

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

NOTICE IS HEREBY GIVEN that on **Wednesday, January 24, 2024**, commencing **no earlier than 10:30 a.m.**, on both **Zoom** and at the **Tahoe Regional Planning Agency, 128 Market Street, Stateline, NV**, the **Governing Board** of the Tahoe Regional Planning Agency will conduct its **regular business meeting**.

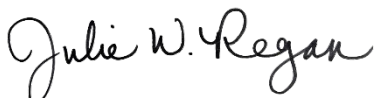
Pursuant to TRPA Rules of Procedure, 2.16 Teleconference/Video Conference Meetings and Participation, Board members may appear in person or on Zoom. Members of the public may observe the meeting and submit comments in person at the above location or on Zoom. Details will be posted on the day of the meeting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

To participate in any TRPA Governing Board or Committee meetings please go to the Calendar on the <https://www.trpa.gov/> homepage and select the link for the current meeting. Members of the public may also choose to listen to the meeting by dialing the phone number and access code posted on our website. For information on how to participate by phone, please see page 3 of this Agenda.

NOTICE IS FURTHER GIVEN that on **Wednesday, January 24, 2024**, commencing at **8:30 a.m.**, at the **Tahoe Regional Planning Agency**, and on **Zoom**, the **TRPA Operations & Governance Committee** will meet. The agenda will be as follows: **1)** Approval of Agenda (action); **2)** Approval of Minutes (action) (**Page 7**); **3)** Recommend approval of December Financials (action) (**Page 81**) (*Staff: Chris Keillor*); **4)** Discussion and possible recommendation for release of Tahoe Keys Water Quality Mitigation Fund interest (\$200,000), to match grant funds pursued and to initiate planning for the Tahoe Keys Lagoons Long Term Water Quality Improvement Project (EIP# 01.02.01.0106) (action) (**Page 103**) (*Staff: Shay Navarro*); **5)** Quarterly Treasurer's Report (**Page 163**) (*Staff: Chris Keillor*); **6)** Annual Investment Update by Principal Group Investment Advisor (*Staff: Chris Keillor*); **7)** Upcoming Topics (*Staff: Chris Keillor*); **8)** Committee Member Comments; Chair – Laine, Vice Chair – Diss, Aguilar, Gustafson, Hill, Hoenigman; **9)** Public Interest Comments

NOTICE IS FURTHER GIVEN that on **Wednesday, January 24, 2024**, commencing **no earlier than 9:30 a.m.**, at the **Tahoe Regional Planning Agency**, and on **Zoom**, the **TRPA Environmental Improvement Program Committee** will meet. The agenda will be as follows: **1)** Approval of Agenda (action); **2)** Approval of Minutes (action) (**Pages 15 & 27**); **3)** Election of Vice Chair (action) (*Staff: Julie Regan*); **4)** Discussion and possible direction to staff on the EIP Program Overview and Committee Goal Setting (action) (**Page 171**) (*Staff: Kim Caringer*); **5)** Committee Member Comments; Chair – Faustinos, Vice Chair – Open, Conrad-Saydah, Hays, Laine, Rice, Settelmeier; Williamson; **6)** Public Interest Comments

NOTICE IS FURTHER GIVEN that on **Wednesday, January 24, 2024**, commencing **no earlier than 12:45 p.m.**, (at the conclusion of the Governing Board meeting) at the **Tahoe Regional Planning Agency**, and on **Zoom**, the **TRPA Regional Planning Committee** will meet. The agenda will be as follows: **1)** Approval of Agenda (action); **2)** Approval of Minutes (action) (**Page 75**); **3)** Discussion and possible recommendation on Economic sustainability and housing amendments to Placer County's Tahoe Basin Area Plan (action) (**Page 173**) (*Staff: Jacob Stock*); **4)** Upcoming Topics (*Staff: John Hester*); **5)** Committee Member Comments; Chair Hoenigman, Vice Chair – Settelmeier, Aldean, Diss, Gustafson, Leumer; **6)** Public Interest Comments



Julie W. Regan,
Executive Director

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

TAHOE REGIONAL PLANNING AGENCY	
GOVERNING BOARD	
TRPA	January 24, 2024
128 Market Street, Stateline, NV	No earlier than 10:30 a.m.

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

Written Public Comment: Members of the public may email written public comments to 'publiccomment@trpa.gov'. We encourage you to submit written comments (email, mail, or fax) in advance of the meeting date to give our staff adequate time to organize, post, and distribute your input to the appropriate staff and representatives. Written comments received by 4 p.m. the day before a scheduled public meeting will be distributed and posted to the TRPA website before the meeting begins. TRPA does not guarantee written comments received after 4 p.m. the day before a meeting will be distributed and posted in time for the meeting. Late comments may be distributed and posted after the meeting. Please include the meeting information and agenda item in the subject line. For general comments to representatives, include "General Comment" in the subject line.

Verbal Public Comment: Public comments at the meeting should be as brief and concise as possible so that all who wish to participate may do so; testimony should not be repeated. The Chair of the Board shall have the discretion to set appropriate time allotments for individual speakers (usually 3 minutes for individuals and group representatives as well as for the total time allotted to oral public comment for a specific agenda item). No extra time for participants will be permitted by the ceding of time to others. In the interest of efficient meeting management, the Chairperson reserves the right to limit the duration of each public comment period to a total of 1 hour. Public comment will be taken for each appropriate action item at the time the agenda item is heard and a general public comment period will be provided at the end of the meeting for all other comments including agendaized informational items.

Accommodation: TRPA will make reasonable efforts to assist and accommodate physically handicapped persons that wish to participate in the meeting. Please contact Marja Ambler at (775) 589-5287 if you would like to participate in the meeting and are in need of assistance. The meeting agenda and staff reports will be posted at <https://www.trpa.gov/meeting-materials> no later than 7 days prior to the meeting date. For questions please contact TRPA admin staff at virtualmeetinghelp@trpa.gov or call (775) 588-4547.

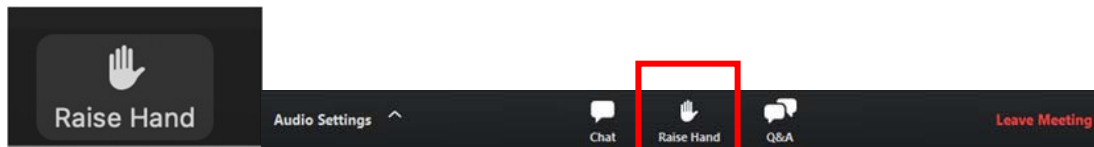
Zoom Webinar - Public Participation

To Participate Online:

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



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



To Participate on the phone:

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

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

Additional Resources from Zoom:

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

AGENDA

- I. CALL TO ORDER AND DETERMINATION OF QUORUM
- II. PLEDGE OF ALLEGIANCE
- III. APPROVAL OF AGENDA
- IV. APPROVAL OF MINUTES **Page 33**
- V. TRPA CONSENT CALENDAR (see Consent Calendar agenda below for specific items)
- VI. PUBLIC HEARINGS
 - A. Discussion and possible direction on implementation or modification of the VMT Trigger (Regional Plan Goals and Policies (DP-5; DP-5.4.B) that guide adaptive management towards Transportation and Sustainable Communities Threshold Standard 1 (TSC1)
(Staff: Dan Segan) **Action** **Page 149**
- VII. REPORTS
 - A. Executive Director Status Report **Informational Only**
 - B. General Counsel Status Report **Informational Only**
- VIII. GOVERNING BOARD MEMBER REPORTS
- IX. COMMITTEE REPORTS
 - A. Environmental Improvement Program Committee **Report**
 - B. Legal Committee **Report**
 - C. Local Government Committee **Report**
 - D. Operations & Governance Committee **Report**
 - E. Regional Planning Committee **Report**
 - F. Transportation Committee **Report**
- X. PUBLIC INTEREST COMMENTS

Any member of the public wishing to address the Governing Board on any item listed or not listed on the agenda including items on the Consent Calendar may do so at this time. TRPA encourages public comment on items on the agenda to be presented at the time those agenda items are heard.

Individuals or groups commenting on items listed on the agenda will be permitted to comment either at this time or when the matter is heard, but not both. The Governing Board is prohibited by law from taking immediate action on or discussing issues raised by the public that are not listed on this agenda.

XI. ADJOURNMENT

TRPA CONSENT CALENDAR

<u>Item</u>	<u>Action Requested</u>
1. December Financials (Staff: Chris Keillor)	Action/Approval <u>Page 81</u>
2. Release of Tahoe Keys Water Quality Mitigation Fund interest (\$200,000), to match grant funds pursued and to initiate planning for the Tahoe Keys Lagoons Long Term Water Quality Improvement Project (EIP# 01.02.01.0106) (Staff: Shay Navarro)	Action/Approval <u>Page 103</u>
3. Update of the Procurement Policy (Staff: Chris Keillor)	Action/Approval <u>Page 129</u>
4. Resolution in Recognition of National Radon Action Month (Staff: Julie Regan)	Action/Approval <u>Page 143</u>
5. Governing Board Membership Appointment (Staff: Julie Regan)	Action/Approval <u>Page 145</u>

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

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

TAHOE REGIONAL PLANNING AGENCY
OPERATIONS AND GOVERNANCE COMMITTEE

TRPA/Zoom Webinar

December 13, 2023

Meeting Minutes

CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Ms. Laine called the meeting to order at 8:33 a.m.

Members present: Ms. Diss, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine

Members absent: Mr. Aguilar

I. APPROVAL OF AGENDA

A proposal was made to swap the order of the monthly financials and the audit. The change was accepted without objection.

Agenda approved.

II. APPROVAL OF MINUTES

November 15, 2023 Operations and Governance Committee Minutes

Minutes approved.

III. Election of Chair and Vice Chair

Ms. Cindy Gustafson proposed a motion for the current chair, Ms. Brooke Laine to remain in the position and for Ms. Diss to become the vice chair. Ms. Laine and Ms. Diss accepted the nominations.

Motion carried.

IV. [Recommend approval of Fiscal Year 2023 Audited Financial Statements](#)

TRPA Finance Director, Mr. Keillor, introduced the item. He began by giving credit to the Finance Team who do the bulk of the TRPA audit work. Timing wise, the audit coincides with the annual budget. Responsibilities are divided between Mr. Keillor for the budget, and Ms. Kathy Salisbury, the TRPA Controller, on the audit. He also recognized Senior Accountant Kacey Davy and Grant Managers, Caroline Stutzman, Mirijana Gavric, and Georgina Baulkwell, for their assistance.

December 13, 2023

Mr. Keillor said that TRPA have always used outside auditors and the current firm, Davis Farr, has been the independent outside financial auditor since 2010. Mr. Keillor introduced Davis Farr managing partner to present the audit results.

Mr. Davis explained he would talk about the scope of the audit, management's responsibilities, the auditor's responsibilities, and high-level information on the audit results.

The scope of the audit has remained the same for several years:

- Financial audit of TRPA as a whole
- Single audit of federal financial expenditures
- TDA audits for El Dorado County and Placer County
- Tahoe Science Advisory Council (TSAC)
- Proposition 1B

Mr. Davis outlined Management's Responsibilities:

- Preparation of financial statements and notes
- Compliance with generally accepted accounting principles (GAAP)
- Designing a system of internal control for financial reporting
- Ensuring financial statements are free from material misstatement (fraud or error)

Mr. Davis then outlined the Auditor's Responsibilities:

- Expressing an opinion on financial statements
- Conduct the audit in accordance with auditing standards
- Plan and perform the audit to obtain reasonable assurance that financial statements are free from material misstatement
- Procedures performed based on auditor's judgment, will vary from agency to agency

Mr. Davis explained that there were two phases of the audit with the interim procedures in June 2023, and the final portion in October. Draft reports were provided in November, for feedback from TRPA, and then final reports were issued the first week of December.

Mr. Davis continued that TRPA had received a clean opinion and highlighted that TRPA's net position was up \$165,000.00 year over year from 2022-2023. He added that revenues increased by \$2.2 million, and expenses increased by \$2.3 million, but they are still in a good position.

Referring to the results of the TDA audits, Mr. Davis said the results were all good with one minor finding related to the timely submission of financial statements from El Dorado County.

For the single audit, which is the examination of federal financial expenditures, the auditors looked at \$6.6 million in federal expenditures. In the past year the two major programs tested were the Fish and Wildlife Coordination Assistance and Highway Planning and Construction. With regard to examination of the Proposition 1B and TSAC programs, there were no adjustments and no findings.

This year saw the implementation of a new accounting principle from the Government Accounting Standards Board, GASB 96, which is related to subscription-based information technology (IT) arrangements. In the past those arrangements were just expensed on the books but now GASB wants to see those capitalized as a right of asset use. Management identified and analyzed 14 IT arrangements and concluded that none met the criteria.

Mr. Davis explained that in preparing financial statements, there are a handful of estimates and judgements that management can use, three of which are significant. These three relate to the useful lives of assets, accruals for goods and services, and employee accumulated vacation and compensatory leave time. The auditors found all estimates to be reasonable.

December 13, 2023

Mr. Davis confirmed that there were no disagreements with management during the audit and concluded by saying that the auditors remain available as a resource for TRPA throughout the year.

TRPA Executive Director, Ms. Julie Regan expressed gratitude to the auditors and the TRPA finance team, and noted that this was Mr. Keillor's last audit as the Finance director. She added that there will be an upcoming announcement about a new chief financial officer and thanked Mr. Keillor for his many years of service and leadership. Ms. Gustafson added her thanks and congratulations to Mr. Keillor for his service.

Committee Comments

None.

Public Comment

None

Motion

Ms. Gustafson made a motion to recommend acceptance of the Fiscal Year 2023 Audit

Ayes: Ms. Diss, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine

Motion carried.

V. [Recommend approval of November Financials](#)

Mr. Chris Keillor, TRPA Finance Director, presented the item. He began by highlighting a longer-term threat with the California's budget cycle, explaining that California revenue projections show a \$68 million shortfall. He said that California's budget challenges include delays in tax data and a shortfall from the previous year. Mr. Keillor said that as a result the Governor's Budget will focus on continued funding for existing programs and exclude Budget Change Proposals (BCPs).

Ms. Laine asked Mr. Keillor if the requested \$100,000 anticipated for salary adjustments would be affected by this news. Mr. Keillor said he thinks it is unlikely those funds will be received, but leadership are still debating how hard to push for the funds.

Getting back to this fiscal year, Mr. Keillor said they were five months into the fiscal year with no major liens on the budget. He acknowledged that while there appeared to be no real change since November 2023, this was explained by the fact that there was only one accounts payable cycle and one the last pay period of November fell on December 1, 2023.

Mr. Keillor said they are continuing to look at planning fees which are starting to lag a little on budget, although still above the historic average. He reminded the Committee that the Governing Board recently approved some increases which should bring them back on target.

Looking to revenue and grants, Mr. Keillor said that grants were looking low due to the lag in disbursing new grant funds. This also affects contracts on the expenses side of the budget – both are expected to balance out through the course of the year.

Referring to the cash flow charts on slide 13, Mr. Keillor said these illustrate the trend where they receive the state's lump sum contribution at the beginning of the year, and then spend it down through the course of the year

December 13, 2023

Committee Comments

None.

Public Comment

None.

Motion

Ms. Gustafson made a motion to recommend the Governing Board approve the November Financials

Ayes: Ms. Diss, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine

VI. Recommend approval of update of the Procurement Policy

Mr. Keillor presented the item. He began by reminding the committee that they had discussed this item in October 2023, and staff have incorporated their feedback into the procurement policy changes being proposed today.

Mr. Keillor said the proposed structural changes are outlined in an 8-page policy document for Committee and Governing Board deliberation. There will also be a more detailed staff implementation manual for day-to-day operations. While most policies and procedures will remain the same, the changes propose to update the approval levels for micro-purchases, small procurement levels, and RFPs.

