

TRPA INITIAL ENVIRONMENTAL CHECKLIST FOR DETERMINATION OF ENVIRONMENTAL IMPACT

Project Name:

Phase 2 Housing Amendments – Market Solutions to Encourage Deed-Restricted Affordable and Workforce Housing Development through updates to development standards: height, density, parking and land coverage.

Expanded Initial Environmental Checklist:

This document serves as the TRPA Initial Environmental Checklist for the amendments, with an expanded analysis to include the California Environmental Quality Act (CEQA) Initial Study Checklist. While not required for TRPA action, the expanded analysis and information will support CEQA lead agencies with their own future environmental review of the amendments.

Project Location:

The Tahoe Region within the planning area jurisdiction of the Tahoe Regional Planning Agency.

Project Need:

The 2012 Regional Plan identified a vision of directing development toward walkable, bikeable mixed-use centers, with sufficient workforce housing to support local businesses and to meet the vehicle miles traveled threshold. The plan contains numerous goals related to housing, including goals specific to affordable, moderate-income, and workforce housing in the Housing Subelement, as well as goals in the Public Services and Facilities Element, particularly those related to public safety and the need for critical workers such as emergency services, police, and fire, among others to achieve these goals.

Despite this vision, studies, feedback from local government partners, and community input show the deepening impact of demographic changes on housing affordability in the Tahoe region. As market demand for second homes and high-end units has increased, the local population has declined.¹ Businesses report having increased difficulty recruiting and retaining workers to fill positions, and local surveys show that over 30 percent of workers are commuting into the region for work, contributing to traffic and vehicle emissions that harm the environment.²

The median price of a home in Tahoe has tripled in the last 10 years, from \$345,000 in 2012 to \$950,000 in 2021.³ Common homeownership metrics suggest that purchasing a home at the median price would require a household income in excess of \$300,000. Median household income in Lake Tahoe is around \$72,000 region-wide.⁴

The Tahoe Living Working Group⁵ has identified a need to bring down the cost to construct 100 percent deed-restricted affordable, moderate, and achievable housing so that the pool of existing residential bonus units can be

¹ U.S. Census Bureau Decennial Census, Tahoe Region

² Tahoe Prosperity Center. *South Shore Region Housing Needs and Opportunities*, October 2019; *Washoe Tahoe Local Employee Housing Needs and Opportunities*, September 2021.

³ Tahoe Prosperity Center. *Community Report for the Tahoe Region*, March 2022.

⁴ U.S. Census Bureau Decennial Census, Tahoe Region

⁵ In 2020 the TRPA Governing Board appointed the Tahoe Living Housing and Community Revitalization Working Group as a committee of the Advisory Planning Commission to identify housing actions that TRPA could take to help address the regional housing need.

constructed as soon as possible, providing needed affordable housing. At present, there are approximately 946⁶ bonus units remaining that could take advantage of proposed Regional Plan amendments intended to incentivize development of the bonus unit pool.

Most bonus unit projects to-date have drawn units from the “affordable” pool. There remains a need to incentivize construction of the “moderate/achievable” pool of bonus units, and to the extent that housing needs assessment show a remaining need in the “affordable” category, housing in this category should be incentivized as well through this phase of proposed Regional Plan amendments.

Project Description:

The proposal would apply within three areas in the basin: centers (a collective term for town centers, the Regional Center, and the High-Density Tourist District), areas that are zoned for multi-family housing outside of centers, and within the bonus unit boundary. A map of these locations can be found here: <https://gis.trpa.org/housing/>. The following amendments to region-wide development standards are evaluated for buildout of the remaining 2012 Regional Plan residential bonus units:

Height:

1. Centers: The proposal would increase the maximum height allowance from 56 feet (maximum of four stories) to 65 feet (no cap on the number of stories) for 100 percent deed-restricted affordable, moderate, or achievable residential or mixed-use developments that utilize bonus units when certain findings can be made. The proposal would require buildings to step back one foot for every foot above the height that is currently permissible in Chapter 37 of the TRPA Code or the applicable local jurisdiction area plan. The project applicant would be required to demonstrate, through a shade analysis, that shading of adjacent roads and buildings is minimized between the hours of 10:00am – 2:00pm on December 21. The project would need to incorporate design features such as pitched roofs, articulated facades, articulated roof planes, and the use of earthtone colors consistent with Design Review Guidelines. Additionally, projects must make height related findings to ensure the building does not extend beyond the forest canopy, fits the character of surrounding uses, and includes articulation.
2. Center transition zones: The proposal would allow an additional 11 feet of height, beyond what is allowed in Table 37.4.1 in the TRPA Code of Ordinances, for 100 percent deed-restricted affordable, moderate, or achievable residential or mixed-use developments that utilize bonus units on parcels outside of centers but adjacent and contiguous to center boundaries. The entirety of the parcel must be within 500 feet of a center boundary. Current height allowances are dependent on parcel slope and proposed roof pitch and allow up to 42 feet. The proposal would require buildings to step back one foot for every foot above what is currently permissible in Table 37.4.1. The project applicant would be required to demonstrate, through a shade analysis, that shading of adjacent roads and buildings is minimized between the hours of 10:00am and 2:00pm on December 21. The project would need to incorporate design features such as pitched roofs, articulated facades, articulated roof planes, and the use of earthtone colors consistent with Design Review Guidelines. Additionally, projects must make height related findings to ensure the building does not extend beyond the forest canopy, fits the character of surrounding uses, and includes articulation.
3. Areas zoned for multi-family housing outside of centers: Current height standards are based on parcel slope and proposed roof pitch. A higher height is allowed when a steeper roof pitch is proposed; and lower height is allowed when a shallower roof pitch is proposed. This proposal would allow 100 percent deed-restricted affordable, moderate, or achievable residential developments that utilize bonus units to use the maximum

⁶ As of July 2020 there were 1,126 bonus units remaining under the 2012 Regional Plan. Since then, 11 bonus units have been assigned and constructed for individual permits, 128 have been assigned to the Sugar Pine Village (phase 1A, 2A and East parcel), and 41 have been assigned to the Lake Tahoe Community College dormitory project.

height available for each building site slope category in Code Table 37.4.1 (up to 42 feet), with a minimum 3:12 roof pitch when certain findings are made. This option would require buildings to incorporate design features such as pitched roofs, articulated facades, articulated roof planes, and the use of earthtone colors consistent with Design Review Guidelines.

Density:

1. Centers: The proposal would remove maximum density limits of up to 25 units per acre for 100 percent deed-restricted affordable, moderate, or achievable residential or mixed-use developments that utilize bonus units.
2. Areas zoned for multi-family housing outside of centers: The proposal would remove maximum density limits of up to 15 units per acre for 100 percent deed-restricted affordable, moderate, or achievable residential or mixed-use developments that utilize bonus units.

Parking:

1. Centers and areas zoned for multi-family outside of centers: Residential and mixed-use developments made up of 100 percent deed-restricted affordable, moderate, or achievable housing in centers may deviate from current local jurisdiction parking minimums down to zero, provided the project submits a parking analysis or information from similarly situated projects showing the anticipated project demand, and demonstrates how the project will meet that demand. Within multi-family areas, projects can reduce parking requirements to .75 spaces per unit, on average, with a parking analysis or other information. Alternative strategies that could meet parking demand include, but are not limited to, shared parking agreements, implementation of car share, unbundling of rent and parking, or contributions to alternative transportation options. These minimums shall preempt inconsistent local jurisdiction's minimum parking requirements however, in order to deviate from existing parking minimums, project applicants must demonstrate that the parking demand generated by their project, measured through a parking study, is met by providing parking spaces and/or through parking management strategies. At present, local jurisdictions require between 1 – 2.1 parking spaces per unit, depending on size.

Table 1: Existing Local Minimum Parking Requirements in the Tahoe Region

	Washoe County	City of South Lake Tahoe	Placer County	El Dorado County	Douglas County
Parking Minimums (multi-family residential)	1.6 spaces/ 1 bdrm 2.1 spaces/ 2+ bdrm 1 space must be enclosed	1 space/ 1 bdrm 2 spaces/2+ bdrm 1 guest space/4 units	1 space/1 bdrm, 2 spaces/2+ bdrm	2 spaces/unit	2 spaces/unit

Land Coverage:

1. Centers: Allow for land coverage greater than current limits of 70 percent with participation in a stormwater collection and treatment system (consistent with TRPA treatment requirements) owned and operated by a public entity instead of traditional land coverage limits (e.g., land coverage would not be capped at any percentage on high capability lands) for 100 percent deed-restricted affordable, moderate, or achievable residential or mixed-use developments that utilize bonus units. Projects that utilize the coverage incentive in this amendment package may not build parking spaces above what is currently allowed by the local jurisdictions. Land coverage transfers and water quality fees would still be required.

2. Areas zoned for multi-family housing outside of centers: Allow up to 70 percent land coverage on high capability lands (instead of capping land coverage at up to 30 percent) for 100 percent deed-restricted affordable, moderate or achievable residential or mixed-use developments that utilize bonus units with participation in a stormwater collection and treatment system (consistent with TRPA treatment requirements) owned and operated by a public entity, or with a public entity responsible for onsite system maintenance. Projects that utilize the coverage incentive in this amendment package may not build parking spaces above what is currently allowed by the local jurisdictions. Land coverage transfers and water quality fees would still be required.
3. ADUs within bonus unit boundary: Allow up to 1,200 square feet on high capability lands within centers for a deed-restricted affordable, moderate, or achievable accessory dwelling unit(s). Allow up to 1,200 square feet or up to 70 percent land coverage (whichever is less) on high capability lands outside of centers for a deed-restricted accessory dwelling unit(s). Additional land coverage shall be used only for the accessory dwelling unit, and includes decks and walkways associated with the accessory dwelling unit. This coverage may not be used for parking. Land coverage transfers and water quality mitigation fees would still be required.

