

TAHOE REGIONAL PLANNING AGENCY (TRPA)
TAHOE METROPOLITAN PLANNING AGENCY
(TMPO)AND TRPA COMMITTEE MEETINGS

NOTICE IS HEREBY GIVEN that on **Wednesday, April 26, 2023**, commencing **no earlier than 10:45 a.m.**, at the **Tahoe Regional Planning Agency, 128 Market Street, Stateline, NV**, the **Governing Board** of the Tahoe Regional Planning Agency will conduct its **regular business meeting**.

NOTICE IS HEREBY GIVEN that on **Thursday, April 27, 2023**, commencing **at 9:00 a.m.**, the **Annual Governing Board retreat will be held** at the **Tahoe Center for Environmental Sciences (TCES) Building, Room 139/141, 291 Country Club Dr, Incline Village, NV**, on the campus of the University of Nevada, Reno at Lake Tahoe. Members of the public may observe the meeting at TCES or listen via Zoom. Details will be posted on the day of the meeting with a link to Zoom. Presentation and discussion topics include Regional Plan implementation; Environmental Scan – challenges and strategic priorities. No actions will be taken. General public comment will be heard at the end of the retreat day.

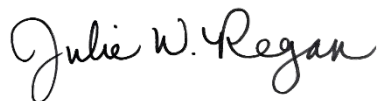
Pursuant to TRPA Rules of Procedure, 2.16 Teleconference/Video Conference Meetings and Participation, Board members may appear in person or on Zoom. Members of the public may observe the meeting and submit comments in person at the above location or on Zoom. Details will be posted on the day of the meeting with a link to Zoom.

To participate in any TRPA Governing Board or Committee meetings please go to the Calendar on the <https://www.trpa.gov/> homepage and select the link for the current meeting. Members of the public may also choose to listen to the meeting by dialing the phone number and access code posted on our website. For information on how to participate by phone, please see page 4 of this Agenda.

NOTICE IS FURTHER GIVEN that on **Wednesday, April 26, 2023**, commencing **no earlier than 8:30 a.m.**, at the **Tahoe Regional Planning Agency** and on **Zoom**, the **TRPA Legal Committee** will meet. The agenda will be as follows: **1)** Approval of Agenda; **2)** Approval of Minutes; **(Page 7) 3)** Recommendation regarding Resolution of Enforcement Action: Mike Zanetell; Unauthorized Watercraft Launching, 1141 Fallen Leaf Road, El Dorado County, CA, Assessor's Parcel Number 021-251-014, TRPA File No. CODE2023-0026 (action); **(Page 49) 4)** Recommendation regarding Resolution of Enforcement Action Andrew and Katie Gray; unauthorized Watercraft Launching, 1141 Fallen Leaf Road, El Dorado County, CA, Assessor's Parcel Number 021-251-014, TRPA File No. CODE2023-0027 (action); **(Page 55) 5)** Recommendation regarding Resolution of Enforcement Action: Natalie Buccini, Thomas Peabody, and Jacob Buccini; Unauthorized Tree Removal, 1540 Cherry Hills, El Dorado County, CA, Assessor's Parcel Number 033-292-011, TRPA File No. CODE2022-0092 (action); **(Page 61) 6)** Closed Session with Counsel to Discuss Existing and Potential Litigation; **7)** Potential Direction Regarding Agenda Item No. 6 (action); **8)** Committee Member Comments; Chair – Williamson, Vice Chair – Aldean, Faustinos, Gustafson, Hicks, Rice; **9)** Public Interest Comments

NOTICE IS FURTHER GIVEN that on **Wednesday, April 26, 2023**, commencing **no earlier than 9:15 a.m.**, at the **Tahoe Regional Planning Agency**, the **TRPA Environmental Improvement, Transportation, & Public Outreach Committee** will meet. The agenda will be as follows: **1)** Approval of Agenda; **2)** Approval of Minutes; **(Page 11) 3)** Recommend approval of Draft Fiscal Year 2023/24 Tahoe Regional Planning Agency Transportation Planning Overall Work Program (OWP) (action); **(Page 239) 4)** Recommend approval of 2023 Federal Transportation Improvement Program (FTIP) Amendment No.1 (action); **(Page 259) 5)** Recommend approval of 2023 Regional Grant Program Briefing and Adoption of the Active Transportation Program Metropolitan Planning Organization Program of Projects (action); **(Page 295) 6)** Transportation Funding Update