Procurement Levels

CA & NV	Current TRPA	Proposed TRPA	2 CFR Part 200	Type of Procurement
\$5,000	\$5,000	\$10,000	\$35,000	Micro Purchase. No quotes required
\$25,000	\$25,000	\$50,000	\$800,000	Small Purchase, multiple quotes required
> \$25,000	> \$25,000	> \$50,000	> \$800,000	Formal procurement (RFP)

- State's have not updated their rules to reflect current OMB guidelines
- We will propose increased levels in each category, but not as high as USG

Mr. Keillor explained that the new or revised authorization for negotiated procurements vs RFPs pertain to the following scenarios:

1. When the Agency has made a joint proposal for funding with partner entities and the distribution of work between the partners was set out in the proposal.
2. When the contemplated procurement is funded by a third party, or parties, and the Agency and funding party, or parties, agree in writing to waive the normal bidding requirements when such a waiver is reasonable and prudent.
3. When the Agency has established an ongoing strategic partnership with another Governmental Entity to handle specific areas of work that the Agency itself does not perform. The Governing Board will review and approve all such arrangements at least once every five years.
4. When supplies or service can only be obtained from one person, firm, or Agency. This

December 13, 2023

includes technical services in connection with the assembly, installation, or servicing of equipment or software of a highly technical or specialized nature. This explicitly includes websites and online services.

EIP Department Manager, Dr. Kat McIntyre, described an example scenario for Number 2 in the above list, using the USFS/TRPA Lake Tahoe Restoration Act (LTRA) Agreement. Dr. McIntyre explained that in 2022, the USFS and TRPA entered into an agreement to pass LTRA funding from USFS to TRPA. This agreement provided efficiencies for several reasons:

- USFS budgetary restraints require funding to be expended within the fiscal year (use it or lose it)
- TRPA had capacity in terms of contracting and project management to work with non-federal partners

USFS and TRPA collaboratively determined which non-federal projects should be funded for watersheds/water quality and Forest Health using the LTRA EIP priority project lists. These sub-recipients did not follow standard procurement policies since the projects had already been vetted.

Referring to the proposed change number 3 in the above list):

“When the Agency has established an ongoing strategic partnership with another Governmental Entity to handle specific areas of work that the Agency itself does not perform. The Governing Board will review and approve all such arrangements at least once every five years.”

Mr. Keillor said that based on feedback from the October 2023 committee meeting, staff are proposing that:

- Governing Board (Ops Committee) will approve these relationships
- We will review these strategic relationships with the committee every five years.
- These relationships will be managed and reviewed by staff continuously.
- May choose to go to RFP at any time

Dr. Kat. McIntyre offered an example for this scenario with the Tahoe RCD Prevention Program and Contracting. She explained that the Tahoe RCD has been a trusted strategic partner since the program’s inception (2008). Our partnership with them provides efficiencies in staff capacity that do not exist at TRPA. Furthermore, TRPA does not have the capacity to foster a new partner that will maintain the same protection. Tahoe RCD is a government entity whose mission is to protect the Lake Tahoe Basin, formed in 1974 under the California Public Resources Code.

Tahoe RCD have proven technical and institutional expertise and are considered a resource to all AIS programs throughout the West. Along with TRPA, they helped develop protocols and equipment that are the model for prevention. Dr. McIntyre added that other states have tried private enterprise, but found them to be more expensive than public employees and struggled to ensure dedication to the goals and purpose of AIS programs.

TRPA staff review the program budget on an annual basis and direct cost saving practices and opportunities to retain qualified staff. Finally, Dr. McIntyre said an RFP can be utilized in the future if necessary.

December 13, 2023

Committee Comments

Ms. Gustafson said she was comfortable with the recommendations as presented. Ms. Hill and Ms. Diss said they thought it was a great approach. In reference to the policy for informal RFP, Ms. Diss asked if there was any recommendation on how far afield they should search for smaller goods and services that might not be readily available in the region. Mr. Keillor said it is not unusual for them to have to source goods and services from further afield since we operate in a constrained contractor community. He added that, in short, they do often look outside the basin, but it often ends up being impractical and they have to go with who they can get.

Ms. Laine asked how long they anticipated it would take to test this new policy to see if it creates the expected efficiencies, and report back to the Committee. Mr. Keillor said he believed they could report back within a year.

Committee Comments

None.

Public Comment

None.

Motion

Ms. Gustafson made a motion to recommend adoption of the TRPA Procurement Policy

Ayes: Ms. Diss, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine

VII. Upcoming Topics

Mr. Keillor reminded the committee that Bruce Remington, Investment Advisor with the Principal Group will provide an annual briefing at the January meeting. He added that they will also look to finalize the Procurement Policy through Governing Board at that meeting.

VIII. Committee Member Comments

None.

IX. Public Comments

None.

X. ADJOURNMENT

Ms. Gustafson made a motion to adjourn.

Ayes: [All]

Chair Laine adjourned the meeting at 9:31 a.m.

December 13, 2023

Respectfully Submitted,



Tracy Campbell
Executive Assistant

The above meeting was recorded in its entirety. Anyone wishing to listen to the recording of the above mentioned meeting may find it at <https://www.trpa.gov/meeting-materials/>. In addition, written documents submitted at the meeting are available for review. If you require assistance locating this information, please contact the TRPA at (775) 588-4547 or virtualmeetinghelp@trpa.gov.

DRAFT

TAHOE REGIONAL PLANNING AGENCY
ENVIRONMENTAL IMPROVEMENT, TRANSPORTATION, & PUBLIC OUTREACH COMMITTEE

Zoom
TRPA

April 26, 2023

Meeting Minutes

CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Ms. Faustinos called the meeting to order at 11:30 a.m. on April 26, 2023.

Members present: Ms. Conrad-Saydah, Ms. Faustinos, Mr. Friedrich, Mr. Rice, Mr. Settelmeyer and Ms. Williamson.

Members absent: None.

I. APPROVAL OF AGENDA

Ms. Regan stated no changes to the agenda.

Chair Faustinos deemed the agenda approved as posted.

II. APPROVAL OF MINUTES

Ms. Williamson moved approval of the February, 2023 minutes as presented.

Motion carried by voice vote.

III. RECOMMEND APPROVAL OF DRAFT FISCAL YEAR 2023/24 TAHOE REGIONAL PLANNING AGENCY TRANSPORTATION PLANNING OVERALL WORK PROGRAM (OWP)

Deputy Director Kim Chevalier introduced the four items on the agenda, focusing on funding and regional transportation planning, with three items requiring action and one for information.

Michelle Glickert presented the Transportation Planning Overall Work Program (OWP) for the fiscal year 2023-24. This OWP serves as the budget and detailed work plan for the Metropolitan Planning Organization (MPO).

Judy Weber discussed the Federal Transportation Improvement Program (FTIP), which documents recently awarded funding for RTP transportation projects, and also covered the projects forward with the Regional Grant Program.

Nick Haven presented a long-term funding strategy for the RTP, aiming to fill a \$20 million annual funding gap through a collaborative partnership between federal, state, and local entities.

Michelle Glickert provided an overview of the OWP, highlighting various work elements. Work element 101 encompassed administration and program management. Work element 102

ENVIRONMENTAL IMPROVEMENT, TRANSPORTATION, & PUBLIC OUTREACH COMMITTEE

April 26, 2023

focused on transit planning support, and work element 103 covered public outreach and collaboration.

Regional and intermodal planning (work element 104) included safety planning, transit planning support, congestion management, and park-and-ride development. Work element 105 addressed regional transportation data collection and modeling efforts.

Work element 106 focused on tracking, financial management, and grant administration, including federal programming and ongoing tasks related to transportation projects. Work element 107 focused on performance-based planning, including performance management processes, transportation reports, and policy development.

Additionally, work element 108 centered on sustainable communities planning, seeking to reduce greenhouse gas emissions and vehicle miles traveled. The plan included initiatives such as an update to the Electric Vehicle Readiness Plan, regional parking management evaluations, and transportation technology advancements.

The presentation received feedback and comments, some requiring minor adjustments related to budget estimates and project design considerations. The schedule involved finalizing the OWP for submission to state and federal partners before the May 15th deadline.

Throughout the presentation, several staff members, including Kim Chevalier, Michelle Glickert, Judy Weber, and Nick Haven, presented or contributed to various aspects of the Transportation Planning Overall Work Program and related planning initiatives.

Committee Member Comments

The committee members expressed appreciation for the comprehensive overview presented by Kim and Michelle. They delved into specific aspects, such as the sustainable communities portion, transit electrification, and the need for clearer budget breakdowns aligning with programmatic objectives, particularly in public outreach. There were inquiries about staff allocations for transportation action plan implementation and the reflection of project changes, such as the South Shore Community Revitalization Project's evolution.

Public Comment

During the public comment, concerns were raised about the proposed hubs by the TTD (Tahoe Transportation District). The speaker mentioned a recent public presentation where 75 people voiced opposition to the hub proposal, particularly against locating it in Incline Village. They highlighted the TTD's purchase of the old elementary school, which has sparked worry, especially considering the potential transfer of ownership within agencies, potentially affecting the local middle school. The concern stemmed from the recent condemnation of the middle school by the Washoe County School District, despite a reported increase in the local youth population. The speaker expressed worry about the possible transfer of the elementary school property, already owned by TTD, to the middle school due to interagency relationships, urging attention to potential negative impacts on Incline Village.

The motion proposed was to request the approval of the draft fiscal year 2023-24 TRPA (Tahoe Regional Planning Agency) TMPO (Tahoe Metropolitan Planning Organization) Transportation

April 26, 2023

Planning Overall Work Program. The motion passed with unanimous approval from the committee members present.

Presentation can be found here: <https://www.TRPA.gov/wp-content/uploads/EITPO-Agenda-Item-No-4-Briefing-on-Tahoe-Transportation-District-Activities.pdf>

IV. RECOMMEND APPROVAL OF 2023 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM (FTIP) AMENDMENT NO. 1

The presentation covered Amendment One to the 2023 Federal Transportation Improvement Program (FTIP). Judy Weber, the Transportation Planner, outlined six Nevada projects within the amendment:

SR 28 Projects: These involved pavement rehabilitation, stormwater improvements, and other infrastructure enhancements. Two projects were added, focusing on shoreline preservation and a Spooner mobility hub.

Updates to Existing SR 28 Central Corridor Projects: These included updates in scope, funding, and titles for projects like San Harbor to Thunderbird Cove and Chimney Beach to Secret Harbor.

Tahoe Transportation District (TTD) Projects: Amendments were related to transit fleet and administration facilities, along with the Kale Drive Complete Street project. Weber detailed the amendment process, highlighting the public comment period, which resulted in suggestions and inquiries related to parking reservation systems, the mobility hub, specific project details, and opposition to certain projects.

The next steps involved the governing board's approval, submission to Nevada Department of Transportation (NDOT) for state approval, and ultimately, submission to the Federal Highway Administration for final approval. Weber requested adoption of the amendment and assured that any comments or questions would be addressed before submission.

The presentation aimed to gain approval for the amendment and incorporate any relevant comments or queries before the final submission.

Committee Member Comments

John Friedrich started the conversation revolved around a proposed allocation of \$2 million for a transportation facility. Some committee members express concerns about locking in the location to Douglas County and raise questions about the suitability of the location concerning ridership distribution and future electric bus needs.

There's a notable discussion on the need for electrification, citing California's mandate for zero-emission purchases starting in 2029. The absence of plans for charging infrastructure raises concerns. Committee members suggest a need for a more flexible approach, considering ongoing planning processes and emphasizing the importance of adequate facilities for maintaining buses, regardless of their fuel source.

April 26, 2023

There's debate on whether specific language referencing Douglas County is necessary due to existing congressional spending designated for Nevada. Members express concerns about potentially losing federal funding if the location specificity is altered.

The conversation highlights a tension between the need to secure funding and the desire for a more comprehensive planning process to determine the ideal location for servicing buses, especially considering future electrification goals and ridership patterns.

Public Comment

Steve Dolan, representing Friends of Third Creek and Incline Village. First, thank you for listening to a 7-year dialogue about having the Spooner area considered for parking. Coming in a little disturbing related to that is taking the parking or transferring the parking from Sand Harbor, which has been a battle since they decided to enforce no parking on the highway 28. And they moved that parking into Incline, where it has trashed our interior neighborhoods and our exterior neighborhoods regarding the transportation facility, fleet facility, as an organization to protect the lake. I can't imagine that you would want to have all of those vehicles being managed with their grime and their gas and their oil in the basin. So Douglas County sounds reasonable, and Carson City is where half of our workforce fleet comes from. They already drive over the mountain to get to Incline to work both in housing and building and any number of things. So I would say that's really the best place for this fleet hub. Just to protect the lake, if nothing else. You'd rather have everybody going there, and it's fairly close to South Shore, which really needs it. So thank you for that.

Steve Teshara representing his company Sustainable Community Advocates. I appreciate the discussion; however, I think we've gone a little far afield from what the action item is before you today, which is to amend the F-tip to allow projects that have federal funding into the Regional Transportation Plan through the federal process. So we've gotten a little bit far afield from that. Let me put the comments that Executive Director Reagan made in a slightly different context. We have this funding, the 2 million dollars for the facility potentially in Douglas County from Congressman Amodei. And we did work very closely with the Congressman on the issue, and if we start making changes to congressionally designated funds that are delivered to Tahoe, I think we undermine our work with Congress and our delegation to bring those funds to Tahoe. There is a number of other advantages to the Douglas County site which haven't been brought up this morning. I won't go into that now because I don't want to run afoul of the agenda item before you. But I encourage the committee today to unanimously adopt the program that's been presented by staff as presented. Thank you.

Andy Chapman, President CEO of Travel North Tahoe, Nevada, and the TTD Board Representative for the Tahoe North Tracking North Tahoe Transportation Management Association. It's been a great conversation regarding this. We had a very similar conversation at the TTD board as well, and it was recognized, and I heard a few comments that multiple facilities are going to be needed around this lake as we look to deal with the transportation issues and the opportunities that will be with us. This site could and would service both south shore and the Tahoe East Shore, which includes the East Shore Express facilities that the TTD operates, and the Tahoe Washoe area. I do encourage the committee to recommend this amended F-tip for full approval and appreciate the time. Thank you.

April 26, 2023

Final Committee Member Comments

The motion put forward was to approve the 2023 Federal Transportation Improvement Program Amendment Number One, as presented. There were concerns about the alignment of plans and the allocation of funds before finalizing a comprehensive plan. Members discussed whether this facility should be the singular hub or one of multiple facilities considering charging, fueling, and servicing needs for buses around the region.

Wes Rice made the motion, clarifying that it was a recommendation to the TMPO Governing board, not an immediate approval by the committee. Some members expressed concerns about committing to a specific direction before completing planning processes and felt that this approach seemed like putting the cart before the horse. However, staff recommended moving forward to secure funding, suggesting the opportunity to amend the project later to reflect the outcomes of the planning process.

Despite reservations from some members, the motion was passed with a majority vote, leading to the approval of the amendment.

Presentation can be found here: <https://www.TRPA.gov/wp-content/uploads/EITPO-Item-No-5-Vision-Zero-Strategy-Safety-Plan-Update.pdf>

V. RECOMMEND APPROVAL OF 2023 REGIONAL GRANT PROGRAM BRIEFING AND ADOPTION OF THE ACTIVE TRANSPORTATION PROGRAM METROPOLITAN PLANNING ORGANIZATION PROGRAM OF PROJECTS

Judy Weber led the presentation, focusing on the 2023 Regional Grant Program and the Active Transportation Program (ATP) project recommendations. This program handles the allocation of Federal and State funds for transportation projects through a competitive process, emphasizing regional goals.

The Regional Grant Program, initiated in 2017, has evolved to efficiently administer funds by aligning with various funding sources instead of using separate funding cycles. Over time, it has awarded \$43 million to date, showcasing its effectiveness in streamlining and optimizing project implementation.

During the 2023 call for projects, 14 applications were received, requesting \$38.7 million in funding. A thorough evaluation was conducted by a cross-department review team, assessing applications based on criteria aligned with regional transportation plan goals. Seven projects, totaling \$11.1 million, were recommended for funding, focusing on pedestrian safety, shared-use paths, roundabouts, and micro-transit infrastructure.

The presentation highlighted specific projects recommended for funding in California, including pedestrian safety improvements in various locations, shared-use paths, and micro-transit charging infrastructure. Notably, Nevada projects were pending, and their funding recommendations would be addressed later.

Following the recommendation, the next steps were outlined, including updating the transportation tracker, programming projects into the Federal Transportation Improvement Program (FTIP), and obtaining final approvals from the California

ENVIRONMENTAL IMPROVEMENT, TRANSPORTATION, & PUBLIC OUTREACH COMMITTEE

April 26, 2023

Transportation Commission. Judy mentioned that some projects, particularly those receiving ATP funds, required board resolutions and final approvals from the commission, scheduled for their June meeting.