The amendments add criteria to the definition of “achievable” housing. The definition currently requires that at least one member of the household work for an employer with a business license or tax address within the Tahoe region or Tahoe-Truckee Unified School District. The updated definition will require the employee’s physical presence in order to complete the tasks or furnish the service for the employer within the Tahoe region or Tahoe-Truckee Unified School District for an average of at least 30 hours per week on an annual basis, or seasonal basis for seasonal work.

The proposed amendments above would apply region-wide following TRPA adoption, except where an area plan explicitly identifies alternative standards for 100 percent deed-restricted affordable, moderate or achievable housing. Local jurisdictions may propose alternative development standards that adjust the adopted TRPA standards if that jurisdiction demonstrates that the alternative standards are at least as effective as TRPA standards in facilitating the construction of deed-restricted affordable, moderate, and achievable housing in the applicable jurisdiction, have an adopted inclusionary ordinance. Alternative standards shall take effect only through adoption of a new area plan or an amendment to an existing area plan with the appropriate level of environmental review.

The proposed amendments above would also apply to certain vertical mixed-use projects. The following is a summary of the changes to mixed-use definitions and standards:

1. New definition of mixed-use development added to Chapter 90 of the Code.
2. New design standards for mixed-use added to Chapter 36 of the TRPA Code, which includes parking and street frontage design.
3. Proposed land coverage, height, and density standards for 100 percent deed-restricted affordable, moderate, or achievable residential development defined above may be applied to vertical mixed-use developments that have a non-residential ground floor land use (e.g., retail, restaurant, personal services, office, and entertainment) and are consistent with proposed Code Section 36.13 (Mixed-Use with Affordable, Moderate, and Achievable Housing).

These proposed amendments do not add additional growth or development capacity that was not envisioned and analyzed in the 2012 Regional Plan.

Tiering and References to Other Documents:

This Initial Environmental Checklist (IEC) tiers from the 2012 Regional Plan Update (RPU) Environmental Impact Statement (EIS). This document can be accessed at: <https://www.trpa.gov/regional-plan/2012-regional-plan-update/>.

The IEC also references several key planning documents and their associated initial environmental checklists. These include:

- 2018 Development Rights Strategic Initiative Initial Environmental Checklist and Finding of No Significant Effect. This initiative amended the Regional Plan Goals and Policies and the Code of Ordinances to allow for conversion of development rights and creation of the Bonus Unit Incentive Program, among other changes. The IEC can be found in the October 2018 Governing Board packet and also accessed here: https://www.trpa.gov/wp-content/uploads/documents/archive/3-Attachment-A1_DRIS-IEC_100318.pdf.
- 2020 Linking Tahoe: Regional Transportation Plan & Sustainable Communities Strategy Initial Environmental Checklist and Mitigated Finding of No Significant Effect. This document can be found in the April 2021 Governing Board packet and also accessed at: <https://www.trpa.gov/rtp/>.
- 2021 Air Quality Threshold Standard (AQ14) Update and Implementation Program (VMT Threshold Update) Initial Environmental Checklist and Finding of No Significant Effect. This document can be found in the April 2021 Governing Board packet and also accessed here: <https://www.trpa.gov/wp-content/uploads/Attachment-I-IEC-for-VMT-Update.pdf>.
- 2021 Phase 1 Housing Amendments Initial Environmental Checklist. The Phase 1 Housing Amendments allowed accessory dwelling units on all residential parcels, allowed existing tourist densities to be applied to residential development on the same parcel during redevelopment, and expanded the Bonus Unit Boundary to incorporate the ½ mile buffer from centers and all areas zoned for multi-family development. The document can be found in the July 2021 Governing Board packet and also access at: <https://www.trpa.gov/wp-content/uploads/Agenda-Item-No.-VI.-A-Phase-1-Housing-Code-Amendments.pdf>.

The Phase 2 Housing Amendments propose to modify a small portion of the 2012 Regional Plan and Code of Ordinances (as previously amended) specific to buildout of the remaining residential bonus units. Impacts arising from development under current policy were already evaluated in the RPU EIS and the other environmental analyses listed above. This IEC evaluates the impacts of the Phase 2 Housing Amendments as compared to the existing 2012 Regional Plan, that is, are there any significant impacts arising from these housing incentives rather than from the units themselves.

The following questionnaire has been completed based on evidence submitted with the application. For the TRPA Initial Environmental Checklist, all "Yes" and "No, With Mitigation" answers require written discussion. For the CEQA Initial Study checklist, all "Less Than Significant (LTS) with Mitigation" and "Less than Significant (LTS)" answers require written discussion. Written discussion is also provided by some "No" and "No Impact" answers where needed to support the conclusion. (Again, the CEQA checklist is complete here only as a future aid to California jurisdictions subsequent actions.)

For information on the status of TRPA environmental thresholds (<https://thresholds.laketahoeinfo.org>) click on the links below to the Threshold Dashboard.

I. Environmental Impacts

1. Land (TRPA Checklist Questions)

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

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

Will the proposal result in:

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

Geology/Soils (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: (CEQA VIIa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Geology/Soils (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
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?				
ii) Strong seismic ground shaking?				
iii) Seismic-related ground failure, including liquefaction?				
iv) Landslides?				
2. Result in substantial soil erosion or the loss of topsoil? (CEQA VIIb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (CEQA VIIf)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

TRPA Question 1.a:

Under the proposed amendments, maximum allowable land coverage (base plus transferred) within centers, the Regional Center, and the High Density Tourist District would no longer be capped on high capability lands for 100 percent deed-restricted affordable, moderate and achievable housing development projects that utilize bonus units, including mixed-use projects that include deed-restricted housing and are consistent with proposed Code Section 36.13 (Mixed-Use with Affordable, Moderate, and Achievable Housing). This amendment would incentivize transfers of coverage into these center areas, which would result in the relocation of coverage from equal or more sensitive to less sensitive lands. The amendments would allow land coverage over 70 percent in centers with participation in a stormwater collection and treatment system (consistent with TRPA treatment requirements) owned and operated by a public entity, or with a public entity responsible for onsite system maintenance.

Under the proposed amendments, maximum allowable land coverage (base plus transferred) within areas zoned for multi-family housing would allow up to 70 percent land coverage on high capability lands for 100 percent deed-restricted affordable, moderate and achievable housing development projects that utilize bonus units, including mixed-use projects that include deed-restricted housing and are consistent with proposed Code Section 36.13 (Mixed-Use with Affordable, Moderate, and Achievable Housing). The proposal would allow up to 70 percent coverage for deed-restricted ADUs within the Bonus Unit Boundary. This amendment would incentivize transfers of coverage into these multi-family zoned areas and the Bonus Unit Boundary, which would result in the relocation of coverage from equal or more sensitive to less sensitive lands. The amendments would allow land coverage up to 70

percent in multi-family zones and the Bonus Unit Boundary with participation in a stormwater collection and treatment system (consistent with TRPA treatment requirements) owned and operated by a public entity, or with a public entity responsible for onsite system maintenance.

At present, the number of potential housing units eligible for development under the proposed amendments is equal to the number of bonus units remaining under the Regional Plan (approximately 946 in 2023 as noted in the Project Need section above). The 2012 Regional Plan Update analysis supporting increased land coverage limits of up to 70 percent coverage in centers (2012 RPU EIS Section 3.7, pages 3.7-33 to 3.7-36) also applies to the current proposal – impacts of higher land coverage percentages on high capability lands are mitigated by incentivizing the removal of coverage on sensitive lands for transfer to Centers and areas zoned for multi-family housing. Additionally, publicly owned or maintained onsite BMPs or regional water quality treatment systems will still be required to treat runoff from all coverage associated with the deed-restricted affordable housing development, providing protection to water quality in Lake Tahoe.

Because of the increased land coverage limits, this amendment could increase compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES) (within project specific sites, not on a regional basis) not previously studied in the 2012 RPU EIS.

While the land capability or IPES limits may be exceeded under the amendment, the land capability limits will not be exceeded on a regional level. Assuming that there are approximately 946 bonus units remaining for assignment to future projects (see Project Need section above), approximately 620,000 square feet (just over 14 acres) of land coverage (using 656 sf average land coverage per multi-family unit as estimated in the 2012 RPU EIS) would be required for buildout of bonus units within high capability lands inside centers, multi-family housing zones, and the bonus unit boundary. A sizable percentage of the land coverage needed for these affordable housing units would consist of base allowable land coverage (20 to 30 percent) for high capability lands whether the proposed development parcels are vacant or have existing land coverage. As such, up to 50-80 percent of the estimated land coverage total would require transfer under the current rules if future 100 percent deed-restricted affordable, moderate and achievable housing projects were to maximize land coverage at 70 or 100 percent of the high capability portion of the project area (70 percent in multi-family zones outside centers and up to 100 percent within centers). As such, under current transfer rules, approximately 7 to 11.2 acres of the calculated maximum land coverage total of 14 acres for buildout of the 946 bonus unit pool would require transfer. This range of potential land coverage transfer equals up to approximately 488,000 square feet of land coverage, a potential benefit to equally or more sensitive lands outside of the urban boundary that would no longer have land coverage development potential. Based on data included in the 2012 RPU EIS (Table 3.7-5), over 4,700 acres of high capability land coverage is available for development region-wide. Thus, not only would the additional 7 to 11.2 acres of additional land coverage within the Centers and multi-family housing zones require transfer from other areas (offsetting exceedance of existing land coverage limits in those locations), the total increase in these areas equates to less than 0.3 percent of the total remaining allowable high capability land coverage in the region. Under the current development caps, there is no possibility that even under full build-out, the region will exceed regional land coverage limits.