(Page 613) 7) Upcoming topics; 8) Committee Member Comments; Chair – Faustinos, Vice Chair – Rice, Conrad-Saydah, Friedrich, Settlemeyer; Williamson; 9) Public Interest Comments



Julie W. Regan,
Executive Director

This agenda has been posted at the TRPA office and at the following locations and/or websites: PostOffice, Stateline, NV, North Tahoe Event Center, Kings Beach, CA, IVGID Office, Incline Village, NV, North Lake Tahoe Chamber/Resort Association, Tahoe City, CA, and Lake Tahoe South Shore Chamber of Commerce, Stateline, NV

TAHOE REGIONAL PLANNING AGENCY	
GOVERNING BOARD	
Tahoe Regional Planning Agency	April 26, 2023
128 Market Street, Stateline, NV	No earlier than 10:45 a.m.
Tahoe Center for Environmental Sciences Building, Room 139/141	April 27, 2023
Campus at the University of Nevada, Reno at Lake Tahoe	9:00 a.m.
291 Country Club Drive, Incline Village, NV	

All items on this agenda are action items unless otherwise noted. Items on the agenda, unless designated for a specific time, may not necessarily be considered in the order in which they appear and may, for good cause, be continued until a later date.

Members of the public may email written public comments to the Clerk to the Board, mambler@trpa.gov. All public comments should be as brief and concise as possible so that all who wish to participate may do so; testimony should not be repeated. The Chair of the Board shall have the discretion to set appropriate time allotments for individual speakers (3 minutes for individuals and group representatives as well as for the total time allotted to oral public comment for a specific agenda item). No extra time for participants will be permitted by the ceding of time to others. Written comments of any length are always welcome. In the interest of efficient meeting management, the Chairperson reserves the right to limit the duration of each public comment period to a total of 1 hour. All written comments will be included as part of the public record. Public comment will be taken for each appropriate item at the time the agenda item is heard and a general public comment period will be provided at the end of the meeting for all other comments.

TRPA will make reasonable efforts to assist and accommodate physically handicapped persons that wish to attend the meeting. Please contact Marja Ambler at (775) 589-5287 if you would like to attend the meeting and are in need of assistance. The Governing Board agenda and staff reports will be posted at <https://www.trpa.gov/governing-board-documents-april-26-27-2023/> no later than 7 days prior to the meeting date. Any member of the public with questions prior to the meeting may contact Marja Ambler, mambler@trpa.gov or call (775) 589-5287. On meeting day please contact TRPA admin staff at virtualmeetinghelp@trpa.gov or call (775) 588-4547.

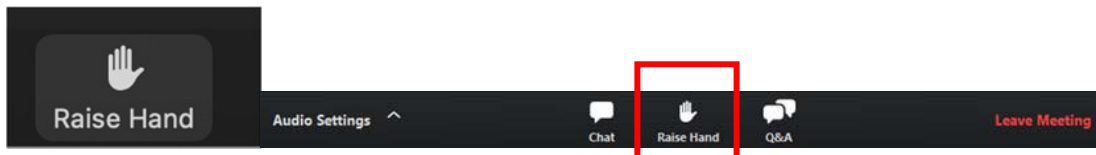
Zoom Webinar - Public Participation

To Participate Online:

1. Download the Zoom app on your computer, tablet, or smartphone.
 - The computer app can be downloaded here:
<https://us02web.zoom.us/client/latest/ZoomInstaller.exe>
 - The tablet or smartphone app can be found in the app store on your device.
2. On the day of the meeting, join from the link or phone numbers posted under the appropriate meeting date and time on the TRPA website (www.trpa.gov).
3. Ensure that you are **connected to audio** either through your computer (provided it has a microphone) or using your phone as a microphone/speaker. You can manage your audio settings in the tool bar at the bottom of the Zoom screen.