The presentation offered a detailed overview of the selection process, highlighted the recommended projects, and delineated the subsequent steps for approval and eventual implementation, ensuring alignment with regional transportation goals.

Committee Member Comments

The committee members expressed positive sentiments about the funding's impact on the basin's improvement and commended the presentation's comprehensive view of the projects. Member Ashley Conrad-Saydah appreciated seeing the collective impact of the projects, emphasizing their contribution to a cleaner, more livable basin and enhanced mobility without cars.

TRPA Executive Director Julie Regan clarified the scope of the resolution, noting that the action was limited to the active transportation projects and not the broader project selection. She highlighted the significance of securing funds as a larger Metropolitan Planning Organization (MPO) instead of a small rural one, thanks to the efforts of the partnership and stakeholders.

Director Regan emphasized the transition from mere planning to implementation due to increased Federal funding resulting from the region's reclassification. She stressed that while this was a step forward, there's still a considerable distance to cover in terms of meeting transportation needs in the area. Regan contextualized the significance of the funding and the ongoing advocacy for transportation improvements.

Overall, the commentary acknowledged the positive strides made through the funding while acknowledging the continued need for further progress and implementation.

Public Comment

Steve Teshara commented on behalf of Sustainable Community Advocates. I'm familiar with every one of these projects and urge the committee today to take the action recommended or you're considering by staff.

The motion made was to recommend the CMCO (Central Metropolitan Coordination Organization) Governing Board's adoption of the Attachment A Resolution 2023, which approves the active transportation program for the Metropolitan Planning Organization's program of projects.

The vote resulted in Mr. Rice, Mr. Friedrich, and Miss Williamson voting yes, along with Miss Conrad Seda. The motion passed.

Presentation can be found here: <https://www.TRPA.gov/wp-content/uploads/EITPO-Item-No-5-Vision-Zero-Strategy-Safety-Plan-Update.pdf>

April 26, 2023

VI. TRANSPORTATION FUNDING UPDATE

The presentation on transportation funding update was a joint effort by Julie Regan, TRPA Executive Director, and Nick Haven, Transportation Manager. They provided a comprehensive overview of the historical context, current initiatives, challenges, and the pathway for securing funding for transportation projects in the Tahoe Basin.

Julie Regan initiated the presentation, highlighting the significance of a shared funding commitment to transportation. She underscored the origins of this commitment, tracing it back to the by-state consultation aimed at aligning both California and Nevada to prioritize transportation at state and federal levels. This process culminated in the publication of a report and evolved into the Transportation Action Plan, focusing on regionally significant projects and sustainable funding mechanisms.

The presentation further delved into the complexities and challenges associated with securing adequate transportation funding. Julie emphasized the longstanding struggle in the region to address transportation needs and highlighted the emerging momentum through the newly established partnership.

Nick Haven took over to detail the collaborative efforts among various committees and boards, showcasing the alignment achieved in defining transportation goals and identifying funding gaps beyond the Regional Transportation Plan (RTP). He highlighted the \$20 million annual funding gap and introduced the shared 7-7-7 funding approach, aimed at leveraging federal, state, and local funds.

Nick discussed the importance of tracking and demonstrating progress on new funding sources, stressing the need for sustained efforts to bridge the funding gap. He underscored the significance of the ongoing support for the partnership to attract new grant funding while exploring long-term sustainable funding sources.

Overall, the presentation focused on the region's historical struggle with transportation funding, the emerging momentum through collaborative efforts, and the strategic pathway forward to secure adequate funding for transportation projects in the Tahoe Basin. Both presenters emphasized the need for sustained commitment and highlighted the progress made toward aligning goals, solutions, and funding mechanisms for transportation initiatives.

Committee Member Comments

A committee member asked about the nature of the funding sources and whether they were for one-time projects or sustainable funds. Staff clarified that while the current funding mostly represents one-time allocations; it is new money secured for specific projects.

Another committee member requested a specific slide to be displayed for reference, discussing the alignment of goals and solutions before pursuing funding.

This member emphasized the importance of having alignment on projects before pursuing funding and asked about the benchmark or process for pursuing earmarks.

ENVIRONMENTAL IMPROVEMENT, TRANSPORTATION, & PUBLIC OUTREACH COMMITTEE

April 26, 2023

Staff reiterated the coordination process for funding requests and the need for project planning consistency. They highlighted the timing involved, noting that the lead time for these projects allows for extensive planning activities.

The committee member emphasized the need to avoid putting funding before project planning, urging that planning processes should precede the pursuit of funding to ensure alignment.

Staff provided clarification, mentioning that most of the local and private shared funding is sustainable. They highlighted the ongoing contribution from jurisdictions, almost reaching \$4 million annually for transit and transportation funding.

commended the local jurisdictions for their significant contributions, especially during times of constrained budgets, noting the importance of these contributions in operating the transit system.

These discussions underscored the importance of aligning projects with funding, avoiding premature funding commitments, and recognizing the value of sustainable funding sources provided by local jurisdictions for transportation initiatives in the region.

Public Comment

Doug Flaherty, on behalf of Tahoe clean air.org. I saw something about safety up there on your proposal. I first want to preface this, and I mean no disrespect. You guys have quite a scheme going it's taken me 6 years to figure it out. You interject your ideology projects at a low workshop committee or subcommittee level, under a process called leading small groups, you can look that up on Wikipedia. You work those up through these committees and subcommittees to make changes, socioeconomic changes, and which actually he called degradation of the Lake Tahoe environment. You do this by creating all these grant approvals before the public has really ever voted or figured out a way within the system to approve your spending, and that includes all your EIP projects, all the transportation projects without accumulative impact environmental analysis or cumulative impact environmental impact statement. The 2012 regional plan is when it comes to private scheming towards, is outdated. It's not relevant. You want a couple of court cases. You've been involved in the past, but is saying ninth circuit. Judge said. He expects the controversy to continue regarding the relevance and the actions of the TRPA. Right now. You're involved in. But things can change so I would encourage you to pause. All major projects until you do a cumulative impact environmental statement which includes a roadway by roadway, wildfire, evacuation, assessment.

Gavin Feiger commented on behalf of the League to Save Lake Tahoe. Thanks for taking this on reminder. A lot of you were on the governing board when the VMT threshold was approved, April of 2021. The League was one of the major stakeholders leading up to that approval, but the stakeholder group, I mean 30 to 35 public and members of the public and local journalists, were involved in kind of the regional transportation plan and vehicle miles travel threshold updates as they went through together for about 2 years, 2019 to 2021. At the end of it, we came up with some automatic triggers and responses to make sure that we can implement the regional

April 26, 2023

transportation plan, which is fundamentally the mitigation for the regional plan, right? So here we are, 2 years later, the deadline is coming up. We did. Everybody did agree on it. At the end of this year, you know, 20 million annually, so sustainably or forecasted sustainably, is not coming in. All development will be VMT neutral in Tahoe, which is a very high bar. The event center achieved it, or is on track to achieve it, but they could probably talk to you about how difficult it was. So we hope not to get there. It's really exciting to see the locals kicking in, and I think to Cindy's point, there. It's true that money is sustainable, a lot of it's going to micro-transit, but that shows that there are projects out there that people want and that we can get support for so it's encouraging. That said, we're really not on track to meet the goal this year, so just want to encourage everybody to use all your connections as the League and all of our partners are to try to get this money coming in this year, and then we'll continue to work with staff on what the definition of a sustainable funding source is because there are a lot of nuances to it, and kind of thought about it when we were setting up the threshold. But, you know, here we are, so really need to figure it out over these next couple of months, and then hopefully, we can reach it by the end of this year, and if not, we're on a really solid track to reach it cause as a reminder that trigger for VMT-neutral development. As soon as the funding source is coming in, that consequence goes away. So it's not like we have to wait another year, another 2 years to do a check as soon as we reach that milestone, development goes back to normal for Tahoe, what we have right now. So again, thanks for the good work and sticking with it. And let's make it happen this year, or as quick as possible.

Ann Nichols commented from Preservation Alliance. What's scary about all this is? You've all decided how this is all going to work, and there's a hundred 20 projects. And the public is going to be responsible for all the transit. But how is the public going to be responsible? How are you going to decide to get this money? Where did you get the 7 million? You say you already have. What are the benchmarks? Who is going to oversee it? Who's going to spend the money? TRPA. I don't know the 7-7-7 Plan is deeply flawed. It's vague. I mean, you know, we've written on this, and you're not doing anything, and you're not being transparent. The 120 projects all attract more people. They do not solve the transportation issues. You know, more trails, more for attractions. How is this going to help? So I really need, we need you guys to be, tell us how you are doing this, have public presentations about this 7-7 Plan. So we could tell you how badly written it is, anyway.

VII. UPCOMING TOPICS

Kim Chevalier provided an overview of the upcoming topics in Agenda Item 7. The focus was on environmental improvement projects scheduled for the upcoming summer. Key points included:

Environmental Improvement Projects Update: An update on various environmental improvement projects set for the summer was highlighted. This would include progress reports on MOU (Memorandum of Understanding) implementation from collaborating partners.

Restoration Projects and Field Visit: Emphasized the intention to engage in restoration projects and potentially organize a field visit in the future to observe and assess these projects firsthand.

Quarterly Updates on 7-7-7 Strategy: There was a commitment to continue providing regular quarterly updates on the 7-7-7 strategy.

April 26, 2023

Overall, the upcoming discussions and activities were centered around environmental projects, collaborations with partners, potential field visits, and continued reporting on the 7-7-7 strategy.

Julie Regan, the Executive Director of TRPA, expressed gratitude to the committee for the excellent discussion. She acknowledged Judy Weber, a veteran transportation planner at TRPA, who was addressing the committee for the first time. Julie highlighted Judy's extensive knowledge of the F. Tip (likely an internal system or process) and commended her for doing an exceptional job.

Julie wanted to ensure that this acknowledgment was officially recorded. She extended thanks to the staff, recognizing their tremendous efforts and the value they bring to the organization.

Committee Comments

None.

Public Comments

None.

VIII. COMMITTEE MEMBER COMMENTS

None.

IX. PUBLIC INTEREST COMMENTS

Steve Dolan of friends of Third Creek, Incline Village commented. In this discussion this Board has talked a lot about transportation funding, and I participated or spoke in opposition to bills AB 424, and ACR 5 when they were presented. I'm sorry, but I did not do that because of anything wrong with TRPA. What is wrong is that the TRPA, according to a former executive director, emeritus Marchetta, is that there's a MOU, memoranda of understanding, between the TRPA and the Lake Tahoe Basin management of the Unit (LTBMU) of the US Forest Service which prevents the TRPA from enforcing best management practices. I have here the evidence that I mentioned down at the Assembly, and a Powerpoint. If I can get your business cards I'll give it to you via email, if you're interested. I really would like to see the TRPA be able to enforce these things, because just at Incline Village and the Incline Lake Dam Removal project for the USFS, I documented for Director Marchetta unmitigated dust, no filter fences, no waddles, no ponds to hold when they divert the thing. Then they got a letter based on our information from the NDOT, protesting the siphoning and pumping of water from the creeks and the streams, and the ponds in the meadow up there that has been created by the removal of the dam. So there's a lot going on, and they are the number one violator of best management practices for the basin and TRPA doesn't have the power to go after them for that. I think there are back doors open, possibly, but that's not what you need and so I'm here to inform you that I am trying to get the TRPA the authority to manage the basin with the Federal Forest Service.

Doug Flaherty commented on behalf of TahoeCleanAir.org. Just wondering why the TRPA has not taken one of its main Government partners, which is the USFS, to task on their intentional practice of wildfire growth for forest resource purposes. The Tamarack Fire, the Caldor Fire, the

ENVIRONMENTAL IMPROVEMENT, TRANSPORTATION, & PUBLIC OUTREACH COMMITTEE

April 26, 2023

Dixie Fire, and on and on and on. For the last several years has deposited enormous amounts, of phosphorus, nitrogen, and sediment into the waters of Lake Tahoe, which are impaired under the Clean Water Act. Yet the TRPA sits silently. While our citizens, our wildlife, our air quality, our water is degraded. There are many lawsuits in play right now regarding the USFS' purposeful use of wildfire. Not a word from you guys. Amazing. Do you see the Davis State of the Lake report sites specifically 5 wildfires just in the last 2 years that has significantly degraded Lake Tahoe, and deposited phosphorus, nitrogen, carbon, carbon, and sediment in the Lake, where where's the TRPA been on this? Oh, they're one of our partners. You guys have to take note of this and enforce your own rules along with the lawn water district and put a stop to this.

X. ADJOURNMENT

Ms. Williamson moved to adjourn. The meeting was adjourned 12:50 p.m.

Respectfully Submitted,



Katherine Huston
Paralegal, TRPA

The above meeting was recorded in its entirety. Anyone wishing to listen to the recording may find it at <https://www.TRPA.gov/meeting-materials/>. In addition, written documents submitted at the meeting are available for review. If you require assistance locating this information, please contact the TRPA at (775) 588-4547 or virtualmeetinghelp@TRPA.gov.

TAHOE REGIONAL PLANNING AGENCY
FOREST HEALTH & WILDFIRE COMMITTEE

TRPA
Zoom

February 22, 2023

Meeting Minutes

CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Hicks called the meeting to order at 10:10 a.m. on February 22, 2023.

Members present: Ms. Conrad-Saydah, Mr. Bass, Mr. Rice, Ms. Williamson, Mr. Hicks, Ms. Laine.

Members absent: None.

I. APPROVAL OF AGENDA

Ms. Williamson moved to approve the agenda as presented.

Motion carried by unanimous voice vote. Chair Hicks deemed the agenda approved as posted.

II. APPROVAL OF MINUTES

Ms. Williamson made a motion to approve the November 16, 2022 Forest Health and Wildfire Committee meeting minutes as presented.

Motion carried by voice vote. Commissioner Bass abstained.

III. ELECTION OF VICE CHAIR

Ms. Williamson nominated Ms. Conrad-Saydah to be Vice Chair of the Forest Health and Wildfire Committee.

Public Comment

None.

Ms. Conrad-Saydah elected to Vice Chair by unanimous voice vote.

IV. POSSIBLE RECOMMENDATION ON LIFTING OF THE PROHIBITION ON ACCEPTING APPLICATIONS UNDER CODE SECTION 65.1.6(F) FOR AN APPLICATION FOR A SMALL ON-SITE BIOFUEL UNIT AT THE SOUTH TAHOE REFUSE SITE IN SOUTH LAKE TAHOE, CALIFORNIA

Kat McIntyre, Forest Health Program Manager at TRPA, revisited a previous informational session and proposing a formal recommendation for a biomass energy project. She outlines the

February 22, 2023

environmental vulnerability of the forest due to historical fire suppression, dense forest conditions, and the exacerbation of these issues by climate change.

This led to a historical overview of past biomass initiatives, including concerns and regulatory frameworks, followed by Megan Hartman from Wisewood Energy introducing the company and detailing the proposed project. Hartman highlights the focus on a small-scale net-metered Combined Heat and Power (CHP) gasifier technology aimed at offsetting on-site electricity and natural gas usage at Salt Tahoe Refuse (STR).

The presentation delved into an initial environmental and safety impact assessment conducted by Wisewood Energy, discussing fuel demand, transportation impacts, air quality, emissions, and visible smoke during operations. Positive projections include reduced waste hauling truck traffic and associated emissions.

Emphasizing alignment with local sustainability goals, the presenters outline the proposed project's potential as a distributed renewable energy system and its significance in achieving resilient energy. The presentation concluded by detailing the next steps involving further analysis, design refinement, and permit applications, providing a clear pathway for potential implementation of the biomass energy project.

Committee Member Comments & Questions

One member addresses Megan Hartman about the existing facilities in California counties and queries the safety track record of the Plumas facility, which has been operating since 2016 with a different technology—a boiler with an organic ranking cycle, unlike the proposed gasifier at STR. Andrew details Plumas' operations, stating no major issues, though they operate about five months a year due to a ground loop issue during winter.

The discussion then shifts to environmental compatibility and pending applications in Tuolumne and Placer counties. Megan confirms that the Tuolumne system mirrors what's proposed for STR and has passed permitting stages, while Placer's specifics aren't clear. Tuolumne seems compliant with environmental standards, as suggested by the non-significant source status.

The conversation touches on reducing NOx emissions through selective catalytic reduction and potential modeling of truck route impacts. They consider employing technology to reduce NOx by half or further depending on modeling outcomes.

