the 56-acre park area has been designated as a TRPA Regional Plan land use classification of Mixed-Use.

Figure 1-1 Amendment Area



**Figure 1-2 TRPA Regional Plan Land Use Map**

Surrounding land uses include residential neighborhoods, and a similar mix of commercial uses and tourist accommodations along US 50. Lake Tahoe is directly north of the B/ATCP boundary and the 56-acre project area proposed for the building height and roof pitch amendments. Existing land uses within the 56-acre project area include an overnight campground, recreational beach/park area (Lakeview Commons), City recreation center and ice area, historical museum, and senior center.

The B/ATCP was adopted by the City and TRPA in 1995 and has been amended on numerous occasions with the most recent amendments being adopted on June 24, 2020 facilitating the development of the Boys and Girls Club and on October 28, 2020 when a portion of District 1 of the B/ATCP was added to the Tourist Core Area Plan Gateway District.

## 1.5 PROJECT OBJECTIVES/PURPOSE AND NEED

The purpose of the Community Plan amendments is to permit greater building height for public/quasi-public and recreation facilities requiring flatter roof pitches to span large interior spaces (e.g., recreation center) that are being considered as part of the 56-acre park master plan process. The objective of this action is to 1) revise the standards of the B/ATCP District 4, specific to the 56-acre area, to allow for flexibility in the height and roof pitch standards that will encourage redevelopment in the 56-acre project area for large public or quasi-public land uses/buildings that typically require additional height and flat roofs based on their large size, 2) ensure that appropriate design standards are in place to mitigate the visual impact of redevelopment, and 3) bring the roof pitch requirement for all other building in the 56-acre project area into alignment with the city-wide minimum roof pitch requirement of 5:12.

## 1.6 DOCUMENT ORGANIZATION

This IS/IEC includes the standard content for environmental documents under CEQA and TRPA Code of Ordinances and Rules of Procedures. An EIR/EIS was determined to be unnecessary, as there are not potentially significant environmental effects associated with the implementation of proposed amendments to the B/ATCP. This IS/IEC is a full disclosure document, describing the plan amendments and their environmental effects in sufficient detail to aid decision-making.

**Chapter 1** includes a description of the IS/IEC process, the tiering process, project background, the location of the Project and surrounding land uses, Project Objectives and Purpose and Needs Statement, the public involvement process and history, and the relationship of the B/ATCP to other land use plans, policies, and regulations.

**Chapter 2** contains a description of the B/ATCP amendments, including an overview of the proposed changes to the Community Plan.

**Chapter 3** provides the baseline conditions for the environmental analysis.

**Chapter 4** contains the methods and assumptions used to analyze the potential environmental effects of the amendments.

**Chapter 5** contains a detailed analysis of the environmental effects and necessary mitigation measures if applicable.

## 1.7 PUBLIC INVOLVEMENT

Pursuant to the requirements of CEQA, this IS/IEC will be sent, along with a Notice of Completion, to the California State Clearinghouse. In addition, copies of this document will be distributed to other Lake Tahoe Region reviewing agencies and interested stakeholders for review. A Notice of Availability and Notice of Public Hearing will be published in the Tahoe Daily Tribune and a Planning Commission hearing will be conducted to solicit comments during a 30-day public review period. After closure of the public review period, the City of South Lake Tahoe and TRPA staff will respond to comments. City staff will then prepare an agenda item for the City Planning Commission's recommendation and City Council's action that include the IS/IEC, comments on the IS/IEC, and responses to the comments. If the City Council determines that the amendments would not have significant adverse impacts, the City Council may adopt a Negative Declaration of environmental impact and adopt the proposed B/ATCP amendments. Following City Council approval, a Notice of Determination would be filed with the El Dorado County recorder-clerk's office and with the California State Clearinghouse.

Pursuant to the TRPA's Rules of Procedure and Chapter 3 of the TRPA Code of Ordinances, the agencies IEC will be made available for public review along with the project staff report at least 14 days prior to hearings held to consider the proposed amendments. TRPA staff will prepare agenda items for the TRPA Regional Plan Implementation Committee, TRPA Advisory Planning Commission's, and TRPA Governing Board consideration. If it is determined that no significant adverse impacts would result from the proposed project, the TRPA Governing Board may issue a Finding of No Significant Effect and adopt the amendments.

## 1.8 RELATIONSHIP TO LAND USE PLANS, POLICIES AND REGULATIONS

The B/ATCP falls under the direct jurisdiction of both The City of South Lake Tahoe and the Tahoe Regional Planning Agency. In addition, federal and state agencies exercise varying levels of control concerning specific parcels or resources. This section identifies each agency's responsibility relative to the proposed amendments; it also identifies the plans and policies to which the B/ATCP must show compliance.

### REGIONAL

The Tahoe Regional Planning Agency (TRPA) is a bi-state planning agency with authority to regulate growth and development within the Lake Tahoe Region. TRPA implements that authority through a Bi-State Compact and the TRPA Regional Plan. The Regional Plan Goals and Policies establish an overall framework for development and environmental conservation in the Lake Tahoe Region.

In December 2012, the TRPA Governing Board adopted an updated Lake Tahoe Regional Plan. General priorities of the updated Regional Plan that apply to these amendments include:

- Accelerating water quality restoration and other threshold gains by supporting environmental beneficial redevelopment opportunities, restoration of disturbed lands and Environmental Improvement Program (EIP) investments.
- Transitioning to more permitting delegated to local governments to create one-stop-shopping for homeowner improvements to return TRPA to a more regional role that the Bi-State Compact originally intended.
- Creating walkable communities and increasing alternative transportation options.

Important policies addressed in the Lake Tahoe Regional Plan include:

- Retaining the established regional growth control system. Under this system, rampant overdevelopment was stopped, and open spaces preserved. Most of the policies from the 1987 Regional Plan stayed in place.
- Creating a more efficient planning system that integrates TRPA requirements into the plans and permits of other applicable government agencies.
- Encouraging property owners to transfer development rights from sensitive and remote areas into Town/Regional Centers with the goal of restoring these lands.
- Eliminating regulatory barriers to support upgrades and environmentally beneficial redevelopment of rundown buildings with aging infrastructure.
- Simplifying overly complicated regulations for homeowners while achieving threshold gain.
- Incorporating the 2020 Linking Tahoe: Regional Transportation Plan (adopted in 2021) and the Active Transportation Plan (adopted in 2018) to support sidewalk and bike trail projects that reduce automobile dependency and increase walkability and safety.

- Continuing to deliver restoration projects under the EIP which achieves erosion control on roadways and restore forests and wetlands.

Under the 2012 Regional Plan update, Community Plans are intended to be replaced by Area Plans; however, Chapter 12 (Community Plans) of the TRPA Code of Ordinances addresses Community Plans, their applicability, contents, and process. Specifically, Section 12.8 addresses the maintenance and modification of Community Plans, stating:

*“Adopted community plans shall be reviewed by TRPA at five-year intervals to determine conformance with approved schedules of development and adequacy of programs, standards, mitigation, and monitoring. TRPA may defer approval of projects within community plans if the review indicates approved goals, targets, and requirements are not being achieved. Community plans may be modified as a result of such reviews as deemed appropriate by TRPA to achieve environmental thresholds or to otherwise improve the community plans. The procedure for modification shall be consistent with this chapter.”*

Section 12.7.4 indicates modification approvals occur through review of the modification and recommendation by the TRPA Advisory Planning Commissions, followed by Governing Board review, or an alternate process (Section 12.7.5) that may better facilitate the planning process.

Regional Plan Policy LU-4.3 indicates, “Community plans have been approved for some properties in the region to refine and supersede the plan area statements. These community plans were adopted in accordance with the 1987 regional plan and shall remain in effect until superseded by area plans that are developed in accordance with and found in conformance with this regional plan. If any community plan contains provisions that contradict newer provisions of the regional plan or development code, the newer provisions of the regional plan or development code shall prevail, but only to the extent that specific provisions conflict.”

## STATE OF CALIFORNIA

Several State agencies may play a role in development decisions within the Tahoe Region. As such, these State agencies must grant permits or other forms of permission prior to physical development. Affected agency staff will review the proposed amendments for consistency with adopted plans and policies. State agencies that may have a responsible agency role in projects that may be implemented include:

California Department of Transportation (Caltrans): Caltrans is responsible for planning, designing, constructing, and maintaining all state highways (e.g., US 50). The jurisdictional interest of Caltrans extends to improvements to roadways on the state highway system (including roadways designated as U.S. highways). Any federally funded transportation improvements would be subject to review by Caltrans staff and the California Transportation Commission, either on or off of the state highway system.

California Tahoe Conservancy: The mission of the California Tahoe Conservancy (CTC) is to protect and restore the natural environment of Lake Tahoe, including the lake’s exceptional clarity and diversity of wildlife habitat in the Region. The CTC implements a comprehensive set of programs to affirmatively address resource needs in the Tahoe Region, including the protection and restoration of the natural environment, especially water quality; enhancement of wildlife habitat; provision of public access and recreation opportunities; and management of acquired public land at Lake Tahoe.

Within the 56-Acre project area, the CTC has provided grant funding (most recently in 2020) for the City to partner with the County and the local community to complete a master plan for the areas of the 56-Acre site located south of US 50. The site includes Campground by the Lake, a recreation center, ice arena, library, and senior facilities. Future master plan facilities could include a new government center, a new recreation center, and an outdoor music amphitheater.

*Lahontan Regional Water Quality Control Board:* Lahontan has water quality responsibilities including the California-side of the Lake Tahoe Region. This agency establishes water quality standards, subject to the approval of the State Board, and has broader enforcement power than TRPA. By issuing waste discharge permits and requiring monitoring to show compliance, among other activities, Lahontan actively enforces attainment of standards.

Any party responsible for construction activity over one acre must obtain a National Pollution Discharge Elimination System Permit (NPDES Permit) from Lahontan to eliminate or reduce pollutants from construction related storm water discharged to surface waters, which include riparian zones.

Lahontan is also responsible for incorporating the Lake Tahoe Daily Maximum (TMDL) pollutant load reduction targets into the NPDES permit for California municipalities in the Tahoe Region. This permit regulates stormwater discharge from El Dorado County's stormwater management infrastructure and Federal rules require that El Dorado County implement programs to control pollutant runoff. The NPDES permit issued to El Dorado County stipulates a September 30, 2020 deadline to reduce estimated 2004 baseline jurisdictional pollutant loads of fine sediment particles by 21%, total nitrogen by 14% and total phosphorus by 14%. Lahontan is expected to update the NPDES permit every five years to include additional load reduction targets. Attainment of the 2026 target, termed the Clarity Challenge, is estimated to return Lake Tahoe to an average annual transparency of 80 feet (Lahontan 2010).

The NPDES Permit requires the City to prepare an updated Pollutant Load Reduction Plan (PLRP) by March 15, 2018 detailing the approach for meeting pollutant load reduction requirements. The City Council adopted a PLRP in January 2013 that outlined the proposed strategy for meeting the first 2016 load reduction targets.

*California Trustee Agencies:* State agencies with trustee responsibility in the B/ATCP boundary include: California Division of Forestry (tree removal and forest resource concerns), State Historic Preservation Officer (cultural resources), and California Department of Fish and Wildlife (plant and wildlife resources), and State Lands Commission, which oversees state-owned sovereign lands (Lake Tahoe).

## **CITY OF SOUTH LAKE TAHOE**

The City of South Lake Tahoe implements its regulatory authority through its General Plan and City Code. The City's 1999 General Plan adopted TRPA's Plan Area Statements (PASs) and Community Plans to replace its previous local zoning. In the City's 2011 General Plan update, the City adopted new land use designations for PASs located within the County's jurisdiction but retained the PASs and Community Plans in the Lake Tahoe Region as its zoning system. The existing PASs and Community Plan will remain in effect until superseded by an adopted conforming Area Plan or amendments to existing Area Plans.

## **EL DORADO COUNTY**

El Dorado County owns 41 acres of the 56-acre project area and is participating in preparation of the 56 Acres Master Plan, a joint effort between the city and county to update the area and provide for trails, recreational and civic uses. A new recreation center and senior center are included within the plan proposals. The 56-acre area also contains 15 acres owned by the City of South Lake Tahoe. Portions of this site were deeded to El Dorado County by D. L. Bliss in 1923 and by the Lake Valley Community Club in 1959. The City, through a cooperative lease agreement with El Dorado County, operates and manages the on-site facilities and uses for a public park, recreation, cultural, and visitor information purposes. That 50-year lease expires in 2023.

## 2.0 PROJECT DESCRIPTION

The City of South Lake Tahoe proposes two amendments to the B/ATCP. These amendments are summarized below:

1. The proposed amendment would allow a maximum height of 42 feet for public, quasi-public, or recreation facilities within the 56-acre project area of District 4 with no minimum cross slope or roof pitch requirements. Height limits for B/ATCP areas outside of the 56-acre project area would remain unchanged.
2. Reduce minimum roof pitch requirements to 5:12 for other structures within the 56-acre project area.

The amended plan will serve as a mutual plan for the City of South Lake Tahoe and TRPA by providing direction for how the applicable area shall be regulated to achieve regional environmental and land use objectives. The development standards and the specific policies referenced in the amendments are the land use standards intended to administer and regulate development within the 56-acre project area of the B/ATCP (see Figure 2-1). The proposed B/ATCP amendments, shown in track changes (strike through and bold/underline font) follow the figure.

Any proposed project within the subject area will be subject to the following design and development standards and guidelines:

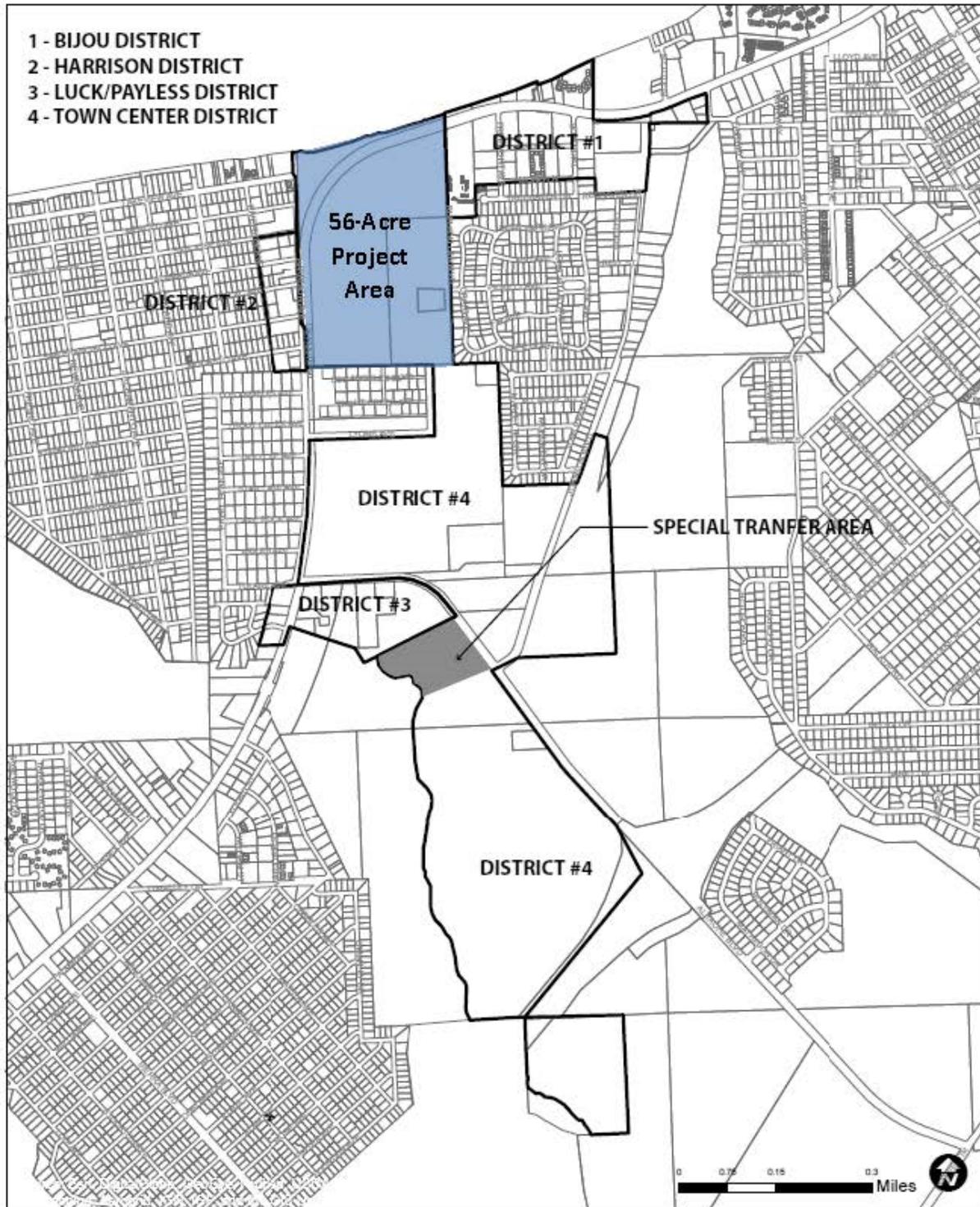
- Citywide Design and Development Standards (Chapter 6.10 and 6.55 of the [City Municipal Code](#)),
- TRPA Code of Ordinances Section 37.7 and Chapter 66: Scenic Quality
- Findings 1, 3, 4, 5, 7, and 8 of TRPA Code Section 37.7 (Findings for Additional Building Height) for any proposed project exceeding height standards of TRPA Section 37.4 or 37.5 with a maximum allowable height of 42 feet

The standards and guidelines within the references listed above serve as mitigation to protect and preserve scenic quality and ensure that any future development is compatible with the natural environment. Specifically, these design and development standards require but are not limited to:

- Proposed development will not extend above the forest canopy or a ridgeline, when present.
- Any proposed building shall be designed to minimize interference with existing views within the area to the extent practicable.
- Find that any structure with a height exceeding height standards in TRPA Code Section 37.4 or 37.5 up to a maximum height of 42 feet is necessary for the functionality of that proposed use and the minimum necessary to feasibly implement the project.
- Proposed development is adequately screened, as seen from major arterials, the waters of lakes, and other public areas from which the building is frequently viewed.
- The maximum building height at any corner of two exterior walls of the building is not greater than 90 percent of the maximum building height.
- A frontal setback of 20 feet for commercial and public services buildings and 50 feet for recreational buildings.
- Requirement that the natural forest setting be preserved by maintaining the maximum number of trees in the project site.

