

TAHOE REGIONAL PLANNING AGENCY  
REGIONAL PLAN IMPLEMENTATION COMMITTEE

Via GoToWebinar

April 28, 2021

**Meeting Minutes**

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Members present: Ms. Aldean, Mr. Bruce, Mr. Friedrich, Ms. Gustafson, Mr. Lawrence, Mr. Yeates

II. APPROVAL OF AGENDA

Mr. Yeates deemed the agenda approved as posted.

III. APPROVAL OF MINUTES

Ms. Aldean moved approval of the March 24, 2021, minutes as presented.  
Motion carried.

IV. Item 3: Discussion and possible recommendation on Conformity Review for Washoe County's Tahoe Area Plan and corresponding modifications to Chapters 34, 36, and 38 of the TRPA Code of Ordinances

TRPA staff Michael Conger provided the presentation.

Mr. Conger said area plans as a planning document were first introduced as part of the 2012 Regional Plan Update. They were envisioned as a way to harmonize the Regional Plan with each jurisdiction's Master or General Plan. Since 2012 TRPA has adopted five conforming area plans. The Washoe County Tahoe Area Plan would be the sixth.

Area plans are an important component of Regional Plan implementation. They bring Regional Plan concepts and strategies down to a local level, and they allow for adaptation of regulations to fit the local context. Additionally, adoption of a conforming area plan unlocks several benefits including development incentives for designated Town Centers and the ability for the local jurisdiction to assume additional permitting authority.

Washoe County has completed their adoption of the area plan and they have now submitted the Tahoe Area Plan to TRPA for conformance review. Before the Governing Board considers whether the area plan conforms to the Regional Plan, the Regional Plan Implementation Committee and the Advisory Planning Commission are asked to make a recommendation to the Governing Board.

The Washoe County Tahoe area plan is proposed to cover all of Washoe County's territory within the Tahoe Basin. This includes the communities of Incline Village and Crystal Bay, Nevada. The plan uses the same approach as Placer County's Tahoe Basin Area Plan in that it covers several Town Centers, as well as residential and conservation areas.

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In terms of development standards and policy changes, the area plan largely consolidates and updates policies from the plan area statements and community plans that it is replacing. The substantial changes being made are targeted on a few topical areas. This effort results in an area plan that aligns with the 2012 Regional Plan and focuses on new implementation actions that seek to put the updated policies into effect.

A major focus of the effort was updating and modernizing goals and policies. The area plan will also serve as a single planning document that replaces 23 plan area statements and four community plans. The boundaries and requirements for the various plan area statements and community plans are, however, being carried through as new Washoe County regulatory zones.

Perhaps the most significant effect of the area plan is that it will unlock incentives for redevelopment of Town Centers. There are three Regional Plan designated Town Centers in Washoe County which would benefit from additional height, density, and coverage. They anticipate that these incentives will help catalyze replacement of legacy development with well-designed buildings and pedestrian-friendly site planning that also incorporates water quality improvements.

Based on feedback staff received from the Regional Plan Implementation Committee in October 2019, the plan has been developed to align with other applicable local and regional plans, such as the Regional Transportation Plan, and State Route 28 corridor plan. Finally, the Washoe County Tahoe Area Plan would eliminate a longstanding conflict between TRPA's local planning documents and Washoe County's zoning. If adopted, both the county and TRPA will be operating off of the same planning document, rather than having two separate and often incompatible sets of land use requirements.

Washoe County staff worked closely with TRPA staff in the drafting of the area plan. In October 2019, the Public Review Draft was presented to this committee. Feedback was then incorporated into the Public Hearing Draft which went through the county's hearing process. The Board of County Commissioners completed their review and adopted the plan along with corresponding zoning and development code changes on January 26, 2021.

TRPA staff has reviewed the area plan for conformance with the standards in Chapter 13 of the TRPA Code of Ordinances. They've concluded that the plan, as adopted, conforms to the Regional Plan and Code of Ordinance standards. A checklist documenting staff's review is attached to the staff report.

TRPA staff also reviewed the plan to ensure that threshold indicators and compliance measures would not be negatively affected by the plan's adoption. In addition, the county worked with an environmental consultant to prepare an Initial Environmental Checklist. That checklist, which relies on analysis in the Regional Plan's Environmental Impact Statement, concludes that adoption of the plan will result in no significant effect on the environment.

TRPA staff recommends that the Regional Plan Implementation Committee recommend Governing Board adoption of the findings, adoption of the Area Plan itself, and adoption of related code of ordinance amendments to Chapters 34, 36, and 38 to incorporate references to the area plan's design standards.

Since the Regional Plan Implementation Committee met in October 2019 Washoe County completed its approval of the area plan and also adopted a short term rental ordinance that is

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going to take effect in May 2021. The Tahoe Transportation District conducted several mobility hub webinars in response to public input from the community. TRPA in coordination with Washoe County and the Tahoe Prosperity Center have launched a housing needs study.

Highlights of the area plan is that there is a significantly over arching goal which was to harmonize TRPA's regulations with Washoe County's regulations. There are also additional goals and accomplishments. There were a few changes to permissible uses that were largely in response to community input.

Creating a unified approach was the overarching goal and to accomplish that the County essentially adopted TRPA's plan area statements and community plans as their own regulatory zones and then made some modifications.