Committee members, including Ms. Williamson and Ms. Laine, raise concerns about the impact on adjacent communities and the need for community engagement. While Wisewood and STR haven't engaged directly with nearby residents, they've collaborated with stakeholder groups like the League to Save Lake Tahoe and the City of South Lake Tahoe.

Further queries revolve around the facility's size relative to energy usage, costs of similar systems, and the possibility of expanding biomass use in the region to meet renewable energy goals. Andrew estimates the core equipment cost at around \$2 million, clarifying the sizing based on energy needs rather than accepting general biomass.

Ms. Conrad-Saydah emphasized the necessity of engaging directly with affected communities for their perspectives. There's recognition that the decision is about whether the agency should accept or lift the suspension for application submission, emphasizing the importance of community engagement once approval progresses. Ms. Conrad-Saydah expressed the

FOREST HEALTH & WILDFIRE COMMITTEE

February 22, 2023

importance of clarity regarding the proposal's impact on the community, especially within disadvantaged areas where similar refuse facilities traditionally sat. Emphasized the need for clear communication on the decision's implications for potential future citing decisions.

Mr. Bass echoed Ms. Laine's and Ms. Conrad-Saydah's comments, indicating the city's support for the project aligned with climate goals and defensible space needs within the basin. Emphasized the necessity of identifying alternative sites for future projects.

Mr. Rice supported lifting the ban on accepting the application, clarifying that the decision didn't mean project approval but signaled acceptance for application submission. He highlighted the need for public outreach by the city and stressed the importance of community involvement.

Chair Hicks clarified with TRPA General Counsel John Marshall that the committee's decision revolved around whether to accept the application, not approve the facility's permitting. He emphasized the committee's responsibility to ensure the safety and environmental compatibility of such facilities as per Chapter 65.1.6(F) and indicated staff's recommendation supporting the finding.

Chair Hicks stressed the public's future involvement in the approval process, highlighting numerous opportunities for public hearings and expressing opinions before any project approval. He referenced the necessity of biomass facilities post the Andora fire and emphasized the importance of a thorough review aligned with environmental standards.

Ms. Conrad-Saydah made one more point that highlighted that the current decision was solely about determining whether they could proceed with a larger proposal. She emphasized the need for additional information, particularly regarding the site and mitigation strategies. She reassured the public that moving forward would involve extensive discussions, feedback collection, and a focus on ensuring that any proposals would benefit the environment by addressing climate concerns and mitigating wildfire risks.

Public Comment

Ellie Waller reflected on past experiences with biomass proposals, citing the instance in Placer County. She stressed that public opinion wasn't against a biomass facility per se but rather centered on concerns about specific locations, such as near an elementary school and a boys club. Waller urged future applicants to consider alternative sites and emphasized the importance of local context and community outreach.

She appreciated the open dialogue and highlighted financial feasibility as a critical aspect to address when considering such proposals. Waller referred to previous financial troubles with biomass projects and raised concerns about negotiations and cost-sharing, pointing out the need for more comprehensive information moving forward.

Additionally, she acknowledged the need for specific language in the motion to clarify that the decision would lift the suspension for one application only.

Steve Teshara, representing the Tahoe Chamber and Sustainable Community Advocates, supported the action recommended by the staff. He acknowledged the information presented in the staff report and the committee's discussions, stating that it provided a basis for the

FOREST HEALTH & WILDFIRE COMMITTEE

February 22, 2023

committee to take the recommended action of allowing the application in question to be submitted to the TRPA.

Norma Santiago, representing the South Fork of the American River Collaborative and the biomass working group within the collaborative, expressed support for lifting the suspension on the permitting process. She highlighted ongoing discussions with Wisewood Energy and El Dorado County on similar projects and microgrid development. Norma emphasized technological advancements since the ban in 2012 and the need for further evaluation through the permitting process. She referenced collaborative efforts with Wisewood and the potential for future renewable energy initiatives, aligning with Ms. Laine's and Mr. Bass's earlier remarks about future opportunities in microgrid and renewable energy development.

Alan Miller, a 30-year resident in the Basin, expressed concerns about TRPA's lack of policy development regarding biomass facilities. He emphasized the need for a comprehensive plan rather than piecemeal approaches for such projects. Alan highlighted the suspension of applications as a measure to promote research and urged for substantial scientific inquiry into various technologies and alternatives before approving specific projects. He suggested the adoption of an amendment allowing exceptions for facilities based on thorough research findings and advocated for a more scientifically and technically supported planning framework, emphasizing greater public involvement in decision-making. Alan urged the committee to slow down the process, emphasizing the importance of a well-thought-out plan and public engagement in determining the placement of biomass facilities.

Nick Speal, a South Lake Tahoe resident, expressed gratitude for considering the biomass facility application and highlighted its potential to address wildfire risks and climate change. Nick advocated for a broader suspension of limitations on biomass facilities, encouraging the TRPA to allow other entities to submit applications for similar projects, emphasizing the need for comprehensive evaluation despite the initial consideration.

Doug Flaherty, representing TahoeCleanAir.org, voiced support for efforts to minimize burning in the Lake Tahoe Basin to prevent the addition of phosphorus, nitrogen, and carbon black to the lake. However, Mr. Flaherty highlighted the lack of comprehensive data in the presented proposal, expressing concern about making a decision without adequate information.

If the committee proceeds with the approval, Mr. Flaherty urged the inclusion of an Environmental Assessment (EA) for the specific project, not just an initial environmental checklist, to properly evaluate the potential impacts. He emphasized the importance of considering biomass projects individually and thoroughly assessing their environmental impacts, advocating for caution and a detailed assessment, possibly through an EA.

John Friedrich wasn't able to make a comment and Chair Hicks mentioned that he's been a vocal proponent for this project.

Ms. Conrad-Saydah made a motion to recommend the Governing Board direct the Executive Director to accept an application from South Tahoe Refuse for an on-site small biomass project

FOREST HEALTH & WILDFIRE COMMITTEE

February 22, 2023

at its collection facility.

Ayes: Mr. Rice, Ms. Conrad-Saydah, Ms. Williamson, Mr. Bass, and Ms. Laine.

Nays: None.

Motion carried.

<https://www.trpa.gov/wp-content/uploads/Forest-Health-Wildfire-Committee-Item-No.-4-Biofuel-Unit-Application.pdf>

V. COMMITTEE MEMBER COMMENTS

None.

VI. PUBLIC INTEREST COMMENTS

John Friedrich couldn't participate due to technical issues while traveling. However, he noted his willingness to engage in conversations regarding biomass for those interested. He highlighted that biomass serves as part of the climate and forest health solution, offering clean, renewable energy compared to pile burning or contributing to wildfires like Caldor Fire. He recognized the technology's advancements over the last decade and welcomed further exploration, emphasizing the positive direction it signifies, and encouraged interested members of the public to reach out for more in-depth discussions.

VII. ADJOURNMENT

Ms. Williamson moved to adjourn.

Meeting adjourned at 11:20 a.m.

Respectfully Submitted,



Katherine Huston
Paralegal

The above meeting was recorded in its entirety. Anyone wishing to listen to the recording may find it at <https://www.trpa.gov/meeting-materials/>. In addition, written documents submitted at the meeting are available for review. If you require assistance locating this information, please contact the TRPA at (775) 588-4547 or virtualmeetinghelp@trpa.gov.

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

TRPA/Zoom

December 13, 2023

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Ms. Gustafson called the meeting to order at 1:01 p.m.

Members present: Mr. Aguilar, Ms. Bagwell (for Ms. Aldean), Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Mr. Friedrich, Ms. Gustafson, Ms. Hays, Ms. Hill, Mr. Hoenigman, Ms. Laine, Ms. Leumer, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

II. PLEDGE OF ALLEGIANCE

Mr. Hoenigman led the Pledge of Allegiance

III. APPROVAL OF AGENDA

Ms. Gustafson deemed the agenda approved as posted.

IV. APPROVAL OF MINUTES

Mr. Settelmeyer moved approval of the November 15, 2023 minutes as presented.

Motion carried.

V. TRPA CONSENT CALENDAR

1. November Financials
(Staff: Chris Keillor)
2. Fiscal Year 2023 Audited Financial Statements
(Staff: Chris Keillor)
3. Resolution of Enforcement Action: Greenleaf Ventures Ca LLC; Unauthorized Disturbance to SEZ, Failure to Install and Maintain Construction BMPs, and Material Damage to Trees, 1650 Iroquois Circle, El Dorado County, CA, Assessor's Parcel Numbers 034-171-003 and 1654 Iroquois Circle, El Dorado County, CA, Assessor's Parcel Numbers 034-171-002
(Staff: Steve Sweet)
4. 2024 Regional Transportation Improvement Program (RTIP)
(Staff: Judy Weber)
5. Authorize approval of the FY 2023-2024 State of Good Repair project lists for the Tahoe project lists for the Tahoe Transportation District (TTD) and Tahoe Truckee Area Regional Transit (TART) and authorize the allocation of FY 2023-2024 Transportation Development Act

GOVERNING BOARD

December 13, 2023

funding for TTD, TART, and TRPA

(Staff: Kira Smith)

6. Allocate Fiscal Year 2023/24 California Transit and Intercity Rail Capital Program and Zero Emission Transit Capital Program Funding
(Staff: Nick Haven)
7. Annual Local Government Coordination Report and Action on Recertification of City of South Lake Tahoe's, El Dorado County's, and Placer County's Permit Delegation Memoranda of Understanding
(Staff: Brandy McMahon)

Ms. Laine said the Operations and Governance Committee recommended items one and two for approval. There was a robust presentation on the audit, and the committee is pleased to report an outstanding audit, with only a minor issue related to El Dorado County, which is considered minor (a point 5 on a scale of 1 to 10). Congratulations were extended to the Finance Department for the clean and positive audit report.

November Financials appear normal, although the payroll for November affected the expenses slightly due to its processing on December 1st. It was mentioned that the state of California is projecting a significant deficit of about \$58 billion, posing a long-term concern for the TRPA. Staff is already working on strategies to navigate these financial challenges.

Ms. Williamson said the Legal Committee recommend approval of item number three without any objections.

Ms. Gustafson said the Annual Local Government Coordination Report was not heard by any committee.

Board Comments & Questions:

None.

Public Comments:

Tim Delaney, property owner in the Tahoe Basin expressed his dissatisfaction with not being allowed to speak in previous meetings. There are more of us than all of you and the few developers that you folks represent in developing around the Tahoe Basin. There is a dirty lead cable in Lake Tahoe, and you could get the dirty cable out of Lake Tahoe before you do anything else to establish some goodwill in the Tahoe Basin and the general public. Regards to free speech, it's a tactic, all you do is talk, talk, and talk. Then the developers show up and show a huge slide show that is endless. Then you talk some more patting each other on the back and then approve it. That harms his interest, he's a lower income guy who owns his property outright and doesn't appreciate this garbage. This is the United States of America, this is a tactic that is employed in North Korea and China. "A good communist is a ruthless capitalist." This is what you do when you drum all of us in society out of the discussions. There's also the environment. Some the species are threatened and endangered, what about that? He's shocked and it's disgusting and appalling. He doesn't want Incline Village, or the East Shore beaches destroyed. This is sacred American land that are homes to bald eagles and golden eagles. He doesn't want a bike trail going through there. Go to bat for native Americans, the public, and the environment.

Ms. Hill moved approval of the consent calendar.

Ayes: Ms. Bagwell, Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Mr. Friedrich, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine, Ms. Leumer, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

Absent: Mr. Aguilar

Motion carried.

VI. PUBLIC HEARINGS

- A. Phase 2 Housing Amendments, including proposed amendments to Code of Ordinances Chapter 1, Introduction; Chapter 13, Area Plans; Chapter 36, Design Standards; Chapter 37, Height; Chapter 31, Density; Chapter 30, Land Coverage; Chapter 34, Parking Policies; Chapter 52, Bonus Unit Incentive Program and Chapter 90, Definitions; and amendments to the Regional Plan, Goals and Policies, Land Use and Housing Sections
(Staff: Alyssa Bettinger)

Ms. Gustafson said the Board received 200 plus comment letters.

Ms. Regan said today is the 11th-anniversary milestone of the Governing Board passing the Regional Plan Update for Lake Tahoe on December 12, 2012. There were years of extensive public engagement, and a lot of the same discussions, and controversies. The Compact gives us an opportunity to harmonize the Regional Plan and Environmental Threshold standards while allowing for orderly growth and development. The challenges faced by Lake Tahoe, including climate change, are heightened pressures in Lake Tahoe. The United States is facing a housing crunch of epic proportions. Publications are showing shortages anywhere from 2 to 5 million homes short at the same time all time high interest rates and are pricing people out of homes and creating rental emergencies nationwide. It's never been inexpensive to be in Tahoe but we went to bed as Tahoe before Covid and woke up as Aspen and Vail. Those communities have been facing as much to a greater degree to the point now that they have to have a commute bus system because the workers cannot live anywhere near those resort destinations. They recognize the team's deep connection to the community and the board's goal of protecting the lake while supporting communities and affordable housing. Today, let's be respectful and civil in our discourse because we all share a love of Lake Tahoe. We're all trying to get to the goal that protects the lake and supports our communities and makes it possible to live here and afford housing. Housing is an issue everywhere but in Tahoe we also have connections to land use transportation, water quality, and is about connecting these elements through this incredible compact that gives us a connection that other places don't have. They have that authority working in partnerships with local governments, the community, and the private sector to deliver updates to housing for the Regional Plan. Looking at reductions of vehicle miles traveled and greenhouse gases.

The presentation was provided by TRPA staff Ms. Bettinger.

Ms. Bettinger said the presentation is focused on a proposal developed over more than two years of work with the Tahoe Living Working Group to address the housing needs in the basin. The proposal is grounded in data and community needs. There have been three needs assessments done for the region that show a need for nearly 6,000 housing units across various deed restriction levels.

TRPA formed the Tahoe Living Working Group in 2020, initially focusing on changes to allow accessory dwelling units on smaller lots in California and policy modifications for converting older motels into long-term housing. The current phase, Phase 2, aims to analyze how TRPA regulations influence where

housing is built and how the regulations drive up the costs. They asked the working group how to reduce that cost to reduce reliance on significant public subsidies.

Phase 3, starting in 2024, will focus on larger systems like growth management, fee structures, and permitting, to make them more equitable and climate focused. The presentation outlines the overarching goal of reducing the cost to build desired housing types in specific locations, aligning with Regional Plan goals such as water quality, transportation, and housing.

The process involved public engagement, with nine publicly noticed meetings so far, shaping and refining the proposal. The goal of Phase 2 is to influence property owners and developers positively, facilitating the construction of housing units that meet the Regional Plan goals such as water quality, transportation, and housing. TRPA intends to achieve these goals by examining and potentially modifying development standards such as coverage, height, density, and parking. Coverage and height are the two standards that dictate the overall building envelope. There are a set number of parking spaces required for each development. Density is the number of units that can fit inside the building envelope after the space has been allocated to parking and other requirements in TRPA and local jurisdiction codes. Coverage and height allowances are the same for single and multi-family. Challenges with the current standards, particularly related to multi-family units, parking eats up a lot of the square footage on the ground floor and then roof pitch requirements also eat up square footage on the top floor and is difficult to build more than one unit and be profitable.

It has led to this trend of building larger single-family homes over the past 50 years because there are no incentives in terms of development standards to build more than one unit. Developers can build large luxury single-family homes to sell to the second homeowners or end up as short term rentals.

This has been a two-year effort to identify changes to development standards to incentivize multi-family housing. A consultant was hired to assess changes to coverage, height density, allowances, and reductions to parking requirements. The analysis indicated a potential 40 percent reduction in monthly rent, bringing it down to the achievable level of 150-170 percent of the area median income without public subsidies. While subsidies might still be required for affordable and moderate income levels, they are expected to be less.

This is not changes to all residential use, it's changing development standards for the 946 remaining bonus units under current growth caps. These units, awarded at no cost, are for projects constructing deed-restricted housing. The proposal does not increase the overall growth in the basin that has already been authorized.

Three deed restriction levels for affordable and moderate categories are income based on household income relative to the area median income. The achievable level, targeted at the local workforce, was adopted in 2018. Safeguards are in place to prevent an imbalance between achievable and affordable units. The achievable definition was subject to comments and concerns, leading to additional requirements, such as physical presence for employment and proof of permanent residence. The needs assessment showed that nearly 1,600 units were needed in this category.