- Proposed development shall have architectural treatments that use natural materials and colors that create visual interest variations in facades and building forms.

Figure 2-1 – 56-Acre Portion of Bijou/Al Tahoe Community Plan District 4



City of South Lake Tahoe, CA  
Bijou/Al Tahoe Community Plan

Exhibit 3  
Land Use District Map  
June 2020

**APPENDIX A: BIJOU/AL TAHOE COMMUNITY PLAN STANDARDS AND GUIDELINES**

*(Amendments shown in red and underlined.)*

**SECTION TWO – PUBLIC SERVICE/RECREATION THEME**

<b>DISTRICTS</b>		<b>MAP AND USE MATRIX IDENTIFICATION</b>
	Town Center	4
A	PERMITTED USES	Refer to use matrix for district uses.
B	HEIGHT	
	Standard	Refer to TRPA Code of Ordinances Chapter 37.
	Special Standard	<p>The following shall apply to:</p> <p>Lake Tahoe Community College and Lake Tahoe Unified School District properties:</p> <p>Height issues for these sites shall be addressed by TRPA on an individual project basis, and may be in excess of Chapter 37 based on project setback, visibility, or other design criteria.</p> <p><b><u>El Dorado County and City properties located in 56-Acre project area:</u></b></p> <p><b><u>For public and quasi-public owned buildings, the maximum height permitted is 42, with no minimum cross slope or roof pitch requirements, provided TRPA makes Findings 1, Finding 3, Finding 4, Finding 5, Finding 7, and Finding 8 of TRPA Code Section 37.7.</u></b></p>
C	BULK	
	Standard	Refer to Redevelopment Design Element, Sections 1 and 2.
D	COVERAGE	
	Standard	Refer to TRPA Code of Ordinances Chapters 30.
E	SETBACKS	
	Standard	Refer to City Wide Design Manual Section 3 of Chapter 1 & 2.

Special Standard

In addition to the City Wide Design Manual, the following shall apply to specific properties located with the Town Center District, including:

The vacant 7.5 acre parcel north of Al Tahoe and west of Johnson Boulevard (Adjacent to the existing El Dorado County Government Center) shall required a minimum of a 50’ setback from Johnson Boulevard and an increased interior sideyard setback of 20’ in that area of the property adjoining the residentially developed district.

The vacant 12 acre parcel, north of Al Tahoe and east of Johnson Boulevard (adjacent to Bijou Community Park) shall require a minimum of a 50’ setback from Johnson Boulevard for development.

Development on the Lake Tahoe Community College property shall have a minimum setback of 50’ from Al Tahoe Boulevard.

F SITE DESIGN

Standard

Refer to City Wide Design Manual, Section 2, Chapters 1 & 2

Special Standard

In addition to the City Wide Design Manual, the following standards shall apply to the entire Town Center:

1. A natural forest setting shall be preserved by designing projects that maintain the maximum number of trees, shrubs, boulders, and other natural amenities at a project site. Landscaping shall be designed to blend with the native surroundings, including trees, shrubs, ground covers and flowers.
2. Sidewalks shall connect all buildings within project area.

G ARCHITECTURAL TREATMENT

Standard

Refer to City Wide Design Standards, Section 2 of Chapters 1 & 2 and City Lighting Standards.

Special Standard

In addition to the City Design Standards, the following standards shall apply:

1. Buildings shall be designed with interest (no box forms, variations in elevation, etc.) and shall incorporate architectural features which blend with the surrounding buildings.

2. Wood siding **or natural appearing siding** shall be used on the exterior of all remodeled newly constructed buildings.
3. Roofs shall have a minimum pitch of 5:12 and a maximum roof pitch of 12:12. **Roofs may have a minimum pitch of 0:12 on public and quasi-public owned buildings within El Dorado County and City properties located in 56-Acre project area.**
4. Real stone shall be incorporated into the building design. Manufactured stone may be used on a project only if the applicant demonstrates the application of the stone will appear “real.”
5. All projects shall incorporate days use amenities, including; outdoor furniture, bicycle racks and trash receptacles.

### **3.0 BASELINE**

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As specified in Section 13.3.1 of the TRPA Code, all plans, policies, and regulations in the Regional Plan and the TRPA Code shall remain in effect unless superseded by the provisions of an adopted conforming Area Plan. Thus, existing baseline conditions for the purposes of this IS/IEC reflect current environmental conditions with the updated Regional Plan, TRPA Code, City of South Lake Tahoe General Plan and Zoning Ordinance in effect, and the existing TRPA plans (e.g., B/ATCP and adjacent area plans), maps, and ordinances also in effect.

The proposed project evaluated in this IS/IEC is the amendment of the B/ATCP. With approval, the B/ATCP amendments would become part of the TRPA Regional Plan and would amend the existing B/ATCP. The focus of the analyses herein is on the amendment of the existing plan, maps, and ordinances to reflect the revised boundaries of design standards and the potential environmental effects of implementing the amendments to the B/ATCP over its plan horizon.

## 4.0 METHODOLOGY AND ASSUMPTIONS

This IS/IEC was prepared to evaluate the potential environmental effects of the B/ATCP amendments using as a tool the CEQA initial study and TRPA initial environmental checklist questions, responses, and supporting narrative. The analysis tiers and incorporates by reference specific analyses contained in the following environmental review documents, as appropriate:

- TRPA, *Regional Plan Update EIS*, certified by the TRPA Governing Board on December 12, 2012 (RPU EIS)
- TRPA/Tahoe Metropolitan Planning Organization (TMPO), *Mobility 2035: Regional Transportation Plan/Sustainable Communities Strategy EIR/EIS*, certified by the TMPO Board and the TRPA Governing Board on December 12, 2012 (RTP EIR/EIS)
- TRPA/Tahoe Metropolitan Planning Organization (TMPO), *2020 Linking Tahoe: Regional Transportation Plan/Sustainable Communities Strategy IS/MND/IEC/FONSE*, certified by the TMPO Board and the TRPA Governing Board in April 2021 (RTP IS/IEC)
- City of South Lake Tahoe, *General Plan Update EIR*, certified by the City Council on May 17, 2011 (City GP EIR)

These program-level environmental documents include a regional and city-wide scale analysis and a framework of mitigation measures that provide a foundation for subsequent environmental review at a community plan/area plan level. These documents serve as first-tier documents for the City and TRPA review of the proposed Amendments. To the extent that the B/ATCP is consistent with the Regional Plan and the RTP, for which the program EISs were prepared, the Amendments could be found to be “within the scope” of the program EISs.

The B/ATCP Amendments IS/IEC is also a program-level environmental document. No specific development projects are proposed at this time or analyzed herein. All future projects within the B/ATCP boundary (including the 56-acre project area) would be subject to project-level environmental review and permitting by the City of South Lake Tahoe and/or TRPA, with the permitting agency determined based on the size, nature and location of the project. Project-level environmental documents would require identification of, and mitigation for any potentially significant environmental impacts.

## 5.0 ENVIRONMENTAL CHECKLIST AND IMPACT ANALYSIS

**1. Project title:** B/ATCP Amendments

**2. Lead agency name and address:**

The City of South Lake Tahoe is the California Environmental Quality Act (CEQA) lead agency responsible for preparing an Initial Study/Negative Declaration (IS/ND) and the Tahoe Regional Planning Agency (TRPA) will serve as the lead agency for the Initial Environmental Checklist/Finding of No Significant Effect (IEC/FONSE) under the Tahoe Regional Planning Compact.

City of South Lake Tahoe  
1052 Tata Lane  
South Lake Tahoe, California 96150

Tahoe Regional Planning Agency  
P.O. Box 5310  
Stateline, Nevada 89449

**3. Contact person(s) and phone number(s):**

City of South Lake Tahoe: John Hitchcock, Planning Manager, (530) 542-7472, [jhitchcock@cityofslt.us](mailto:jhitchcock@cityofslt.us)

Tahoe Regional Planning Agency: Jennifer Self, Principal Planner (775) 589-5261, [jself@trpa.gov](mailto:jself@trpa.gov)

**4. Project location:**

The B/ATCP is located within the City of South Lake Tahoe, and the portion of the B/ATCP proposed for amendment to building height and roof pitch standards is the City and County owned 56-acre public service and recreation area located between US Highway 50 and Rufus Allen Blvd, from Lake Tahoe south to the Lake Tahoe Historical Museum and South Lake Tahoe Recreation Center shown on Figure 1-1.

**5. Project sponsor's name and address:**

City of South Lake Tahoe  
1052 Tata Lane  
South Lake Tahoe, CA 96150

**6. General Plan designation:** The City's General Plan designates the 56-acre project area land use as Recreation and TRPA's Conceptual Land Use Map designates it as Mixed-Use (Commercial/Public Service).

**7. Zoning:** Commercial/Public Service

**8. Description of project:** Refer to Chapter 2 of this document.

**9. Surrounding land uses and setting:** Refer to Section 1.4 in Chapter 1 of this document.

**10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):**

Amendment of the B/ATCP requires City of South Lake Tahoe City Council and the TRPA Governing Board approval. Projects that may move forward as a result of the implementation of these

amendments will undergo project-level environmental review and may also require approval by the California Department of Forestry and Fire Protection (tree removal), California Tahoe Conservancy (funding source), California Regional Water Quality Control Board, Lahontan Region (waste discharge), El Dorado County Air Quality Management District (generators), and/or the California Department of Transportation (highway encroachment/ROW).

### 5.1 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

If environmental factors are checked below, there would be at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages. As discussed in the IS/IEC checklist, there are no potentially significant impacts associated with the B/ATCP amendments. Applicable mitigation measures for general and cumulative impacts associated with the General Plan and the RPU are incorporated into the project approval.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture/Forest Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Energy
<input type="checkbox"/> Geology Resources	<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards/Hazardous Materials
<input type="checkbox"/> Hydrology/Water Quality	<input type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Mineral Resources
<input type="checkbox"/> Noise	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Public Services
<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Wildfire	<input type="checkbox"/> Mandatory Findings of Significance
	<input checked="" type="checkbox"/> None	<input type="checkbox"/> None with Mitigation Incorporated

**5.2 CEQA ENVIRONMENTAL DETERMINATION**

On the basis of this Initial Study:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.



10/20/2021

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John Hitchcock, Planning Manager  
City of South Lake Tahoe

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Date

**5.3 TRPA ENVIRONMENTAL DETERMINATION (TO BE COMPELTED BY TRPA)**

On the basis of this TRPA Initial Environmental Checklist:

- 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 Procedures  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 of 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

Principal Planner, TRPA

Title of Evaluator

1/12/2022

Date

## 5.4 EVALUATION OF ENVIRONMENTAL IMPACTS

The following environmental analysis has been prepared using the CEQA Guidelines Appendix G: Environmental Checklist Form to complete an Initial Study (IS). This checklist also includes analysis of environmental impacts required in the TRPA Initial Environmental Checklist (IEC) found at: [http://www.trpa.org/wp-content/uploads/Initial\\_Environmental\\_Checklist.pdf](http://www.trpa.org/wp-content/uploads/Initial_Environmental_Checklist.pdf).

### 5.4.1 CEQA

CEQA requires a brief explanation for answers to the Appendix G: Environmental Checklist except "No Impact" responses that are adequately supported by noted information sources (see Table 5-1). Answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

<b>Table 5-1: CEQA Defined Levels of Impact Significance</b>	
<b>Impact Severity</b>	<b>Definition</b>
No Impact	A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
Less than Significant Impact	"Less than Significant Impact" applies where the Project's impact creates no significant impacts based on the criterion or criteria that sets the level of impact to a resource and require no mitigation to avoid or reduce impacts.
Less than Significant Impact after Mitigation	"Less than Significant Impact after Mitigation" applies where the incorporation of mitigation measures has reduced an effect from potentially "Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
Significant Impact	"Significant Impact" is appropriate if there is substantial evidence that an effect is potentially significant, as based on the criterion or criteria that sets the level of impact to a resource. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
Source: CEQA Appendix G Environmental Checklist Form 2018	

### 5.4.2 TRPA

Article VI of the TRPA Rules of Procedures presents the rules governing the preparation and processing of environmental documents pursuant to Article VII of the Compact and Chapter 3 of the Revised TRPA Code of Ordinances.

TRPA uses an IEC, in conjunction with other available information, to determine whether an EIS will be prepared for a project or other matter. This could include preparation of an Environmental Assessment, in accordance with Section 3.4 of the TRPA revised Code, when TRPA determines that an IEC will not provide sufficient information to make the necessary findings for a project.

The IEC includes a series of questions categorized by and pertaining to resources regulated by TRPA. Each checklist item requires a checked response of “Yes,” “No,” “No, with Mitigation,” or “Data Insufficient.” A checked response of “Data Insufficient” or a determination that a project may have a significant effect on the environment (Section 3.3.2 of the TRPA Code) indicates that additional environmental review in the form of an Environmental Assessment (EA) or Environmental Impact Statement (EIS) would be required. The IEC form indicates that all “Yes” and “No, with Mitigation” responses require written explanations. This IEC provides supporting narrative for all responses. Where a checked response may not be intuitive or easily understood by the reader, that response has been marked with an asterisk (\*) and a brief clarifying statement supporting the rationale for the checked response is included. Based on an initial review of the Project, TRPA and City staff determined that an IEC would provide sufficient information regarding the Project to make one of the findings below. As set forth in Code Subsection 3.3.1, based on the information submitted in the IEC, and other information known to TRPA, TRPA shall make one of the following findings and take the identified action:

1. 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.
2. 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 of Procedure.
3. 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 Procedure.

When completed, TRPA reviews the IEC to determine the adequacy and objectivity of the responses. When appropriate, TRPA consults informally with federal, state, or local agencies with jurisdiction over the project or with special expertise on applicable environmental impacts.

### 5.4.3 AESTHETICS (CEQA), SCENIC RESOURCES/COMMUNITY DESIGN AND LIGHT AND GLARE (TRPA)

This section presents the analyses for potential impacts to aesthetics, scenic resources/community design and light and glare. Table 5-2 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-2: Aesthetics, Scenic Resources/Community Design and Light and Glare				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.3-1. Have a substantial adverse effect on a scenic vista? (CEQA Ia)			X	
5.4.3-2. Substantially damage scenic resources, including, but not limited				X

to, trees, rock outcroppings, and historic buildings, within a state scenic highway? (CEQA Ib)				
<b>5.4.3-3.</b> Substantially degrade the existing visual character or quality of the site and its surroundings? (CEQA Ic)			X	
<b>5.4.3-4.</b> Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (CEQA Id)			X	
<b>TRPA Initial Environmental Checklist Item</b>	<b>Yes</b>	<b>No, With Mitigation</b>	<b>Data Insufficient</b>	<b>No</b>
<b>5.4.3-5.</b> Be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe? (TRPA item 18a)	X			
<b>5.4.3-6.</b> Be visible from any public recreation area or TRPA designated bicycle trail? (TRPA item 18b)	X			
<b>5.4.3-7.</b> Block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area? (TRPA item 18c)	X			
<b>5.4.3-8.</b> Be inconsistent with the height and design standards required by the applicable ordinance or Community Plan? (TRPA item 18d)				X
<b>5.4.3-9.</b> Be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines? (TRPA item 18e)				X
<b>5.4.3-10.</b> Include new or modified sources of exterior lighting? (TRPA item 7a)				X
<b>5.4.3-11.</b> Create new illumination which is more substantial than other lighting, if any, within the surrounding area? (TRPA item 7b)				X
<b>5.4.3-12.</b> Cause light from exterior sources to be cast off-site or onto public lands? (TRPA item 7c)				X
<b>5.4.3-13.</b> Create new sources of glare through the siting of the improvements or through the use of reflective materials? (TRPA item 7d)				X

**5.4.3-1. Would the Project have a substantial adverse effect on a scenic vista? (CEQA Ia)**

The B/ATCP contains scenic vistas visible from public roadways; including views to Lake Tahoe from US 50 within the 56-acre project area. The 56-acre project area is characterized by heavy forest growth to the southeast in park lands of the South Lake Tahoe recreation area (library, campground, and senior center area), and wide expansive panoramas of Lake Tahoe and surrounding mountains where US 50 closely parallels the Lake Tahoe shoreline (through Lakeview Commons park). While development and redevelopment could occur in the future without the amendments, changes are likely to be positive by improving the visual quality of the built environment consistent with the TRPA Code of Ordinances, City Design Guidelines, City Code Title 6, the standards of the B/ATCP, and the general recommendations for site planning found in the TRPA Scenic Quality Improvement Program (SQIP).