4. At the appropriate time for public comments, you will be able to “raise your hand” by clicking on the Hand icon located on the bottom of your Zoom screen **OR by dialing *9 if you are on your phone**. With your hand raised, a TRPA staff member will unmute you and indicate that you can make your comment.



To Participate on the phone:

1. Dial the call-in number posted at the calendar event for the appropriate meeting (www.trpa.gov).
2. At the appropriate time for public comments, you will be able to “raise your hand” **by dialing *9 if you are on your phone**. With your hand raised, a TRPA staff member will unmute you and indicate that you can make your comment.

If you do not have the ability or access to register for the webinar, please contact TRPA admin staff at virtualmeetinghelp@trpa.org or (775) 588-4547.

Additional Resources from Zoom:

- [Joining and Participating in a Zoom Webinar](#)
- [Joining a Zoom Webinar by Phone](#)
- [Raising Your Hand in a Webinar](#)

AGENDA

- I. CALL TO ORDER AND DETERMINATION OF QUORUM
- II. PLEDGE OF ALLEGIANCE
- III. APPROVAL OF AGENDA
- IV. APPROVAL OF MINUTES **Page 23**
- V. TRPA CONSENT CALENDAR (see Consent Calendar agenda below for specific items)

Adjourn as the TRPA and convene as the TMPO
- VI. TAHOE METROPOLITAN PLANNING ORGANIZATION CONSENT CALENDAR (see Consent Calendar agenda below for specific items)

Adjourn as the TMPO and reconvene as the TRPA
- VII. PUBLIC HEARINGS
 - A. Waldorf Astoria Lake Tahoe Project, 5 State Route 28, Crystal Bay, Nevada, Assessor's Parcel Number 123-051-02, et.al, TRPA File Number CEPP2014-0138-01 **Possible Action** **Page 303**
 - B. Proposed code amendments to the "Achievable" deed restriction category definition, including changes to Sections 52.3.4 and 90.2, and an amendment to Section 34.3.3 regarding driveways for accessory dwelling units **Possible Action** **Page 527**
- VIII. REPORTS
 - A. Executive Director Status Report **Informational Only**
 - 1) Tahoe In Brief – Governing Board Monthly Report **Informational Only** **Page 603**
 - B. General Counsel Status Report **Informational Only**
- IX. GOVERNING BOARD MEMBER REPORTS
- X. COMMITTEE REPORTS
 - A. Local Government & Housing Committee **Report**
 - B. Legal Committee **Report**
 - C. Operations & Governance Committee **Report**
 - D. Environmental Improvement, Transportation, & **Report**

Public Outreach Committee

E. Forest Health and Wildfire Committee

Report

F. Regional Plan Implementation Committee

Report

XI. PUBLIC INTEREST COMMENTS

Any member of the public wishing to address the Governing Board on any item listed or not listed on the agenda including items on the Consent Calendar may do so at this time. TRPA encourages public comment on items on the agenda to be presented at the time those agenda items are heard. Individuals or groups commenting on items listed on the agenda will be permitted to comment either at this time or when the matter is heard, but not both. The Governing Board is prohibited by law from taking immediate action on or discussing issues raised by the public that are not listed on this agenda.