In 2018, within the bonus unit pool they allocated half of the bonus units to affordable units and the other half would be reserved for moderate and achievable. The affordable pool can pull from the moderate and achievable pool, but it cannot go the other way. It's intended to ensure that they don't get 946 achievable units and no affordable.

The Regional Planning Committee directed staff to add a requirement that at least one member of the household has to be physically present to do their job to qualify for an achievable deed restricted unit. The achievable definition also requires that it has to be the permanent and primary residence of the households. On the permitting side it will be required that anyone who wants to reserve an achievable unit they'll need to submit the proposed unit sizes. Any new bonus unit awarded would be subject to the existing compliance program which requires annual reporting. Staff has a third party consultant to assist with auditing and will hire a staff position to help to oversee this compliance program.

The proposal applies to specific areas within the basin, including the bonus unit boundary, multi-family areas, and town centers. Incentives are aligned with the appropriateness of each area, with a focus on encouraging housing compatible with the community's needs. There is a proposal included for multi-family areas which already allow for multi-family. Because of the development standards, multi-family is extremely hard and unprofitable to build. It will help to encourage the missing middle achievable units.

The second proposal area is within the town centers and are where they want to see the highest intensity use. The town centers were originally drawn around commercial development and in these areas, they want to see mixed-use, higher density that's contributing to transit and creating walkable communities.

Areas zoned for multi-family development are areas where there is a lot of defacto affordable housing exists but was built before TRPA and local jurisdictions were in place. While this is outside of town centers these areas are adjacent to centers and open up opportunity to provide smaller scale multi-family that supports the missing middle.

They are allowing an expanded building envelope with greater height in town centers and more flexibility with roof pitch in multi-family areas. Additional coverage will be allowed depending on the location with requirements that coverage would have to be transferred in as well as a requirement that projects contribute to offsite stormwater treatment systems. It's also proposed that these projects be exempt from density requirements because higher density results in smaller units that are more affordable. Higher density in these areas also means that there is more of a demand for transit. Lastly, the one size fits all parking requirements will be removed and allowing developers to determine what the specific demand of their site is and potentially put in less parking than required by the local jurisdictions.

Parking concerns have been addressed, emphasizing that the proposed amendments do not prevent projects from including parking. Instead, they provide an option for residents who don't need a car to potentially pay less in rent. The amendments aim to balance housing costs and address community issues while allowing for more flexible development in multi-family and town center areas.

The proposal includes transition zones and is proposing an additional 11 feet of height to parcels adjacent and contiguous and within 500 feet of the boundary of a town center. It's creating a seamless transition between multi-family zones and town centers. The changes would apply to specific parcels shown in pink on the map.

Additionally, incentives for mixed-use developments and accessory dwelling units are proposed, with a focus on encouraging mixed-use buildings in town centers. These incentives would apply to mixed-use projects that are building commercial on the bottom with 100 percent deed restricted residential on the top. The commercial portion can be no more than 50 percent of the total square footage.

Accessory dwelling units can take advantage of the coverage incentives but would still have to transfer that coverage in and either tie into an area wide stormwater treatment or have their BMPs maintained by a local jurisdiction or public entity.

The proposal would go into effect as a package and the proposal would not supersede area plans as stated in previous meetings. The proposal gives local jurisdictions two options. The first is updating their area plans to be consistent with the standards in the proposal or if local jurisdictions want to opt out, they can do so but would need to show an alternative set of standards or subsidies with equal or better financial feasibility. If after one year, no action has been taken by the local jurisdictions, TRPA can take action to bring the area plans into conformity.

The presentation underscores the importance of public input in shaping the proposal. The presenter notes that the community has expressed diverse opinions, with some advocating for more extensive changes while others find the proposal too ambitious.

In response to public feedback, adjustments were made to the original proposal. Notably, the removal of additional height allowances in multi-family areas and the exclusion of higher density allowances for market-rate housing due to stakeholder concerns. The requirement to transfer in coverage still remains. They've tightened the requirements for public entities maintaining area-wide stormwater as well as BMPs. The original proposal didn't include any changes to parking and has added those back in. Lastly, requirements have been added to the achievable definition.

The Advisory Planning Commission recommended approval and asked staff to release answers to frequently asked questions which can be found in Attachment G. The Regional Plan Committee also recommended approval to the Governing Board with eight changes that were included in more detail in the staff report as well as how they were addressed.

Presentation: <https://www.trpa.gov/wp-content/uploads/Agenda-Item-No-VI-A-Phase-2-Housing-Amendments.pdf>

Board Comments & Questions:

Ms. Diss said the presentation mentioned the need for housing units, it's been determined by studies and surveys. What we're talking about today doesn't equal that 6,000 number but rather is the 946 units.

Ms. Bettinger said that's correct.

Ms. Diss said on the achievable definition, please elaborate on the need for that workforce housing category and what are the income levels in a dollar amount. What kinds of jobs are we talking about?

Ms. Bettinger said TRPA used to have an income cap with achievable deed restrictions that were based on the income needed to afford the median priced home. In April 2023, the Board approved removing that because the income limit was high in certain counties. For example, in Washoe County it was 550 percent of the median income and in Placer County it was too low. The 290 is what they had for Placer County, and they've heard that this is too low. It's based on a two person household.

Ms. Diss said the upper limit for moderate is 120 percent of the area median income of the top row on slide 14.

Ms. Bettinger said the top row is 100 percent.

Ms. Diss said 120 percent of that is when people are ineligible for moderate.

Ms. Laine said the presentation they had from the consultant earlier in the year showed a rendering of an apartment complex that replicated the types of changes that we are talking about. It took up the entire parcel, but the parcel size was 12,000 square feet. Sugar Pine is about 11.4 acres or 500,000 square feet. Would we build that big of a building on that amount of land? Do we contemplate a maximum land size?

Ms. Bettinger said there's no proposed maximum coverage cap. There are no changes to setbacks and open space requirements. It is unlikely that a project would come forward even with over 90 percent coverage.

Ms. Fink said there was concern with a larger parcel that wasn't what people were hoping for. This feedback was incorporated, and local jurisdictions have the ability to have up to one year to opt out to determine which standards work for them.

Mr. Hoenigman said even if the property is very large, with the geometry of housing a building can't be really huge. There can be multiple buildings and then the code requires a certain amount of space between those buildings for fire, life safety, etc. A project like Sugar Pine would look like several larger buildings with space in between.

Ms. Fink said there are also requirements for sufficient snow storage.

Ms. Hill said some of the public are concerned about the ten percent audit. Is there feasibility to look at increasing that? Would there need to be a public private partnership or what is the budget like to do that?

Ms. Fink said previously staff has said that they would monitor a minimum of ten percent and that can be changed by the Board at any time. This year they audited 25 percent of units focusing on Incline Village and it costs the same amount as they were expecting with ten percent. The housing consultant will provide an estimate on how much it will cost to audit 100 percent annually. The Board would need to make that recommendation in the motion for next year's audit.

Ms. Gustafson Placer County has been working with Tahoe Truckee and set up a workforce agency that spun out of the Mountain Housing Council and they are planning on auditing 100 percent. State and Federal tax credits have to be audited for low and affordable. The achievable is also subsidized for the workforce housing preservation program. There could be MOUs with the jurisdictions and TRPA to avoid redundancy in TRPA reauditing what the local jurisdictions did. TRPA could then just audit the local jurisdictions. If Placer uses any of their general funds to subsidize those units, they will ensure they are not misused.

Mr. Settelmeyer said what's the benefit of auditing 100 percent, how many violations are there? If you did 20 percent and proved there were no violations, doing 100 percent is a lot more work that doesn't necessarily generate more results.

Mr. Hester said a slide from the housing study for Washoe County focused on three different categories of workers and their income versus housing costs. Housing costs more than these workers make, emphasizing the affordability challenge for individuals.

Ms. Hill said the slide specifically mentions annual incomes and corresponding job categories such as teachers, registered nurses, sheriff deputies, and hospitality workers. It emphasizes the affordability gap, where the housing costs exceed the income.

Ms. Leumer supported starting with a higher audit percentage for increased confidence. She wants to ensure she understands how those costs are absorbed and not being passed down to those seeking affordable housing.

Ms. Fink said funding for the next two years is set aside from the general fund. With Phase 3 they'll look at incorporating a fee that is not just on affordable housing.

Ms. Leumer asked if that could be limited to the market rate development.

Mr. Marshall said those are some of the issues that they'll explore in Phase 3 of where and who they can assess.

Ms. Leumer said having a high daily fine is a deterrent. Is it necessary to have this category? She would like to hear others thoughts. Given the need for affordable and low income and how few units are being distributed, why not just keep it to the low and moderate income.

Mr. Hester said there's been more moderate and affordable than achievable built. It didn't work for people to invest before with the existing development regulations. With this, they feel they'll get the market providing some achievable that they didn't before. There is a small amount of achievable, there's more moderate and affordable because they get other subsidies. This is still going to require subsidies to get to the affordable and moderate level because changing some of the regulations still doesn't get to the point that it is profitable.

Ms. Fink said one reason achievable resort communities have started going towards this work force category is different than other communities, for workforce, they just rent and buy homes on the market. In a resort community nearly every for sale home becomes a second home and the price is higher than normal. Workers that are normally able to buy homes are renting the homes that should be rented by the lower income individuals. By providing housing for this group, they are also providing housing for lower income groups because more housing will be freed up.

Mr. Hoenigman said there are so many different bands of housing needs, and this is just one where we don't have to put any public dollars to it for the achievable housing. It's about \$800,000 per unit, not total, for affordable housing and in addition to the free land. The amount of subsidies required would be billions of dollars to provide the housing needed if they're doing it all in a subsidized manner. They are trying to allow the private market to deliver one band of that housing need and then focus on the other two with public subsidies.

Ms. Gustafson said in Placer County, 42 percent of the need is above the moderate. Then taking the moderate, it's another 18 percent. The tax credits that come with the low and very low aren't there for the achievable but that is the missing middle.

Mr. Friedrich asked if commodity conversions eligible for bonus units from tourist accommodation units to a residential use, etc.

Ms. Fink said no they are not.

Mr. Friedrich asked if there is data of how many residents have been built of the type, we're talking about today using bonus units versus market rate. And of the market rate, a sense of the average size and type of those market rate developments. How many residences are being built at a size that an average Tahoe worker can afford versus the more luxury developments?

Ms. Fink said the average home size of a market rate unit has gotten high of over 2,000 square feet. Some of the more affordable market rate homes have gone in behind Accurate Audio and Pioneer Trail that look to be about 1,200 square feet each.

Mr. Friedrich asked if the achievable definition would help the California local jurisdictions meet those requirements.

Ms. Fink said the achievable category helps meet the local jurisdiction's Regional Housing Needs Allocation for the above moderate category which is part of their requirement.

Ms. Conrad-Saydah asked for further information on the step back requirements. Also, Ms. Diss' clarifying question is that this applies to 946 units and there is a need for more, but this is just another step.

Ms. Bettinger said the step back requirement is one foot for every one foot of height for anything over 56 feet in town centers.

Public Comments

Patrick Taylor said we cannot charge more than the market will bear. Specifically, the rent should not exceed 150 percent of the Area Median Income otherwise it will be too high. Charging higher rents would lead to affordability issues for individuals pursuing careers such as nursing or law enforcement. If you are not going to rent to non-locals, you'll get caught on the audits and there's no incentive to do that. We're basically doing this from an altruistic standpoint. They put down 35 percent of their money to build these properties. A \$20 million project for about 25 units requires \$7 million investment to get it off the ground. The return is about 3-4 percent. There's government funding involved. Local employers have expressed interest in master leasing all units, ensuring housing availability for their employees and eliminating the audit concern. The benefits of constructing parking underground or on the bottom floor and build straight up which requires a greater height, then that reduces the parking issues.

Pamela Tsigdinos opposed the approval of the proposed amendments. The staff findings are incomplete and flawed. To accept this with no data with the assertion that there will be no significant impacts associated with these amendments is reckless. She urged a more in-depth analysis of the true impacts and cautioned against hasty land use decision-making. There's a shortage of housing units available to those who want to live and work here. There needs to be a basin-wide short-term rental cap. You need to prioritize public safety and health and conduct an environmental impact report. What is the real carrying capacity with climate change and extreme weather? 2012 is not 2024. We need to consider what it would take to get the existing population out of the basin before we start

adding more density. There was no public transportation option for her to get from the North Shore to this meeting today. Please get the infrastructure in place and do the research.

Seth Dollab, CEO of Next Gen Housing partners speaking on his own behalf today. He expressed support for the proposed amendments. As a workforce housing developer, he acknowledged the challenges and limitations of the proposal but emphasized its incremental steps in reducing public subsidies. Most of his workforce housing development has been for the equivalent of the hospitality workers here. The amount of incentives that it takes to build a Sugar Pine Village is immense and can't be repeated and will not meet that need. If this is approved today, he will not be racing to buy land and develop these types of units. While the theme and general economics of what is in the staff report are correct, but they are also a couple of years old. The economics are more broken than what's specified in the staff report. This is not perfect and there's a lot of valid criticism but it's better than what we have now.

Gavin Feiger, League to Save Lake Tahoe said the League has been actively engaged in the Living Working Group since its establishment in 2020, providing valuable historical insight into the discussions involving staff and other stakeholders. Over the past 3 to 3.5 years, the League has been actively involved, submitting comment letters and contributing to discussions. As of now, they express full support for proposals within town centers and advocate against incentives outside these town centers. The League's mission revolves around environmental protection, with a focus on affordable housing within town centers. Ideally, all the remaining development should go into town centers. North and South Shores town centers were established differently but there are opportunities outside of town centers to be reviewed in Phase 3. They recommended incorporating more community buy-in and involvement from the start of Phase 3. The League advocates for additional audits, especially in the initial two years and will help inform decisions in Phase 3. They need to look at the disincentives, the first two phases have been all about incentives. Let's provide disincentives for the development that doesn't provide benefit to the community and environment to go along with the incentives.

Jean Diaz, Executive Director, St. Joseph's Community Land Trust non-profit developer of affordable (rental) and moderate income ownership housing. They support these amendments. One suggestion related to Code Section 52.3.1 which currently combines the allocation of bonus units for moderate and achievable which are competing with each other for a very scarce resource. The needs assessment is broken up with 50 percent affordable and 50 percent moderate, and 50 percent achievable. They recommended that there be a specific allocation along those lines for the allocation of bonus units.

Rebecca Bryson, South Shore resident supported the proposed amendments. Having walked around Sierra Track and Al Tahoe discovered hidden duplexes and triplexes that blend with the neighborhood. These were grandfathered in and couldn't do that now. She's happy that height requirement was removed from non-town centers. Adding density and coverage, where appropriate, is ideal. She voiced concern about the time it takes for projects to be realized, urging the swift implementation of the proposed changes. She appreciated the two options for cities to pursue and emphasized the need to get going. These are a lot of carrots and there needs to be some "sticks." She hates to see when a very small affordable single-family home goes away, and a big home gets built. There needs to be some sticks that a person would be required to put in money for affordable housing elsewhere. She hopes that incentives for duplexes and triplexes encourage developers to choose these options over constructing large homes.

Ed Mosur, South Lake Tahoe resident said TRPA exists because local government failed. Since 1960 TRPA has ruled with an iron fist and kit gloves and controlled development in the basin. He acknowledged some positive aspects of the proposed amendments but criticized them as not being a holistic solution. Most people visit or live here to escape the urban landscapes. He criticized the policy of allowing Commercial Floor Area (CFA) removed from sensitive lands to town centers to be doubled or tripled when housing for their employees was either destroyed or not constructed has exacerbated the problems. Further urbanization of the basin compensates for your ignorance. In South Lake Tahoe, the same mistake with CFA was made with too many motels during the 1960s and 1970s. Specifically mentioned a proposal to tear down Motel 6, advocating for its conversion into affordable housing. The motto has been to increase the tax base because we lost four hundred million in a five year span in tax increment due to redevelopment area projects. He emphasized the problems related to snow storage and building large homes or complexes. There's not enough room for snow storage. He's been advocating for snow melting machines. If you are going to provide less parking then you need to deed restrict tenants from owning cars.