The portion of US 50 in the 56-acre amendment area is associated with TRPA Scenic Roadway Unit# 34 (El Dorado Beach) viewsheds #1 and 2 and Unit #35 (Al Tahoe). Views from the Roadway Unit #34 area towards the south and east consist of a heavily forested area of the South Lake Tahoe recreation area with very little understory vegetation, many recreational facilities including a campground, and some buildings and associated parking. Views from this Roadway Unit area towards the north consist of a major panorama of Lake Tahoe seen through a line of pine trees located between the highway and the lake shoreline. The 2019 rating for this area included a travel route rating threshold composite score of 18 (attainment) and a scenic quality rating of 8 (attainment) for natural landscapes and 12 (attainment) for views to the Lake. Visual improvements to roadway distractions and lake views occurred between 2011 and 2019 with the removal of the Alta Mira commercial building located between US 50 and Lake Tahoe, new bus shelters, landscaping along US 50, Lakeview commons improvements, the Harrison Avenue project that reconfigured parking, sidewalks and landscaping to reduce visual clutter, and façade improvements to Hotel Azure. The 2018 Threshold Evaluation noted these beneficial improvements continue to incrementally improve scenic quality in the unit, but not sufficient to change the scenic ratings. View from the Roadway Unit #35 are primarily retail and commercial man-made development. The 2019 rating for this area included a travel route rating threshold composite score of 9.5 (non-attainment) and a scenic quality rating of 3.5 (non-attainment) for man-made features. New sidewalks with real rock walls are improvements that have been made within the last few years and replacement of aging development, such as an amusement park with a beer garden, are improvements. Redeveloped buildings near Harrison Avenue also benefited the man-made features score.

The project area also includes TRPA Shoreline Unit 32 (Al Tahoe), which is in attainment with a 2019 threshold composite rating of 11 and scenic quality rating of 8 for shoreline views. The 2018 evaluation identifies improvements to Shoreline Unit 32 from completion of shoreline components of Lakeside Commons Park removal of the Alta Mira commercial building and residential rebuilds behind Regan Beach. However, similar to the roadway unit, the improvements were incrementally beneficial, but not sufficient to increase the scenic ratings.

The project proposes the following changes to the 56-acre project area within the B/ATCP in relation to scenic resources and visual quality:

- The proposed amendment would allow a maximum height of 42 feet for public, quasi-public, or recreation facilities with the 56-acre project area of District 4 with no minimum cross slope or roof pitch requirements.
- Reduce minimum roof pitch requirements to 5:12 for other structures within the 56-acre project area.

New public service and recreation buildings are being considered for the 56-acre project area as part of the City, County and CTC master planning process that is currently in process. Current height and roof pitch requirements utilize TRPA Code Chapter 37 limits for establishing maximum building height and B/ATCP District 4 development standards for minimum roof pitch (7:12). The maximum height permitted for a building with a 7:12 roof pitch is 32.5 feet and is not adequate to accommodate public service and recreation facilities that require large footprints and high ceilings (e.g., recreation centers, gyms, performance spaces, etc.). In addition, to span a large space with a 7:12 roof pitch would likely result in a structure that not only exceeds 32.5 feet but would also exceed the maximum height permitted by TRPA of 42 feet and results in a design with “excessive roof components.”

The proposed amendment to allow a maximum height of 42 feet for public, quasi-public, or recreation facilities within the 56-acre project area of District 4 with no minimum cross slope or roof pitch requirements is to provide the same height standards for new buildings on Lake Tahoe Unified School District property and the Lake Tahoe Community College properties. Both sites, like 56-acres, are intended for larger-scale buildings to house public education programs. Requiring such buildings to have high pitched roofs results in designs with “excessive” roof components, which is contrary to TRPA’s and the City’s goals of promoting environmentally beneficial and sustainable development.

Public service and recreation facilities are designed with low pitched roofs appropriate for their function and sustainable design but cannot be currently approved by TRPA or City because the current B/ATCP requires a minimum roof pitch of 7:12 and a maximum height of 32.5 feet.

The minimum high roof pitch requirement would create buildings that are out of scale for its function and more intrusive on the surrounding neighborhood. This creates a negative visual impact with a larger than necessary man-made structure that dominates and obstructs views of surrounding natural elements. All of which is contrary to TRPA’s visual regulations which are intended to protect natural views and reduce the visual intrusion of man-made structures.

Higher roof pitches also result in larger interior volume than needed, which must be conditioned and maintained, resulting in increase energy consumption and operation costs, which is contrary to long term sustainability goals

The reduction in roof pitch for other structures within the 56-acres project area is to bring the roof pitch requirement into alignment with the city-wide minimum requirement of 5:12 and the City’s long-term sustainability goals.

The proposed B/ATCP amendment would require public or quasi-public structures of up to 42 feet in the 56-acre project area to meet height findings 1, 3, 4, 5, 7, and 8 as defined in Section 37.7 of the TRPA Code of Ordinances. These findings (listed below) ensure the additional height does not extend above forest canopies, minimizes interference with existing views, particularly within the shoreline, is adequately screened from public viewpoint locations, and is the minimum building height necessary to feasibly implement the project. If the findings cannot be made, the additional height would not be permitted for future projects within the 56-acre project area. This ensures no significant impact would result from the increased height allowance proposed within the amendment area.

**37.7.1 Finding 1:** When viewed from major arterials, scenic turnouts, public recreation areas, or the waters of Lake Tahoe, from a distance of 300 feet, the additional height will not cause a

building to extend above the forest canopy, when present, or a ridgeline. For height greater than that set forth in Table 37.4.1-1 for a 5:12 roof pitch, the additional height shall not increase the visual magnitude beyond that permitted for structures in the shoreland as set forth in subsection 66.3.7, Additional Visual Magnitude, or Appendix H, Visual Assessment Tool, of the Design Review Guidelines.

*Proposed development within the 56-acre project area will be located within a heavily forested area south of US 50 and buildings up to 42 feet in height would remain well below the height of the forest canopy, as viewed from US 50 or Lake Tahoe. The majority of trees located within the 56-acres project area south of US 50 are primarily mature conifers in excess of 100 feet in height. Any proposed building at 42 feet in height would still be well below 66 feet, which is approximately two-thirds of the existing tree canopy, and thus when viewed from major arterials, scenic turnouts, public recreation areas, or the waters of Lake Tahoe, the additional height would not extend above the forest canopy.*

**37.7.3. Finding 3:** With respect to that portion of the building that is permitted the additional height, the building has been designed to minimize interference with existing views within the area to the extent practicable.

*Future development proposals for the 56-acre project area will have to document how building design and placement minimize interference with existing views. Since existing views include heavily forested recreation uses to south of US 50 and open panoramas of Lake Tahoe as viewed north from US 50, future building placement must ensure that forest/landscape buffers remain between US 50 and the development south of US 50, and open panoramas are not blocked as viewed north from US 50.*

**37.7.4. Finding 4:** The function of the structure requires a greater maximum height than otherwise provided for in this chapter.

*Future development proposals will have to document how building structural requirements (e.g., gym, covered pool, recreation center, etc.) warrant a maximum building height greater than what would be provided in Code chapter 37.4.*

**37.7.5. Finding 5:** The portion of the building that is permitted additional building height is adequately screened, as seen from major arterials, the waters of lakes, and other public areas from which the building is frequently viewed. In determining the adequacy of screening, consideration shall be given to the degree to which a combination of the following features causes the building to blend or merge with the background: a) the horizontal distance from which the building is viewed; b) the extent of screening; and c) proposed exterior colors and building materials.

*Future development proposals will have to document how buildings are adequately screened to protect existing scenic quality (e.g., lake views, landscape views, man-made features, roadway distractions, etc.) from US 50 and Lake Tahoe viewpoints.*

**37.7.7. Finding 7:** The additional building height is the minimum necessary to feasibly implement the project and there are no feasible alternatives requiring less additional height.

*Future development proposals will have to document how building structural requirements (e.g., gym, covered pool, recreation center, etc.) warrant a proposed building height that is greater than what would otherwise be provided in Code chapter 37.4.*

Since this amendment proposes no other changes to the B/ATCP Design Standards other than the possibility of earning additional height (up to 42 feet) and allowing flat roofs for public or quasi-public buildings, no significant impact is anticipated. Any future proposed project would be required to implement the design standards of the B/ATCP and be in compliance with TRPA and City requirements to ensure no significant impact to scenic vistas would occur as these standards offset the impacts of additional height.

Those requirements include preserving the maximum number of trees, shrubs, boulders and other natural amenities on site. Incorporating architectural treatments that limit box forms creates variations in elevations and facades to blend with the natural landscape. The standards also require the use of earthtone colors and the use of natural and natural-appearing materials. Moreover, due to the existing major conifers located within the 56-acres project area south of US 50, any proposed project would not extend above the forest canopy. Implementation of the theses measures for any future project that results from this amendment and making TRPA findings for additional height is not expected to result in a significant impact on scenic vistas, scenic quality, or community character when viewed from major arterials, scenic turnouts, public recreation areas, or the water of Lake Tahoe.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

**5.4.3-2. Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (CEQA Ib)**

US 50 is not an officially designated state scenic highway in the project area, through it is listed as an eligible route. An eligible State highway becomes officially designated through a process in which the local governing body applies to Caltrans for scenic highway approval, adopts a Corridor Protection Program, and receives notification that the highway has been officially designated a State Scenic Highway by the Caltrans Director. Other than distant views of the ridgelines and tree canopy outside the area proposed for amendment, the area footprint does not contain other unique visual resources such as rock outcroppings, trees, or historical buildings, as the parcels have been substantially developed with public service/recreational structures and infrastructure. Therefore, the Project has no impact on state designated scenic highways.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.3-3. Would the Project substantially degrade the existing visual character or quality of the site and its surroundings? (CEQA Ic)**

As discussed above in Question 5.4.3-1, the existing visual character of a majority of the 56-acre project area consists of heavy forest growth to the southeast of US 50 in lands used for the South Lake Tahoe

recreation area (library, campground, and senior center/historical museum area). The northern most corner of the 56-acre project area includes wide expansive panoramas of Lake Tahoe and surrounding mountains where US 50 closely parallels the Lake Tahoe shoreline (viewed through Lakeview Commons park). As such, the existing visual character of the 56-acre project area appears less urban than other US 50 corridors north and south of the project area, with less evidence of man modifications and fewer roadway distractions.

The existing B/ATCP includes detailed design standards that are intended to ensure that the built environment complements the natural appearing landscape while promoting recreational and public service uses in the 56-acre project area. The B/ATCP specifically regulates building form, materials and colors and includes the following: buildings shall be designed with interest and provide adequate articulation and detail to avoid a bulky box-like appearance; a unified palette of quality materials shall be used; a variety of natural-appearing materials should be used on building facades to create contrast; and colors should blend with the setting. The amendments would allow public or quasi-public buildings to be approximately 10 (with a 7:12 roof pitch) to 18 feet taller (with a flat roof) than currently permitted, but other existing B/ATCP requirements for building standards and design would remain unchanged.

As a result, an increase in the height and roof pitch of future public or quasi-public buildings may occur as a result of the amendments but would not result in a significant change to visual character or quality of the area for the following reasons: public or quasi-public buildings that may utilize the additional height and flat roof provision will serve recreational or public service uses that are compatible with the existing visual character and requirements to make TRPA height findings will protect visual quality in the 56-acre project located between US 50 and Lake Tahoe. Finally, changes to allowable building height will not impact existing US 50 or shoreline viewsheds due to the required findings for additional height which includes screening of the additional height or limits height to below the tree canopy when viewed from major roadways, the waters of the lake or public viewpoints, and also requires no net loss of views along a scenic travel route, among other findings.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

#### **5.4.3-4. Would the Project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (CEQA Id)**

The 56-acre project area is currently developed with recreation and public service uses, and no changes to lighting design standards is proposed. Therefore, glare or reflectivity from a project proposed under the amended B/ATCP would not change compared to projects developed under the existing Community Plan, and will not adversely affect day or nighttime views in the area. Pursuant to the City Code Section 6.10.160 and TRPA Code Section 36.8 all lighting shall have cutoff shields, be directed downward, and shall not spray above the horizontal plane. No new impact would occur.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

#### **5.4.3-5. Would the Project be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe? (TRPA 18a)**

The proposed amendment will affect development that will be potentially visible from US Highway 50, which is not a Caltrans Officially Designated State Scenic Highway at this location, but is a TRPA designated urban scenic corridor. As discussed in Question 5.4.3-1, the project area includes Scenic Roadway Travel Unit #34 (El Dorado Beach) and Unit #35 (Al Tahoe). Urban Scenic Corridors are generally urbanized where man-made development is the dominant visual feature, but development still blends with the natural environment (TRPA Code Chapter 66, Scenic Quality). Such development would be authorized under current standards. The revision of the special height standard allows more flexibility in structural design (e.g. shallower roof pitches) and increase allowable height for public service buildings.

Any proposed project within the subject area will be subject to the following design and development standards and guidelines:

- Citywide Design and Development Standards (Chapter 6.10 and 6.55 of the [City Municipal Code](#)),
- TRPA Code of Ordinances Section 37.7 and Chapter 66: Scenic Quality
- Findings 1, 3, 4, 5, 7, and 8 of TRPA Code Section 37.7 (Findings for Additional Building Height) for any proposed project exceeding height standards of TRPA Section 37.4 or 37.5 with a maximum allowable height of 42 feet

The standards and guidelines within the references listed above serve as mitigation to protect and preserve scenic quality and ensure that any future development is compatible with the natural environment. Specifically, these design and development standards require but are not limited to:

- Proposed development will not extend above the forest canopy or a ridgeline, when present.
- Any proposed building shall be designed to minimize interference with existing views within the area to the extent practicable.
- Find that any structure with a height exceeding height standards in TRPA Code Section 37.4 or 37.5 up to a maximum height of 42 feet is necessary for the functionality of that proposed use and the minimum necessary to feasibly implement the project.
- Proposed development is adequately screened, as seen from major arterials, the waters of lakes, and other public areas from which the building is frequently viewed.
- The maximum building height at any corner of two exterior walls of the building is not greater than 90 percent of the maximum building height.
- A frontal setback of 20 feet for commercial and public services buildings and 50 feet for recreational buildings.
- Requirement that the natural forest setting be preserved by maintaining the maximum number of trees in the project site.
- Proposed development shall have architectural treatments that use natural materials and colors that create visual interest variations in facades and building forms.

The 2019 Threshold Evaluation indicates attainment with recent improvements in the visual quality of the built environment. The detailed design standards in the B/ATCP ensure that the built environment complements the natural appearing landscape in the Tahoe Region while providing public service and recreational opportunities for residents and visitors. The B/ATCP specifically regulates building form, materials and colors to avoid bulky and “box-like” appearance, to promote materials and colors that blend with the natural setting, to reduce glare and reflectivity, and preserve views of the lake, ridgelines and meadows. With application of the design standards, the overall visual quality and character of the amendment area is expected to remain high while allowing for new and relocated public service and

recreational uses. Thus, implementation of the amendments will not result in adverse impacts on views from any state or federal highway, Pioneer Trail or from Lake Tahoe.

Environmental Analysis: *Yes, but No Impact.*

Required Mitigation: **None.**

#### **5.4.3-6. Would the Project be visible from any public recreation area or TRPA designated bicycle trail? (TRPA 18b)**

The 56-acre project area is visible from El Dorado Beach/Lakeview Commons, which is included as part of the 56-acre area, and from Lake Tahoe. There is also a newly constructed Class I bike trail along US Highway 50 within the project area. Visual impacts have the potential to occur to each of these recreational locations, since the 56-acre project area is visible from each; however, the design standards and guidelines listed in 5.4.3-5 above and the following recommendations included in the TRPA Lake Tahoe Scenic Resource Evaluation (1993) would protect views from these recreational land uses:

- Existing trees should be preserved as a visual screen between structures and major public use areas.
- Structures should not be permitted to exceed the height of the existing tree cover.
- Development should not be permitted where tree cover is too sparse to visually absorb new structures, road cuts, and other attendant improvements.
- Use of reflective materials should be restricted and use of materials which blend into the surrounding landscape encouraged.