Some of the notable goals and accomplishments include town center environmental redevelopment. Washoe County has three town centers; Incline Village Commercial, Incline Village Tourist, and Crystal Bay Tourist which is the former northern Nevada Stateline Community Plan. Those town centers will benefit from Regional Plan incentives including additional height up to four stories, additional density, and the potential to transfer in additional coverage up to 70 percent of the site. As part of the area plan, Washoe County has also proposed a greenhouse gas reduction strategy which is a requirement in TRPA's Code of Ordinances for area plans. The county will require that most town center development that involves additional height meet a certain greenhouse gas reduction standard. In addition, any new commercial development that requires additional commercial floor area from the county would also be required to meet the greenhouse gas standard.

The plan includes urban bear and the urban forestry standards and are deferred to as the implementing action. These are both optional items in an area plan. The area plan also involves natural hazard standards which are new that include such items avalanches, tsunamis, and seiche, fire hazard, etc. Those areas are shown on maps so when individual projects are reviewed staff can consider the natural hazard impacts.

The plan also focuses on BMP compliance and is aimed at getting private property owners to implement BMP's on their properties.

Some of the changes being proposed to the area plan are in response to input that was received over the past few years when the County was developing the area plan. First, is the Ponderosa Ranch: There are a few permissible use changes to recognize that it no longer functions as an amusement park and is designated in the Regional Plan as mixed use. Additional commercial and service uses were added. The Fairway neighborhood (around the Chateau) added permissible use for day use to allow snowshoeing activities in response to comments received from the Incline Village General Improvement District. One the larger changes was adding nursing, personal care, and residential care as permissible uses to both Ponderosa and Incline Village commercial neighborhoods. In addition to doing that, the County is also proposing a substitute standard which would increase the allowable density for nursing, personal care, and residential care. The proposed density would be 40 persons per acre and is based off of what is permissible for tourist accommodation uses. Recently, the Governing Board approved a similar change to the Placer County Tahoe Basin Area Plan to increase the density for some of these residential care use. The County added a standard in response to public comments on cell towers largely related to design and appearance.

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Presentation can be found at:

[/RPIC-Item-No.-3-Washoe-County-Tahoe-Area-Plan.pdf](#)

### Committee Comments & Questions

Mr. Lawrence had a comment regarding the old elementary school site and the analysis for mobility hubs. He wants to ensure that there will be an alternative analysis study that is underway or will be underway shortly. He asked if there's anything in this area plan that limits alternative analysis sites that would have been looked at but now with this area plan and zoning changes that a good site would no longer be eligible as part of the alternative analysis.

Mr. Young said there are no limitations on it. The alternative analysis is in the beginning stages which is being put together by the Tahoe Transportation District. They should be hearing from them soon so the county can get started on that process. The area plan identifies potential areas and it doesn't specify that these are the only areas, it suggests those as potential areas but it does anticipate a broader study to identify either one or two ideal locations. The language in the plan states that they are conceptual places.

Mr. Conger said yes, they are conceptual locations and the use associated with mobility hubs, the term is transit stations and terminals. That use is permissible pretty much throughout the area plan as a special use requiring a special use permit.

Mr. Lawrence said he wanted to ensure that if this moves forward that would make the alternative a little less than what it needs to be. He asked if it was correct that the urban bear and urban forest standards were optional.

Mr. Conger said the standards that are being proposed are not optional. Urban forestry and urban bear standards in an area plan is optional and not a requirement of TRPA to have those standards in an area plan. The county did include urban bear standards that align with the Incline Village General Improvement District standards and haven't proposed urban forestry standards but proposed to do them in the future for implementing action.

Mr. Young said yes, that is correct. The county aligned themselves with the Incline Village General Improvement District which had aligned itself with the Health Department many years ago on the urban bear standard. Regarding urban forestry, they're convinced it's a good idea but there are some studies happening particularly on the west side. The county would like to see and learn more about the forestry health issues in the Basin before they go forth and create an urban forestry plan. After the outcome of those studies then would be one of their implementing actions to take that information to create an urban forestry standard that fits with their part of the Basin.

### Public Comments & Questions

Carole Black said she and others have previously submitted related written comments to Washoe County and TRPA. The current proposed Washoe County Tahoe Area Plan represents an intense effort and envisions broad change with impacts anticipated for many years to come. Unfortunately, there are significant concerns in two major categories: process and content.

Process: The Plan is long, complex and has undergone major revisions over several years. For a document of this size, complexity and importance, the level of public explanation and discussion

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opportunity to date has been infrequent and insufficient. As well documented in the staff report, there were a few sessions years ago but nothing since recent revisions over last two years.

There are also some priority content concerns. The single public area plan presentation two years ago was inaccurate obscuring major proposed zoning changes. An inaccurate statement was repeatedly made at public meeting and remains: "There are no zoning changes [except a few related to Fairway and Ponderosa areas]." This is simply incorrect and was acknowledged this morning that there are some use changes that were incorporated and not discussed. TRPA's interactive map function is terrific for finding information but doesn't answer "why" questions or concerns.

The de facto adoption of TRPA zoning even though Washoe County classification may be more restrictive and therefore historically "compatible with TRPA." Is not clarified. There are incomplete assumptions regarding area occupancy, residents are considered but not transient tourists who have recently substantially increased area occupancy particularly during busy seasons with more vehicles and people in the area. Impacts are thus not projected correctly regarding safety, evacuation, environment as well as loss of housing supply and neighborhood compatibility are fully considered.