Zach Thomas, City of South Lake Tahoe Development Services said their staff supported the proposed amendments in which they are necessary for implementing housing projects and programs outlined in the City's state-certified housing element. Specifically, the proposed amendments related to density, height, and coverage are necessary to implement the City Council's priority housing project on 3900 Lake Tahoe Boulevard. Without these amendments, the project would not qualify for federal and state funding sources. The proposed amendments align with consistent feedback provided to TRPA staff through the Tahoe Living Working Group. The amendments represent common sense and well consider changes that allow for the increased production of housing while having the least potential negative environmental consequences. Development standards such as density, height, and site coverage are crucial for project feasibility and financing, particularly for higher-density infill developments. Without the proposed amendments, valuable housing projects would not get built. Over \$100 million in federal and state grants, bonds, and equity investment over the past two years to address affordable housing shortages. Approving the amendments is essential for sustaining funding and enabling the construction of new housing. Addressing the housing crisis takes a broad spectrum approach which includes incentivizing the use of existing housing stock, that is true, through programs such as lease to locals. Improving the quality of housing, facilitating the development of accessory dwelling units and monitoring deed restrictions. The city is doing all of these, but these programs are a piece in a larger puzzle which needs to include the production of new housing stock.

Jan Ellis, North Shore resident expressed concern about the future look of Tahoe. Not just in the density but in the traffic. How can we reduce parking spaces while aiming for height. People in Tahoe have cars. It's not Yosemite, it's not ride every 15 minutes. There's a traffic issue that is coupled with a housing issue. We have to address the parking issue too. In a city you can go up ten floors and put four floors of garage. All the areas around us are growing. People don't see themselves as tourists, this is their backyard and want to visit for the day from Reno, Carson City, or Sacramento. Slow down and integrate the complexity of what we're facing in the future.

Emily Setzer, Placer County Community Development said workforce housing is a strategic priority of the Placer County Board of Supervisors. The Mountain Housing Council's most recent housing needs assessment showed that our North Tahoe Truckee region needs 8,100 housing units at achievable to affordable levels. That's a lot more than the 946 that we're talking about today. More than 800 of those were needed in East Placer specifically for their existing resident workforce who are already working in the Basin, although they may not live here. Those were at income levels above that 80 percent of area median income. These are moderate and achievable income limits. To secure and

develop housing for our local workers, we need to take new creative approaches because the ways of the past haven't produced the results that we need. Placer County has committed to help solve these housing challenges through active participation in the TRPA Tahoe Living Working Group as well as membership in the Tahoe Truckee Workforce Housing Agency whose mission has expanded to serve the greater community in addition to its member agencies.

The Placer County Board approved an earmark of \$3 million Transient Occupancy (TOT) tax to support our workforce housing preservation program. TOT and Tourism Business Improvement District (TBID) funds have been earmarked for the lease to locals' program and other housing initiatives. The board also committed \$2.5 million towards the Dollar Creek Crossing development for local workers. Programs like these are geared towards the affordable, the moderate, and the achievable income limits.

Gail High is concerned about parking. What happens three to five years from now, we realize that there is gridlock because there are still all these cars and there is no place to park. How do we undo that and go with it at that point? Please move slowly and consider all the ramifications.

Niobe Austere-Burden, North Shore resident has lived in five resort communities worldwide in the past 10 years. We all want workforce housing, but these amendments need refinement as stated by many. They will supersede all local jurisdictions, maybe that's changed at this point but a local jurisdiction to prove otherwise is going to be very difficult. Mixed-use projects will be able to take advantage of the benefits of these as long as they provide an undetermined number of achievable housing units as of this point. Units that in fact won't even be affordable for most of the workforce necessary to operate and cut the commercial and hotel establishments in that project. The biggest red herring is the lack of environmental analysis and fire evacuation studies despite cumulative impacts in 2012. The need for these studies is obviously a matter of interpretation and most likely will be decided by the courts. If TRPA doesn't consider moving the environmental analysis to Phase 2 instead of Phase 3. The 65 foot, 5 story height still moves forward despite overwhelming public disapproval. Please move the inclusion of multi-family zones to Phase 3. For the achievable definition, please put requirement in the language that the workforce housing portion of a mixed-use project be built in Phase 1. one. Avoiding the real possibility of it never being built without needing more concessions and funding, which defeats the purpose of these amendments. Two, no one understands how many bonus units remain, including Governing Board members. A matrix graphic with county income category, whether allocated or not would give a clearer understanding of the number of bonus units remaining. Then decide if a site-specific analysis in the multi-family zones would be better.

Tightening of language of the achievable housing definition is needed to further strengthen its intent to assure affordability and find the missing middle. She suggested each achievable project have a mix of low and moderate affordable units. Because TRPA was not able to give her rental projections she came up with her own research where the bank standard housing allows a 30 percent gross monthly income. Utilizing Placer County's AMI from the fact sheet, 100 percent of AMI for the achievable criteria would be \$123,000 for a three person household for a monthly housing allowance of \$3,075 for a unit for three people. A 180 percent of AMI would allow a housing allowance of \$4,612. What will rents end up being set by developers. The 39 Degrees North Kings Beach project's website indicates their achievable housing is for those meeting up to 220 percent of AMI. That's a household making \$225,000 with a housing allowance of \$5,637. Please add something to the following language to tighten the amendments so it addresses the real need of affordable housing for the missing middle. Rents will be structured to be no more than a standard housing allowance of 30 percent of the qualified tenant's household gross monthly income or based on a sliding scale percentage of AMI.

Vinton Hawkins representing Boatworks Mall and Boatworks Condominium supported the proposed amendments. This is a start. Speaking today from their own operations and the struggles that they've had finding and retaining workforce. Most of their employees come from outside of the basin to work. These are local proprietors, mom and pop shops that are tenants in their malls, and they struggle. During COVID, they lost significant amounts of business that closed.

Steven Prescott said is lucky to be a property owner here and has one of the properties in the Mountain Town Center that could be eligible for affordable housing. He's putting together a project that would address ultra-low income in the Kings Beach Mountain Town Center right on the transit line.

Duane Wallace, CEO of the South Tahoe Chamber of Commerce, Board member of the South Tahoe Public Utility District, and resident of South Lake Tahoe is here on behalf of his Board of Directors who voted unanimously to support this proposal. They agree with the League to Save Lake Tahoe for the most part. The small businesses we have and their children who would like to maybe run their parents' businesses someday are not able to afford to live in their own town with their own business. We're behind the curve, we are a museum of the 1960s and we've got to catch up. This is a great step in the right direction. He agreed with Dollab and Mr. Thomas. Even with the government money we come short. What he did when he was on the utility district, he talked his board into cutting their connection fees in half and moving the cost from the end of the project when it opened versus in the beginning, so they weren't paying interest for months when there were delays. He hopes all the agencies involved donate everything from the land, fees, etc. because it still doesn't pencil. Unless the government wants to fund it all, we need to be able to meet these developers halfway.

Ellie Waller suggested that Ms. Aldean's alternate Ms. Bagwell abstain from the vote today. Getting briefed on the housing amendment doesn't substitute for participation in meetings and presentations for months and years. She asked the Board not to approve the amendments or the Initial Environmental Checklist which is no substitute for actual adequate environmental analysis. It's shameful and preposterous to think or state that existing conditions analyzed in the 2012 Regional Plan Update have not changed substantially. Even more disconcerting that the public at large most affected was not invited at the inception of this process. The public does have a lot to share as evidenced by comments that have been provided over the last 4 or 5 months. Staff stated that data has been collected, but what environmental analysis exists that supports their conclusions. Where are the mitigations and benchmarks that should accompany the proper level of environmental analysis and associated findings? One size does not fit all. All areas of the lake have distinct differences. You as local jurisdiction elected officials and others should ask yourselves at what cost to your communities is acceptable with one size fits all. When conservation groups from all around the lake and private citizens rise up in unison to oppose TRPA land use changes, there is a reason to believe, let's do our best to work together, isn't happening. Please deny or postpone the amendments until proper environmental analysis is done. Affordability is not the only issue in Tahoe or the surrounding areas. Ask yourself about the cost of living and how those issues are easily resolvable at all.

Alexis Ollar, executive director, Mountain Area Preservation (MAP) hasn't been to a meeting since the Regional Plan Update but what brought us to that arena at that time was resort recreation zoning and that gave life to a pretty bad project called Martis Valley West that MAP, the League, and Sierra Watch spent seven years fighting. They're still not done and are hoping for an open space opportunity. Zoning, land use, and code make a difference and these ideas do give life to other projects. She's a huge advocate of open space, responsible development, workforce housing, and community benefits.

We all know that development in Tahoe takes time as does good planning. Some of the best plans have community support and buy-in, but we're not there yet.

Please postpone a vote on Phase 2. At the top of the list is a legally inadequate Initial Environmental Checklist. With no new environmental analysis for public safety, evacuation, wildfire danger, traffic, water quality, air quality, and view sheds under the assumption that Tahoe has stayed still in time since 2012 is not the case. Phase 2 contemplates more intense land use, more coverage, density, and height. All this equates to more intense land uses and considerations that must be analyzed with appropriate mitigation and alternatives to be considered. Secondly, the only innovative solution Cascadia brought to the Board is urban planning for alternatives. Which is counter to the Tahoe Mountain landscape and infrastructure. Our current conditions don't align with this type of planning or lack of analysis. From the standpoint of addressing the crisis, this is not the best bang for our buck. It's putting more funds into and unlocking existing inventory with half of our units sitting empty. This is existing units that can be converted into long-term rentals and the programs such as the Placemate lease to locals program is successful. Let's put some more dollars into those types of programs. Additionally, a basin wide short term rental cap would help create an immediate inventory of units to either be rented or sold to the workforce. We all know what it feels like to have an employee friend or family member no longer be able to afford to live in Tahoe or be able to compete with the high earners who are making Tahoe their full-time residents.

Those of us who understand the building environment of Tahoe know that it takes two to five years minimum for development to happen. We're talking about deed restricted housing, and we've talked about the fact that we want to incentivize housing that doesn't need subsidies. But we've also talked about how the majority of housing will need those subsidies. It is critical to understand that you get state and federal dollars, you don't get to control who lives there, it is all area median index related, it has nothing to do if you're a local workforce. Please take into consideration that with half of our needs being affordable and moderate, the local jurisdictions don't get to control who lives there, it's by income.

Kristina Hill said in the late 1970s Placer County eliminated the trailer park that was the 65 acre track and put in a transit hub. That's where all the ski instructors, dishwashers, waiters, and the construction workers lived. They took it out and paved it for a transit hub in Tahoe City. Now they're thinking of putting affordable housing back there. It's throwing the baby out with the bathwater. She's appalled at the lack of environmental review that's gone into these major proposed changes to the code. Chapter 4 and 16 of the Code of Ordinances has to identify cumulative impacts and have written findings showing how this will not exceed the thresholds of water quality, air quality, visual, and scenic quality. There's much more you could do to incentivize affordable housing such as putting a cap on short term rentals. Stop constructing these huge tourist attractions such as these trails that attract people from all over the world to come to our little rural enclaves to park on our streets to avoid paying for parking. We don't need to incentivize tourists to come here. Please delay or deny the proposed amendments until proper environmental findings are made in accordance with the existing code.

Randy Fleisher, Incline Village resident said he's currently working on a site in Incline Village for achievable housing without the changes to coverage, height, density, parking, and the development standards, there would be no path forward for this development. Incline Village desperately needs achievable and workforce housing. There's no place for our workers to live. He hopes that Ms. Hill opts in at her earliest opportunity.

Margaret Martini, Incline Village resident before the TRPA was even founded. The pendulum has swung to the max from the original charter to today's proposal. I hope that the transportation meeting this morning has developed a comprehensive evacuation plan because we don't have one and we're looking at adding more and more and more. It's the cart before the horse. She's wondering if anyone has read the charter. If you had, we would not be here discussing this growth over development of the Tahoe Basin. Many board members are not even residents of this very basin but are making development decisions. An example is the member from Washoe County Commission in Nevada who constantly votes pro-development. At a meeting in Reno when she was asked about the Reno area water availability, she pointed towards Lake Tahoe and said that there was a huge water resource right above us. TRPA is charged with protecting the waters and environment of Lake Tahoe, not to destroy it by growth and unfettered development as is planned by this TRPA board, staff who seems to think that a sound and reasonable development parameters do not apply to them. For example, what is a three-quarter parking place. The climate in Tahoe is warming. Are the thousands of cars emitting cold exhaust or are we contributing to warming with millions of cars coming every year? The agency that was formed to protect the lake is the one with the definitive plans to destroy via this board and the buck stops here with you all.

Tobi Tyler, Tahoe Area Sierra Club said they object to these amendments and requests that they are not approved today. They support true affordable housing in the Tahoe Basin, which these amendments will not accomplish. Achievable housing with no income caps has nothing to do with workforce housing, which is what is needed. The primary intent appears to be to satisfy developers with unsubstantiated promises that increased density, height, and coverage along with reduced parking will meet the needs of our rural communities. The Sierra Club supports creating walkable town centers, but without a frequent and reliable transportation system in snow country, how do you expect people to get around? People routinely walk down the middle of the streets in South Lake Tahoe because of poorly ploughed streets with little or no sidewalks. Even the sidewalks on Highway 50 are rarely ploughed. Fix the broken transportation system first before trying to fix the housing crisis that you TRPA, as well as the city and counties are responsible for after years of allowing short-term rentals to dominate. TRPA, counties in the city have all permitting mega mansions, resorts, and luxury condominium complexes. Why would the community trust you now to not continue as usual with permitting the above under these so-called affordable housing amendments? Using an Initial Environmental Checklist for these changes is an egregious overstepping of your authority. An IEC does not come close to adequately evaluating the environmental impacts of these changes. Instead of saddling the fire agencies with the increased impacts of further development in this wildfire-prone area, thereby making evacuation that much more difficult, and saddling police and safety agencies with more mayhem on the roads. Stop and fully analyze these impacts. Cumulative impacts must be addressed in a new environmental impact statement/report. If one is needed for Phase 3, then one is needed now.

She previously sent you a link to an article titled Four Elements of a Successful Housing Task Force, lessons from a Montana miracle. Unfortunately, none of those four elements were utilized here. Instead of creating an openness to the public, respecting a diversity of perspectives, and creating allies out of pressure groups, you have resorted to name-calling and precluded space for dissent. Considering the many changes in the current trajectory of lake degradation, these developer-driven amendments need to be approached with caution, wider community outreach, and a thorough environmental analysis by TRPA in an EIS/EIR that analyzes cumulative impacts since TRPA is 2012 Regional Plan.

Sophia Heidrich, advocacy director, Mountain Area Preservation said it seems as though the market solutions are geared toward that missing middle or achievable housing piece. Those are the projects that are least likely to require tax credits or subsidies, making them the most viable given the market solutions. Since achievable housing is the most likely outcome, it's important that there is an achievable housing definition. A concern is that there's no income cap on achievable housing. Staff argues that higher-income folks probably won't want to live in these houses, that may be the case some of the time, but we've also heard that these incentives might also increase the development of duplexes and triplexes, and higher-income earners may want those units, especially as second homes closer to the areas they like to recreate. To address this let's put an income cap on achievable housing, basing it on the average median income or another metric that makes sense for the local jurisdiction. Another concern is the oversight in the deed restriction program to guarantee that these restrictions are upheld throughout the life of the development. You are asking the community to trust a process that hasn't been fully defined and developed. They feel that all these units are audited on a recurring basis, especially at the initiation of the program. Lastly, incentives outside of town centers. They are not opposed to multi-family development going in multi-family zones. A lot of concern comes from unlimited density. We don't understand the full potential of the environmental impacts associated with that, especially based on an environmental analysis that's over a decade old. There may be opportunities for more density, coverage, height, and less parking in some areas, but we haven't fully identified and understood those sites or their associated environmental impacts. The suggestion is to focus on Phase 2 and conduct the required environmental analysis.

Russ Hansen, North Shore some of these are good and some are not. The emphasis you should be looking at is putting a cap on short term rentals. A lot of the problems that we're seeing today are workforce housing, unreasonable prices where people cannot afford housing all comes back to the overabundance of short term rentals. People that are buying property at an inflated price, thinking that they are going to have a vacation home and finance it with renting it out. He recommended denial of these amendments and that the Board go back and look at that as maybe a focal point of emphasis on trying to solve some of the problems.