Development within the amendment area would be consistent with the B/ATCP's Design Standards and Chapter 66 (Scenic Quality) of the TRPA Code of Ordinances that would prohibit buildings to protrude above the forest canopy or ridgeline, include site-specific design features that minimize ground disturbance, incorporate screening, use of earth tone colors, materials and architectural style that complements the Tahoe landscape. Thus, development within the amendment area will not adversely impact views from any public recreation area or TRPA designated bicycle trails.

Environmental Analysis: *Yes, but no Impact.*

Required Mitigation: **None.**

#### **5.4.3-7. Would the Project block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area? (TRPA 18c)**

As discussed above in Questions 5.4.3-1 (CEQA Checklist 1a) and 5.4.3-6 (TRPA 18b) scenic viewsheds in the 56-acre project area include wide panorama views of Lake Tahoe from US 50 and the recreational uses south of US 50.

Future development projects located north of US 50 in the El Dorado Beach/Lakeview Commons area have the potential to disrupt existing scenic vistas of Lake Tahoe as viewed from US 50 or the campground. Scenic findings required by TRPA for additional building height would prohibit buildings in these locations

to earn additional height if they were to impact scenic viewpoints, especially those within the Lake Tahoe shoreline (finding 1). For projects in other parts of the 56-acre project area, the findings would prohibit buildings to protrude above the forest canopy or ridgeline, include site-specific design features that minimize ground disturbance, incorporate screening, and require use of earth tone colors, materials and architectural style that complements the Tahoe landscape. Public and quasi-public buildings located within the 56-acre project area that request additional height and flatter roofs would be visible from US 50; however, impacts to overall scenic vistas would be less than significant and would not detract from the visual experience based on protections included in the scenic findings. Thus, the B/ATCP amendments would not result in new obstructed views to and from Lake Tahoe or other scenic vistas.

See response to 5.4.3-5 above for additional design and development standards required of future projects.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

#### **5.4.3-8. Would the Project be inconsistent with the height and design standards required by the applicable ordinance or Community Plan? (TRPA 18d)**

The B/ATCP includes design standards with which future development in the amendment area would be required to comply. The B/ATCP Design Standards and Guidelines for District 4 primarily defer to the TRPA Code of Ordinances, City Zoning and Sign Ordinances, City Wide Design Manual, City Lighting Standards, and South Tahoe Redevelopment Design Element. Special standards for District 4 include an emphasis on the use of natural wood, development of a landscape boulevard theme, parking lot landscaping, and public art. Since the B/ATCP was adopted in 1995, both the City and TRPA have revised planning documents to reflect the current direction on design. The proposed amendments do not change a majority of the adopted design standards, but do propose amendment to maximum height limits and minimum roof pitch requirements within the 56-acre project area, which would apply therein only, and only for public or quasi-public buildings.

The B/ATCP amendments would apply a 42 foot maximum height allowance to the 56-acre project area for any public or quasi-public building, if the existing additional height findings can be met. The current limit is 42 feet, but can only be earned on project sites where the ground slopes at 24 percent across the building pad, and where a 12:12 roof pitch is proposed. The 42 foot maximum height limit proposed in the amendment is similar or lower to other urban land use areas within the City, including most of the Districts in the TCAP and each of the Districts along US 50 in the TVAP. As such, the proposed height allowance for public or quasi-public buildings within the 56-acre project area is consistent with height limits applied elsewhere along a majority of US 50 frontage. Combined with the other remaining design standards, and protective measures incorporated in TRPA additional height findings, the visual quality and character of the affected area would be protected; therefore, no significant impact would result from implementing the amended height and roof pitch standards within the 56-acre project area.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.3-9. Would the Project be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines? (TRPA 18e)**

The SQIP does not include recommendations for scenic improvement to the 56-acre project area portion of US 50, since the roadway unit has been in attainment for each review period since the SQIP was prepared.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.3-10. Would the Project include new or modified sources of exterior lighting? (TRPA 7a)**

See discussion and analysis for Question 5.4.3-4, which concludes no significant impact.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.3-11. Would the Project create new illumination, which is more substantial than other lighting, if any, within the surrounding area? (TRPA 7b)**

See discussions and analysis and for Question 5.4.3-4, which concludes no significant impact.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.3-12. Would the Project cause light from exterior sources to be cast off-site or onto public lands? (TRPA 7c)**

See discussions and analysis for Question 5.4.3-4, which concludes no significant impact.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.3-13. Would the Project create new sources of glare through the siting of the improvements or through the use of reflective materials? (TRPA 7d)**

See discussion and analysis for Question 5.4.3-4, which concludes no significant impact.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

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

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

### 5.4.4 AGRICULTURE AND FORESTRY RESOURCES

This section presents the analyses for potential impacts to agriculture and forestry resources. Some TRPA checklist items concern impacts to vegetation, which are addressed in Section 5.4.6, Biological Resources. Table 5-3 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

<b>Table 5-3: Agriculture and Forestry Resources</b>				
<b>CEQA Environmental Checklist Item</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Measures</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>5.4.4-1.</b> Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the CA Resources Agency, to a non-agricultural use? (CEQA IIa)				<b>X</b>
<b>5.4.4-2.</b> Conflict with existing zoning for agricultural use, or a Williamson Act contract? (CEQA IIb)				<b>X</b>
<b>5.4.4-3.</b> Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code section 12220(g), timberland (as defined by Public Resource Code section 4526) or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (CEQA IIc)				<b>X</b>
<b>5.4.4-4.</b> Result in the loss of forest land or conversion of forest land to non-forest use? (CEQA IId)				<b>X</b>
<b>5.4.4-5.</b> Involve other changes in the existing environment which, due to their location or nature,				<b>X</b>

could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (CEQA IIe)				
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**5.4.4-1. Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a non-agricultural use? (CEQA IIa)**

The amendments do not change policies related to farmland.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.4-2. Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract? (CEQA IIb)**

The amendments do not change land use and no contracts exist within the project area.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.4-3. Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code section 12220(g), timberland (as defined by Public Resource Code section 4526) or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (CEQA IIc)**

The amendments do not change land use or zoning of forested land.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.4-4. Would the Project result in the loss of forest land or conversion of forest land to non-forest use? (CEQA II d)**

The amendments do not result in loss of forested lands or increase the possibility of forest land conversion.

Environmental Analysis: *No Impact*

Required Mitigation: **None.**

**5.4.4-5. Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (CEQA IIe)**

The amendments would permit increased building height for public or quasi-public buildings within the 56-acre project area which may facilitate development that would not occur without the availability of additional height. However, public service uses could be constructed on the site with or without the proposed height amendment, so the amendment does not create a new impact not addressed in previous B/ATCP environmental review.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

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

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

**5.4.5 AIR QUALITY**

This section presents the analyses for potential impacts to air quality. Table 5-4 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-4: Air Quality				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.5-1. Conflict with or obstruct implementation of the applicable air quality plan? (CEQA IIIa)				X
5.4.5-2. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standards? (CEQA IIIb)				X

5.4.5-3. Expose sensitive receptors to substantial pollutant concentrations? (CEQA IIIc)				X
5.4.5-4. Result in other emissions, such as objectionable odors, adversely affecting a substantial number of people? (CEQA III d)				X
<b>TRPA Initial Environmental Checklist Item</b>	<b>Yes</b>	<b>No, With Mitigation</b>	<b>Data Insufficient</b>	<b>No</b>
5.4.5-5. Substantial air pollutant emissions? (TRPA 2a)				X
5.4.5-6. Deterioration of ambient (existing) air quality? (TRPA 2b)				X
5.4.5-7. Creation of objectionable odors? (TRPA 2c)				X

**5.4.5-1. Would the Project conflict with or obstruct implementation of the applicable air quality plan? (CEQA IIIa)**

The B/ATCP amendments would not alter, revise, conflict or obstruct the regulations pertaining to air quality and proposes no changes to air quality policies. No changes would occur to the B/ATCP other than modification of building height and roof pitch standards.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.5-2. Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standards (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (CEQA IIIb)**

The B/ATCP amendments would not contribute to an increase in any criterial pollutant because they only address building height and roof pitch and not land use or density.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.5-3. Would the Project expose sensitive receptors to substantial pollutant concentrations? (CEQA IIIc)**

The B/ATCP amendments do not create new opportunities for sensitive receptors to be constructed nearby existing pollutants, nor would the amendments contribute to higher pollutant levels from future development.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.5-4. Would the Project result in other emissions, such as objectionable odors, adversely affecting a substantial number of people? (CEQA III d)**

B/ATCP amendments to height limits and roof pitch standards would not change possibility for objectionable odors.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.5-5. Would the Project result in substantial air pollutant emissions? (TRPA 2a)**

See analysis for Question 5.4.5-1.

Environmental Analysis: *No Impact*

Required Mitigation: **None.**

**5.4.5-6. Would the Project result in deterioration of ambient (existing) air quality? (TRPA 2b)**

See analysis for Question 5.4.5-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.5-7. Would the Project result in creation of objectionable odors? (TRPA 2c)**

See analysis for Question 5.4.5-4.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

***Current and historic status of TRPA 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\*\*](#)

### 5.4.6 BIOLOGICAL RESOURCES (STREAM ENVIRONMENT ZONES, WETLANDS, WILDLIFE AND VEGETATION)

This section presents the analyses for potential impacts to biological resources, including impacts to SEZs, wetlands, wildlife and vegetation. Table 5-6 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

<b>Table 5-6: Biological Resources</b>				
<b>CEQA Environmental Checklist Item</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Measures</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>5.4.6-1.</b> Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (CEQA IVa)				X
<b>5.4.6-2.</b> Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (CEQA IVb)				X
<b>5.4.6-3.</b> Have a substantial adverse effect on federally protected (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (CEQA IVc)				X
<b>5.4.6-4.</b> Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (CEQA IVd)				X
<b>5.4.6-5.</b> Conflict with any local policies or ordinances protecting biological resources, such as tree				X

preservation policy or ordinance? (CEQA IVe)				
<b>5.4.6-6.</b> Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (CEQA IVf)				X
<b>TRPA Initial Environmental Checklist Item</b>	<b>Yes</b>	<b>No, With Mitigation</b>	<b>Data Insufficient</b>	<b>No</b>
<b>5.4.6-7.</b> Removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system? (TRPA 4a)				X
<b>5.4.6-8.</b> Removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table? (TRPA 4b)				X
<b>5.4.6-9.</b> Introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species? (TRPA 4c)				X
<b>5.4.6-10.</b> 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)? (TRPA 4d)				X
<b>5.4.6-11.</b> Reduction of the numbers of any unique, rare or endangered species of plants? (TRPA 4e)				X
<b>5.4.6-12.</b> Removal of streambank and/or backshore vegetation, including woody vegetation such as willows? (TRPA 4f)				X
<b>5.4.6-13.</b> 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? (TRPA 4g)				X

5.4.6-14. A change in the natural functioning of an old growth ecosystem? (TRPA 4h)				X
5.4.6-15. 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)? (TRPA 5a)				X
5.4.6-16. Reduction of the number of any unique, rare or endangered species of animals? (TRPA 5b)				X
5.4.6-17. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? (TRPA 5c)				X
5.4.6-18. Deterioration of existing fish or wildlife habitat quantity or quality? (TRPA 5d)				X

**5.4.6-1. Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (CEQA IVa)**

The B/ATCP amendments do not create a new physical development impact not addressed in previous B/ATCP environmental review. While the amendment allows for additional height and changes to roof pitch standards, it does not propose specific new development that threaten biological resources habitat or protection of any candidate, sensitive, or special status species.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.6-2. Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (CEQA IVb)**

See analysis for Question 5.4.6-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.6-3. Would the Project have a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (CEQA IVc)**

See analysis for Question 5.4.6-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None**

**5.4.6-4. Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (CEQA IVd)**

See analysis for Question 5.4.6-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.6-5. Would the Project conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance? (CEQA IVe)**

See analysis for Question 5.4.6-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.6-6. Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (CEQA IVf)**

See analysis for Question 5.4.6-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.6-7. Would the Project result in removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system? (TRPA 4a)**

See analysis for Question 5.4.6-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.6-8. Would the Project result in removal of riparian vegetation other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table? (TRPA 4b)**

See analysis for Question 5.4.6-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.6-9. Would the Project result in introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species? (TRPA 4c)**

See analysis for Question 5.4.6-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.6-10. Would the Project result in 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)? (TRPA 4d)**

See analysis for Question 5.4.6-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.6-11. Would the Project result in reduction of the numbers of any unique, rare or endangered species of plants? (TRPA 4e)**

See analysis for Question 5.4.6-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None**

**5.4.6-12. Would the Project result in removal of streambank and/or backshore vegetation, including woody vegetation such as willows? (TRPA 4f)**

See analysis for Question 5.4.6-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.6-13. Would the Project result in 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? (TRPA 4g)**

See analysis for Question 5.4.6-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None**

**5.4.6-14. Would the Project result in a change in the natural functioning of an old growth ecosystem? (TRPA 4h)**

See analysis for Question 5.4.6-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.6-15. Would the Project result in 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)? (TRPA 5a)**

See analysis for Question 5.4.6-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.6-16. Would the Project result in reduction of the number of any unique, rare or endangered species of animals? (TRPA 5b)**

See analysis for Question 5.4.6-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.6-17. Would the Project result in introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? (TRPA 5c)**

See analysis for Question 5.4.6-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.6-18. Would the Project result in deterioration of existing fish or wildlife habitat quantity or quality? (TRPA 5d)**

See analysis for Question 5.4.6-1.

Environmental Analysis: *No Impact*.

Required Mitigation: **None**.

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

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

***Current and historic status of TRPA 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](#)

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

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

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

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

## **5.4.7 CULTURAL RESOURCES (CEQA) AND ARCHAEOLOGICAL/HISTORICAL (TRPA)**

This section presents the analyses for potential impacts to cultural, archaeological and historical resources, discussing the Project impacts on cultural resources related to the disturbance of archaeological, historical, architectural, and Native American/traditional heritage resources. The section also addresses disturbance of unknown archaeological resources, as well as paleontological resources (fossils). Table 5-7 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-7: Cultural Resources and Archaeological/Historical				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.7-1. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (CEQA Va)				X
5.4.7-2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (CEQA Vb)				X
5.4.7-3. Disturb any human remains, including those interred outside of formal cemeteries? (CEQA Vc)				X
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
5.4.7-4. Will the proposal result in an alteration of or adverse physical or aesthetic effect to a significant archaeological or historical site, structure, object or building? (TRPA 20a)				X
5.4.7-5. 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? (TRPA 20b)				X
5.4.7-6. Is the property associated with any historically significant events and/or sites or persons? (TRPA 20c)				X

**5.4.7-1. Would the Project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (CEQA Va)**

The B/ATCP amendments do not create a new physical development impact not addressed in previous B/ATCP environmental review. While the amendment allows for additional height and changes to roof pitch standards, it does not propose specific new development that threaten cultural and historical resources or policies designed to protect historical resources.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.7-2. Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (CEQA Vb)**

See analysis for Question 5.4.7-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.7-3. Would the Project disturb any human remains, including those interred outside of formal cemeteries? (CEQA Vc)**

See analysis for Question 5.4.7-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.7-4. Will the Project result in an alteration of or adverse physical or aesthetic effect to a significant archaeological or historical site, structure, object or building? (TRPA 20a)**

See analysis for Question 5.4.7-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.7-5. Is the 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? (TRPA 20b)**

See analysis for Question 5.4.7-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.7-6. Is the Project associated with any historically significant events and/or sites or persons? (TRPA 20c)**

See analysis for Question 5.4.7-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.8 ENERGY (CEQA/TRPA)**

This section presents the analyses for potential impacts to energy. Table 5-8 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-8: Energy				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.8-1. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (CEQA VIa)				X
5.4.8-2. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (CEQA VIb)				X
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
5.4.8-3. Use of substantial amounts of fuel or energy? (TRPA 15a)				X
5.4.8-4. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy? (TRPA 15b)				X

**5.4.8-1. Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (CEQA VIa)**

The B/ATCP amendments do not create a new physical development impact not addressed in previous B/ATCP environmental review. While the amendment allows for additional height and changes to roof pitch standards, it does not propose changes to policies designed to conserve energy resources.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.8-2. Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (CEQA VIb)**

See analysis for Question 5.4.8-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.8-3. Would the Project use substantial amounts of fuel or energy? (TRPA 15a)**

See analysis for Question 5.4.8-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.8-4. Will the Project substantially increase the demand upon existing sources of energy, or require the development of new sources of energy? (TRPA 15b)**

See analysis for Question 5.4.8-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.9 GEOLOGY AND SOILS (CEQA) AND LAND (TRPA)**