Based on the relatively small amount of high capability land coverage needed to incentivize 946 units of 100 percent deed-restricted affordable, moderate, and achievable housing (bonus units) and associated commercial aspects of mixed-use development that includes only bonus units for the residential component, and the requirements to transfer land coverage over base allowable with publicly maintained onsite or area-wide stormwater treatment systems, the impact of this change is considered to be less than significant. This finding does not support allowance for any additional coverage above the base allowable for any other type of development, which will require a separate environmental review.

TRPA Questions 1.b-g:

All of these responses are “no” because specific, potential impacts would be determined at the project level. At this stage of review, project-specific impacts are not known, and the existing Code requirements, along with the measures required by the amendments, would preclude significant, unmitigated, project-level impacts to soils.

TRPA Threshold Indicators:

As indicated in the discussion above, adverse impacts to soils due to increased coverage are not anticipated with implementation of code requirements relating to land coverage transfers.

Impervious Cover: The proposal provides increased land coverage limits for 100 percent deed-restricted affordable, moderate, or achievable housing that utilize bonus units constructed on high capability lands. With the buildout of all remaining residential bonus units in the 2012 RPU, land coverage limits for high capability lands are not exceeded basin-wide under the proposed amendments (See analysis above and on pages 3.7-39-40 from the 2012 RPU EIS) and necessary land coverage transfers will benefit impervious cover outside of Centers and areas zoned for multi-family housing.

Stream Environment Zone: Fifteen acres of coverage within stream environment zones (SEZ) are anticipated to be restored over the life of the 2012 Regional Plan, and as of 2022, approximately 12.8 acres of SEZ coverage removal has been achieved, which is on track with performance benchmarks. With transfers of coverage associated with the proposed amendments designed to incentivize 100 percent deed-restricted affordable, moderate and achievable housing, these amendments would continue to support attainment of that goal.

CEQA Questions 1.1-1.6:

For question 1.2, please refer to TRPA question 1.a.

For question 1.5, there is “no impact” as septic tanks or other alternative waste water disposal systems are not permitted in the Lake Tahoe Region.

All other responses would be determined at the project level, each of which must make project-related findings to ensure that there are no impacts to geology/soils.

2. Air Quality (TRPA Checklist Questions)

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

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

Will the proposal result in:

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

Air Quality (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Conflict with or obstruct implementation of the applicable air quality plan? (CEQA IIIa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Expose sensitive receptors to substantial pollutant concentrations? (CEQA IIIc)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Result in other emissions, such as objectionable odors, adversely affecting a substantial number of people? (CEQA IIId)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Greenhouse Gas Emissions (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
5. Greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (CEQA VIIla)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (CEQA VIIlb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

TRPA Questions 2.a-2.d:

The Phase 2 Housing Amendment is consistent with the existing growth management system and will help to implement Regional Plan and Regional Transportation Plan goals of concentrating development close to transit and centers, where it will have reduced air quality impacts. Thus, the change does not result in substantial air emissions, deterioration of ambient air quality, the creation of objectionable odors, change in climate, or increased use of diesel fuel beyond what was analyzed in the 2012 Regional Plan EIS.

The proposal does not change the overall number of units that will be built throughout the life of the Regional Plan, it instead creates incentives to shift that development closer to transit and services. Thus, the amount of air quality and climate emissions associated with each unit has already been analyzed in the 2012 RPU and shown not to exceed air quality or odor standards.

The carbon monoxide (CO) emission standard is not associated with overall trips but with idling time and could therefore be impacted by encouraging higher density housing in specific locations. Increasing incentives to develop town center parcels with more units could lead to more households with cars living in certain locations, increasing localized congestion during peak periods. While localized roadway intersections could see a slight increase in congestion from more densely built housing development, a CO hot spot analysis is not warranted to answer question (2.d) as Tahoe Basin intersections/roadway volumes do not reach the volumes/delay needed to exceed CO

standards on a localized level. As reported in the US 50/South Shore Revitalization Project Draft EIR/EIS/EIS (page 3.13-30), there is no applicable El Dorado County Air Quality Management District (EDCAQMD) screening criteria available to determine the need for a CO hot spot analysis. As such, recent screening criteria from Sacramento Metropolitan Air Quality Management District (SMAQMD) is considered for this CO impact discussion. According to SMAQMD, a project would result in a less-than-significant CO impact if the project would not result in an affected intersection experiencing more than 31,600 vehicles per hour (SMAQMD 2009). For the purpose of this analysis, a significant impact related to CO emissions during operation would occur if the project would increase traffic volumes at Tahoe Basin intersections to more than 31,600 vehicles per hour.

There are no intersections in the Lake Tahoe Basin that come close to 31,600 vehicles per hour. For example, one of the busiest intersections in the Tahoe Basin is the US Highway 50/SR 89/Lake Tahoe Boulevard (“the Y”) intersection in South Lake Tahoe, with up to 4,294 vehicles per hour during peak summer periods (Table 2, page 5, LSC, 2070 Achievable Housing Traffic Study, May 28, 2021). As such, the proposed amendments would not increase intersection volumes that exceed the applicable screening criteria for CO hot spots analysis.

TRPA Question 2.e:

Use of diesel fuel over the long term would not be expected to increase over what was analyzed in the RPU, as nothing about incentivizing units to be located closer to transit and services would change the amount of diesel fuel that they are anticipated to use. Diesel fuel could be used during construction, however since there would be efficiencies of scale in constructing deed-restricted multi-family bonus units, no increase in the use of diesel fuel during project construction is expected as a result of the proposed amendment.

TRPA Threshold Indicators:

As discussed above, no significant impacts on air quality are anticipated as a result of the proposed amendment.

Air Quality: Current and historic status of air quality standards (e.g., Carbon Monoxide) can be found at the links above.

CEQA Questions 2.1-2.6:

All responses are identified as “no impact” but would be determined at the project level, each of which must make project-related findings to ensure that there are no impacts to air quality/greenhouse gas emissions.

3. Water Quality (TRPA Checklist Questions)

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

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

Will the proposal result in:

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

Hydrology/Water Quality (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? (CEQA Xa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Hydrology/Water Quality (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Result in substantial erosion or siltation on- or off-site;				
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;				
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				
iv) Impede or redirect flood flows?				
4. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (CEQA Xd)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (CEQA Xe)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

TRPA Questions 3.a and 3.c-3.f and 3.h-3.k:

All of these responses are “no” because specific, potential impacts would be determined at the project level. At this stage of review, project-specific impacts are not known, and the existing Code requirements, along with the measures required by the amendments, would preclude significant, unmitigated, project-level impacts to water quality.

TRPA Questions 3.b and 3.g:

Under the proposed amendments, maximum allowable land coverage (base plus transferred) within centers, the Regional Center, and the High Density Tourist District would no longer be capped on high capability lands for 946 units of 100 percent deed-restricted affordable, moderate and achievable housing development projects that utilize bonus units, including mixed-use projects that include deed-restricted housing that includes only bonus units for the residential component and are consistent with proposed Code Section 36.13 (Mixed-Use with Affordable, Moderate, and Achievable Housing). The amendments would allow land coverage over 70 percent in centers with participation in a stormwater collection and treatment system (consistent with TRPA treatment requirements) owned and operated by a public entity, or with a public entity responsible for onsite system maintenance. As a result, the amendments would incentivize transfers of coverage into centers, which would result in the relocation of coverage from equal or more sensitive to less sensitive lands.

Under the proposed amendments, maximum allowable land coverage (base plus transferred) within areas zoned for multi-family housing would allow up to 70 percent land coverage on high capability lands for 946 units of 100 percent deed-restricted affordable, moderate and achievable housing development projects that utilize bonus units, including mixed-use projects that include only bonus units for the residential component and are consistent with proposed Code Section 36.13 (Mixed-Use with Affordable, Moderate, and Achievable Housing). This

amendment would incentivize transfers of coverage into these multi-family zoned areas, by allowing up to 70 percent in multi-family zones with participation in a stormwater collection and treatment system (consistent with TRPA treatment requirements) owned and operated by a public entity, or with a public entity responsible for onsite system maintenance.

Recently permitted projects in the Lake Tahoe Basin show how the use of onsite stormwater systems would allow deed-restricted housing developments to maximize the utility of land available for the housing units. The Waldorf Astoria Lake Tahoe and Incline 947 Residential, both of which are located in centers and can transfer in up to 70 percent coverage already, include state-of-the-art systems that can collect, treat and retain/infiltrate stormwater events onsite using underground systems that can be placed below driveways, parking areas and other development amenities, reducing the amount of land area needed to collect and treat stormwater runoff. Ultimately the treated stormwater is allowed to percolate into the soil to help recharge groundwater levels. These types of systems would benefit 100 percent deed-restricted affordable, moderate and achievable housing developments to maximize the utility of land available for affordable housing sites. In the case of the Waldorf Astoria Project, the system is designed to treat the 100-year, one hour storm event, substantially exceeding the TRPA Code requirements for treatment of the 20-year, one hour storm event.

To overcome some of the site-specific challenges of capturing and infiltrating stormwater onsite through BMPs, the 2012 Regional Plan EIS identified a benefit to water quality with targeted BMP compliance and the expansion of areawide treatments. A “revised policy option” expanded the ability to implement areawide treatment facilities to any area in the Region where the water quality benefit of the approach can be demonstrated to meet or exceed existing water quality requirements. The proposed land coverage amendments would add additional impetus to expand publicly owned and operated areawide stormwater treatment systems, or better maintain onsite treatment systems through requirements for public maintenance.