Megan Chimini, Seat one of the North Tahoe Regional Advisory Council. She voted to not approve the Tahoe Basin Area Plan Amendments. She represents the Kings Beach community who have concerns about these amendments. Ditto to a lot of the comments made. They want smart development. If Kings Beach becomes the home for luxury condominiums from State Route 267 to Brockway it won't achieve the achievable housing. Kings Beach doesn't want to be the center for achievable or affordable housing on the North Shore. These amendments are not going to fix a housing problem in a fragile mountain resort area with limited infrastructure. A pause should be mandated to consider the long term redevelopment projects considering the environmental traffic and safety impacts to the region and a master plan developed.

Pam Chamblin said please reconsider the amendments and not approve them. She's concerned with how development is proceeding in Tahoe. In the last three weeks, the Alpine View Estates project in Tahoe Vista clear cut their 6.5 acre parcel. The 80-foot trees are all gone. This showed a plan on how to retain these trees and then cut them. This is bait and switch. The affordable workforce units have now been permitted by TRPA to become achievable which makes them no longer affordable to most of the North Shore workforce. How about LU 3.4 that states existing development patterns in residential neighborhoods outside of town centers should be maintained with no significant changes. The proposed amendments allow unlimited density outside of town centers instead of today, 15 units per parcel and 200 percent more land coverage. It's a monumental change to outside town centers. These new amendments will have no protection for the natural environment or community character.

They seem to be tailored for South Shore, which has half the full-time population around the entire lake, 44,000 people live full time around the lake and 21,000 are in South Shore. The South Shore has a different character with dense population, casinos, 200-foot buildings, considerable sprawl along the Highway 50 corridors, villages, etc. Code changes need a proper environmental review before moving

Development in town centers is also egregious. Kings Beach has a proposed 65-foot development, 500-foot long and removing public parking spaces. Placer County is asking for TRPA to review its scenic standards and thresholds, and then change them to promote more development. This is not TRPA's mission statement.

Leah Kaufman said to emphasize some of her written comments. There seems to be a significant difference between the characteristics of the South and North shores, prompting the suggestion that policies may need to be more specific. While the intent may not be to stall, we're not ready. There are concerns with unlimited density only exists in 17 California metropolitan cities. To get that density they have to have 80 percent of moderate and low income housing and achievable might not fit the bill, but it does meet inclusionary housing definition. Another concern is that these codes are based on one assumption from one Portland housing consultant that for achievable projects to pencil, they must have all the incentives of height, density, 100 percent land coverage. But their analysis was done on a 12,000 square foot lot. A lot size maximum is a good idea and considering the potential impact of such density in various areas. There's ongoing debate about subsidies that adds complexity to the decision-making process. It's a misnomer that California will be fined if these amendments don't pass. Placer County has inclusionary housing, and an environmental impact report is required for 74 parcels that they are rezoning. We are looking at thousands of parcels with no environmental impact report, why are 74 parcels need in California. There's concern about the apparent disparity between Nevada and California in terms of affordable housing projects. Nevada, 24 bonus units to California's 456. Why doesn't TRPA make an equitable affordable policy instead of leaving it to the local jurisdictions? The Domus project in Kings Beach was a sight specific project that received more density and why can't we do that?

John Eppolito, North Shore Real Estate Broker in California and Nevada raised questions about the region's current infrastructure capacity to sustain further population growth without harming the lake and the environment. Shouldn't that be the starting point? He expressed concerns about increased traffic in Kings Beach during the past two summers and questioned the absence of a comprehensive traffic plan. He's in favor of this plan to gain job security or profit gains. If employee housing is what's needed, why don't we just build it? There were \$2.5 to \$4.5 million condominiums approved or almost approved on Incline Village land that was supposed to be for employee housing. No one he knows wants town centers on the North Shore to look like Squaw or Northstar. TRPA was put in place to protect Lake Tahoe and will now be the ones allowing developers to increase traffic, congestion, air pollution, and threats to Lake Tahoe's clarity, including the risk of loss of life during future fires. Doesn't Chair Gustafson's husband work for a developer seeking to overbuild Kings Beach? There should be another lawsuit around this issue. He criticized the absence of a comprehensive fire evacuation plan.

Ben Harmon, Kingsbury resident said he generally supports the intent and philosophy of the amendments. He acknowledged agreement with previous speakers regarding concerns about unanswered implementation-level details. He shared concerns about the lack of an adequate environmental assessment. We're not adequately addressing the needs of lower-income individuals, especially regarding the availability of units for them. The units being freed up are not deed restricted. These are existing parcels and there are no assurances in the plan for this to happen. He expressed

alarm at the consideration of allowing Accessory Dwelling Units (ADUs) with up to 70 percent land coverage, suggesting a need for further understanding and consideration of the impacts. He requested a temporary set-aside of the ADU proposal until more information and understanding are gathered. He echoed concerns about parking issues and the developer projects will not be incentivized to provide adequate parking. The language in the public overview suggested that developers could avoid providing parking by contributing to alternative transportation options. He stressed the need for an environmental assessment, particularly concerning evacuation plans and snow storage. Lastly, providing a maximum lot coverage. Currently, the 256 acres of Edgewood property is designated multi-family in these amendments. These amendments are not as a proposed development plan but would appear to be a step towards allowing development in what is a large area of open space.

John Grigsby, full time resident in Oliver Park that's in the proposed plan. He mentioned a previous plan presented at the Tahoe Prosperity Housing Summit in 2017 that he put out the looks suspiciously like the current proposal. There are things missing that are extremely critical to the success of anything like that. Suggested introducing a system where regular allocations are awarded based on the number of affordable units built, eliminating the lottery for regular allocations. There are about 10,000 people commuting per day and only having 3,000 units. We should be building zero regular allocations at this point. There are a lot of loopholes in the current situation, such as building large mansions with a caretaker who then qualifies as a local low-income resident and then the entire parcel qualifies under the deed restrictions. If the unit is a rental unit, we should restrict the ownership of the unit to the Tahoe Basin. Oliver Park is short of parking and has a lot of high density apartment units already, causing parking shortages. This is well intended and most of the characteristics it needs, however, as it exists currently, there are enough loopholes and issues that it will not have the effect we all want.

Amelia Richmond, South Lake Tahoe resident and President of Locals for Affordable Housing mentioned that she left the North Shore after residing there for 12 years due to housing difficulties. Responding to a previous comment, they express support for zoning changes despite not financially benefiting directly, but she is one. She emphasized the urgent need for housing solutions around the lake. Acknowledging the concerns raised in the room, she highlighted the ongoing loss of local families and emphasizes the necessity for multifaceted solutions, with zoning playing a crucial role. They are working on a citizens' ballot initiative for a vacancy tax in South Lake Tahoe in 2024 and suggesting similar actions for Truckee and the North Shore to address short-term rentals. She stressed the importance of building achievable and affordable housing and needs zoning changes to do so. She hopes for the expansion of zoning changes to comply with Senate Bill 9.

Meea Kang, affordable housing developer involved in projects like the Domus Kings Beach Housing Project and Sugar Pine Village. Coverage, density, and height are difficult to plan for housing. It takes time and effort required to develop such projects, citing the importance of zoning and less discretionary decisions to facilitate the design and development process. There are studies on parking, snow storage, and financing conducted during the lengthy development period. She shared her experience in negotiating with utility companies and highlighted the community benefits resulting from such projects, including improved sidewalks and increased storm drainage. These are the types of improvements you'll see with achievable and affordable housing. It goes beyond single-family homes, 30 percent coverage works well for single-family homes but when more units are added you need to think about parking, fire, and evacuation that single-family homes do not have to think about. This is one step in the right direction. Please approve these amendments.

Reverend Clare Novak, United for Action, North Tahoe Truckee coalition of faith based organizations and community activists. Their purpose is to meet the basic needs of our neighbors for food, clothing, shelter, with the primary focus on housing and homelessness. She urged the Governing Board to approve the Phase 2 housing amendments because housing is fundamental to the health of individuals, families, and communities. Tahoe Basin is in a regional housing crisis that's damaging our immediate health and threatening our long-term survival. We need multi-family housing options, affordable, moderate, and achievable housing options that keep families and workers sheltered, keep businesses staffed, and keep children and families in place. If we don't accelerate housing solutions to support our resident's workforce and businesses, the Tahoe Basin will hollow out. Our workers will continue to be priced out and pushed out, we won't attract visitors with high level services in hospitality and young families will be displaced.

Tim Delaney, Incline Village resident since 1974 said Tahoe is about experience. When you are elbow to elbow at the beach or on the ski hill is stupid. You need to think about quality of life and water. Our ecosystem in Tahoe is enormously damaged from all the development and all the people that have poured into it over the years since 1970. People come to Tahoe to get away from an urban environment. The short term rental cap is a good idea. He doesn't support the proposed amendments.

Marie Murphy local business and property owner in the Tahoe Basin. She had to close a business because of lack of employees to operate. Our analysis along with many other studies have shown that we have a need for nearly 5,000 to 8,000 units, just over 900 units aren't going to cut it in terms of the actual need. The status quo is not working. For the last 10 years she's focused on developing achievable housing as a provider of safe and naturally occurring affordable housing in the Sacramento, Tahoe, and Reno regions. These amendments are well thought out and are a solution to a crisis that must be addressed now. These amendments are not a cure for all, and they won't solve all of our problems in the basin. However, it will spur more units being delivered to local residents and help ease the environmental impact of large commutes. Less than 1 percent of the basin land would qualify for this high density housing and less than 1 percent of the lots size is over 12,000 square feet. There are very few locations that massive development can occur.

Bill Chan, Tahoe Prosperity Center said the Prosperity Center supports the proposed amendments. Of all sectors across the basin are facing the same critical challenge in recruiting and retaining staff while citing lack of local housing as the catalyst. The majority of the remaining Tahoe workforce commutes into the basin straining our transportation infrastructure and harming the environment through significant vehicle miles traveled. Throughout this process they've heard many differing opinions regarding this proposal. TRPA has listened to community feedback and improved the amendments to ensure that deed restriction and BMP enforcement is funded and sustained. The process has been sound and potential unintended consequences have been considered and the amendment package remains a strong step in the right direction to increase the workforce housing. The inclusion of achievable housing has drawn very strong opinions. He's heard that providing regulatory relief for this category of housing is unnecessary. However, with the Tahoe area median home price nearing one million dollars, how are middle-class Tahoe workers supposed to manage? Eligibility requiring income under a hundred 120 percent area median income or at least one house member physically working in the area 30 plus hours a week provides strong protection on already permanently deed restricted achievable units. Short term rentals continue to be pitched as the only remedy needed. Jurisdictions in Tahoe are already trying this approach and the impacts on increasing long term housing have been negligible with most homes reverting back to mostly vacant second homes.

Beth Davidson, Incline Village agreed with many of the previous speakers. She's concerned with public health and safety. We don't need the kind of luxury condominiums that have popped up on Nine 47 in Incline Village. We do need work force housing. She agreed with the comment that the achievable housing category be removed. The slide that specifically showed the income is much clearer for the public than saying 120 percent of whatever. It's easier to do by staff in that it can adjust but Ms. Hill's slide could be adjusted as the workforce housing pay adjusts as things change. Please do an environmental impact statement. Those who have spoken about fire evacuation and traffic and parking are right on and need to be solved prior to bringing more people into the basin.

Doug Flaherty, TahoeCleanAir.org said for the 21 reasons listed in his written comments, TRPA must provide both a new or supplemental comprehensive cumulative, impact environmental impact statement/report to the 2012 Regional Plan and a cumulative CEQA, EIS/EIR. The current proposal and the Initial Environmental Checklist failed to discuss significant new information and changed circumstances since the adoption of the 2012 Regional Plan and must this new information along with a comprehensive cumulative California Environmental Quality Act, EIS/EIR. He listed about 20 examples of new information or changing circumstances that the TRPA continues to ignore in favor of this. Basically, the growth proposal. Three, the TRPA Initial Environmental Checklist is filled in to provide substantial evidence to make the following statements located in Section 10-6, question 10.B, 14.A and 23.D in the IEC. These are speculative, controversial, arbitrary, capricious agenda driven and their stated outcomes highly uncertain and they would require crystal ball to be able to arrive at their conclusions. The adoption of the environmental checklist findings would represent prejudicial abuse of discretion on the part of TRPA if they adopted the amendments and the checklist.

Now, speaking as a resident of Incline Village. Ms. Hill, elections have consequences.

Ryan Sommers, Fire Chief, North Lake Tahoe Fire Protection District is glad to see this issue being addressed and believes that the staff has done a good job on this. The housing issue is an issue for the fire service, specifically for the NLTFPD as they hire seasonal employees upwards to 50. These seasonal employees have to commute which leads to parking issues. Affordable workforce housing is a welcome process for us, and we look forward to working with agencies to further enhance this initiative without increasing the already allocated allotment of structures and or coverage specifications. S

Ann Nichols, North Tahoe Preservation Alliance, 52 year resident and real estate broker in Nevada and California. They have 1,000 signatures on our petition, 3.4 thousand views of our video outlining the problems with two lane road on the North Shore and their ability to get around gridlock. They have over 6,000 views of their various TikTok videos. These are not a few people that are really concerned and doesn't believe that Marie Murphy disclosed that she is the owner of the Boatworks redevelopment. Besides that, there are many loopholes in the plan is this is piecemeal planning. Phase 2, no environmental, you'll do in Phase 3 when you recharge the 946 bonus units and you recharge everything, it's sloppy, lazy planning. Now, with all these platforms, you can hundreds of thousands a year on a 2 bedroom cabin. So, why would you ever want to rent it locally? Table this, it's a terrible idea.

Ryan Wexler, Kings Beach resident said this discussion is in two major components. First are the issues of specific proposals. He recognizes that the intent of the development of these proposals is well-meaning, and the reasoning is positive. You're trying to do good work. However, we need to separate the intent from the content. Please do not vote to approve these proposals based on intent. No matter how good the intent is, if the content isn't great, then the proposals are bad and will fail.

Please recognize the public outcry is not an attack on your intent, but rather the content. Items like should we add 17 percent to allowable heights to a massive 65 feet. Is it good policy to remove parking restrictions in areas that struggle with parking problems? Does affordable housing without an income restriction make any sense? Does the idea of achievable housing illegitimize all the other affordable housing concepts? He hears a lot of assumptions and hopes from staff like we don't think this will happen, but we aren't going to restrict it with regulations like maximum coverage. We need to make sure the outcome matches the intent.

The second component is do we have the data to make this decision. The last significant environmental impact report was 2016 and was just part of the lake. Since that time, we have had several major fires. We had a pandemic that changed society since the last partial environmental impact report. The big ski resorts who live off high volume tourism have told us there are too many visitors and now have reserved parking. These are just a few examples. How do the substantial environmental changes which have occurred, and the ones being proposed do not merit updating the data you based your decision from. Table the proposal until there is an updated environmental review. Aren't the economics of Lake Tahoe meaningless if we destroy the environment, the character, and the beauty?

Chris King doesn't support the proposed amendments. In particular, the lack of the environmental impact report. The one thing that needs to be changed and that you could change on the fly right now, is achievable housing. That is the loophole that is going to prevent this plan from meeting its goals of creating any affordable housing. You're going to end up with lots of developments like Nine 47 Tahoe Boulevard with \$2.5 million condominiums that the workforce can afford. The achievable housing has nothing that is driving it as a requirement to be in there and yet it's the loophole that's going to destroy achieving the goals of this plan. It's unrealistic that you can live here in any kind of unit and not have a vehicle for all the reasons that have been cited. Eliminate the achievable or at least put an income cap as was recommended if you are going to approve this.

Kathy Gust said many that are in favor of the proposed developments are developers. She recommended that Ms. Gustafson should recuse herself due to her personal connection and benefits.

Kathie Julian, Incline Village resident said while supportive of efforts to incentivize developers to create housing for our workers, she agreed with the environmental groups and other speakers who suggest focusing on town centers, and testing for success before expanding to adjacent areas. She agreed that there needs to be a focus on disincentives as well as incentives in Phase 3. Her major concern remains the implementation arrangements that allow jurisdictions to "opt out," but which really allow local jurisdictions to craft a Tahoe area plan amendment that takes advantage of TRPA's code changes, especially increased height and coverage, while bypassing the offset 100 percent deed-restricted unit requirement. It suggests that local jurisdictions will have the flexibility, subject to TRPA approval, to approve mixed-income properties that may just include a smattering of achievable housing and no moderate or affordable housing. Luxury condominiums with a smattering of achievable housing. This implementation language appears to be the heart of the incentives being provided to developers. With such language, we may not end up with much housing for our workers because the developers will say it's not financially feasible, and our community will be even more crowded with luxury developments. She agreed that inventory would be increased at little cost if counties would put in place a short term rental cap, especially Washoe County. Any parking analysis should explicitly consider the impact of overflow parking on adjacent residential neighborhoods, that is not in there. The mixed-use definition is flawed. To ensure affordable space for our local small businesses, condominium lobbies and sales offices should not be eligible for mixed-use classification.