Area Plan priorities do not reliably address root causes, e.g., transportation, parking, and the mobility hub. In addition to occupancy, recent mobility hub edits in the area plan fail to capture the significant discussion and updating with needed concept flexibility now included in the Regional Transportation Plan, as well as intercepts before Incline Village to handle overflow State Route 28 corridor parking. Also, the reference to two Incline hubs is incorrect. She checked every Regional Transportation diagrams and there's only one hub and it's now been described as within the Tahoe area plan area and should be corrected.

Robust, timely measurement has been a challenge though efforts to address are added to the Regional Transportation Plan and should be added.

The Washoe County Tahoe Area Plan as currently drafted is not yet ready for approval. She would hope that some of the concerns raised by the public about the design changes in the town center as well as what she just stated about the mobility hubs and transportation, etc. will be considered.

Steve Teshara commenting as an interested citizen. He's reviewed the materials in the packet and others as this plan has evolved. He commended TRPA and Washoe County for working together to bring this plan to this point. It's been a long period of evolving the plan in Washoe County. He thanked Commissioner Hill, TRPA Governing Board members for helping to accelerate recent events of the county moving forward. This is a significant step forward; it reduces a lot of the confusion with some of the conflicts between TRPA rules and standards and those that existed in Washoe County. He encouraged the Regional Plan Implementation Committee to move this forward. He referred to page 857, action T-5 of the staff packet which commits the county to develop a parking management plan in coordination with TRPA and the local Transportation Management Association. He found it odd that the Tahoe Transportation District is missing as a partner since they operate a major paid parking program in Incline Village. They should be listed as partner in developing parking management plans in that area.

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Ms. Aldean said in response to Carole Black's concerns, it's her understanding that Washoe County is going to be reviewing this ordinance and consider any needed changes in November 2021.

Mr. Young said yes, it will be the short term rental ordinance.

Ms. Aldean said if it only applies to short term rentals, wouldn't it be advisable to maybe broaden the review to determine if any tweaks to the plan might be warranted.

Mr. Young said the short term rentals ordinance actually inside the ordinance itself calls for this review that they will be doing. That's part of the process that was built in there.

Ms. Aldean asked if it were correct that the county is not intending to review any other aspects of the plan that might be disputed or might not be effective.

Mr. Young said the intent of this plan is to immediately begin implementation. They don't have a specific plan to relook at this one. He's aware that TRPA has a couple of changes because all of their plans have taken awhile to produce. They may have a few changes to the Regional Plan that they need to immediately respond to in order to come back into conformance. That's the form in which they plan to come back around and look at it is TRPA's request for the county include some items that were not included since they've begun the update process.

Ms. Aldean said she would assume that if there are any complications or unanticipated consequences as a result of implementing this plan that the county would be willing to look at issues raised that were not specifically in this iteration of the plan when they come back with any modifications.

Mr. Young said they are committed as they move forward to looking at any issues raised.

Ms. Aldean made a motion to recommend Governing Board approval of the required findings, including a finding of no significant effect, for the adoption of the Washoe County Tahoe Area Plan and amendments to Chapters 34, 36, and 38 of the TRPA Code of Ordinances as provided in Attachment D.

Ayes: Ms. Aldean, Mr. Bruce, Mr. Friedrich, Ms. Gustafson, Mr. Lawrence, Mr. Yeates

**Motion carried**

Ms. Aldean made a motion to recommend Governing Board adoption of Ordinance 2021-\_\_\_, amending Ordinance 2019-03, as previously amended, to amend TRPA's Regional Plan to incorporate the Washoe County Tahoe Area Plan.

Ayes: Ms. Aldean, Mr. Bruce, Mr. Friedrich, Ms. Gustafson, Mr. Lawrence, Mr. Yeates

**Motion carried**

Ms. Aldean made a motion to recommend Governing Board adoption of Ordinance 2021-\_\_\_, amending Ordinance 87-9, as previously amended to amend TRPA's Code of Ordinances to incorporate references to the Washoe County Tahoe Area Plan into Chapters 34, 36, and 38.

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Ayes: Ms. Aldean, Mr. Bruce, Mr. Friedrich, Ms. Gustafson, Mr. Lawrence, Mr. Yeates

**Motion carried**

- V. Item No. 4: Discussion and possible recommendation on amending the existing nitrate deposition threshold standard (AQ14) to a per capita VMT standard to reduce reliance on the automobile, reduce GHG emissions, and promote mobility

Item No. 5 Discussion and possible recommendation on amendments to the Implementing Goals and Policies of the Regional Plan to accelerate attainment of the per capita VMT standard and implement the Regional Transportation Plan, including the Regional Plan Chapter 3 (Transportation Element) and Chapter 7 (Implementation Element) and Code Chapter 50 to attain the per capita VMT standard and implement the Regional Transportation Plan

Item No. 6 Discussion and possible recommendation amendments on revisions to the transportation project impact assessment and air quality mitigation fee (Code Chapter 65.2), including related amendments to Chapters 2, 3, 22, 34, 39, 50, 65, 82, and 90 of the TRPA Code of Ordinances

TRPA staff Mr. Segan, Ms. Glickert, and Ms. Sloan provided the presentation.