While the proposed amendments would allow increased land coverage limits on a parcel-by-parcel basis, they would not allow increased land coverage totals on a region-wide basis. Thus, new land coverage added to accommodate new 946 units of 100 percent deed-restricted affordable, moderate, or achievable housing is coverage that may have been added anyway to build the remaining bonus unit inventory, spread out on additional parcels where multi-family housing is permitted. Similar to existing regulations, projects that create new land coverage under the proposed amendments must demonstrate that all stormwater runoff from this coverage is collected and treated to meet TRPA standards. Additionally, this amendment includes a provision requiring that the project participate in a stormwater collection and treatment system (consistent with TRPA treatment requirements) owned and operated by a public entity. The system could be located offsite or onsite and could be a new system or a connection to an existing system that is adequately sized (or retrofitted) to accommodate the project’s stormwater collection and treatment. This requirement would ensure that there would be no adverse alteration in surface water quality or change in the quantity of groundwater. Additionally, the requirement that the system be owned and operated by a public entity, or that a public entity is responsible for onsite system maintenance would be an enhanced level of maintenance over what is required today for residential housing development.

In response to concerns submitted on the 2012 RPU EIS regarding the localized water quality impacts of further concentrating development within community centers, TRPA prepared an analysis to estimate the relative changes in pollutant loading that could occur within community centers as a result of proposed policies. A stormwater modeling simulation was prepared using the Pollutant Load Reduction Model (PLRM). The simulation provided estimates of existing and future pollutant loading from areas designated as centers in the Final Draft Plan. The analysis incorporated parcel-level data on land use, existing coverage, and current BMP compliance to generate estimates of existing loading from Centers. To evaluate a worst-case scenario, the model assumed that all parcels within Centers with commercial, tourist accommodation, and residential land uses would maximize their allowable coverage as a result of policies that incentivize additional concentrated development. The model also assumed that all parcels that added coverage would comply with BMP requirements. The modeling results show that even if policies that incentivize concentrated development achieved the maximum allowable coverage in all Centers, the result would be a decrease in pollutant loading from Centers as a result of implementing required water quality regulations. Because of the relatively small increase in total land coverage associated with the proposed

amendments (e.g., up to 11.2 acres of additional land coverage in high capability town center, multi-family zoned, and bonus unit boundary lands, which equates to less than 0.3 percent of the remaining allowable high capability land coverage in the region), the PLRM analysis also supports a finding of no significant impact for increasing land coverage limits for 946 units of 100 percent deed-restricted affordable, moderate, or achievable housing developments that utilize bonus units. This finding does not support allowance for any additional coverage above the base allowable for any other type of development, which will require a separate environmental review.

TRPA Threshold Indicators:

As discussed above, no significant water quality impacts are anticipated. The proposed plan would not alter or revise regulations pertaining to water quality. Future development under the amendments is not anticipated to result in water quality impacts, or interfere with achieving load reduction targets, as all projects must demonstrate compliance with the Code of Ordinances.

Water Quality: Current and historic status of water quality standards can be found at the links above.

CEQA Questions 3.1-3.5:

For questions 3.2 and 3.3, please refer to TRPA questions 3.b and 3.g.

All other responses are identified as “no impact” but would be determined at the project level, each of which must make project-related findings to ensure that there are no impacts to hydrology/water quality.

4. Vegetation (TRPA Checklist Questions)

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

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

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Change in the diversity or distribution of species, or number of any species of plants (including trees, shrubs, grass, crops, micro flora, and aquatic plants)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Reduction of the numbers of any unique, rare, or endangered species of plants?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| f. Removal of stream bank and/or backshore vegetation, including woody vegetation such as willows? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| g. Removal of any native live, dead or dying trees 30 inches or greater in diameter at breast height (dbh) within TRPA's Conservation or Recreation land use classifications? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| h. A change in the natural functioning of an old growth ecosystem? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion

TRPA Question 4.a:

The proposal does not add development capacity but incentivizes development to be concentrated in centers and close to transit and services, and to be constructed as smaller multi-family units which would result in a reduction in impacts to vegetation region wide.

TRPA Questions 4.b-4.h:

All of these responses are “no” because specific, potential impacts would be determined at the project level. At this stage of review, project-specific impacts are not known, and the existing Code requirements, along with the measures required by the amendments, would preclude significant, unmitigated, project-level impacts to biological resources.

The proposal provides land coverage incentives on high capability land only, which by definition does not include riparian vegetation. The proposal would require that all runoff be treated and infiltrated either through on-site BMPs operated by a public entity, or through publicly managed offsite stormwater treatment systems which would return the treated water to the groundwater system. The proposed amendments do not change rules regarding access to, or use of groundwater. Thus there would not be a lowering of the groundwater table that could affect vegetation associated with critical wildlife habitat. In addition, individual projects must assess whether their project is in an area of critical wildlife habitat, and take appropriate measures to protect that habitat, or not create additional development in that location.

TRPA Threshold Indicators:

As discussed above, the proposed amendments do not alter or revise regulations pertaining to native vegetation protection during construction, vegetation removal, groundwater management, landscaping, sensitive plants, stream environment zones, or tree removal. As such, no effect on vegetation preservation indicators is anticipated.

Vegetation Preservation: Current and historic status of vegetation preservation standards can be found at the links above.

5. Wildlife (TRPA Checklist Questions)

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

- [Special Interest Species](#)

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

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

Will the proposal result in:

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

Biological Resources (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance? (CEQA IVe)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Biological Resources (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
6. 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

TRPA Questions 5.a-5.d:

All of these responses are “no” because specific, potential impacts would be determined at the project level. At this stage of review, project-specific impacts are not known, and the existing Code requirements, along with the measures required by the amendments, would preclude significant, unmitigated, project-level impacts to biological resources.

At a localized level, the proposal could result in a reduction of habitat in centers and areas zoned for multi-family housing, through development of 100 percent deed-restricted affordable housing. However, wildlife habitat within or immediately adjacent to centers is less suitable for sensitive wildlife species than habitat located outside of the urban core. The proposal does not add development capacity but incentivizes development to be concentrated in centers and close to transit and services, and to be constructed as smaller units which would result in a reduction in impacts to wildlife region wide.

TRPA Threshold Indicators:

As discussed above, the proposed amendments do not affect existing standards relating to wildlife or fisheries. No impact to threshold indicators is anticipated.

Wildlife: Current and historic status of special interest wildlife preservation standards can be found at the links above:

Fisheries: Current and historic status of aquatic/fisheries preservation standards can be found at the links above:

CEQA Questions 5.1-5.6:

All responses are identified as “no impact” but would be determined at the project level, each of which must make project-related findings to ensure that there are no impacts to biological resources.

6. Noise (TRPA Checklist Questions)

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

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

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Area Plan, Plan Area Statement, Community Plan or Master Plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

b. Exposure of people to severe noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. The placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. The placement of uses that would generate an incompatible noise level in close proximity to existing residential or tourist accommodation uses?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Exposure of existing structures to levels of ground vibration that could result in structural damage?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Noise (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Generation of excessive groundborne vibration or groundborne noise levels? (CEQA XIIIb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

TRPA Questions 6.a-6.f:

All of these responses are “no” because specific, potential impacts would be determined at the project level. At this stage of review, project-specific impacts are not known, and the existing Code requirements, along with the measures required by the amendments, would preclude significant, unmitigated, project-level impacts to noise resources.

The amendments propose to concentrate multi-family residential uses in Centers and adjacent areas with multi-family zoning where the predominant CNEL standard is 60 dBA. Based on TRPA threshold evaluation monitoring (TRPA, 2019) for mixed-use land use areas (with an assigned CNEL standard of 60) and high density residential areas (55 CNEL standard), each area meets threshold targets and therefore would not expose new residents to noise levels that exceed standards. The 2019 threshold report states that average noise levels across all monitored commercial, tourist, and high density residential areas are well within the threshold standard.

TRPA Threshold Indicators:

As discussed above, no significant noise-related impacts are anticipated.

Noise: Current and historic status of the noise standards can be found at the links above.

CEQA Questions 6.1-6.3:

All responses are identified as “no impact” but would be determined at the project level, each of which must make project-related findings to ensure that there are no impacts related to noise or vibration.

7. Light and Glare (TRPA Checklist Questions)

Will the proposal:

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

Aesthetics – Light and Glare (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (CEQA Id)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

TRPA Questions 7.a-7.d:

All of these responses are “no” because specific, potential impacts would be determined at the project level. At this stage of review, project-specific impacts are not known, and the existing Code requirements, along with the measures required by the amendments, would preclude significant, unmitigated, project-level impacts to light and glare.

CEQA Question 7.1:

All responses are identified as “no impact” but would be determined at the project level, each of which must make project-related findings to ensure that there are no impacts to views from light and glare.

8. Land Use (TRPA Checklist Questions)

Will the proposal:

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

Land Use/Planning (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Physically divide an established community? (CEQA XIa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

TRPA Questions 8.a-8.b:

All of these responses are “no” because specific, potential impacts would be determined at the project level. At this stage of review, project-specific impacts are not known, and the existing Code requirements, along with the measures required by the amendments, would preclude significant, unmitigated, project-level impacts to land use.

The proposal does not add any additional land uses or development commodities. The proposal would intentionally intensify residential uses (8.b) in areas where they are already permitted. For the reasons explained in the Project Description and Project Need, these changes are proposed in order to better incentivize development of affordable and workforce housing and realize the goals of the Regional Plan.

CEQA Questions 8.1-8.2:

All responses are identified as “no impact” but would be determined at the project level, each of which must make project-related findings to ensure that there are no impacts to land use and land use plans.

9. Natural Resources (TRPA Checklist Questions)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. A substantial increase in the rate of use of any natural resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- b. Substantial depletion of any non-renewable natural resource? ☐ ☒ ☐ ☐

Mineral Resources (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

TRPA Questions 9.a-9.b.