XII. RECESS

TRPA CONSENT CALENDAR

<u>Item</u>	<u>Action Requested</u>
1. Resolution of Enforcement Action: Mike Zanetell; Unauthorized Watercraft Launching, 1141 Fallen Leaf Road, El Dorado County, CA, Assessor's Parcel Number 021-251-014, TRPA File No. CODE2023-0026	Action/Approval <u>Page 49</u>
2. Resolution of Enforcement Action: Andrew and Katie Gray; Unauthorized Watercraft Launching, 1141 Fallen Leaf Road, El Dorado County, CA, Assessor's Parcel Number 021-251-014, TRPA File No. CODE2023-0027	Action/Approval <u>Page 55</u>
3. Resolution of Enforcement Action: Natalie Buccini, Thomas Peabody, and Jacob Buccini; Unauthorized Tree Removal, 1540 Cherry Hills, El Dorado County, CA, Assessor's Parcel Number 033-292-011, TRPA File No. CODE2022-0092	Action/Approval <u>Page 61</u>
4. 2023-2024 distribution of residential allocations to El Dorado County, City of South Lake Tahoe, Placer County, Washoe County, and Douglas County	Action/Approval <u>Page 67</u>
5. Windance West Shore PTN LTD New Multiple-Parcel/Multiple-Use Pier 8477 Meeks Bay Avenue, El Dorado County, California Assessor's Parcel Number 016-091-020, Lots 23, 24, 25 TRPA File Number ERSP2022-0045	Action/Approval <u>Page 123</u>
6. Bley/Cornell/Ronning/White New Multiple-Parcel/Multiple-Use Pier 95, 99, 105, 111 Chipmunk Street, Placer County, California Assessor's Parcel Numbers 090-231-014, 090-231-015, 090-231-038, 090-231-039 TRPA File Number ERSP2022-0043	Action/Approval <u>Page 177</u>

TMPO CONSENT CALENDAR

<u>Item</u>	<u>Action Requested</u>
1. Draft Fiscal Year 2023/24 Tahoe Regional Planning Agency Transportation Planning Overall Work Program (OWP)	Action/Approval <u>Page 239</u>
2. 2023 Federal Transportation Improvement Program (FTIP) Amendment No.1	Action/Approval <u>Page 259</u>
3. 2023 Regional Grant Program Briefing and Adoption of the Active Transportation Program Metropolitan Planning Organization Program of Projects	Action/Approval <u>Page 295</u>

The consent calendar items are expected to be routine and non-controversial. They will be acted upon by the Board at one time without discussion. The special use determinations will be removed from the calendar at the request of any member of the public and taken up separately. If any Board member or noticed affected property owner requests that an item be removed from the calendar, it will be taken up separately in the appropriate agenda category. Four of the members of the governing body from each State constitute a quorum for the transaction of the business of the agency. The voting procedure shall be as follows: (1) For adopting, amending or repealing environmental threshold carrying capacities, the regional plan, and ordinances, rules and regulations, and for granting variances from the ordinances, rules and regulations, the vote of at least four of the members of each State agreeing with the vote of at least four members of the other State shall be required to take action. If there is no vote of at least four of the members from one State agreeing with the vote of at least four of the members of the other State on the actions specified in this paragraph, an action of rejection shall be deemed to have been taken. (2) For approving a project, the affirmative vote of at least five members from the State in which the project is located and the affirmative vote of at least nine members of the governing body are required. If at least five members of the governing body from the State in which the project is located and at least nine members of the entire governing body do not vote in favor of the project, upon a motion for approval, an action of rejection shall be deemed to have been taken. A decision by the agency to approve a project shall be supported by a statement of findings, adopted by the agency, which indicates that the project complies with the regional plan and with applicable ordinances, rules and regulations of the agency. (3) For routine business and for directing the agency's staff on litigation and enforcement actions, at least eight members of the governing body must agree to take action. If at least eight votes in favor of such action are not cast, an action of rejection shall be deemed to have been taken.

Article III (g) Public Law 96-551 Tahoe Regional Planning Agency Governing Board Members: Chair, Cindy Gustafson, Placer County Supervisor Representative; Vice Chair, Hayley Williamson, Nevada At-Large Member; Francisco Aguilar, Nevada Secretary of State; Shelly Aldean, Carson City Supervisor Representative; Ashley Conrad-Saydah, California Governor's Appointee; Jessica Diss, Nevada Governor's Appointee; Belinda Faustinos, California Assembly Speaker's Appointee; John Friedrich, City of South Lake Tahoe Councilmember; A.J. Bud Hicks, Presidential Appointee; Alexis Hill, Washoe County Commissioner; Vince Hoenigman, California Governor's Appointee; Brooke Laine, El Dorado County Supervisor; Wesley Rice, Douglas County Commissioner; James Settelmeyer, Nevada Dept. of Conservation & Natural Resources Representative; Open, California Senate Rules Committee Appointee.