This section presents the analyses for potential impacts to geology, soils and land. Table 5-9 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-9: Geology and Soils and Land				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
<p><b>5.4.9-1.</b> Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <p>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?</p> <p>ii) Strong seismic ground shaking?</p>				X

iii) Seismic-related ground failure, including liquefaction? iv) Landslides? (CEQA VIIa)				
<b>5.4.9-2.</b> Result in substantial soil erosion or the loss of topsoil? (CEQA VIIb)				X
<b>5.4.9-3.</b> Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (CEQA VIIc)				X
<b>5.4.9-4.</b> Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (CEQA VIId)				X
<b>5.4.9-5.</b> Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? (CEQA VIIE)				X
<b>5.4.9-6.</b> Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (CEQA VIIf)				X
<b>TRPA Initial Environmental Checklist Item</b>	<b>Yes</b>	<b>No, With Mitigation</b>	<b>Data Insufficient</b>	<b>No</b>
<b>5.4.9-7.</b> Compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)? (TRPA 1a)				X
<b>5.4.9-8.</b> A change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions? (TRPA 1b)				X
<b>5.4.9-9.</b> Unstable soil conditions during or after completion of the proposal? (TRPA 1c)				X
<b>5.4.9-10.</b> Changes in the undisturbed soil or native				X

geologic substructures or grading in excess of 5 feet? (TRPA 1d)				
<b>5.4.9-11.</b> The continuation of or increase in wind or water erosion of soils, either on or off the site? (TRPA 1e)				<b>X</b>
<b>5.4.9-12.</b> 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? (TRPA 1f)				<b>X</b>
<b>5.4.9-13.</b> Exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards? (TRPA 1g)				<b>X</b>

**5.4.9-1. Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:**

**5.4.9-1.i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? (CEQA VIIa).**

The B/ATCP amendments do not create a new physical development impact not addressed in previous B/ATCP environmental review. While the amendment allows for additional height and changes to roof pitch standards, it does not propose changes to policies designed to protect people and structures from geological resources.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.9-1.ii) Strong seismic ground shaking?**

See analysis for Question 5.4.9-1.i.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.9-1.iii) Seismic-related ground failure, including liquefaction?**

See analysis for Question 5.4.9-1.i.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.9-1.iv) Landslides?**

See analysis for Question 5.4.9-I.i.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.9-2. Would the Project result in substantial soil erosion or the loss of topsoil? (CEQA VIIb)**

See analysis for Question 5.4.9-I.i.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.9-3. Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (CEQA VIIc)**

See analysis for Question 5.4.9-I.i.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.9-4. Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (CEQA VIId)**

See analysis for Question 5.4.9-I.i.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.9-5. Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (CEQA VIIE)**

See analysis for Question 5.4.9-I.i.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.9-6. Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (CEQA VIIIf)**

See analysis for Question 5.4.9-I.i.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.9-7. Would the Project result in compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)? (TRPA 1a)**

See analysis for Question 5.4.9-I.i.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.9-8. Will the Project result in a change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions? (TRPA 1b)**

See analysis for Question 5.4.9-I.i.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.9-9. Will the Project result in unstable soil conditions during or after completion of the proposal? (TRPA 1c)**

See analysis for Question 5.4.9-I.i.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.9-10. Will the Project result in changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet? (TRPA 1d)**

See analysis for Question 5.4.9-I.i.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.9-11. Will the Project result in the continuation of or increase in wind or water erosion of soils, either on or off the site? (TRPA 1e)**

See analysis for Question 5.4.9-I.i.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.9-12. Will the Project result in 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? (TRPA 1f)**

See analysis for Question 5.4.9-l.i.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.9-13. Will the Project result in exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mudslides, ground failure, or similar hazards? (TRPA 1g)**

See analysis for Question 5.4.9-l.i.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

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

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

**5.4.10 GREENHOUSE GAS EMISSIONS (CEQA) AND AIR QUALITY (TRPA)**

This section presents the analyses for potential impacts to greenhouse gas (GHG) emissions. Table 5-10 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

<b>Table 5-10: Greenhouse Gas Emissions and Air Quality</b>				
<b>CEQA Environmental Checklist Item</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Measures</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>5.4.10-1.</b> Greenhouse gas emissions, either directly or indirectly, that may have a				<b>X</b>

significant impact on the environment? (CEQA VIIIa)				
<b>5.4.10-2.</b> Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (CEQA VIIIb)				<b>X</b>
<b>TRPA Initial Environmental Checklist Item</b>	<b>Yes</b>	<b>No, With Mitigation</b>	<b>Data Insufficient</b>	<b>No</b>
<b>5.4.10-3.</b> Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally? (TRPA 2d)				<b>X</b>
<b>5.4.10-4.</b> Increased use of diesel fuel? (TRPA 2e)				<b>X</b>

**5.4.10-1. Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (CEQA VIIIa)**

The B/ATCP amendments would not alter, revise, conflict or obstruct the regulations pertaining to air quality/greenhouse gas emissions and proposes no changes to air quality or greenhouse gas emission policies. No changes would occur to the B/ATCP other than modification of building height and roof pitch standards.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.10-2. Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (CEQA VIIIb)**

See analysis for Question 5.4.10-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.10-3. Would the Project result in alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally? (TRPA 2d)**

See analysis for Question 5.4.10-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.10-4. Would the Project result in increased use of diesel fuel? (TRPA 2e)**

See analysis for Question 5.4.10-l.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.11 HAZARDS AND HAZARDOUS MATERIALS (CEQA) AND RISK OF UPSET AND HUMAN HEALTH (TRPA)**

This section presents the analyses for potential impacts to hazards and hazardous materials and risk of upset and human health. Table 5-11 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

<b>Table 5-11: Hazards and Hazardous Materials and Risk of Upset and Human Health</b>				
<b>CEQA Environmental Checklist Item</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Measures</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>5.4.11-1.</b> Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (CEQA IXa)				<b>X</b>
<b>5.4.11-2.</b> Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (CEQA IXb)				<b>X</b>
<b>5.4.11-3.</b> Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (CEQA IXc)				<b>X</b>
<b>5.4.11-4.</b> Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (CEQA IXd)				<b>X</b>

5.4.11-5. For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? (CEQA IXe)				X
5.4.11-6. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (CEQA VIII f)				X
5.4.11-7. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (CEQA IXg)				X
<b>TRPA Initial Environmental Checklist Item</b>	<b>Yes</b>	<b>No, With Mitigation</b>	<b>Data Insufficient</b>	<b>No</b>
5.4.11-8. 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? (TRPA 10a)				X
5.4.11-9. Involve possible interference with an emergency evacuation plan? (TRPA 10b)				X
5.4.11-10. Creation of any health hazard or potential health hazard (excluding mental health)? (TRPA 17a)				X
5.4.11-11. Exposure of people to potential health hazards? (TRPA 17b)				X

**5.4.11-1. Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (CEQA IXa)**

The B/ATCP amendments would not alter, revise, conflict or obstruct the regulations pertaining to hazards or hazardous materials/risk of upset and proposes no changes to applicable policies. No changes would occur to the B/ATCP other than modification of building height and roof pitch standards.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.11-2. Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (CEQA IXb)**

See analysis for Question 5.4.11-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.11-3. Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (CEQA IXc)**

See analysis for Question 5.4.10-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.11-4. Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (CEQA IXd)**

See analysis for Question 5.4.10-1.

No hazardous waste facilities or contaminated sites are identified within the proposed B/ATCP amendment area. There are two closed GeoTracker Leaking Underground Storage Tank (LUST) cleanup sites (one at the Beach Bear Café site and one at a former Express Gas station in the Pioneer Center west of US 50) in the vicinity of the 56-acre site, but neither were located within the publicly owned lands.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.11-5. For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the project area? (CEQA IXe)**

The B/ATCP 56-acre amendment area is not located within Lake Tahoe Airport Safety Zones as depicted in the City's 2019 Airport Land Use Compatibility Plan (Figure 4-4), and therefore has no potential impact on public safety.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.11-6. Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (CEQA IXf)**

The amendments would not alter or revise existing regulations or amend the City's Local Emergency Operations Plan or Emergency Management Plan. The amendments would not impair the implementation of or physically interfere with the City Natural Hazard Management Plan or Emergency Management Plan and therefore results in no impact.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.11-7. Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (CEQA IXg)**

See analysis for Question 5.4.10-l.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.11-8. Will the Project 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? (TRPA 10a)**

See analysis for Question 5.4.10-l.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.11-9. Will the Project involve possible interference with an emergency evacuation plan? (TRPA 10b)**

See discussion and analysis for Question 5.4.11-6 above that concludes that implementation of the B/ATCP amendments will not impact existing emergency evacuation plans.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.11-10. Will the Project result in creation of any health hazard or potential health hazard (excluding mental health)? (TRPA 17a)**

See analysis for Question 5.4.10-l.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.11-11. Will the Project result in exposure of people to potential health hazards? (TRPA 17b)**

See analysis for Question 5.4.10-l.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**Current and historic status of TRPA 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](#)

**5.4.12 HYDROLOGY AND WATER QUALITY**

This section presents the analyses for potential impacts to hydrology and water quality. Table 5-12 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-12: Hydrology and Water Quality				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.12-1. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? (CEQA Xa)				X
5.4.12-2. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (CEQA Xb)				X

<p><b>5.4.12-3.</b> Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would</p> <p>i) Result in substantial erosion or siltation on- or off-site;</p> <p>ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;</p> <p>iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or</p> <p>iv) Impede or redirect flood flows? (CEQA Xc)</p>				<p><b>X</b></p>
<p><b>5.4.12-4.</b> In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (CEQA Xd)</p>				<p><b>X</b></p>
<p><b>5.4.12-5.</b> Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (CEQA Xe)</p>				<p><b>X</b></p>
<p><b>TRPA Initial Environmental Checklist Item</b></p>	<p><b>Yes</b></p>	<p><b>No, With Mitigation</b></p>	<p><b>Data Insufficient</b></p>	<p><b>No</b></p>
<p><b>5.4.12-6.</b> Changes in currents, or the course or direction of water movements? (TRPA 3a)</p>				<p><b>X</b></p>
<p><b>5.4.12-7.</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? (TRPA 3b)</p>				<p><b>X</b></p>
<p><b>5.4.12-8.</b> Alterations to the course or flow of 100-year flood waters? (TRPA 3c)</p>				<p><b>X</b></p>
<p><b>5.4.12-9.</b> Change in the amount of surface water in any water body? (TRPA 3d)</p>				<p><b>X</b></p>

5.4.12-10. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity? (TRPA 3e)				X
5.4.12-11. Alteration of the direction or rate of flow of ground water? (TRPA 3f)				X
5.4.12-12. Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? (TRPA 3g)				X
5.4.12-13. Substantial reduction in the amount of water otherwise available for public water supplies? (TRPA 3h)				X
5.4.12-14. Exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches? (TRPA 3i)				X
5.4.12-15. The potential discharge of contaminants to the groundwater or any alteration of groundwater quality? (TRPA 3j)				X
5.4.12-16. Is the Project located within 600 feet of a drinking water source? (TRPA 3k)				X

**5.4.12-1. Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? (CEQA Xa)**

The B/ATCP amendments would not alter, revise, conflict or obstruct the regulations pertaining to hydrology and water quality and proposes no changes to applicable policies. No changes would occur to the B/ATCP other than modification of building height and roof pitch standards.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.12-2. Would the Project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (CEQA Xb)**

See analysis for Question 5.4.12-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.12-3. Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would (CEQA Xc):**

**5.4.12-3.i) Result in substantial erosion or siltation on- or off-site?**

See analysis for Question 5.4.12-l.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.12-3.ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?**

See analysis for Question 5.4.12-l.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.12-3.iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

See analysis for Question 5.4.12-l.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.12-3.iv) Impede or redirect flood flows?**

See analysis for Question 5.4.12-l.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.12-4. Would the Project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (CEQA Xd)**

See analysis for Question 5.4.12-l.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.12-5. Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (CEQA Xe)**

See analysis for Question 5.4.12-l.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.12-6. Will the Project result in changes in currents, or the course or direction of water movements? (TRPA 3a)**

See analysis for Question 5.4.12-l.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.12-7. Will the Project result in 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? (TRPA 3b)**

See analysis for Question 5.4.12-l.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.12-8. Will the Project result in alterations to the course or flow of 100-year floodwaters? (TRPA 3c)**

See analysis for Question 5.4.12-l.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.12-9. Will the Project result in change in the amount of surface water in any water body? (TRPA 3d)**

See analysis for Question 5.4.12-l.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.12-10. Will the Project result in discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity? (TRPA 3e)**

See analysis for Question 5.4.12-l.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.12-11. Will the Project result in alteration of the direction or rate of flow of ground water? (TRPA 3f)**

See analysis for Question 5.4.12-l.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.12-12. Will the Project result in change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? (TRPA 3g)**

See analysis for Question 5.4.12-l.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.12-13. Will the Project result in substantial reduction in the amount of water otherwise available for public water supplies? (TRPA 3h)**

See analysis for Question 5.4.12-l.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.12-14. Will the Project result in exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches? (TRPA 3i)**

See analysis for Question 5.4.12-l.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.12-15. Will the Project result in potential discharge of contaminants to the groundwater or any alteration of groundwater quality? (TRPA 3j)**

See analysis for Question 5.4.12-l.

Environmental Analysis: *No Impact*.

Required Mitigation: **None**.

**5.4.12-16. Is the Project located within 600 feet of a drinking water source? (TRPA 3k)**

See analysis for Question 5.4.12-l.

Environmental Analysis: *No Impact*.

Required Mitigation: **None**.

**Current and historic status of TRPA 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](#)

**5.4.13 LAND USE AND PLANNING**

This section presents the analyses for potential impacts to land use and planning. Table 5-13 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-13: Land Use and Planning				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.13-1. Physically divide an established community? (CEQA XIa)				X
5.4.13-2. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (CEQA XIb)				X

TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
<b>5.4.13-3.</b> Include uses which are not listed as permissible uses in the applicable Plan Area Statement, adopted Community Plan, or Master Plan? (TRPA 8a)				<b>X</b>
<b>5.4.13-4.</b> Expand or intensify an existing non-conforming use? (TRPA 8b)				<b>X</b>

**5.4.13-1. Would the Project physically divide an established community? (CEQA XIa)**

The B/ATCP amendments would not alter, revise, conflict or obstruct the regulations pertaining to land use and proposes no changes to applicable policies that would divide an established community. No changes would occur to the B/ATCP other than modification of building height and roof pitch standards.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.13-2. Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (CEQA XIb)**

The B/ATCP amendments would not alter or conflict with the policies in the TRPA Regional Plan or City General Plan that direct land use, nor would they amend land use policies in the adopted B/ATCP. However, the amendments would result in changes to design standards including allowable building height and minimum roof pitch. The existing building height and roof pitch standards were included in the B/ATCP to protect scenic resources, including community design as viewed from US Highway 50. Refer to Section 5.4.3 for analysis of scenic quality impacts and the determination that the proposed amendments would not alter the B/ATCP’s ability to protect scenic resources from future development within the 56-acre project area.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.13-3. Will the Project include uses which are not listed as permissible uses in the applicable Plan Area Statement, adopted Community Plan, or Master Plan? (TRPA 8a)**

The B/ATCP amendments would not alter, revise, or conflict with permissible uses included in the B/ATCP. No changes would occur to the B/ATCP other than modification of building height and roof pitch standards.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.13-4. Will the Project expand or intensify an existing non-conforming use? (TRPA 8b)**

See analysis for Question 5.4.13-I.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

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

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

**5.4.14 MINERAL RESOURCES (CEQA) AND NATURAL RESOURCES (TRPA)**

This section presents the analyses for potential impacts to mineral resources and natural resources. Table 5-14 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-14: Mineral Resources and Natural Resources				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.14-1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (CEQA XIIa)				X
5.4.14-2. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (CEQA XIIb)				X
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
5.4.14-3. A substantial increase in the rate of use of any natural resources? (TRPA 9a)				X
5.4.14-4. Substantial depletion of any non-renewable natural resource? (TRPA 9b)				X

**5.4.14-1. Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (CEQA XIIa)**

The B/ATCP amendments would not alter, revise, conflict or obstruct the regulations pertaining to mineral/natural resources. No changes would occur to the B/ATCP other than modification of building height and roof pitch standards.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.14-2. Would the Project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (CEQA XIIb)**

See analysis for Question 5.4.14-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.14-3. Will the Project result in a substantial increase in the rate of use of any natural resources? (TRPA 9a)**

See analysis for Question 5.4.14-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.14-4. Will the Project result in a substantial depletion of any non-renewable natural resource? (TRPA 9b)**

See analysis for Question 5.4.14-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.15 NOISE**

This section presents the analyses for potential impacts related to noise. Table 5-15 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

<b>Table 5-15: Noise</b>				
<b>CEQA Environmental Checklist Item</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Measures</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>5.4.15-1.</b> Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or other applicable local, state, or federal standards? (CEQA XIIIa)				<b>X</b>
<b>5.4.15-2.</b> Generation of excessive groundborne vibration or groundborne noise levels? (CEQA XIIIb)				<b>X</b>
<b>5.4.15-3.</b> For a Project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels? (CEQA XIIIc)				<b>X</b>
<b>TRPA Initial Environmental Checklist Item</b>	<b>Yes</b>	<b>No, With Mitigation</b>	<b>Data Insufficient</b>	<b>No</b>
<b>5.4.15-4.</b> Increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Plan Area Statement, Community Plan or Master Plan? (TRPA 6a)				<b>X</b>
<b>5.4.15-5.</b> Exposure of people to severe noise levels? (TRPA 6b)				<b>X</b>
<b>5.4.15-6.</b> Single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold? (TRPA 6c)				<b>X</b>
<b>TRPA Initial Environmental Checklist Item</b>	<b>Yes</b>	<b>No, With Mitigation</b>	<b>Data Insufficient</b>	<b>No</b>
<b>5.4.15-7.</b> The placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible? (TRPA 6d)				<b>X</b>
<b>5.4.15-8.</b> The placement of uses that would generate an incompatible noise				<b>X</b>

level in close proximity to existing residential or tourist accommodation uses? (TRPA 6e)				
<b>5.4.15-9.</b> Exposure of existing structures to levels of ground vibration that could result in structural damage? (TRPA 6f)				<b>X</b>