A

All of these responses are “no” because specific, potential impacts would be determined at the project level. At this stage of review, project-specific impacts are not known, and the existing Code requirements, along with the measures required by the amendments, would preclude significant, unmitigated, project-level impacts to natural resources.

The proposal does not create any additional growth, thus is not expected to increase the rate of use of any natural resources or non-renewable natural resources.

CEQA Questions 9.1-9.2:

All responses are identified as “no impact” but would be determined at the project level, each of which must make project-related findings to ensure that there are no impacts to mineral resources.

10. Risk of Upset (TRPA Checklist Questions)

Will the proposal:

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

Hazards & Hazardous Materials (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (CEQA IXa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (CEQA VIII f)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (CEQA IXg)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Wildfire (CEQA Checklist Questions)

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
8. Substantially impair an adopted emergency response plan or emergency evacuation plan? (CEQA XXa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

TRPA Question 10.a.

There is no additional risk of explosion or release of hazardous substances associated with encouraging development to shift to centers and areas zoned for multi-family housing close to transit and services. All projects must comply with current local and state safety standards during construction and operation.

TRPA Question 10.b.

Evacuation planning and execution is conducted at the local level, with coordination among local fire and law enforcement agencies, departments of transportation, and state fire agencies during a large-scale emergency event, such as the 2021 Caldor Fire.

As part of the 2012 RPU EIS analysis, TRPA conducted an analysis of wildfire risk and its impact on emergency evacuation, considering the amount of growth forecast for the region. This amendment does not propose additional growth, only amendments to standards intended to encourage buildout of the remaining residential bonus units for 100 percent deed-restricted affordable, moderate and achievable housing. As such, the amendments do not exacerbate previously identified wildfire risk from the buildout development of new residential housing. The amendments will not increase the overall development potential in the Region because the total quantity of residential units, tourist accommodation units, and commercial floor area (collectively referred to as TRPA development rights) is capped by TRPA's growth control system from TRPA's Regional Plan. The full buildout of the Region was studied in the 2012 EIS.

The proposed amendments are focused on town centers and areas immediately adjacent to town centers, where wildfire danger is inherently less because these areas are further from the wildland-urban interface, and there is more defensible space and pavement. New housing developments that may be facilitated by the amendments are still subject to fire marshal approval and local building standards that incorporate best practices and materials for home hardening to help prevent structure loss during a wildfire.

By concentrating higher density developments of remaining residential growth in centers and along evacuation routes such as major highways, rather than in lower density residential neighborhoods closer to the wildland-urban interface, or on residential neighborhood roads which may have limited exit routes, the proposed amendments may benefit evacuation planning. As documented in *The Relative Influence of Climate and Housing Development on Current and Projected Future Fire Patterns and Structure Loss Across Three California Landscapes* (Syphard, 2019), project density influences how likely a fire is to start or spread, and how likely it is that the development and its occupants will be in danger when a fire starts. Fire spread and structure loss is more likely to occur in low- to intermediate-density developments. This is because there are more people present to ignite a fire (as compared to undeveloped land), and the development is not concentrated enough (as compared to high-density developments) to disrupt fire spread by removing or substantially fragmenting wildland vegetation. As such, centers and other urban areas adjacent to town centers are typically less fire prone than less developed areas of the Lake Tahoe Region.

Another factor in evaluating the proposed housing amendment's wildfire risk is the adequacy of water supplies and infrastructure to address fire-fighting. This analysis considers the potential loss of water pressure during a fire, which may decrease available water supply and the potential loss of power, which may eliminate the supply. Concentrating future 100 percent deed-restricted affordable, moderate and achievable housing in centers and areas adjacent to centers may lessen the risk of low water pressure and loss of power during a fire. Centers and areas adjacent to town centers are typically less fire prone than other areas of the Lake Tahoe Region because more of the power lines are underground and there is greater redundancy for water storage and supply. As noted in *Building to Coexist with Fire: Community Risk Reduction Measures for New Development in California* (Moritz, et al., 2020) the level of analysis needed for the Phase 2 amendments is relative to the potential impacts and risks, a higher density infill project within an already developed area would not require the same level of analysis as a new lower-density development within the wildland-urban interface and surrounded largely by open space.

Further, a goal of the current proposal seeks to shift more of the future housing stock to occupancy by local residents, rather than part-time second homeowners or tourists (e.g., vacation home rentals). Because of the lack

of available housing and high rates of work force commuting into the basin, a similar number of people are likely to be in the basin during a potential emergency event, still requiring evacuation. Housing more of the work force within the basin, and thereby having fewer commuters in the basin during an emergency event may help to reduce congestion on roadways during emergency evacuation.

Since reducing reliance on the private automobile and reducing the cost of housing by encouraging smaller units with less parking is a goal of these amendments, there may be greater need to evacuate residents who do not own a private vehicle. Multi-family residential developments require fire marshal approval in the permitting process; during this review, possible households without cars are identified by local jurisdiction planning staff, law enforcement, and emergency response officials. These entities coordinate to develop pre-attack plans that specifically address higher density housing, households without cars, or households with mobility challenges. As a result of the Caldor and Mosquito fires, law enforcement and emergency response officials now coordinate with transit authorities and school districts to provide critical resources, particularly buses and other forms of public transit, to these vulnerable households during an evacuation event. Approximately 4 percent, or 1,043 households[1], in the Tahoe region are zero-vehicle households. The percentage of zero car households is expected to rise with the Phase 2 amendments. Specific projects that deviate from existing parking minimums under the proposed amendment may not necessarily increase the number of households without a private vehicle, as project applicants must demonstrate that the parking demand generated by their project, measured through a parking study, is met by providing parking spaces and/or through parking management strategies. Thus, some of the households in these projects may still own private vehicles. Conservatively assuming 20% of the 946 remaining bonus units are built with no parking spaces, this could result in approximately 189 additional zero car households. Spread across the five jurisdictions this would result in the addition of less than 40 new zero car households per jurisdiction. Project-specific review would evaluate capacity and consistency with local evacuation plans, and this would result in a less than significant impact on emergency response plans and emergency evacuation plans.

Several California state laws, including SB-99, require cities and counties to (1) identify residential areas without adequate exit routes for evacuation and (2) include mitigation measures in their general plans to overcome those issues. Another state law is AB 747, which requires local governments to plan evacuation route capacity needs under a range of emergency scenarios.

In summary, the proposed amendments do not conflict with local jurisdictions' ability to prepare or implement emergency evacuation plans and therefore, would result in no impact.

CEQA Questions 10.1-10.5:

There is no additional risk of explosion or release of hazardous substances associated with encouraging development to shift to centers and areas zoned for multi-family housing close to transit and services. All projects must comply with current local and state safety standards during construction and operation.

CEQA Question 10.6 and 10.8:

Please refer TRPA question 10.b.

CEQA Questions 10.7 and 10.9-10.11:

All responses are identified as "no impact" but would be determined at the project level, each of which must make project-related findings to ensure that there are no impacts related to wildfire risk.

11. Population (TRPA Checklist Questions)

Will the proposal:

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

Population (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

TRPA Question 11.a:

The proposal will not increase the number of housing units planned for the region under the growth management system, as only 946 remaining residential bonus units are available for the proposed incentives. In the recent past, the Tahoe Region population exceeded 60,000 people, approximately 10,000 more than present. Since much of that previous population has been lost, any growth in population provided by construction of bonus units would allow the growth rate of the human population residing in the region to more closely align with the growth rate/population projections envisioned in the Regional Plan (60,365 as reported in 2012 RPU Draft EIS, page 3.12-9; and 58,041 as reported in the 2020 Regional Transportation Plan, page 249), which includes a goal of providing sufficient local workforce housing to meet the needs of the Region. The Regional Plan also includes the State of California Regional Housing Needs Assessment (RHNA) requirements for affordable, moderate, and above-moderate-income housing. The proposed amendments would incentivize construction of the deed-restricted housing units planned for with the Bonus Unit Incentive Pool (currently approximately 946 remaining bonus units), thus more quickly achieving the RHNA goals and the larger housing need identified in several other regional housing needs assessments [e.g., Tahoe Living Working Group Housing Need, August 19, 2020 accessed at <https://www.trpa.gov/wp-content/uploads/documents/archive/2/Housing-Need.pdf>]. The proposed amendments will shift densities to town center and multi-family zoned areas close to transit and services to help achieve Regional Plan goals of reduced VMT and walkable, bikeable centers. However, the changes in density will not result in increases to population growth rates anticipated in the 2012 RPU, thus they will not result in adverse impacts to the growth rate.

TRPA Question 11.b:

The proposal is not anticipated to result in temporary or permanent displacement of residents, rather the proposal will incentivize development of additional affordable housing opportunities for local residents. While an individual redevelopment project may temporarily displace residents during construction, those temporary impacts would be addressed through the specific project application.

CEQA Question 11.1:

12. Housing (TRPA Checklist Questions)

Will the proposal:

- a. Affect existing housing, or create a demand for additional housing?

To determine if the proposal will affect existing housing or create a demand for additional housing, please answer the following questions:

- | | Yes | No | No, with mitigation | Data insufficient |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 1. Will the proposal decrease the amount of housing in the Tahoe Region? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Will the proposal decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Housing (CEQA Checklist Questions)

- | | Potentially Significant | LTS with Mitigation | LTS Impact | No Impact |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (CEQA XIVb) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

TRPA Question 12.a:

The proposed amendments are intended to increase the amount of 100 percent deed-restricted affordable, moderate and achievable housing in the region, including housing affordable to lower and very-low-income households. By making multi-family and accessory dwelling unit housing types more affordable to build, housing projects will become more competitive for state and federal grants. Projects that receive government grant funding, such as the recently approved Sugar Pine Village, are more likely to provide affordable housing for the lower income levels. Use of the remaining 946 residential bonus units to supply local residents with 100 percent deed-restricted affordable, moderate, and achievable housing units is anticipated to relieve pressure on the extremely limited rental market, allowing households to move into appropriately sized and priced units, and opening up more supply at lower rates.