Mr. Segan staff distributed an errata yesterday that included some corrections and clarifications. Today's presentation will not review the goal of the standard because that was endorsed by the committee in March 2020. In addition, staff will not review the process that was proposed in July 2020 and implemented over the summer with the Technical Working Group through which staff proposed the development of the standard itself. The standard itself was covered in the Fall and January meetings so there won't be full detail presented on that today nor will staff be going into full detail on the implementation framework either since it was reviewed last month. Today's presentation will include some of the changes that have been made in conjunction with stakeholders and consistent with the direction of the Regional Plan Implementation Committee provided in March to work with stakeholders to finalize the proposal today.

There were four changes made none of which materially alter the presentation that was provided in March. All were made with the support and discussions with stakeholders and staff believes improves the proposal provided today.

The first change was a relatively a simple change. They heard last month from committee members and stakeholders that they wanted greater clarification on what this advisory body was that was being tasked with providing independent guidance to support management towards standard attainment. In response to that they modified the three goals and policies: DP-5.1, DP-5.2 and DP-5.3 to provide that specificity that was requested last month. Those modifications provide greater detail on the committee's composition and its appointment process, greater detail on the timing and contents of the reports that the committee produces, how those will be transmitted to the Governing Board, and how those will inform the planning processes.

These changes are at the heart of the adaptive management process that they're using to drive progress towards standard attainment. It is also the heart of the challenges that were discussed last month. Then last month, staff heard stakeholders express a basic desire for greater assurances that they'll stay on track and make progress towards the goals. They also heard that they shouldn't be overly prescriptive as they design the management process. They wanted to preserve the essence of adaptive management itself. Which is as they accumulate more

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information and diagnose the challenges that they identify and implement solutions that are specifically tailored to address those problems identified.

The revised proposal finds a balance between adaptive and assurance and between their ability to provide stakeholders with greater assurance that they'll stay on track while not over estimating their own ability that they can predict the future today. To find the balance they went back to the root of what they are trying to do with the suite of changes being presented today which is to better integrate the land use and transportation planning processes. It was done by maintaining the basic two year adaptive management framework that was proposed last time, so, the advisory body will report out every two years. They integrated that reporting cycle with the Regional Transportation Plan development cycle which operates on a four year cycle. They've modified those four year reports; 2024, 2028, and 2032 to fully integrate that reporting process into the Regional Plan development process. They also added specific requirements in that process in the 2024 milestones that are dependent on the findings of that report.

As the advisory body summarizes and evaluates the evidence for progress in 2024, there's two potential pathways; they could find that they are on track and reducing per capita VMT in line with expectations which the advisory body has wide discretion to recommend changes to either the Regional Plan or the Regional Transportation Plan to further accelerate progress towards standard attainment. However, if they find that we are not on track in these four year review processes then the advisory body will produce a suite of recommendations that would be reasonably expected to correct course within four years and then to transmit those recommendations to the Regional Plan Implementation Committee and the Regional Transportation Plan development process.

As discussions are had with stakeholders they're working from a common set of evidence and a common baseline of information and designing policies specifically tailored to identify the issues that are highlighted in that report. Even though the Regional Transportation Plan was expected to take another six to eight months and the requirement is that they adopt a suite of measures at that time, the report will be transmitted to the committee earlier and doesn't preclude the committee's discretion from making immediate modifications.

The third item heard from stakeholders is that there needed to be a stronger backstop known as triggered management responses. Triggered management responses are items that they hope never happen. These are items that have been established as a backstop if they fall behind progress and somehow the adaptive management process is not working. They haven't made any modifications to the funding milestone but they did look specifically at the second trigger that evaluates progress towards reducing per capita VMT. They made a modification to augment that trigger by maintaining the existing part of that trigger which requires a ten percent increase in the mobility fee if they fall behind on the eight year target. They maintained the basic eight year cycle at which they've spaced out the backstops. In addition to that mobility fee increase they also added a standard of significance increase for projects outside town centers. If they fall behind that eight year milestone, those projects outside of town centers will be held to a no net unmitigated VMT standard of significance.

The final change was what happened after the standard is attained. What happens when they've achieved the goals? This is the first standard that's being adopted under the new system that was developed with the Science Advisory Council. Guidance that they provided was that there should be a timeline for attainment of 2045. Stakeholders asked what happens after 2045; could they allow VMT per capita to start increasing? or what happens alternatively if everything goes well

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and the goal is reached far earlier, what would be done then? They made modifications to DP-5.6 to clarify at the time the standard is attained if it's 2045 or earlier, they'll reevaluate that goal and look to establish a new goal.

Ms. Glickert's presentation provided an overview of the Regional Transportation Plan and focus on those policy changes needed to bring the transportation system in line with the new VMT standard and achieve the transportation goals.

Ms. Glickert said last month she shared the vision and framework for the Regional Transportation Plan through connecting trails around the lake and to activity centers, keeping transit free, adding more shuttles, making transit frequent, and adding regional connections, and locally completing the communities and neighborhoods with transit and trails. This would be accomplished by using transportation management, including parking management, technology, and then adaptive management to stay on track to reach those goals, promoting mobility and reducing greenhouse gas.

This month, they received a recommendation from the Tahoe Transportation Commission and the Advisory Planning Commission. All comments on the policies from the APC are now in the final document.

The plan continues to balance achieving all of the goals. In the packet today are the final changes as shown in Attachment D to the staff report. The transportation policies make up Chapter 3 of the Regional Plan. They've also included in the packet the strikethrough versions to track those changes from the feedback received from various committees since they last presented in March.