**5.4.15-1. Would the Project generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or other applicable local, state, or federal standards? (CEQA XIIIa)**

The B/ATCP amendments would not alter, revise, conflict or obstruct the regulations pertaining to noise and proposes no changes to applicable policies. No changes would occur to the B/ATCP other than modification of building height and roof pitch standards.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.15-2. Would the Project generate excessive groundborne vibration or groundborne noise levels? (CEQA XIIIb)**

See analysis for Question 5.4.15-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.15-3. For a Project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels? (CEQA XIIIc)**

The B/ATCP amendment area is not within the vicinity of a private airstrip or within two miles of a public airport or public use airport. The B/ATCP 56-acre amendment area is not located within Lake Tahoe Airport Safety Zones as depicted in the City’s 2019 Airport Land Use Compatibility Plan (Figure 4-4). The amendments would only result in changes to building height and roof pitch and therefore does not expose people working in the project area to excessive noise levels from aircraft.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.15-4. Would the Project result in increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Plan Area Statement, Community Plan or Master Plan? (TRPA 6a)**

See analysis for Question 5.4.15-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.15-5. Would the Project result in exposure of people to severe noise levels? (TRPA 6b)**

See analysis for Question 5.4.15-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.15-6. Will the Project result in single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold? (TRPA 6c)**

See analysis for Question 5.4.15-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.15-7. Will the Project result in the placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible? (TRPA 6d)**

See analysis for Question 5.4.15-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.15-8. Will the Project result in the placement of uses that would generate an incompatible noise level in close proximity to existing residential or tourist accommodation uses? (TRPA 6e)**

See analysis for Question 5.4.15-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.15-9. Will the Project expose existing structures to levels of ground vibration that could result in structural damage? (TRPA 6f)**

See analysis for Question 5.4.15-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

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

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

### 5.4.16 POPULATION AND HOUSING

This section presents the analyses for potential impacts to population and housing. Table 5-16 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

<b>Table 5-16: Population and Housing</b>				
<b>CEQA Environmental Checklist Item</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Measures</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>5.4.16-1.</b> Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (CEQA XIVa)				<b>X</b>
<b>5.4.16-2.</b> Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (CEQA XIVb)				<b>X</b>
<b>TRPA Initial Environmental Checklist Item</b>	<b>Yes</b>	<b>No, With Mitigation</b>	<b>Data Insufficient</b>	<b>No</b>
<b>5.4.16-3.</b> Alter the location, distribution, density, or growth rate of the human population planned for the Region? (TRPA 11a)				<b>X</b>
<b>5.4.16-4.</b> Include or result in the temporary or permanent displacement of residents? (TRPA 11b)				<b>X</b>

TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
<p><b>5.4.16-5.</b> Affect existing housing, or create a demand for additional housing?</p> <p>To determine if the proposal will affect existing housing or create a demand for additional housing, please answer the following questions: (1) Will the proposal decrease the amount of housing in the Tahoe Region? (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? (TRPA 12a)</p>				X
<p><b>5.4.16-6.</b> Will the proposal result in the loss of housing for lower-income and very-low-income households? (TRPA 12b)</p>				X

**5.4.16-1. Would the Project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (CEQA XIVa)**

The B/ATCP amendments would not alter, revise, conflict or obstruct the regulations pertaining to population and housing and proposes no changes to applicable policies. No changes would occur to the B/ATCP other than modification of building height and roof pitch standards.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.16-2. Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (CEQA XIVb)**

See analysis for Question 5.4.16-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.16-3. Will the Project alter the location, distribution, density, or growth rate of the human population planned for the Region? (TRPA 11a)**

See analysis for Question 5.4.16-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.16-4. Will the Project include or result in the temporary or permanent displacement of residents? (TRPA 11b)**

See analysis for Question 5.4.16-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.16-5. Will the Project affect existing housing, or create a demand for additional housing?**

**(1) Will the proposal decrease the amount of housing in the Tahoe Region? (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? (TRPA 12a)**

See analysis for Question 5.4.16-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.16-6. Will the Project result in the loss of housing for lower-income and very-low-income households? (TRPA 12b)**

See analysis for Question 5.4.16-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.17 PUBLIC SERVICES**

This section presents the analyses for potential impacts to public services. Table 5-17 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-17: Public Services				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.17-1. Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities,				

the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?				X
Police protection?				X
Schools?				X
Parks?				X
Other public facilities? (CEQA XVa)				X
<b>TRPA Initial Environmental Checklist Item</b>	<b>Yes</b>	<b>No, With Mitigation</b>	<b>Data Insufficient</b>	<b>No</b>
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?				
<b>5.4.17-2.</b> Fire protection? (TRPA 14a)				X
<b>5.4.17-3.</b> Police protection? (TRPA 14b)				X
<b>5.4.17-4.</b> Schools? (TRPA 14c)				X
<b>5.4.17-5.</b> Parks or other recreational facilities? (TRPA 14d)				X
<b>5.4.17-6.</b> Maintenance of public facilities, including roads? (TRPA 14e)				X
<b>5.4.17-7.</b> Other governmental services? (TRPA 14f)				X

**5.4.17-1. Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection? Police protection? Schools? Parks? Other public facilities? (CEQA XVa)**

The B/ATCP amendments would facilitate taller public or quasi-public building structures within the 56-acre project area. The proposed amendments would allow public or quasi-public structures of up to 42 feet within the 56-acre project area, an increase compared to the current regulations that limit height based on Table 37.4.1-1 and Section 37.5 (Additional Height for Certain Buildings) of the TRPA Code. The amendments would increase the maximum allowable building height using current regulations from 24 feet (building with a flat roof on a flat building site) to up to 42 feet. The City of South Lake Tahoe Fire Department’s new ladder truck is capable of responding to fire incidents in new or redeveloped multi-story structures with the allowed additional height. Therefore, no impact is created with the change to allowable height.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.17-2. Will the Project have an unplanned effect upon, or result in a need for new or altered governmental services: fire protection? (TRPA 14a)**

See analysis for Question 5.4.17-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.17-3. Will the Project have an unplanned effect upon, or result in a need for new or altered governmental services: police protection? (TRPA 14b)**

The B/ATCP amendments would not alter, revise, conflict or obstruct the regulations pertaining to police protection and proposes no changes to applicable policies. No changes would occur to the B/ATCP other than modification of building height and roof pitch standards.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.17-4. Will the Project have an unplanned effect upon, or result in a need for new or altered governmental services: schools? (TRPA 14c)**

The B/ATCP amendments would not alter, revise, conflict or obstruct the regulations pertaining to schools and proposes no changes to applicable policies. No changes would occur to the B/ATCP other than modification of building height and roof pitch standards.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.17-5. Will the Project have an unplanned effect upon, or result in a need for new or altered governmental services: parks or other recreational facilities? (TRPA 14d)**

The B/ATCP amendments would not alter, revise, conflict or obstruct the regulations pertaining to parks and recreational facilities and proposes no changes to applicable policies. No changes would occur to the B/ATCP other than modification of building height and roof pitch standards.

Environmental Analysis: *No Impact*

Required Mitigation: **None.**

**5.4.17-6. Will the Project have an unplanned effect upon, or result in a need for new or altered governmental services in maintenance of public facilities, including roads? (TRPA 14e)**

See analysis for Question 5.4.17-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.17-7. Will the Project have an unplanned effect upon, or result in a need for new or altered governmental services in other governmental services? (TRPA 14f)**

See analysis for Question 5.4.17-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.18 RECREATION**

This section presents the analyses for potential impacts to recreation. Table 5-18 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-18: Recreation				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.18-1. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (CEQA XVIa)				X
5.4.18-2. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (CEQA XVIa)				X
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
5.4.18-3. Create additional demand for recreation facilities? (TRPA 19a)				X
5.4.18-4. Create additional recreation capacity? TRPA 19b)				X

5.4.18-5. Have the potential to create conflicts between recreation uses, either existing or proposed? (TRPA 19c)				X
5.4.18-6. Result in a decrease or loss of public access to any lake, waterway, or public lands? (TRPA 19d)				X

**5.4.18-1. Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (CEQA XVIa)**

The B/ATCP amendments would not alter, revise, conflict or obstruct the regulations pertaining to recreation and proposes no changes to applicable policies. No changes would occur to the B/ATCP other than modification of building height and roof pitch standards. The amendments are proposed to permit eventual development of public or quasi-public recreational facilities that would benefit the community.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.18-2. Would the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (CEQA XVIb)**

See analysis for Question 5.4.18-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.18-3. Will the Project create additional demand for recreation facilities? (TRPA 19a)**

See analysis for Question 5.4.18-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.18-4. Will the Project create additional recreation capacity? (TRPA 19b)**

See analysis for Question 5.4.18-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.18-5. Will the Project have the potential to create conflicts between recreation uses, either existing or proposed? (TRPA 19c)**

See analysis for Question 5.4.18-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.18-6. Will the Project result in a decrease or loss of public access to any lake, waterway, or public lands? (TRPA 19d)**

See analysis for Question 5.4.18-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

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

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

**5.4.19 TRANSPORTATION (CEQA) AND TRAFFIC AND CIRCULATION (TRPA)**

This section presents the analyses for potential impacts to transportation, traffic and circulation. Table 5-19 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

<b>Table 5-19: Transportation, Traffic and Circulation</b>				
<b>CEQA Environmental Checklist Item</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Measures</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>5.4.19-1.</b> Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? (CEQA XVIIa)				<b>X</b>
<b>5.4.19-2.</b> Conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? (CEQA XVIIb)				<b>X</b>
<b>5.4.19-3.</b> Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (CEQA XVIIc)				<b>X</b>

5.4.19-4. Result in inadequate emergency access? (CEQA XVIIId)				X
<b>TRPA Initial Environmental Checklist Item</b>	<b>Yes,</b>	<b>No, With Mitigation</b>	<b>Data Insufficient</b>	<b>No</b>
5.4.19-5. Generation of 100 or more new Daily Vehicle Trip Ends (DVTE)? (TRPA 13a)				X
5.4.19-6. Changes to existing parking facilities, or demand for new parking? (TRPA 13b)				X
5.4.19-7. Substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities? (TRPA 13c)				X
5.4.19-8. Alterations to present patterns of circulation or movement of people and/or goods? (TRPA 13d)				X
5.4.19-9. Alterations to waterborne, rail or air traffic? (TRPA 13e)				X
5.4.19-10. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians? (TRPA 13f)				X

**5.4.19-1. Would the Project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? (CEQA XVIIa)**

The B/ATCP amendments would not alter, revise, conflict or obstruct the regulations pertaining to transportation and circulation and proposes no changes to applicable policies. No changes would occur to the B/ATCP other than modification of building height and roof pitch standards.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.19-2. Would the Project conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? (CEQA XVIIb)**

See analysis for Question 5.4.19-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.19-3. Would the Project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (CEQA XVIIc)**

See analysis for Question 5.4.19-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.19-4. Would the Project result in inadequate emergency access? (CEQA XVIIId)**

See analysis for Question 5.4.19-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.19-5. Will the Project result in generation of 100 or more new Daily Vehicle Trip Ends (DVTE)? (TRPA 13a)**

See analysis for Question 5.4.19-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.19-6. Will the Project result in changes to existing parking facilities, or demand for new parking? (TRPA 13b)**

See analysis for Question 5.4.19-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.19-7. Will the Project result in substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities? (TRPA 13c)**

See analysis for Question 5.4.19-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.19-8. Will the Project result in alterations to present patterns of circulation or movement of people and/or goods? (TRPA 13d)**

See analysis for Question 5.4.19-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.19-9. Will the Project result in alterations to waterborne, rail or air traffic? (TRPA 13e)**

See analysis for Question 5.4.19-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.19-10. Will the Project result in increase in traffic hazards to motor vehicles, bicyclists, or pedestrians? (TRPA 13f)**

See analysis for Question 5.4.19-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.20 TRIBAL CULTURAL RESOURCES (CEQA) AND  
ARCHAEOLOGICAL/HISTORICAL (TRPA)**

This section presents the analyses for potential impacts to tribal cultural, archaeological and historical resources, discussing the Project impacts on tribal cultural resources related to the disturbance of archaeological, historical, and Native American/traditional heritage resources. Table 5-20 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

<b>Table 5-20: Tribal Cultural Resources and Archaeological/Historical</b>				
<b>CEQA Environmental Checklist Item</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Measures</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
Has a California Native American Tribe requested consultation in accordance with Public Resources Code section 21080.3.1(b)? Yes: X No:				
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
<b>5.4.20-1.</b> Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)? (CEQA XVIIIa)				X
<b>5.4.20-2.</b> A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (CEQA XVIIIb)				X
<b>TRPA Initial Environmental Checklist Item</b>	<b>Yes</b>	<b>No, With Mitigation</b>	<b>Data Insufficient</b>	<b>No</b>
<b>5.4.20-3.</b> Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values? (TRPA 20d)				X
<b>5.4.20-4.</b> Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area? (TRPA 20e)				X

**5.4.20-1. Would the Project cause a substantial adverse change in the significance of a tribal cultural resource listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)? (CEQA XVIIIa)?**

The B/ATCP amendments would not alter, revise, conflict or obstruct the regulations pertaining to cultural or historic resources and proposes no changes to applicable policies. No changes would occur to the B/ATCP other than modification of building height and roof pitch standards.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.20-2. Would the Project cause a substantial adverse change in the significance of a tribal cultural resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (CEQA XVIIIb)**

See analysis for Question 5.4.20-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.20-3. Does the Project have the potential to cause a physical change which would affect unique ethnic cultural values? (TRPA 20d)**

See analysis for Question 5.4.20-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.20-4. Will the Project restrict historic or pre-historic religious or sacred uses within the potential impact area? (TRPA 20e)**

See analysis for Question 5.4.20-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

### 5.4.21 UTILITIES AND SERVICE SYSTEMS (CEQA) AND UTILITIES (TRPA)

This section presents the analysis for potential impacts to utilities and service systems. Table 5-21 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

<b>Table 5-21: Utilities and Service Systems</b>				
<b>CEQA Environmental Checklist Item</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Measures</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>5.4.21-1.</b> Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects? (CEQA XIXa)				<b>X</b>
<b>5.4.21-2.</b> Have sufficient water supplies available to serve the and reasonably foreseeable future development during normal, dry, and multiple dry years? (CEQA XIXb)				<b>X</b>
<b>5.4.21-3.</b> Result in a determination by the wastewater treatment provider that serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments? (CEQA XIXc)				<b>X</b>
<b>5.4.21-4.</b> Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (CEQA XIXd)				<b>X</b>
<b>5.4.21-5.</b> Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (CEQA XIXe)				<b>X</b>

TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
Except for planned improvements, will the proposal result in a need for new systems, or substantial alterations to the following utilities:				
<b>5.4.21-6.</b> Power or natural gas? (TRPA 16a)				X
<b>5.4.21-7.</b> Communication systems? (TRPA 16b)				X
<b>5.4.21-8.</b> Utilize additional water which amount will exceed the maximum permitted capacity of the service provider? (TRPA 16c)				X
<b>5.4.21-9.</b> Utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider? (TRPA 16d)				X
<b>5.4.21-10.</b> Storm water drainage? (TRPA 16e)				X
<b>5.4.21-11.</b> Solid waste and disposal? (TRPA 16f)				X

**5.4.21-1. Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects? (CEQA XIXa)**

The B/ATCP amendments would not alter, revise, conflict or obstruct the regulations pertaining to public utilities and proposes no changes to applicable policies. No changes would occur to the B/ATCP other than modification of building height and roof pitch standards.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.21-2. Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years? (CEQA XIXb)**

See analysis for Question 5.4.21-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.21-3. Would the Project result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments? (CEQA XIXc)**

See analysis for Question 5.4.20-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.21-4. Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (CEQA XIXd)**

See analysis for Question 5.4.20-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.21-5. Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (CEQA XIXe)**

See analysis for Question 5.4.20-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.21-6. Except for planned improvements, will the Project result in a need for new systems, or substantial alterations to power or natural gas? (TRPA 16a)**

See analysis for Question 5.4.20-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.21-7. Except for planned improvements, will the Project result in a need for new systems, or substantial alterations to communication systems? (TRPA 16b)**

See analysis for Question 5.4.20-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.21-8. Except for planned improvements, will the Project result in a need for new systems, or substantial alterations to utilize additional water which amount will exceed the maximum permitted capacity of the service provider? (TRPA 16c)**

See analysis for Question 5.4.20-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.21-9. Except for planned improvements, will the Project result in a need for new systems, or substantial alterations to utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider? (TRPA 16d)**

See analysis for Question 5.4.20-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.21-10. Except for planned improvements, will the Project result in a need for new systems, or substantial alterations to storm water drainage? (TRPA 16e)**