It is possible that proposed density, height and land coverage amendments available for 100 percent deed-restricted housing units, including achievable, could encourage future developers to demolish existing housing units being rented at affordable (low and very low income levels) or moderate rental rates and replace them with 100 percent deed-restricted housing units that would be rented to households working locally with higher incomes, but that still qualify for deed-restricted “achievable” housing. TRPA created the “achievable” income category in 2018 based on input from the Tahoe Living Working Group and other housing partners. This category of deed restriction serves households within the local workforce that make too much money to qualify for traditional housing subsidies, but too little to afford the median priced home, which surpassed \$900,000 in 2021. Often referred to as the “missing middle,” these households include healthcare workers, firefighters, and teachers, and are the backbone of many communities. To qualify for an “achievable” unit, a household must either meet the “affordable” or “moderate” income requirements or have at least one household member who works a minimum of 30 hours a week for an employer with a business license or tax address in the Tahoe-Truckee region. The amendments will update the achievable definition to require the employee’s

physical presence in order to complete the tasks or furnish the service for the employer within the Tahoe region or Tahoe-Truckee Unified School District for an average of at least 30 hours per week on an annual basis, or seasonal basis for seasonal work.

TRPA has been listening to concerns that the requirements for “achievable” units could allow high-income earners to take advantage of bonus units not intended for them. There are several aspects that reduce that likelihood:

- A home with an “achievable” deed-restriction must be used as the occupant’s primary residence.
- Homes with deed-restrictions cannot garner the same increases in value over time that a non deed-restricted home can, and the pool of buyers is much more limited. And because the pool of buyers or renters is smaller and restricted to households that qualify based on their income or employment location, TRPA does not anticipate a large demand for these homes from anyone who can afford to purchase a non-deed restricted home. Nevertheless, TRPA is continuing to adaptively manage deed restrictions and will consider whether there are additional, reasonable restrictions that can be added to the achievable definition in the future. Any changes to deed restrictions must be approved by the TRPA Governing Board.

Finally, in the case of future multi-family residential projects, the project would be required to complete an Initial Environmental Checklist (IEC) to analyze whether the proposed demolition of existing housing would decrease the amount of housing historically or currently being rented at rates affordable to low and very-low income households. If a future project is found to reduce existing affordable housing supply, mitigation would be required to avoid a net loss of units affordable to low or very-low income households.

CEQA Question 12.1:

Please refer TRPA question 12.a.

13. Transportation / Circulation (TRPA Checklist Questions)

Will the proposal result in:

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

Transportation (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? (CEQA XVIIa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) VMT Threshold – Land Use Projects? (CEQA XVIIb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (CEQA XVIIc)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Result in inadequate emergency access? (CEQA XVIIId)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

TRPA Question 13.a:

The proposed amendments to increase height, coverage and density allowances for residential or mixed-use projects with 100 percent deed-restricted affordable, moderate or achievable housing units would only benefit projects receiving residential bonus units from TRPA. Since no new units are being added to the overall growth limits of the region, the VMT impact of the approximately 946 bonus units has already been analyzed as part of the 2012 RPU and 2020 RTP analysis, and the proposal will only further incentivize these housing units to be located in areas that generate less VMT per capita (centers and zones that permit multi-family housing) as encouraged by the 2012 Regional Plan and subsequent amendments.

As part of the analysis in the 2012 Regional Plan Update, the 2020 Regional Transportation Plan analysis, and the 2021 Phase 1 Housing Amendments analysis, bonus units were already assumed to be located within the Bonus Unit Boundary. In the 2012 RPU analysis and 2020 RTP analysis, the Bonus Unit Boundary included all centers except for Meyers, plus a ½ mile distance from existing transit. In the 2021 Phase 1 Housing Amendments analysis, similar to previous analyses, the Bonus Unit Boundary included the ½-mile buffer from existing transit, but also added a ½-mile buffer from centers, and all areas zoned multi-family at the time of the amendment. The proposal to increase height and coverage and remove maximum density limits for multi-family residential units in centers and to increase density to allow a minimum of three residential units per parcel in multi-family zones could result in bonus units being located more densely in centers and multi-family zones. However, this assumption would not cause the VMT threshold to be exceeded as both of these areas are within the bonus unit boundary and were already found to not have an adverse impact in the previous analyses referenced above.

TRPA Question 13.b:

The proposed amendments will not result in a demand for new parking beyond what was assumed under the 2012 RPU, 2020 RTP and 2021 Phase 1 Housing analyses. The proposal does not add additional units under the region's growth management system. Similar to the response for question 13.a, it is assumed that new 100 percent deed-restricted affordable, moderate or achievable homes that utilize bonus units (up to approximately 946 bonus units) would be located more densely in centers or multi-family zones because of the proposed amendments then was previously anticipated within the slightly broader bonus unit boundary. To further incentivize use of the remaining bonus units, the amendments include a proposal to exempt 100 percent deed-restricted affordable, moderate, or achievable housing developments from minimum parking requirements within centers. Outside of centers but within areas zoned for multi-family housing, the proposal would reduce minimum parking requirements to .75 spaces per unit, on average. In order to deviate from existing local parking requirements, the project applicant must demonstrate their ability to meet the demand generated by the new development by constructing new parking

and/or implementing parking management strategies. ADUs within the bonus unit boundary would be subject to applicable local parking requirements that exist today. Therefore, this condition will ensure that adequate localized parking is available in centers and multi-family zones without spillover impacts on neighborhoods.

The change in overall demand for parking would be minimal compared to previous analyses. Under the 2012 RPU, the 2020 RTP, and 2021 Phase 1 Housing analyses, all remaining residential units of development potential except for bonus units were assumed to be randomly distributed to buildable residential parcels throughout the region. At present, existing minimum parking requirements vary by jurisdiction for units that are 1-bedroom or less, but each local jurisdiction requires all units with two or more bedrooms to have at least two parking spaces. By incentivizing more units to be 100 percent deed-restricted as affordable, moderate, or achievable and located in proximity to transit, with higher parcel-level densities, future units will be more likely to include studios and 1-bedroom options, as documented in the Cascadia Partners Zoning and Affordability Analysis for TRPA, April 21, 2023. Studies have shown that demand for parking is reduced when people live close to transit, and that there is a positive correlation between home size and number of vehicles per household (Yes in My Backyard: Mobilizing the Market for Secondary Units, 2011; ADUs in Portland, Oregon ISS Survey Report, 2018). Furthermore, a study from Los Angeles found that the market was more effective at responding to parking demand in centers than government mandated parking minimums which were on average too high (Manville, 2014). Additionally, centers offer more opportunity to provide shared parking agreements and other parking management strategies to better utilize existing parking resources. Thus, increasing the number of 100 percent deed-restricted affordable, moderate or achievable housing developments that are close to transit and other multi-modal options will reduce the overall demand for parking and support a parking supply model, and resulting land use, that is more reflective of real parking demand in multi-use centers. Therefore, the impact is considered less than significant.

TRPA Question 13.c:

The proposed amendments incentivize residential development within centers and multi-family zones, closer to employment and service centers, with better connections to transit, sidewalks, and bicycle trails. The most likely change resulting from the proposal is that 100 percent deed-restricted affordable, moderate or achievable housing units utilizing bonus units will be located more densely in centers and multi-family zones, where services and employment are more concentrated, rather than distributed throughout the larger bonus unit boundary. This should reduce the number of vehicle trips and reduce or have no difference in impact to the highway system than what was analyzed in the 2012 RPU, 2020 RTP, and 2021 Phase 1 Housing ADU analysis. While an individual project could have a location-specific impact if a very large number of housing units are located, for instance, at the corner of a busy roadway intersection, certain factors would limit the impact overall on the highway system. For instance, the higher the number of units on a parcel, the smaller the units must become (Cascadia Partners Zoning and Affordability Analysis for TRPA, April 21, 2023), and smaller unit size is associated with fewer vehicles per household [Yes in My Backyard: Mobilizing the Market for Secondary Units, 2011; ADUs in Portland, Oregon ISS Survey Report, 2018]. Thus, it is anticipated that 100 percent deed-restricted affordable, moderate, or achievable households would generate fewer vehicle trips, lessening the impact overall on the highway and transportation system. Further, because of the design of nearly all communities in the basin, with neighborhoods that feed onto one or two main arterials, nearly all new vehicle trips will pass through centers. Whether those trips originate in centers or originate in outlying neighborhoods, the effect on traffic in centers will be the same. Thus, incentivizing more 100 percent deed-restricted housing development with lower vehicle requirements and within or near to centers would reduce trips and trip length and reduce the impact on the region's highway system.

By increasing densities in the lower-VMT areas of centers and multi-family zones, the proposed amendments will have a beneficial effect on existing transit systems. More people will be living within walking distance to transit, increasing ridership and making better use of available capacity and public investment in the transit system. Likewise, bike trails and pedestrian paths in centers are part of the transportation infrastructure with capacity to accommodate trips that may shift from vehicles to biking and walking. This will have a beneficial impact, making better use of public infrastructure.

TRPA Question 13.d:

Please refer to TRPA question 13.c.

TRPA Question 13.e:

The proposal will not result in any alterations to waterborne, rail or air traffic. However future waterborne transit access is focused in centers where there would be a denser population of potential users.