Several policies have been updated within the Environment and Connectivity Goal along with Economic Vitality and Quality of Life to emphasize collaboration with federal partners and their tribal partners. They also incorporated these additions in the text of the plan. Collaboration is the cornerstone of achieving the transportation goals. They broke out a policy from 2017 which now emphasized the need to collaborate with the regional partners such as Sacramento, Reno, and the Bay Area. And the other emphasized the interregional partners such as the Town of Truckee (as part of the Resort Triangle with Tahoe City, Kings Beach, and Minden/Carson Valley.

In response to public comments, policies now emphasize balancing transportation improvements benefiting our communities with an emphasis on ensuring the disadvantaged communities are served.

The Advisory Planning Commission provided valuable feedback; development of multimodal amenities in projects should be woven into all plans, not just area plans. Increasing Safety and security for all users of the Regional Transportation Plan. They've added the word safe in Policy 4.4 and now states "Supporting the use of "safe" electric assisted, low-speed devices.

Lastly, Policy 5.2 was expanded. Priority Communities are identified neighborhoods that include residents less likely to drive either by choice or out of necessity due to income and or abilities. Having compatible transit with those needs and expanding the policy to include neighborhoods in general as well as the priority community.

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Ms. Sloan's presentation provided an overview on how to achieve the new VMT standard including the implementation of the Regional Transportation Plan goals and policies at the project level.

Ms. Sloan said she'll focus on summarizing the changes for applying the VMT threshold at the project level. Those changes reflect work completed since the framework was last presented in March.

These changes are a direct result of this committee's direction and multiple meetings with stakeholders to ensure the recommendation responds as best as possible.

They've streamlined VMT screening by reducing the screening level outside of town and regional centers and their buffer to better align with California jurisdictions. They've also focused VMT calculations in town and regional centers and their buffer, relying more strongly on the TRPA model for data calculation. They've also refined the approach to VMT analysis to better recognize variation in characteristics and impacts to VMT of some project types. That ensures that the project impact assessment process is appropriate for anticipated projects in Tahoe.

They've also clarified the options for non-screened projects that have VMT to reduce but have also exhausted all project-level mitigation options available. That's to increase the transparency of the process for the development community. Language has been included for the mobility mitigation fee once set, to be adjusted annually for inflation using the consumer price index which responds to concerns that the fee wouldn't keep up with changing costs over time. Lastly, they've committed to updating the impact assessment and mitigation fee processes within a year of adoption of future Regional Transportation Plan updates to ensure that both processes reflect updated VMT data, Regional Transportation constrained project lists, costs, and anticipated revenues.

If the recommendation is adopted, there are a few post adoption work items to begin immediately. First, will be to finalize the mobility mitigation fee using the Regional Transportation Plan constrained project list and working in consultation with the local jurisdictions, stakeholders, and development community. TRPA will finalize an online project impact assessment tool for use by applicants, jurisdictions, and the California jurisdictions for Senate Bill 743 for using VMT for project impact assessment. They'll also utilize their partners at the University California, Davis forthcoming research on project impact assessment mitigation monitoring, develop a monitoring program for these processes. Staff will start immediately working with the local jurisdictions to train and prepare them for rolling out these updated processes.

Presentation can be found at:

[RPIC-Item-Nos.-4-5-6-VMT-Threshold-RTP-Project-Impact-Analysis.pdf](#)

### Committee Comments & Questions

Mr. Yeates thanked Mr. Segan, Ms. Glickert, Ms. Sloan and all TRPA staff who worked on this complex and at times difficult threshold change. He appreciated the outreach and the willingness of staff, the Governing Board, and this committee to listen to concerns raised to try and ensure that we were doing the best possible work in developing a vehicle miles traveled

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reduction threshold. He also commended those stakeholders who worked with us and kept pushing for a better proposal. This is a far better proposal than he imagined when they started addressing the VMT metric used in the nitrate deposition threshold and updating it to be more relevant to the transportation needs and the greenhouse gas reduction requirements from both California and Nevada.

Mr. Friedrich echoed those commendations for Mr. Segan, Ms. Glickert, and Ms. Sloan in being responsive to various input to strengthen the document. He referred to the Regional Plan Amendment, Chapter 7, strikethrough, DP-5.3, where it states in the final paragraph "When the review of performance indicates the milestones are not being met, the report must include recommendations ~~that specifically target reducing VMT per capita by category to address adaptive management responses.~~" He asked staff for further information on why that language was removed. He reads that to suggest that prioritization of VMT reducing measures will not be called out and would be more of a broader set of recommendations.

Mr. Segan said if you continue to read the strikethrough it was that it be reasonably expected to meet the next milestone. They provided the group discretion with how they thought it was best to reduce VMT per capita and not requiring that they provide recommendations for each sub-category. Consistent with Mr. Friedrich's comments at the last meeting as well as future discussions that the advisory body be tasked with looking at the most efficient ways and be given broad discretion about how they thought best to get back on target. It was intended to provide flexibility while maintaining the overall intent that they would be back on track as a result of those recommendations. And now, inclusive of the recommendation or the requirement that the Governing Board adopt both within the Regional Transportation Plan as well as the Regional Plan itself. It's a suite of measures that would be reasonably expected to get back on track.