See analysis for Question 5.4.20-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.21-11. Except for planned improvements, will the Project result in a need for new systems, or substantial alterations to solid waste and disposal? (TRPA 16f)**

See analysis for Question 5.4.20-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.22 WILDFIRE (CEQA)**

This section presents the analysis for potential impacts related to wildfire. Table 5-23 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-23: Wildfire				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
Is the Project located in or near state responsibility areas or lands classified as high fire hazard severity zones? Yes: X No:				
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
<b>5.4.22-1.</b> Substantially impair an adopted emergency response plan or emergency evacuation plan? (CEQA XXa)				X
<b>5.4.22-2.</b> Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (CEQA XXb)				X
<b>5.4.22-3.</b> Require the installation of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (CEQA XXc)				X
<b>5.4.22-4.</b> Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (CEQA XXd)				X

**5.4.22-1. Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan? (CEQA XXa)**

The B/ATCP amendments would not alter, revise, conflict or obstruct the regulations pertaining to wildfire protection and proposes no changes to applicable policies. No changes would occur to the B/ATCP other than modification of building height and roof pitch standards.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.22-2. Due to slope, prevailing winds, and other factors, would the Project exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (CEQA XXb)**

See analysis for Question 5.4.22-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.22-3. Would the Project require the installation of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (CEQA XXc)**

See analysis for Question 5.4.22-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.22-4. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (CEQA XXd)**

See analysis for Question 5.4.22-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.23 MANDATORY FINDINGS OF SIGNIFICANCE**

This section presents the analyses for mandatory findings of significance. Table 5-24 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-24: Mandatory Findings of Significance				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.23-1. Does the Project have the potential to degrade the quality of the environment,				X

substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare or threatened species, or eliminate important examples of the major periods of California history or prehistory? (CEQA XX1a)				
<b>5.4.23-2.</b> Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? (CEQA XX1b)				X
<b>5.4.23-3.</b> Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (CEQA XX1c)				X
<b>TRPA Initial Environmental Checklist Item</b>	<b>Yes</b>	<b>No, With Mitigation</b>	<b>Data Insufficient</b>	<b>No</b>
<b>5.4.23-4.</b> 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? (TRPA 21a)				X
<b>5.4.23-5.</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				X

in a relatively brief, definitive period of time, while long-term impacts will endure well into the future.) (TRPA 21b)				
<b>5.4.23-6.</b> 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?) (TRPA 21c)				<b>X</b>
<b>5.4.23-7.</b> Does the Project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly? (TRPA 21d)				<b>X</b>

**5.4.23-1. Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare or threatened species, or eliminate important examples of the major periods of California history or prehistory? (CEQA XXIa)**

The B/ATCP amendments would not alter, revise, conflict or obstruct the regulations pertaining to biological resources (aquatic, wildlife, or plant) and proposes no changes to applicable policies. No changes would occur to the B/ATCP other than modification of building height and roof pitch standards.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.23-2. Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? (CEQA XXIb)**

The B/ATCP is a collection of both short- and long-term goals, policies, and measures designed to guide the development of the plan area and support the Region in attaining environmental thresholds and other important objectives. These goals, policies, and measures are inherently cumulative in nature as they are applied over a long-term basis, for the planning area as a whole, and in compliance with City and TRPA goals, policies, measures, and thresholds. The B/ATCP amendments do not propose new policies or alterations to existing policies that would be cumulatively considerable.

Cumulative projects contemplated in the RPU EIS (TRPA 2012a) include Environmental Enhancement, Land Management Plans, TTD/TMPO projects and programs, and other development projects. These projects and programs also apply to the B/ATCP, and therefore, the proposed 56-acre amendment area. The B/ATCP amendments do not propose specific projects for which cumulative impacts could be analyzed. The Regional Plan EIR cumulative impacts analysis applies to the amendment area regardless of the Community or Area Plan in which it is located.

#### Scenic Resources

As discussed in the analysis, the B/ATCP amendments would alter building height and roof pitch standards for public or quasi-public buildings within the 56-acre project area; however, the proposed changes would be highly limited and subject to TRPA's additional height findings to ensure the scenic threshold is maintained, if not improved. The existing B/ATCP scenic protections would not be altered, and all permitted projects would still be required to meet the TRPA scenic threshold non-degradation standard. Therefore, the B/ATCP amendments would not contribute to an adverse cumulative effect on scenic resources.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

#### **5.4.23-3. Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (CEQA XIXc)**

As described above, projects permitted under the B/ATCP amendments would require project-level environmental review and would be required to comply with applicable TRPA, federal, state, and City regulations, including protections for human health and safety. The amendments only address building height and roof pitch and the potential for new impacts to humans is low. Therefore, implementation of the amendments would not create a substantial direct or indirect adverse effect on human beings.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

#### **5.4.23-4. 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? (TRPA 21a)**

See analysis for Question 5.4.23-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

#### **5.4.23-5. Does the Project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (TRPA 21b)**

The B/ATCP implements the TRPA Regional Plan's policies, ordinances, and land use controls designed specifically to achieve long-term environmental goals, and the City's policies, ordinances, and land use controls which are also designed to achieve long-term goals and guide City development over a period of decades. The B/ATCP amendments would not alter this long-term goal, nor does it propose changes to land use or design that would be substantially different from what is currently allowed or that achieve a short-term goal at the expense of long-range planning for the area. While short-term impacts could occur during redevelopment activities, redevelopment projects have the potential to achieve long-term goals. Since the proposed amendment area is currently developed with recreational land uses, new permanent alterations to previously undeveloped land would not occur, and redevelopment projects are anticipated to support environmental, social, and economic improvements.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.23-6. 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?) (TRPA 21c)**

See analysis for Question 5.4.23-2.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

**5.4.23-7. Does the Project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly? (TRPA 21d)**

See analysis for Question 5.4.23-3.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

## 5.5 REFERENCES

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**FINDING OF NO SIGNIFICANT EFFECT**

**Project Description:** Proposed amendments to the City of South Lake Tahoe's Bijou/Al Tahoe Community Plan.

**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.

A handwritten signature in black ink, appearing to read "Jennifer J. Smith".

\_\_\_\_\_  
TRPA Executive Director/Designee

January 12, 2022  
Date

Attachment C  
Compliance Measures Evaluation

## ATTACHMENT C: COMPLIANCE MEASURES

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
<b>WATER QUALITY/SEZ - IN PLACE</b>				
1	BMP requirements, new development: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	The Bijou/Al Tahoe Community Plan (BATCP) amendment will not change existing BMP requirements in Chapter 60 of the TRPA Code of Ordinances and is expected to promote planned public redevelopment in the 56-acre project area, increasing the rate of BMP compliance.
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 Improvement Program for Erosion and Runoff Control	WQ, Soils/SEZ, Trans, Fish	N	The BATCP amendment does not adversely affect the Capital Improvements Program for Erosion and Runoff Control. The plan recognizes existing programmed water quality improvements and encourages future improvements.
6	Excess coverage mitigation program: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	The BATCP amendment will not change excess coverage mitigation requirements.
7	Effluent limitations: California (SWRCB, Lahontan Board) and Nevada (NDEP): <i>Code of Ordinances</i> Chapter 5	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	All new subdivisions will continue to be limited by the provisions in Chapter 39, Subdivision, of the TRPA Code of Ordinances.
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	N	The BATCP was developed to meet Regional Plan and Code of Ordinances requirements. The amendment maintains consistency with and supports implementation of Regional Plan goals and policies and Code of Ordinances standards.

## ATTACHMENT C: COMPLIANCE MEASURES

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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	The BATCP amendment does not affect residential development.
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	The BATCP amendment does not affect land coverage.
12	Transfer of development: Goals and Policies: Land Use Element and Implementation Element	WQ, Soils/SEZ	N	The BATCP amendment does not change Goals and Policies from the Land Use Element and Implementation Element of the Regional Plan regarding the transfer of development.
13	Restrictions on SEZ encroachment and vegetation alteration: <i>Code of Ordinances</i> Chapter 30	WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic	N	The BATCP amendemnt 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 BATCP amendment does not change policies and provisions that require the protection and restoration of SEZs.
15	SEZ setbacks: <i>Code of Ordinances</i> Chapter 53	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.
16	Fertilizer reporting requirements: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish, Rec	N	The BATCP amendment 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 remain 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 BATCP amendment does not affect the RPU's restrictions on the rate and amount of additional development.

## ATTACHMENT C: COMPLIANCE MEASURES

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
19	Improved BMP implementation/enforcement program	WQ, Soils/SEZ	N	See response to Compliance Measures 1 through 4.
20	Increased funding for EIP projects for erosion and runoff control	WQ, Soils/SEZ	N	The BATCP amendment will not 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 with the BATCP amendment.
22	Transfer of development from SEZs	WQ, Soils/SEZ, Scenic	N	The BATCP amendment does not provide any additional incentives to hasten the transfer of development rights from sensitive lands, including SEZs, or outlying areas to <u>Town Centers and the Regional Center</u> .
23	Improved mass transportation	WQ, Trans, Noise	N	The BATCP amendment does not affect mass transportation.
24	Redevelopment and redirection of land use: Goals and Policies: Land Use Element and Code of Ordinances Chapter 13	WQ, Soils/SEZ, Scenic	N	The BATCP amendment does not affect redevelopment or redirection of land use and is designed to promote development in the 56-acre project area consistent with the community plan and Regional Plan.
25	Combustion heater rules, stationary source controls, and related rules: <i>Code of Ordinances Chapter 65</i>	WQ, AQ	N	No changes are being proposed in the BATCP amendment that would impact Compliance Measures 25-32. The existing TRPA Code of Ordinance provisions will remain in effect.
26	Elimination of accidental sewage releases: Goals and Policies: Land Use Element	WQ, Soils/SEZ	N	
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 Chapter 60</i>	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	

## ATTACHMENT C: COMPLIANCE MEASURES

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
32	Hazardous material/wastes programs: Goals and Policies: Land Use Element and Code of Ordinances 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 BATCP amendment will not change requirements of the BMP implementation program. See response to Compliance Measures 1 through 4.
34	Reporting requirements, highway abrasives and deicers: Goals and Policies:, Land Use Element and Code of Ordinances 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	
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	
40	Land use planning and controls - outdoor recreation: <i>Code of Ordinances</i> Chapter 21	WQ, Soils/SEZ, Wildlife, Noise, Rec, Scenic	N	
41	Land use planning and controls-- ORV use: Goals and Policies: Recreation Element	WQ, Soils/SEZ, AQ, Wildlife, Fish, Noise, Rec, Scenic	N	Regional Plan Policy R-1.5 states that "Off-road vehicle (ORV) use is prohibited in the Lake Tahoe Region except on specified roads, trails, or designated areas where the impacts can be mitigated." The BATCP amendment does not include the expansion of ORV use.
42	Control of encroachment and coverage in sensitive areas	WQ, Soils/SEZ, Wildlife, Rec, Scenic	N	No changes are being proposed that would impact this compliance measure. The existing TRPA Code provisions will remain in effect.
43	Control on shorezone encroachment and vegetation alteration: <i>Code of Ordinances</i> Chapter 83	WQ, Soils/SEZ, Scenic	N	TRPA remains responsible for enforcing and implementing Shorezone regulations, Chapters 80 through 85, of the TRPA Code of Ordinances, as well as other code provisions applicable to projects within the Shorezone. No changes

## ATTACHMENT C: COMPLIANCE MEASURES

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
44	BMP implementation program--shorezone areas: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	are being proposed with the BATCP amendment that would modify existing code provisions related to the Shorezone or impact these compliance measures.
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,	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	
<b>WATER QUALITY/SEZ - SUPPLEMENTAL</b>				
52	More stringent SEZ encroachment rules	WQ, Soils/SEZ, Wildlife, Fish	N	The BATCP amendment does not include any provisions that would impact Compliance Measures 52 though 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	
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	

## ATTACHMENT C: COMPLIANCE MEASURES

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments	
<b>AIR QUALITY/TRANSPORTATION - IN PLACE</b>					
62	Fixed Route Transit - South Shore	Trans, Rec	N	The BATCP amendment does not impact any transit services bikeways, or pedestrian facilities, except to encourage planned development in the 56-acre and related transportation improvements.	
63	Fixed Route Transit - North Shore	Trans, Rec	N		
64	Demand Responsive Transit - South Shore	Trans	N		
65	Seasonal Trolley Services	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		
72	Pedestrian facilities	Trans, Rec, Scenic	N		
73	Wood heater controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N		The BATCP amendment does 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		

## ATTACHMENT C: COMPLIANCE MEASURES

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
76	U.S. Postal Service Mail Delivery	Trans	N	The BATCP amendment does 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 BATCP amendment does not make any changes to indirect source review requirements, 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 BATCP amendment does 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 BATCP amendment does 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 BATCP amendment does 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 BATCP amendment does not make any changes that would impact parking standards, parking management, parking fees or facilities, 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. The BATCP amendment was shown to have an insignificant impact on total daily trips and was not required to conduct a traffic analysis. Additional development associated with the amendment is within the Regional Plan's growth management system and would not generate additional demand for waterborne transit services.
85	Parking Management Areas	Trans	N	
86	Parking Fees	Trans	N	
87	Parking Facilities	Trans	N	
88	Traffic Management Program - Tahoe City	Trans	N	

## ATTACHMENT C: COMPLIANCE MEASURES

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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	
<b>AIR QUALITY/TRANSPORTATION - SUPPLEMENTAL</b>				
98	Demand Responsive Transit - North Shore	Trans	N	See response to Compliance Measures 62-97 and 1-4 (Road improvements, BMPs). The BATCP amendment is not expected to affect transportation or transit.
99	Coordinated Transit System - South Shore	Trans	N	
100	Transit Passenger Facilities	Trans	N	

## ATTACHMENT C: COMPLIANCE MEASURES

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
101	South Shore Transit Maintenance Facility - South Shore	Trans	N	
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	
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	

## ATTACHMENT C: COMPLIANCE MEASURES

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
124	Re-instate the oxygenated fuel program	WQ, AQ	N	
125	Management Programs	Trans	N	
126	Around the Lake Transit	Trans	N	
<b>VEGETATION - IN PLACE</b>				
127	Vegetation Protection During Construction: <i>Code of Ordinances Chapter 33</i>	WQ, AQ, Veg, Scenic	N	The BATCP amendment will not alter the provisions of Chapter 33 in the TRPA Code.
128	Tree Removal: <i>Code of Ordinances Chapter 61</i>	Veg, Wildlife, Scenic	N	The BATCP amendment does 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 Chapter 61</i>	WQ, AQ, Veg, Wildlife, Scenic	N	
130	Remedial Vegetation Management: <i>Code of Ordinances Chapter 61</i>	WQ, Veg, Wildlife	N	
131	Sensitive and Uncommon Plant Protection and Fire Hazard Reduction: <i>Code of Ordinances Chapter 61</i>	Veg, Wildlife, Scenic	N	
132	Revegetation: <i>Code of Ordinances Chapter 61</i>	WQ, Veg, Wildlife, Scenic	N	
133	Remedial Action Plans: <i>Code of Ordinances Chapter 5</i>	WQ, Veg	N	
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 BATCP amendment will not affect project review and compliance inspection procedures.
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 Chapter 30</i>	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

## ATTACHMENT C: COMPLIANCE MEASURES

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
141	Conservation Element, Vegetation Subelement: Goals and Policies	Veg, Wildlife, Fish	N	The BATCP amendment is 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 BATCP amendment does 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 BATCP amendment will not impact efforts to conserve the Tahoe Yellow Cress.
145	Control and/or Eliminate Noxious Weeds	Veg, Wildlife	N	The BATCP amendment will not impact efforts to control or eliminate noxious weeds.
146	Freel Peak Cushion Plant Community Protection	Veg	N	N/A
<b>VEGETATION - SUPPLEMENTAL</b>				
147	Deepwater Plant Protection	WQ, Veg	N	See response to Compliance Measures 16 and 17 and 43 through 50.
<b>WILDLIFE - IN PLACE</b>				
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 BATCP amendment does not include any changes to the Stream Restoration Program.
150	BMP and revegetation practices	WQ, Veg, Wildlife, Fish, Scenic	N	The BATCP amendment does not include any changes to existing BMP and revegetation requirements.
151	OHV limitations	WQ, Soils/SEZ, AQ, Wildlife, Noise, Rec	N	The BATCP amendment does 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.
<b>FISHERIES - IN PLACE</b>				
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 BATCP amendment does 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	
160	Location standards for structures in the shorezone: <i>Code of Ordinances</i> Chapter 84	WQ, Fish	N	

## ATTACHMENT C: COMPLIANCE MEASURES

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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 with the BATCP amendment.
170	Compliance inspection	Fish	N	The BATCP amendment is not modifying existing compliance or inspection programs or provisions.
171	Public Education Program	Wildlife, Fish	N	The BATCP amendment does not make any changes to the city's education and outreach efforts.
<b>NOISE - IN PLACE</b>				
172	Airport noise enforcement program	Wildlife, Fish	N	The BATCP amendment is 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 BATCP amendment is 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.
178	Vehicle trip reduction programs	Trans, Noise	N	The BATCP amendment does not make any changes to vehicle trip reduction programs.
179	Transportation corridor design criteria	Trans, Noise	N	The BATCP amendment does not affect transportation corridor design.