TRPA Question 13.f:

While the proposed amendments to incentivize housing for the permanent population/workforce could lead to an increase in vehicle traffic during off-peak times, it is not anticipated to be greater than traffic levels during peak times and would likely be significantly less due to new housing being in close proximity to services, transit and employment opportunities. The proposal is anticipated to reduce trip length and shift the proportion of trips made by motor vehicle so that a greater proportion are made by transit, biking, and walking. While an increase in biking and walking trips could lead to increased conflicts between these users on bicycle trails and sidewalks, these user conflicts are not considered as hazardous as conflicts between vehicles and bicyclists or pedestrians. The 2020 RTP includes pedestrian and bicycle improvements that address this potential increase in conflicts with vehicles and are intended to mitigate them. Thus, no significant increase in traffic hazards to motor vehicles, bicyclists, or pedestrians is expected as a result of the proposed amendments.

CEQA Question 13.1:

Please refer TRPA question 13.f.

CEQA Question 13.2:

Please refer TRPA question 13.a.

CEQA Question 13.3:

Please refer TRPA question 13.f.

CEQA Question 13.4:

Please refer TRPA question 10.b.

14. Public Services (TRPA Checklist Questions)

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

	Yes	No	No, with mitigation	Data insufficient
a. Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Parks or other recreational facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| e. Maintenance of public facilities, including roads? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Other governmental services? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Public Services (CEQA Checklist Questions)

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: (CEQA XVa)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Police protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Parks?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Other public facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

TRPA Question 14.a:

Fire protection. There is no increase in the overall number of units that will be built, as there is no change to the growth management system. However, with the amendments, more housing units may be built within or nearby to centers and existing fire protection services, resulting in a beneficial impact. See Section 10, Risk of Upset for discussion of evacuation.

TRPA Question 14.b:

Police protection. There is no increase in the overall number of units that will be built, as there is no change to the growth management system, thus there is not expected to be a change in the need for police protection.

TRPA Question 14.c:

Schools. The proposed amendments encourage housing that will help bring the permanent population back to previous Tahoe region levels. Thus, school enrollments may increase. This could be considered a beneficial impact; however it is not considered to be a significant impact because school enrollment has fallen in the past and there is capacity in the Districts. For example, the Lake Tahoe Unified School District enrollment has been declining since the 2015/16 school year, and projections show continued declines through the next six years (Lake Tahoe Unified School District 2022 Facilities Master Plan [9.8.22 Revision]).

TRPA Question 14.d:

Parks or other recreation facilities. The proposed amendments encourage 100 percent deed-restricted affordable, moderate and achievable housing (e.g., workforce housing) that will help increase the permanent regional population toward previous levels, shifting expected population from seasonal workers, and commuters who travel into the Basin to more evenly distributed permanent population over time. While there is no increase in the overall number of housing units that will be built, there could be an increase in the use of existing parks and recreation

facilities due to greater full-time population levels. However, because of the historical population levels that exceed current population figures, the increase in recreational facility use by full time residents does not result in a significant impact.

TRPA Question 14.e:

Maintenance of public facilities, including roads. There is no expected impact on maintenance of public facilities, including roads.

TRPA Question 14.f:

Other governmental services. There is no expected impact on other governmental services.

Although the amendments do not add development potential over what was analyzed in the 2012 RPU EIS, adoption of the proposed amendments may encourage higher residential development densities that could increase localized demand for fire protection, law enforcement, parks and school services. However, as with other project development anticipated in the 2012 RPU, environmental review of any necessary public service projects (e.g., City of South Lake Tahoe Recreation Center) would be required to ensure that impacts are identified and mitigated. Thus, this impact would be less than significant.

CEQA Question 14.1:

Please refer TRPA question 14.a.

CEQA Question 14.2:

Please refer TRPA question 14.b.

CEQA Question 14.3:

Please refer TRPA question 14.c.

CEQA Question 14.4:

Please refer TRPA question 14.d.

CEQA Question 14.5:

Please refer TRPA questions 14.e and 14.f.

15. Energy (TRPA Checklist Questions)

Will the proposal result in:

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

Energy (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (CEQA VIa)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (CEQA VIb)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

TRPA Questions 15.a and 15.b:

As reported in the 2012 EIS, the utility companies project that, based on their forecasting and recent growth trends in the Region, their existing capacity will substantially exceed the future demand that could be generated by the RPU at build-out (Anderson, Matthews, and Walden, pers. comms. 2012). The proposed amendments would not encourage residential housing that exceeds the building types and sizes anticipated in the 2012 EIS. This impact would be less than significant.

There is no change to the overall number of units proposed, as there are no changes to the growth management system. While individual household residents use different amounts of energy depending on how they are using the home, and permanent residents may use more energy overall, for the most part these are households which are already living in another location nearby, such as the Carson Valley, and would be using similar amounts of energy in their current location. In addition, 100 percent deed-restricted affordable, moderate or achievable housing units that will be incentivized under the amendments are likely to use the same amount or less energy than multi-family residential units modeled for buildout of the 2012 RPU. Thus, the proposed amendments will not result in the use of substantial amounts of energy or require the development of new sources of energy.

CEQA Question 15.1:

Please refer TRPA questions 15.a and 15.b.

CEQA Question 15.2:

TRPA Regional Plan Land Use Element AQ-1.5 encourages the construction of energy efficient buildings, replacement of energy inefficient buildings, and improvements to the efficiency of existing buildings. Transportation Element Goal 1 is to "Protect and enhance the environment, promote energy conservation, and reduce greenhouse gas emissions." Furthermore, Policy 1.6 states, "Require new and encourage existing major commercial interests providing gaming, recreational activities, excursion services, condominiums, timeshares, hotels, and motels to participate in transportation demand programs and projects." The Conservation Element Goal E-1 is "Promote energy conservation programs and development of alternative energy sources to lessen dependence on scarce and high-cost energy supplies."

Housing development using the proposed amendments has the potential to improve energy efficiency through increased residential density and utilization of new, energy efficient materials, fixtures, and designs. Therefore, development of 100 percent deed-restricted affordable, moderate or achievable housing would not obstruct plans for renewable energy or energy efficiency. Development of the bonus unit housing would still be required to comply with federal and state regulations, TRPA Code and General Plan policies, during project specific review, and therefore, would not obstruct energy efficiency goals.

16. Utilities (TRPA Checklist Questions)

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

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

Utilities/Service Systems (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Have sufficient water supplies available to serve the and reasonably foreseeable future development during normal, dry, and multiple dry years? (CEQA XIXb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (CEQA XIXe)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

TRPA Questions 16.a-16.f:

Adoption of the proposed amendments may encourage new residential development densities that could increase localized demand for power, water, sewage and solid waste that, in turn, could require new or improved facilities. However, as with other project development anticipated under buildout of the 2012 RPU, environmental review of

any necessary public utility projects (e.g., Liberty Utility 625/650 Line Upgrade Project) would be required to ensure that impacts are identified and mitigated. Thus, this impact would be less than significant.

The proposed amendments do not include any change to the overall number of units proposed, as there are no changes to the growth management system. While individual households may use different amounts of public utilities depending on how they are using the home, any changes are anticipated to be small relative to the overall capacity available. Thus, the proposed amendments will not result in the need for new systems, or substantial alterations to utility providers.

CEQA Questions 16.1-16.5:

Please refer TRPA questions 16.a-16.f above.

17. Human Health (TRPA Checklist Questions)

Will the proposal result in:

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

Discussion

TRPA Questions 17.a and 17.b:

The proposed amendments will not create health hazards. Individual projects must complete project-level analysis and mitigate for any temporary health hazards related to construction or storage of construction related materials.

18. Scenic Resources/Community Design (TRPA Checklist Questions)

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

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

Will the proposal:

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

- e. Be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines? ☐ ☒ ☐ ☐

Aesthetics (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Have a substantial adverse effect on a scenic vista? (CEQA Ia)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a state scenic highway? (CEQA Ib)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Substantially degrade the existing visual character or quality of the site and its surroundings? (CEQA Ic)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

TRPA Questions 18.a and 18.b:

All of these responses are “no” because specific, potential impacts would be determined at the project level. At this stage of review, project-specific impacts are not known, and the existing Code requirements, along with the measures required by the amendments, would preclude significant, unmitigated, project-level impacts to scenic resources.

TRPA Questions 18.c and 18.d:

Additional height proposed for deed-restricted affordable, moderate or achievable housing has the potential to block or modify existing views and result in potentially significant impacts to scenic resources as viewed from federal/state highways, Lake Tahoe, public recreation areas, and shared-use trails. Height in excess of 26 feet is considered “additional height” and is allowed only if specific findings can be made. Increased height is currently allowed for many land use types and in many locations, subject to a variety of approval requirements. Existing opportunities for additional building height include:

- Up to 75 feet in Special Height Districts;
- Up to 95 feet in the City of South Lake Tahoe Redevelopment Area;
- Up to 56 feet for Area Plan Town Centers and certain recreation and public service buildings;
- Up to 48 feet for affordable housing projects within the Kings Beach Commercial subdistrict (formerly the Kings Beach Commercial Community Plan);
- Up to 48 feet for tourist accommodation uses within adopted Community Plan areas; and
- Up to 46 feet for a variety of environmentally beneficial design features.

Many of the redevelopment projects that have resulted in scenic improvement have utilized allowances for additional height, demonstrating that increased height and scenic improvement can occur simultaneously. Representative projects are described in 2012 RPU EIS Chapter 4, Cumulative Impacts, and in the Draft 2011 Threshold Evaluation (TRPA 2012a).

The current proposal to allow greater height for 100 percent deed-restricted affordable, moderate or achievable housing that utilize bonus units would expand existing 2012 RPU height allowances for affordable housing buildings (now capped at 56 feet) to 65 feet (with no cap on the number of building stories) in town centers, an additional 11’ of height, beyond what is allowed in Table 37.4.1 in the TRPA Code of Ordinances, for parcels that are adjacent and

contiguous to centers, and to 36 to 42 feet for multi-family zones outside of centers (now 24 to 42 feet subject to Code Section 37.4). Changes to maximum height limits (up to 56 feet) for centers was previously analyzed as part of the 2012 RPU EIS. The visual impact of such buildings would depend on several factors, including the building design, viewer location, setbacks from the roadway, view backdrop, and the landscape setting (including surrounding forest trees and other buildings).