Mr. Friedrich said would you say with that change that it would it still be made clear by the Advisory committee to the Governing Board which Regional Transportation Plan projects are estimated to reduce VMT per capita the most. It was his understanding that if we were off track and there's a broad set of RTP projects in which some of them are more focused on VMT and some meet other objectives. He suggested that there be more of a laser focus on highlighting those projects that most reduce VMT per capita and have the greatest value. The report needs to be clear whether it's an exact ranking or that those projects that are assessed in that way come forward and the advisory committee is delineating projects by VMT reduction as a central part of that report. He's concerned that the "strikethrough" would diminish that part of the report.

Mr. Segan said it was not the intent to diminish that part of the report. The edits were intended that they didn't need to make recommendations in each category of VMT that they analyzed. Staff feels that this provides greater flexibility to do what Mr. Friedrich is talking about. There's two fundamental themes; In DP-5.2 where it was greater clarified the content of those two year reports. What they did was greater clarify that the expectation that the group is not just providing guidance on just attainment of the threshold standard for transportation and sustainable communities but are providing a broad sweep of recommendations for all goals of the Regional Transportation Plan. Within the spirit of Mr. Friedrich's question the expectation is that they would be identifying and scoring projects to the best ability on how they relate to increasing access, safety, reducing VMT per capita and the broad suite of goals within the RTP. But the single requirement to make those recommendations is that their suite of recommendations be sufficient to get back on track.

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Ms. Aldean referred to page 264 of the board packet where there is a general statement that certain classes of projects, although exempt from additional project impact assessment because these classes of projects would likely not lead to a substantial or measurable increase in VMT. For example, bicycle, pedestrian, transit, and affordable housing projects will be required to pay the mobility impact fee. In Attachment D of the RPIC staff report, there's a statement that says the updated screen criteria functions differently than in the OPR guidance and that all projects, including those that qualify for screening, except active transportation projects, will be required at a minimum to mitigate through paying a mobility mitigation fee. She asked staff to define what an active transportation project is if it's not a bicycle, pedestrian, or transit project. It's counterintuitive to be charging a mobility fee for a project that ultimately will reduce VMT.

Ms. Sloan said they've identified active transportation in the Code change packet to include bicycle, pedestrian, and transit project. It's also been expanded to safety projects and things like adaptive management as well. All of these are considered to be projects that would not lead to an increase in VMT. In some cases, they rely on them to reduce VMT. They've not required them to contribute to the mobility mitigation fee.

Ms. Aldean asked if it were correct that the information on page 264 of the board packet has been amended by the additional language in Attachment D to exclude those projects from a mobility fee.

Ms. Sloan said yes, that is correct.

#### Public Comments & Questions

Steve Teshara on behalf of the Tahoe Chamber echoed the comments of Chair Mr. Yeates and some of the other members. They appreciated that staff has taken time to reach out to work with the business community. He appreciated Ms. Marchetta's leadership has shown in helping to reach out to the business community to explain what is a very complex and technical set of issues. Overall, they are prepared to see this process move forward for further considerations. He'll have additional comments at the Governing Board presentation this afternoon. He specifically expressed appreciation for Mr. Segan, Ms. Glickert, and Ms. Sloan who have spent as much time as they've needed and were responsive to some their suggestions for changes.

Carole Black said she previously submitted recommendations regarding the TRPA Regional Transportation Plan to various TRPA committees. Themes have included safety and neighborhood compatibility, balancing and quality of life in communities with business objectives, maintaining flexibility, and managing develop development to meet neighborhood and community needs within the context of preserving the environment. These themes are important and echoed the comments about staff being terrific in considering and addressing important edits related to maintaining flexibility and design, robust planning, data monitoring analysis, and interfaces with neighborhoods and communities.

She remains concerned about ensuring that initial planning and environmental impact review is robust, comprehensive, data and measurement based and coupled with ongoing measurement and mitigation as indicated. Especially for projects, including public projects., the role of the Initial Environmental Checklist for initial review versus more detailed data based, quantitative assessment needs further exploration and clarification. An example is included in the Tahoe Area Plan IEC; some air quality metrics (e.g., ozone) are drifting slightly adversely though IEC was

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still able to make a favorable finding. Nonetheless, this is, and should be, an indicator to follow closely with prompt intervention as indicated and consideration in project review as an example.

In 65.2 of the Code of Ordinances changes list. The recent wording adjustment recognizing that mobility hubs may require additional review if helpful and important. There also may be other types of examples to consider where additional levels of review are indicated. Second, the project impact analysis, the VMT calculation appears very theoretical. How is the model verified by actual measurement and may be that could be considered in the future.

She thanked staff for their time and openness to suggestions and input. Huge kudos to Ms. Glickert, Mr. Segan, and Ms. Sloan for their active collaboration and willingness to listen.

Ms. Sloan thanked Ms. Black for recognizing the modification for mobility hubs and the project impact assessment that was a direct result from conversations and points staff had with her. Secondly, regarding the VMT calculations supporting the project impact assessment that is from the TRPA model which has gone through a robust update through the TRPA model working group with a third party analysis and validation of that data. Staff feels very competent in the data.