## ATTACHMENT C: COMPLIANCE MEASURES

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
180	Airport Master Plan South Lake Tahoe	Trans, Noise	N	N/A
181	Loudspeaker restrictions	Wildlife, Noise	N	The BATCP is 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 compliant systems are not being modified.
184	Transportation corridor compliance program	Trans, Noise	N	The BATCP amendment does contain policies specific to transportation corridor compliance.
185	Exemptions to noise limitations	Noise	N	Exemptions to noise limitations are not being modified.
186	TRPA's Environmental Improvement Program (EIP)	Noise	N	The BATCP amendment does not affect the Environmental Improvement Program.
187	Personal watercraft noise controls	Wildlife, Noise	N	Watercraft noise controls are not modified by the BATCP amendment
<b>NOISE - SUPPLEMENTAL</b>				
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 the BATCP amendment.
<b>RECREATION - IN PLACE</b>				
189	Allocation of Development: <i>Code of Ordinances</i> Chapter 50	Rec	N	The BATCP amendment is not proposing any changes to the Basin's allocation of development system, or to directly draw from any allocation pools.
190	Master Plan Guidelines: <i>Code of Ordinances</i> Chapter 14	Rec, Scenic	N	TRPA, in coordination with the city, will continue to process Specific and Master Plans pursuant to Chapter 14 of the TRPA <i>Code of Ordinances</i> .
191	Permissible recreation uses in the shorezone and lake zone: <i>Code of Ordinances</i> Chapter 81	WQ, Noise, Rec	N	The BATCP amendment does not alter provisions related to permissible uses in the shorezone and lake zone.
192	Public Outdoor recreation facilities in sensitive lands	WQ, Rec, Scenic	N	The BATCP amendment is not altering provisions regarding public outdoor recreation in sensitive lands.
193	Hiking and riding facilities	Rec	N	The BATCP amendment does not alter where hiking and riding facilities are permissible. See also Compliance Measure 40.

## ATTACHMENT C: COMPLIANCE MEASURES

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
194	Scenic quality of recreation facilities	Rec, Scenic	Y	The 56-Acres project area is located near a scenic recreational amenity (Lakeview Commons) and the BATCP amendment will allow greater building heights potentially within view of the Commons. The recreation facility is located across US Highway 50 from the subject area. Scenic impacts to the recreation facility will be mitigated by existing citywide design standards and guidelines and the TRPA Code of Ordinances Chapter 37:Height, Chapter 66: Scenic Quality. Specifically, the following standards will serve as mitigation: (1) setback of 20 feet for commercial or public service uses or 50 feet for recreation uses from US Highway 50; (2) preservation of the natural forest setting in the subject area by requiring future projects maintain the maximum number of trees in the project site; (3) required use of architectural treatments tht use natural materials and colors, as well as facade articulations; (4) required findings 1, 2, 3, 4, 5, 7, and 8 of TRPA Code Section 37.7 for additional height; and (5) required design standards in TRPA Code Section 66.2.4 for projects within scenic highway corridors (e.g. utilities, highway fixtures and siting standards).
195	Density standards	Rec	N	The BATCP amendment complies with all applicable density standards in Chapters 13 and 31 of the Code of Ordinances.
196	Bonus incentive program	Rec	N	The BATCP amendment does not alter existing bonus incentive programs.
197	Required Findings: <i>Code of Ordinances</i> Chapter 4	Rec	N	All projects in the BATCP must meet the applicable findings in the TRPA Code Of Ordinances.
198	Lake Tahoe Recreation Sign Guidelines	Rec, Scenic	N	The BATCP amendment will not impact the Lake Tahoe Recreation Sign Guidelines.
199	Annual user surveys	Rec	N	The BATCP amendment will not affect user surveys.
<b>RECREATION - SUPPLEMENTAL</b>				
200	Regional recreational plan	Rec	N	The BATCP does not modify any portion of the Goals and Policies in the Regional Recreation Plan.
201	Establish fair share resource capacity estimates	Rec	N	The BATCP amendment does 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	
<b>SCENIC - IN PLACE</b>				
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	N	See response to Compliance Measure 11.

## ATTACHMENT C: COMPLIANCE MEASURES

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
206	Height Standards: <i>Code of Ordinances</i> Chapter 37	Scenic	Y	The BATCP amendment would allow for maximum building height up to 42 ft which exceeds TRPA Code Chapter 37 general height standard; however, any future project would be required to meet findings 1, 2, 3, 4, 5, 7, and 8 of TRPA Code Section 37.7 for additional height. If the findings could not be made then the project would not be permitted.
207	Driveway and Parking Standards: <i>Code of Ordinances</i> Chapter 34	Trans, Scenic	N	The BATCP amendment does not make changes to current design standards and guidelines relating to parking and driveway design
208	Signs: <i>Code of Ordinances</i> Chapter 38	Scenic	N	The BATCP amendment retains existing design standards and guidelines pertaining to signage. These standards meet or exceed chapter 38 standards.
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	Y	Citywide design standards and guidelines apply in substitute of TRPA Code Chapter 36 standards in the BATCP area. The BATCP amendment carries forward these existing design standards and guidelines. These standards meet or exceed Chapter 36 standards. The proposed amendment would affect some design provisions within the BATCP, but such modifications maintain consistency with the citywide design standards and guidelines. See response to Compliance Measure 194 for specific standards to mitigate impact of scenic resources and ensure future projects are compatible with the surrounding environment.
211	Shorezone Tolerance Districts and Development Standards: <i>Code of Ordinances</i> Chapter 83	Scenic	N	See response to Compliance Measures 43 through 50.
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 be required to meet the provisions of TRPA Code, 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.

## ATTACHMENT C: COMPLIANCE MEASURES

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
216	Design Review Guidelines	Scenic	Y	The BATCP includes minor changes to the design and development standards including changes to allowable height, roof pitch and building siding. See response to Compliance Measure 194 for specific standards to mitigate impact of scenic resources and ensure future projects are compatible with the surrounding environment.
217	Scenic Quality Improvement Program(SQIP)	Scenic	Y	See response to Compliance Measure 194.
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	Y	
220	Nevada-side Utility Line Undergrounding Program	Scenic	N	N/A
<b>SCENIC - SUPPLEMENTAL</b>				
221	Real Time Monitoring Program	Scenic	N	No changes to the real time monitoring program are being proposed with the BATCP amendment.
222	Integrate project identified in SQIP	Scenic	Y	The BATCP amendment is anticipated to result in redevelopment on the 56-acres project area. The SQIP notes that redevelopment, remodeling, and facade improvements are the most effective strategy at improving scenic threshold compliance in Roadway Travel Unit #35, near the project area. As a result, the amendment is anticipated to improve integration with the SQIP.

Attachment D  
Required Findings

## ATTACHMENT D

### REQUIRED FINDINGS FOR AMENDMENTS OF THE CITY OF SOUTH LAKE TAHOE'S BIJOU/AL TAHOE COMMUNITY PLAN

This document contains required findings per Chapter 3, 4, and 11 of the TRPA Code of Ordinances for amendments to the City of South Lake Tahoe's Tourist Core Area Plan (TCAP):

#### TRPA Code of Ordinances Section 3. 3 – Determination of Need to Prepare an Environmental Impact Statement

Finding: TRPA finds that the proposed community plan amendment will not have a significant effect on the environment.

Rationale: An Initial Environmental Checklist (IEC) has been prepared to evaluate the effects of the proposed amendments to the Bijou/Al Tahoe Community Plan as provided in Attachment A, Exhibit 1. The IEC (Attachment B of this packet) found that the proposed amendments would not have a significant effect on the environment. The proposed amendments are consistent with and will implement the Regional Plan. These are not anticipated to result in environmental impacts.

#### TRPA Code of Ordinances Section 4. 4 – Threshold-Related Findings

1. Finding: The project (amendment to the Bijou/Al Tahoe Community Plan) is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, plan area statements and maps, the Code, and other TRPA plans and programs.

Rationale: The Regional Plan provides for the development of community plans to concentrate development in appropriate areas. This amendment to the Bijou/Al Tahoe Community Plan is of limited focus and is substantially consistent with the Regional Plan's goals and policies, including those identified in the Land Use Element and the Community Design Subelement. Based on the analysis in the IEC and compliance measures table (Attachment B and C), the community plan amendments will not result in environmental effects. The amendments will support the achievement and maintenance of thresholds and will support implementation of the Regional Plan (including but not limited to Land Use Policy LU-1, Community Design Policy CD-1, Recreation Policy R-7, and Public Service Policy PS-1) by allowing for the development of appropriately designed public and recreation facilities in the 56-acre project area. There are no proposed changes to allowable land use, boundaries, or the TRPA Regional Plan map.

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

Rationale: The proposed amendment is consistent with the threshold attainment strategies in the Regional Plan. As demonstrated in the attached IEC and compliance measures table, the amendment to the community plan will not cause the environmental threshold carrying capacities to be exceeded. The proposed amendment is intended to support planned redevelopment in the 56-acre project area and may facilitate public service improvements consistent with the community plan and threshold attainment.

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

Rationale: The proposed amendments would not adversely affect any state, federal, or local standards. The amendments are intended to apply special height standards for public facilities and would not alter other standards or requirements.

TRPA Code of Ordinances Section 4. 6 – Findings Necessary to Amend or Adopt TRPA Ordinances, Rules, or Other TRPA Plans and Programs.

Finding: 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 thresholds.

Rationale: Please see the rationales for the Section 4.4 findings above. The proposed amendments would not adversely affect threshold attainment and may, in fact, benefit it. All applicable standards in the Code of Ordinances and Citywide Design Standards and Guidelines would remain in place. All subsequent development that may occur because of these amendments would be subject to TRPA permitting.

TRPA Code of Ordinances Section 11.8.4 – Findings for Plan Area Amendments

Finding: The amendment to the Bijou/Al Tahoe Community Plan is substantially consistent with the plan area designation criteria in subsections 11.6.2 and 11.6.3.

Rationale: The amended height standard for public buildings is consistent with the plan area designation for the Bijou/Al Tahoe Community Plan. The plan’s vision, intent, and policies encourage concentration of public uses in District 4 and promote public redevelopment in the 56-acre project area. All subsequent development is subject to TRPA permitting and must comply with Code of Ordinance standards.

The finding of no significant effect based on the initial environmental checklist can be found within Attachment B of this packet.

Attachment E

TRPA Adopting Ordinance

TAHOE REGIONAL PLANNING AGENCY  
ORDINANCE 2022-\_\_

AN AMENDMENT TO ORDINANCE NO. 2020-04, AS PREVIOUSLY AMENDED, TO AMEND THE BIJOU/AL TAHOE COMMUNITY PLAN TO ALLOW ADDITIONAL HEIGHT UP TO 42 FEET, WITH NO MINIMUM CROSS SLOPE OR ROOF PITCH REQUIREMENTS FOR THE CITY OF SOUTH LAKE TAHOE AQUATIC AND RECREATION CENTER.

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

Section 1.00 Findings

- 1.10 It is desirable to amend TRPA Ordinance 2020-04 by amending the Bijou/Al Tahoe Community Plan to further implement the Regional Plan pursuant to Article VI(a) and other applicable provisions of the Tahoe Regional Planning Compact.
- 1.20 The Bijou/Al Tahoe Community amendment was the subject of an Initial Environmental Checklist (IEC), which was processed in accordance with Chapter 3: Environmental Documentation of the TRPA Code for Ordinances and Article VI of the Rules of Procedure. The Bijou/Al Tahoe Community Plan amendment has been determined not to have a significant effect on the environment and is therefore exempt from the requirement of an Environmental Impact Statement (EIS) pursuant to Article VII of the Compact.
- 1.30 The Advisory Planning Commission (APC) and the Governing Board have each conducted a noticed public hearing on the proposed Bijou/Al Tahoe Community Plan amendment. The APC has recommended Governing Board adoption of the necessary findings and adopting ordinance. At these hearings, oral testimony and documentary evidence were received and considered.
- 1.40 The Governing Board finds that the Bijou/Al Tahoe Community Plan amendment adopted hereby will continue to implement the Regional Plan, as amended, in a manner that achieves and maintains the adopted environmental threshold carrying capacities as required by Article V(c) of the Compact.
- 1.50 Prior to the adoption of this ordinance, the Governing Board made the findings required by Section 4.5 of the TRPA Code of Ordinances, and Article V(g) of the Compact.
- 1.60 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.00    TRPA Code of Ordinances Amendments

Ordinance 2020-04, as previously amended, is hereby amended by amending the Bijou/Al Tahoe Community Plan, as set forth in Exhibit 1 hereto.

Section 3.00    Interpretation and Severability

The provisions of this ordinance amending the TRPA Code of Ordinances adopted hereby shall be liberally construed to affect their purposes. If any section, clause, provision or portion thereof is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance and the amendments to the Regional Plan Package shall not be affected thereby. For this purpose, the provisions of this ordinance and the amendments to the Regional Plan Package are hereby declared respectively severable.

Section 4.00    Effective Date

The provisions of this ordinance amending the TRPA Code of Ordinances shall become effective on\_\_\_\_\_

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held on \_\_\_\_\_, 2022, by the following vote:

Ayes:

Nays:

Abstentions:

Absent:

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Mark Bruce, Chair  
Tahoe Regional Planning Agency,  
Governing Board

Attachment E – Exhibit 1

Proposed Amendments to the Bijou/Al Tahoe Community Plan

**EXHIBIT 1: PROPOSED AMENDMENTS TO THE  
BIJOU / AL TAHOE COMMUNITY PLAN**

Amend Appendix A: *Bijou/Al Tahoe Community Plan Standards, Section Two: Public Service/Recreation Theme*, Subsection B: *Height, Special Standard*, as follows:

*Added language shown in red and underlined. Deleted language is shown with a strikethrough.*

**SECTION TWO – PUBLIC SERVICE/RECREATION THEME**

**DISTRICTS**

**MAP AND USE MATRIX IDENTIFICATION**

Town Center

4

A. PERMITTED USES

Refer to use matrix for district uses.

B. HEIGHT

Standard

Refer to TRPA Code of Ordinances Chapter 37.

Special Std.

The following shall apply to

Lake Tahoe Community College property:

**Lake Tahoe Community College and Lake Tahoe Unified School District properties:**

Height issues for these sites shall be addressed by TRPA on an individual project basis, and may be in excess of Chapter 37 based on project setback, visibility, or other design criteria.

**City of South Lake Tahoe Recreation and Aquatics Center:**  
The maximum height permitted is 42 feet, with no minimum cross slope or roof pitch requirements, provided TRPA makes Findings 1, Finding 3, Finding 4, Finding 5, Finding 7, and Finding 8 of Section 37.7.

C. BULK

Standard

Refer to Redevelopment Design Element, Sections 1 and 2

D. COVERAGE

Standard

Refer to TRPA Code of Ordinances Chapters 30.

E. SETBACKS

Standard Refer to City Wide Design Manual Section 3 of Chapter 1 & 2.

Special Std. In addition to the City Wide Design Manual, the following shall apply to specific properties located with the Town Center District, including:

The vacant 7.5 acre parcel north of Al Tahoe and west of Johnson Boulevard (Adjacent to the existing El Dorado County Government Center) shall required a minimum of a 50' setback from Johnson Boulevard and an increased interior sideyard setback of 20' in that area of the property adjoining the residentially developed district.

The vacant 12 acre parcel, north of Al Tahoe and east of Johnson Boulevard (adjacent to Bijou Community Park) shall require a minimum of a 50' setback from Johnson Boulevard for development.

Development on the Lake Tahoe Community College property shall have a minimum setback of 50' from Al Tahoe Boulevard.

#### F. SITE DESIGN

Standard Refer to City Wide Design Manual, Section 2, Chapters 1 & 2

Special Std. In addition to the City Wide Design Manual, the following standards shall apply to the entire Town Center:

1. A natural forest setting shall be preserved by designing projects that maintain the maximum number of trees, shrubs, boulders, and other natural amenities at a project site. Landscaping shall be designed to blend with the native surroundings, including trees, shrubs, ground covers and flowers.
2. Sidewalks shall connect all buildings within project area.

#### G. ARCHITECTURAL TREATMENT

Standard Refer to City Wide Design Standards, Section 2 of Chapters 1 & 2 and City Lighting Standards.

Special Std. In addition to the City Design Standards, the following standards shall apply:

3. Buildings shall be designed with interest (no box forms, variations in elevation, etc.) and shall incorporate

architectural features which blend with the surrounding buildings.

4. Wood siding or natural appearing siding shall be used on the exterior of all remodeled newly constructed buildings.
5. Roofs shall have a minimum pitch of 7-5:12 and a maximum roof pitch of 12:12. The South Lake Tahoe Aquatic and Recreation Center may have a minimum pitch of 0:12.
6. Real stone shall be incorporated into the building design. Manufactured stone may be used on a project only if the applicant demonstrates the application of the stone will appear “real.”
7. All projects shall incorporate days use amenities, including; outdoor furniture, bicycle racks and trash receptacles.