These height amendments could increase the number of taller buildings in and adjacent to the centers, thereby increasing the overall visible mass, height, and scale of the built environment, despite the corresponding opportunities for improved building design in the case of site redevelopment. If a taller and more massive building is located between important viewer locations and the Lake, it could interfere with Lake views. Important viewer locations include TRPA roadway travel routes, public recreation areas and bike trails. If such a building is located near a designated scenic resource, the scenic quality of the designated resource could be adversely affected. Designated scenic resources are listed in the inventory maintained by TRPA and include specific views and certain physical features of the landscape.

Because the forest tree canopy is approximately 100 feet high throughout the Basin, including centers, it is unlikely that future buildings in the relatively flat centers would extend above the forest canopy where present. Taller buildings would have the potential to interrupt ridgeline views where such views exist, depending on the size of the building and its relationship to the ridgeline and the viewer; however, application of existing TRPA and local Area Plan standards for setbacks, building design, and site design would minimize ridgeline view impacts. Although aesthetically sensitive redevelopment design would create the opportunity for scenic benefits, permitting heights up to 65 feet for buildings in centers, up to 47 – 53 feet (depending on parcel slope) on parcels adjacent and contiguous to centers, and up to 36 to 42 feet (depending on parcel slope) in multi-family zones outside of centers could also result in new housing development that is incompatible with the natural, scenic, and recreational values of the Region. Despite existing scenic quality ordinances, building and site design standards, and new approval requirements for increased building height that require more stringent height limitations and/or other supplemental design standards, the impact of increased height for 100 percent deed-restricted affordable, moderate, or achievable housing would be potentially significant.

To protect scenic resources, earning the additional height proposed for 100 percent deed-restricted affordable, moderate, or achievable housing projects in centers and multi-family zones would require TRPA to make scenic resources findings similar to those currently required for additional height in the Kings Beach Commercial Community Plan (now the Placer County Tahoe Basin Area Plan). The following new or amended Code sections are included in the proposed amendment package to ensure that scenic resources are not adversely affected.

- New Code Section [13.5.3.I Height and Density Standards for Affordable, Moderate, and Achievable Housing in Centers Effective in Area Plans:](#)
 - [A. The maximum height specified in table 13.5.3-1 may be increased for residential or mixed-use developments with a residential component that is 100% deed-restricted affordable, moderate, or achievable housing as described in subsection 36.13. The maximum height shall be no greater than 65', provided the additional height is stepped back one foot for each additional foot of height, additional ground level shade is not created at the winter solstice, and TRPA makes findings 1, 2, 3, 8, and 14, as set forth in Section 37.7. The project shall incorporate community design features such as pitched roofs, articulated facades, articulated roof planes, and the use of earth tone colors consistent with the Design Review Guidelines.](#)
- Amend Code Section 37.5.5 Additional Building Height for Affordable, [Moderate, or Achievable](#) Housing Projects:

- A. Residential and mixed-use projects that are 100% deed-restricted to affordable, moderate, or achievable as described in subsection 36.13 and utilize bonus units may have additional building height, up to the maximum for the slope of the building site set forth in Table 37.4.4-1, with a roof pitch greater than or equal to 3:12, provided the applicants makes findings 1, 2, and 8 as set forth in Section 37.7; or
- B. Residential and mixed-use projects that are 100% deed-restricted to affordable, moderate, or achievable as described in subsection 36.13, utilize bonus units, and are located on a parcel that is adjacent and contiguous to a center may have an additional 11 feet above what is permissible in Table 37.4.4-1, provided the additional height is stepped back one foot for each additional foot of height, additional ground level shade is not created at the winter solstice, and TRPA makes findings 1, 2, 3, 8, and 14, as set forth in Section 37.7. The project shall incorporate community design features such as pitched roofs, articulated facades, articulated roof planes, and the use of earth tone colors consistent with the Design Review Guidelines.

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.

37.7.2 Finding 2

When outside a community plan, the additional height is consistent with the surrounding uses.

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.

37.7.8 Finding 8

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. The maximum height at the corner of two exterior walls is the difference between the point of lowest natural ground elevation along an exterior wall of the building, and point at which the corner of the same exterior wall meets the roof. This standard shall not apply to an architectural feature described as a prow.

37.7.9. Finding 9

When viewed from a TRPA scenic threshold travel route, the additional building height granted a building or structure shall not result in the net loss of views to a scenic resource identified in the 1982 Lake Tahoe Basin Scenic Resource Inventory. TRPA shall specify the method used to evaluate potential view loss.

TRPA Threshold Indicators:

As discussed above, no significant scenic impacts are anticipated with the addition of a new code section that requires TRPA to make additional height findings for 100 percent deed-restricted affordable, moderate or achievable housing projects that utilize bonus units. Continued application of existing and proposed design standards and guidelines and maintenance of scenic quality numeric ratings will ensure improvement of overall scenic quality.

Scenic Resources: Current and historic status of the scenic resource standards can be found at the links above:

CEQA Questions 18.1-18.3:

Please refer to TRPA questions 18.c and 18.d.

19. Recreation (TRPA Checklist Questions)

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

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

Will the proposal:

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

Recreation (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (CEQA XVIb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

TRPA Questions 19.a and 19.c:

The proposed amendments encourage workforce housing that will help bring the permanent population back to previous Tahoe region levels, shifting expected population from seasonal workers and commuters who travel into the Basin to more evenly distributed permanent population. There could be an increase in the use of existing parks and recreation facilities due to more full-time population, but because of the historical population levels that exceed current population figures, the anticipated population increase is not expected to be a significant impact.

TRPA Questions 19.b and 19.d:

The proposal would not create additional recreation capacity or result in a decrease or loss of public access to any lake, waterway, or public lands.

TRPA Threshold Indicators:

As discussed above, the amendments are not anticipated to result in significant recreational impacts.

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

CEQA Question 19.1:

Please refer to TRPA questions 19.a and 19.c.

CEQA Question 19.2:

Please refer to TRPA questions 19.b and 19.d.

20. Archaeological / Historical (TRPA Checklist Questions)

Will the proposal result in:

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

Tribal Cultural Resources (CEQA Checklist Questions)

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:

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. 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.i)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. 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 XVIIIa.ii)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Cultural Resources (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
3. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (CEQA Va)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (CEQA Vb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Disturb any human remains, including those interred outside of formal cemeteries? (CEQA Vc)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

TRPA Questions 20.a and 20.d:

All of these responses are “no” because specific, potential impacts would be determined at the project level. At this stage of review, project-specific impacts are not known, and the existing Code requirements, along with the measures required by the amendments, would preclude significant, unmitigated, project-level impacts to cultural and tribal cultural resources.

TRPA Questions 20.b, 20.c, and 20.e:

The proposed amendments would not change the likelihood of projects being located on properties with known cultural, historical, and/or archeological resources, tribal cultural resources or properties associated with any historically significant events, sites, or persons. Nor would the proposed amendments restrict historic or pre-historic religious or sacred uses.

Please refer to TRPA questions 20.b, 20.c and 20.e.

21. Agriculture and Forestry Resources (CEQA Checklist Questions)

Would the Project:

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. 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)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (CEQA IIb)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. 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)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Result in the loss of forest land or conversion of forest land to non-forest use? (CEQA IId)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. 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)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

CEQA Questions 21.1, 21.2 and 21.5

The locations where housing development may occur under the proposed amendments are partially developed and not located in an area identified as 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.

CEQA Questions 21.3, 21.4 and 21.5

Public Resources Code section 12220(g) defines forest land as, "land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits." Since the locations where housing development may occur under the proposed amendments are already partially developed and located in Centers, areas zoned for multi-family housing and the bonus unit boundary, such canopy coverage does not typically exist. The amendments conflict with no zoning of and cause no rezoning of forest land, timberland or timberland zoned Timberland Production.

22. Cumulative/Synergistic Impacts

The Regional Plan, Code of Ordinances and adopted local jurisdiction Area Plans are a collection of both short- and long-term goals, policies, and measures designed to guide development 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 local jurisdiction and TRPA goals, policies, measures, and thresholds.

The proposed amendments do not include changes to regional growth restrictions that would be cumulatively considerable. The density, height, land coverage and parking amendments allow for greater flexibility in the design and financing for 100 percent deed-restricted affordable, moderate or achievable housing developments that utilize bonus units but maintains the existing land use designations for Centers and multi-family zones, thereby restricting the potential for cumulatively considerable impacts. The amendments do not propose any changes to the overall growth allowed in the Basin by the Regional Plan, nor would they cumulatively contribute to changes to the overall growth allowed when other projects or future Area Plan amendments are considered.

23. Findings of Significance

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

Discussion

TRPA Questions 23.a, 23.b and 23.d:

All of these responses are “no” because specific, potential impacts would be determined at the project level. At this stage of review, project-specific impacts are not known, and the existing Code requirements, along with the measures required by the amendments, would preclude significant, unmitigated, project-level impacts.

TRPA Question 23.c:

Please refer to Section 22 above.

DECLARATION:

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

Signature:



Alyssa Bettinger at Tahoe Regional
Planning Agency

12/5/23

Person preparing application

County

Date

Applicant Written Comments: (Attach additional sheets if necessary)

Determination:

On the basis of this evaluation:

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



Signature of Evaluator

Alyssa Bettinger, Senior Planner

Title of Evaluator

Date 12/5/23