Sophie Wenzlau, California Attorney General's Office speaking at a staff level. Their office has worked closely with staff over the past year to discuss their concerns regarding the proposed VMT threshold amendment. They thanked staff, particularly Mr. Marshall, Mr. Segan, Ms. Sloan, and Ms. Glickert for continuously making time to meet with them and ensuring that their questions and concerns were heard and responded to. Most of their core concerns have been addressed and are generally comfortable with the proposed amendments. They are particularly pleased with the changes made in the past month that clarified the regional revenue milestone, the interim targets, the function of the performance reports, and the adaptive management measures.

The remaining concerns are rooted in the fact that the proposed VMT threshold is only as strong as the Regional Transportation Plan it is based on. The proposed VMT threshold is tied to the level of VMT reduction that TRPA expects will occur with the full implementation of the Draft 2020 Regional Transportation Plan/Sustainable Communities Strategy. The Draft RTP/SCS on which the threshold is based could target a higher level of per capita VMT reduction without changing expected investment and while continuing to prioritize equitable transportation solutions that work for everyone in the Basin. They continue to wish that the RTP/SCS and by extension the threshold were more ambitious. They also remain concerned about the \$1 billion dollar funding gap for RTP implementation which would persist even if regional revenue is fully secured. If the RTP is fully funded and implemented, TRPA projects that total VMT in the Basin will increase above current levels. If the RTP is not fully implemented due to the funding gap, total VMT could rise more than projected which could adversely impact water quality including TRPA's ability to attain the Total Maximum Daily Load target. Increases in VMT are also related to increased congestion and deterioration in the balance between the man made and natural environment.

Going forward, it will be important to keep an eye on these issues especially as we face more population and growth pressure and greater wildfire risk. Notwithstanding these concerns, they are pleased that the Agency is holding itself to the high bar of full RTP/SCS implementation and committing itself to develop a badly needed regional revenue source for transportation

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improvements. They hope and expect that the new VMT threshold, its implementation and adaptive management framework will lead to creative and constructive action between now and 2045. Achieving the proposed threshold will require ongoing attention, effort, creativity, and ambition by TRPA. If implemented correctly, the framework proposed today, could ultimately serve as a model for other metropolitan planning organizations in California and establish TRPA as a leader in this state. The encouraged staff and the board to view attainment of the threshold not as an aspiration but as an imperative.

Mr. Yeates asked the California Attorney General's Office to save that pitch about the importance of the implementation of the Regional Transportation Plan to those bi-state entities. Also, within the Basin itself where we talk about the importance of the implementation of the Regional Transportation Plan to get a handle on the impacts of the recreation travel. It is imperative and has been one of the singular amazing things that staff linked this VMT to the implementation to regional transportation so it isn't just an aspirational plan that gets stuck on a shelf. It's something that we have to implement because it's critical to so many areas of the Lake, not only recreational experience but all the other issues that were raised by Ms. Wenzlau's comments. He appreciated the staff of the California Attorney General's Office working with TRPA staff and appreciated all the work of TRPA staff to address their concerns.

Jordan Laub said he and Tamara Laub are the managing members of SS Management an LLC that operates an approximately three acre parcel at 31 US Highway 50, Stateline, NV. This parcel is home to Lake Tahoe establishments such as AleWorX and Lucky Beaver. These comments are for transportation portion of this agenda item. They at the Michael Laub building are in support of the Main Street Management Plan (MSMP) and TRPA's efforts for a new transportation plan. They thank TRPA and their staff Ms. Bettinger for their hard work on this plan. However, SS Management and other critical stakeholders have not been included in important discussions about the MSMP and the future of South Lake Tahoe. Specifically, the MSMP is moving forward based on erroneous foundational facts about current access conditions such as directional access arrows over steep embankments impassable by pedestrians and vehicles alike. As well as access arrows for emergency vehicles, pedestrians, and commercial delivery's through non-existent roadways. In addition, despite SS Management having a parking lot very near to the new proposed convention center, SS Management has never been consulted regarding any input on parking. At what point will SS Management and other critical stakeholders be consulted about parking and input on that plan. They requested that SS Management and other critical stakeholders be given the opportunity to provide feedback to TRPA to ensure the MSMP is factually correct and acceptable to stakeholders. Also, that they be consulted for any future parking plans given its close proximity to the convention center.

Ms. Glickert said the Main Street Management Plan is a part of the Regional Transportation Plan. She'll follow up with Mr. Laub to ensure that he's connected to the right people who are working on the parking management piece of that plan. Her apologies if he was missed in all the outreach that was done about one year ago.

Carl Hasty, Tahoe Transportation District thanked TRPA staff, the Regional Plan Implementation Committee, and the Governing Board. Establishing or changing a threshold is no easy task. A tremendous amount of work, thought, and participation by the regional community has gone into this. He applauded where they've arrived at today. He supported the step that has been taken, especially the regional revenue and implementing this plan. The sooner they get the Regional Transportation Plan financed and on the ground, the sooner they'll accomplish these objectives.

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The tendency with the threshold or any other specific objective as we go through adaptive management can tend to be somewhat myopic. Yet, transportation today is driven by many policy objectives that continue to evolve and have seen this in California since the passage of Senate Bill 375. The countless hours that have gone into the work in California and participating in groups such as the California Association of Councils of Governments, etc., with each and everything that comes along with what transportation must achieve. The amount of time and energy that's spent in trying to integrate various objectives so we're achieving all of them. As we go through the adaptive management in looking at VMT that there's other objectives that may or may not be a threshold objective. This is the harder work for the rest of them working with us to achieve these multiple things that transportation is looking to accomplish.

Peter Kraatz, Placer County Department of Public Works said he's a long time implementor for projects in the Basin starting in 2002. He thanked everyone's efforts to get to this point. It's a great achievement getting to a threshold that is workable. It's not just about the money, getting to this regional revenue source will be another great milestone that we want to achieve. The local jurisdiction is working with the Tahoe Transportation District and TRPA staff on this. The Tahoe Transportation Implementation Committee that will come back later this year on the technical side of how we can achieve this regional revenue source. Working forward on delivering these things; parking management, transit lanes, etc., we can have all the money in the world but collectively we have to stand together. Going to the Governor's and Federal government is not easy to deliver any one project. There is a lot of heavy lifting to deliver these important transportation projects. Money is one piece to meet the goals.

Diane Becker said Ms. Glickert has been very responsive to her comments and other in the community through this process. She thanked TRPA, (at least from the standpoint of Incline Village) they've listened to the local public and their concerns both in setting the short term rental guidelines and in this particular project. She feels that in future studies and measurements especially when you are seeing if the goals have been achieved, you need to have longer, more targeted, and specific studies. Such as, when you're measuring traffic in the North Shore in the Incline Village area there were not enough days measured and hopes in the future there are stronger measurements. She suggested that when data is used that it be more recent studies.

#### Committee Comments & Questions

Mr. Lawrence thanked Chair Mr. Yeates who has seen this as a critical issue and has been a strong leader in making sure that people are collaborating and coming to solutions. This is an extremely important issue for the Basin in the future. He does have strong opinions on how adaptive management works best and how it doesn't work as well. He thanked Mr. Segan, Ms. Glickert, Ms. Sloan, and Mr. Haven; staff did an excellent job in hitting the sweet spot in adaptive management. He likes the way it's been aligned where the check-in is in advance of planning document decisions. The adaptive management did a good job of balancing and having specific hard triggers and having a couple of baked in hard responses with funding and taking a look outside of town centers for more strict requirements. But not getting too prescriptive with other responses. He appreciated all of the thought and great work, particularly the stakeholders and the public for being engaged.

Mr. Bruce thanked everyone for all of their hard work. It's been complicated, sophisticated, time consuming, and difficult. This is an extraordinary direction and it fits perfectly in what we're trying to accomplish.

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

Ayes: Ms. Aldean, Mr. Bruce, Mr. Friedrich, Ms. Gustafson, Mr. Lawrence, Mr. Yeates

**Motion carried**

Ms. Aldean made a motion to recommend Governing Board adoption of Ordinance 2021-\_\_\_, amending Ordinance 2019-03, as previously amended, to amend Air Quality Threshold Standard 14 as set forth in Attachment M1 of the Governing Board staff report (Item VII. A.).

Ayes: Ms. Aldean, Mr. Bruce, Mr. Friedrich, Ms. Gustafson, Mr. Lawrence, Mr. Yeates

**Motion carried**

Ms. Aldean made a motion to recommend Governing Board adoption of Ordinance 2021-\_\_\_, amending Ordinance 2019-03, as previously amended, to amend the Regional Plan Goals and Policies as set forth in Attachment M2 of the Governing Board staff report (Item VII. A.).

Ayes: Ms. Aldean, Mr. Bruce, Mr. Friedrich, Ms. Gustafson, Mr. Lawrence, Mr. Yeates

**Motion carried**

Ms. Aldean made a motion to recommend Governing Board adoption of Ordinance 2021-\_\_\_, amending Ordinance 87-9, as previously amended, to amend the Code of Ordinances as set forth in Attachment M3 of the Governing Board staff report (Item VII. A.).

Ayes: Ms. Aldean, Mr. Bruce, Mr. Friedrich, Ms. Gustafson, Mr. Lawrence, Mr. Yeates

**Motion carried**

Mr. Yeates said that Mr. Marshall was clearly a touch tone for him as they worked on all this.

VI. COMMITTEE MEMBER COMMENTS

None.

VII. PUBLIC INTEREST COMMENTS

Diane Becker said the Washoe County Tahoe Area Plan does not make any mention of a concern from numerous members of the public who made written and oral comments about the deleterious effects of short term rentals on Incline Village and the Tahoe region in general. That request was made repeatedly and felt that the concern should have been listed as one of the things that would be monitored by TRPA. In 2004, TRPA itself is the entity that legalized the short term rentals in Tahoe. She is not opposed to short term rentals and not asking for a ban. TRPA did an excellent job on its short term rental guidelines which include residential neighborhood compatibility guidelines and none of those have been or will likely ever be approved by Washoe County. Currently, Assembly Bill 363 before the Nevada Legislature has some restrictions that would go towards neighborhood compatibility and believe that those are being opposed by a number of people. She's not certain what Washoe County is putting in but doesn't think the county wants any neighborhood compatibility guidelines where density or concentration is limited. It would be appreciated if the Governing Board would consider looking

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at whether or not short term rentals are being ameliorated up here once the Washoe County Ordinance becomes effective. If it doesn't help them because there are too many party houses then she hopes the board will look at that because it was included in the Tahoe Area Plan.

VIII. ADJOURNMENT

Mr. Friedrich moved to adjourn.

Chair Mr. Yeates adjourned the meeting at 10:16 a.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Marja Ambler".

Marja Ambler  
Clerk to the Board