Please put in place a more rigorous audit of deed restrictions. TRPA is not set up to be a monitor and enforcer of deed restrictions.

Ginger Hess, Kings Beach resident said over the years there have been many improvements made to Kings Beach thanks to the old TRPA. We couldn't do anything to our property with that TRPA approval. She agreed with many of the previous commenters and doesn't support the proposed amendments. More development will not alleviate the problem, the traffic and housing are severe in Kings Beach. Those that support the idea of no parking development are forcing visitors to park in the neighborhood. We can all agree that traffic and houses are huge issues. However, these issues should be addressed first prior to any changes. Things have changed with Covid and remote working. The existing infrastructure was unable to handle the increased population of owners living in their vacation homes. Let's fix what's already broken. The Falcon Hotel has been an eyesore for 13 years. Ask developers to make that long-term housing for our workforce. If you're looking for revenue, why not monetize the four parking lots in the neighborhood? Her neighbors make money every summer by selling spots in front of their house. The achievable housing term that was used is not a valid measure. We need housing that families can afford to purchase or lease. Short term rentals need to be restricted. Many are empty during the off season. They are also problematic for the residents when visitors occupy them. Worker housing should be part of the development of these new resorts.

Scott Tieche, started coach surfing in North Lake Tahoe in 1980 and 15 years ago, became a property manager. Ms. Regan is tired of the same old discussions, maybe if the justifications for these changes had some meat in them the discussions could change. Housing is a problem globally, not just in the state of California and Nevada. It's fabulous that local agencies are trying to do something but coming up with their own achievable terms. Tahoe doesn't owe anybody anything. To some of these other developer types, do your due diligence before you spend all these millions of dollars. Don't spend all this money and then complain to the county and the local agencies that you can't make it work. As a residential realtor and sold a lot of commercial property over the years, if we didn't do our due diligence, too bad so sad. If you seen the Domus Project in Kings Beach, the cars are parked two and three side by side. The thing about no parking is a disaster. He agreed with the comments of previous speakers. Please vote no.

Sue Daniels, public official said you can vote no today and go back to fix the loopholes. You don't have to make a decision today with these many comments that are significant to what you're doing. She understands how hard it is for you to think and act independently when you're sitting at the table. Peer pressure is tough. She was one vote in a four to one vote for many years on a big project on the North Shore and was the one that eventually saved a great project that is now a shining example of what a no vote can do. Your agency set together a board direction to try and help solve affordable housing problems and you paid for studies and had your staff bring you something that you think will be the best financial scenario. However, you neglected to speak with the local planning team and the people in the community that have good opinions. You have experts out there and you haven't taken their consideration until the eleventh hour. Then as a formality, you presented this to the public and then sit here politely and listened to everything the public has to say. You take these experts' opinions, and you give them three minutes to do a job that you could have done by including them as the staff developed this with the developers in mind for the last two to three years. For once, hopefully this won't be an exercise in futility.

Samir Tuma, Business owner in North Lake Tahoe and on the Board of Directors for the North Tahoe Housing Hub and the North Tahoe Community Alliance said the Compact limits the number of housing units that can be developed in the basin. What these amendments are about is making sure that

upwards of 900 of those units that are remaining are developed for the workforce. Our current regulatory scheme is broken. What we've had for decades now, the only housing that gets built, is the expensive housing that doesn't work for the workforce. These amendments change that for around 900 to 1,000 units and make them so that they can be affordable for the workforce. The increased density makes it so that you can develop units that are affordable by design. The smaller units allow families or multiple roommates to afford those units so that they can work and live in the same community. There's been discussion regarding the impacts of traffic and how this housing will somehow impact traffic. It will reduce traffic and vehicle miles traveled if people could afford to work and live in the same community. These can't turn into second homes and ski leases. They're deed restricted. If we continue this analysis and more time and all that's going to do is allow more market rate fancy homes to be developed and use up the limited number of allocations that are available for housing. Please pass these amendments and let's get on with building housing that's affordable and achievable for the local workforce.

Janet McDougall said TRPA had a good strategy for controlling growth and land use, the commodities that dealt with tourist accommodation units, residential building allocations, commercial floor area, etc. That changed in 2004. She urged the board to read the 2004 staff report that made findings that vacation home rentals operate the same as a residence, they do not. That staff report said that if things didn't work out back in 2004 that it would need to be revisited. Unfortunately, that never occurred. Many residents begged for six or more years for limits on vacation rentals, but our pleading fell on deaf ears. She wants to see some affordable housing developed but not all of it in the City of South Lake Tahoe as has been done in the past. If more is developed in Nevada where they don't have an income tax, that makes it more affordable for the workforce. The housing that was built using precious residential building allocations needs to be addressed. This agency used an amortization process to remove billboards. That same amortization program could be used to eliminate some of the excess vacation rentals, particularly in areas where they don't belong. The City of Anaheim used an amortization program to remove vacation rentals when they had a problem. Start looking at some of the creative problem-solving that was once part of TRPA. We don't have enough parking. If you have a 2-bedroom apartment, you're going to have 2 cars. Look at all the cars that park on Montreal Avenue in South Lake Tahoe that don't have parking spaces. It's on the dirt and impedes snow removal.

Adam Wilson, North Tahoe Community Alliance and Lake Tahoe resident said they've heard things around traffic, short term rentals, clarity of the lake and making sure we protect this environment. This one item is one of many that has to be done. He hopes that the community continues to engage on all of those topics outside of just this topic as we look for solutions. These are difficult issues, but if we do nothing, we jeopardize the infrastructure we need to protect the lake and the economy. Many business owners can't find employees who can't find housing. There needs to be solutions to more workforce balancing. He encouraged the Board to pass these amendments and the community to continue to discuss the opportunity. Passing these amendments doesn't mean that suddenly, we've got 50 new developments. Each project has to be looked at individually. We've heard around the 900 plus units specifically for workforce housing with deed restrictions. There are other opportunities as we look at second homes, vacant homes and short term rentals but those are all solutions that are outside of this particular solution.

Jennifer Vadenais grew up in North Lake Tahoe and her husband grew up in Gardnerville and works in Truckee. They would have given anything to remain in the area to purchase a home and to raise their family but there was nothing affordable. Providing workforce or affordable housing is a worthy goal. But from what she's read about the achievable housing, it is not going to be affordable even for two working professionals. It's not desirable for most working families to live in a high rise apartment with

children in the middle of town. They would have rented longer, but all the houses are now short term rentals or sit vacant. Please don't allow the character and more rural nature of the North Shore to be changed with dense and tall buildings and areas outside the town to have unlimited density. These changes will never service the needs of my family yet could change the look and feel of our beautiful area forever.

Jacob Bird, North Lake Tahoe resident said he's for group development, growth, and re facing all the abandoned properties. He personally doesn't think we have a housing crisis; we have an exploitation crisis. One of the reasons is his family living in Kings Beach is exactly that. His condominium was one of the newly built ones and the subdivided plots that used to be a mobile home park and now it's seven townhomes. Because it's under 15 years there's no rent cap in Placer County. He's experienced almost a 70 percent rent increase in the last 5.5 years living in this unit. The no rent cap is a pretty big thing. The landlord is exploiting their tenants and pushing them out because they can no longer afford the newer units that are being built, which is exactly what will happen with every single one of those housing units. The rent will go up for the first 15 years until basically no one can afford it except the rich. There should be a no vacancy tax to tax homes that people own and are not using. That is a family that could be living there as one example. He may not be able to stay here if you approve these types of amendments. It's wrong and you're pushing the locals out of here. The developers won't get their return on investment here.

Erin Casey, Truckee resident and more recently working with the Tahoe Housing Hub that focuses on bringing additional housing to our community. She supported the proposed amendments. The Tahoe Truckee Community Foundation has a community report card. There's been a lot of data shared on traffic counts and surrounding fire impacts. It's important to look at some of the data behind mental health and the impacts of housing insecurity on families. There are many families that spend over 30 percent of their income monthly on housing.

Alex Tsigdinos, full time Lake Tahoe resident said public service would be great if it weren't for the public, some of you on this board and TRPA staff might be thinking that now. It's the public, the residents of Tahoe, the Basin's full-time stewards who know its sensitive and beautiful environment best. It's the interest of these people in this place that you were appointed or elected to serve. He wrote an opinion column for the Tahoe Daily Tribune that these plan amendments were put to a referendum to registered voters in the Tahoe Basin were local lawyer lobbyists, interest groups, and so on had no more influence than anyone else. They would fail. That's evidenced by the comments some of you have made stating you've never received this much opposition to a proposal. If you are thinking of voting yes today, please ask yourself whose interests you're supporting. It's easy to say that the new development these amendments would allow would not be fully realized for another 10 to 20 years. This is about preserving Tahoe for future generations. He is not opposing all development per se. He is for smart development. Please conduct an updated comprehensive environmental impact study that reflects the dramatic changes in the basin's population, visitation and climate change. Determine the carrying capacity of the basin given those changes. Develop a single comprehensive wildfire evacuation plan and concert with responsible federal state and local agencies. Also, do an independent validation of the cumulative impact of the environmental traffic, evacuation, etc., of large developments rather than regarding each solely on an ad hoc basis. Please set aside the sense of urgency to move quickly or just get something done, do the right thing to protect Tahoe's environment and quality of life. Vote not and come back later with a better plan.

Judith Tornese, Friends of the West Shore said TRPA is supposed to preserve and protect, not encourage development, tourism or economic feasibility. TRPA is put in a position of promoting the

protection of Lake Tahoe and its environment or promoting economic development and tourism. Please protect the environment of the Lake Tahoe area by requiring an environmental impact statement to identify, analyze, and mitigate these housing amendments, which will have significant impacts to the Lake Tahoe area. Friends of the West Shore wholeheartedly supports affordable housing that will work. But, has TRPA evaluated other affordable housing alternatives to determine the most cost-effective and efficient way to provide affordable housing. If TRPA has analyzed other alternatives, the public hasn't been informed of those alternatives and any analysis. That would include better regulation of and reduction of short term rentals to provide more workforce on local housing. Also, more subsidized housing only for affordable housing not to include luxury condominiums. Utilizing land trust, providing incentives to encourage home rentals to locals. If these other alternatives were considered and analyzed, what were the conclusions? Will new buildings be developed only for workforce affordable housing units and not as a small portion of total units in a building? Will the units be mixed with tourist accommodation or luxury units as justification for a small amount of affordable housing? Developers will build more luxury housing because that's what will make them the most profit. We do not need more high-end housing and these amendments seem to do nothing to stop it. Is there a guarantee that tourists and luxury units will not be added or mixed with affordable housing? In 2012 and 2016 data was used to evaluate these amendments which are old and outdated. Since then, there's been changes in population, wildfire risks and traffic.

Trish, runs the Tahoe Area ALS/MND Research Library who focus on the intersection between neurodegeneration and cyanobacteria toxins. She had a partner who grew up in the Tahoe Keys and died of ALS. After a professor at the Sierra Nevada College, she figured out that there was a problem up here. They discovered a neurotoxin in the water and air last summer. You are talking about all this housing, but you're not talking about the specifics of what type of materials are being used to construct the workforce housing, affordable housing, luxury condominiums, because eventually all those toxins that are inside the products will land in the lake. People are inhaling them inside their apartments, they are getting washed down the street, etc. This is absolutely part of the environment. She agreed with some of the previous speakers. Take the time to look at everything. Reading the comment letters and documents, nobody is talking about this. We have the highest ALS clusters in the United States between Lake Tahoe and Serene Lake. She's concerned about the Caldor fire, all the rusted metal in the marinas that she found at Meeks Bay. She found algae blooms all over Tahoe this summer that no one else seemed to be reporting.

Robb Olson, lives in Alpine Meadows, architect and developer doing housing in Tahoe City said these amendments are not proposing a project right now, it's proposing the ability to do a project and will be looked at on a case-by-case basis. If it's a big block building, it probably won't get approved. Let's move forward with this. It will help the environment with less people having to commute into Tahoe City or other areas around the lake. The housing issue is getting worse every year and we desperately need these measures.

Tara Hetz, North Tahoe Community Alliance said they have a grant program that takes tourism tax dollars as well as our Tourism Business Improvement District (TBID) assessment and invest it back into the community. She supported the proposed amendments. She's speaking for the people who don't get to speak. There is someone from their Hispanic community who with these amendments being passed would be able to provide housing for her workers and for her family. This allows them as a grant program investing both public tax dollars as well as the TBID back into the community to support workforce housing.

Kris Kingery born and raised in Tahoe said she's been supporting the workforce by renting her home to local workers. She's going through the hurdles in order to apply for the grant funding for the lease to locals program. And have her home evaluated by a general contractor to be able to apply for that lease to locals program. She would hope that there would be a stepwise plan that homeowners who are interested in renting a part of their home as a junior dwelling or accessory dwelling unit for local workers. That would allow them to repair their home to lease to. All of the hurdles and loopholes are making it difficult and is having to consider a short term rental. If there was a study to see how many local homeowners are interested, along with an easy to follow plan to reach that a lot more of us would be willing to open up our homes to locals to lease to them and provide them with some type of tax credits. The other would be to have the ability if you have a large property to build an accessory dwelling unit that would be part of the solution.

Ms. Gustafson said there was one more hand that went up after the cutoff. Steve Teshara sent letters in on behalf of the Tahoe Chamber and the South Tahoe Alliance supporting the amendments.

Staff Response:

Mr. Hester said there are three perspectives. You saw it's 5,000 to 6,000 and more if you count the Truckee area and bonus units are at best 20 percent of that. One thing that probably wasn't emphasized enough is the existing goals of the Regional Plan, HS.1 Housing for residents and workers, HS. 2, encourage in an environmentally suitable way within the growth management program. HS.3 regularly evaluate needs and update the Regional Plan and code which we do with the annual performance measures report. The issue has gotten worse, it's now 13 times people's income, which used to be about 6 times. You heard today and through all the hearings of the Regional Planning Committee and the Advisory Planning Commission that people with two income households can't stay here or can't have families. We have viable communities at stake here. And if we don't have viable communities, we've got a lot of other environmental problems.

The second perspective is what TRPA's role is. We are only part of the solution here; we don't cover all of the pieces. We don't build housing, but our regulations have a significant impact on those. Phase 1 dealt with accessory dwelling units and conversions of gaming properties. There's still Phase 3, and they've heard loud and clear that there are a lot of the issues that we need to work on there. What they're proposing does not preclude other measures that other entities or the public have brought up. It's not like by doing this you're precluding something else. People have talked about the Regional Plan Update. This is one of a series of mitigation measures that we have been working on for housing since that plan was done because that was one of the mitigation measures that they said we needed. We started with a BAE study on what we could do, there was the Development Rights Strategic Initiative where we tried to make development rights more available for housing. We had a two year process with our Local Government Committee working on short term rentals. They came up with recommendations which those of you at local governments know you're implementing. For example, in Placer County you do have a short term rental amortization program. As commercial hotel rooms come online, short term rentals are reduced. The Tahoe Living Working Group is part of that. We've done a lot with our role, but I think our role is limited.

Third, is more the substance of the amendments. This is not more development. We've heard that a lot of times this isn't more development, this is additional units. We're not changing any land uses, it's the same land uses that are allowed now. This is not designed for luxury units. What we're trying to do is make the cost of units lower.

A couple of points that we made by requiring stormwater infrastructure, we are making an improvement to the water quality and the clarity of the lake. And by having more transit oriented development that encourages lower use of the auto or getting better air quality. Those are good things that come along with these that are actually pluses environmentally.

Ms. Gustafson said there were several comments made on her perceived conflict. She does not have a conflict on this item. She's lived in Tahoe for 40 years and her husband for 42 years. He does a lot of work in the basin. The clients that you're speaking of are a whole separate environmental impact report process which she will recuse from. Second, there was the issue of luxury condominiums being built or luxury properties. She doesn't know that the public has understood the deed restriction. The achievable says you must work in the basin for a local employer. Because there's not too many folks that could meet those criteria and have a luxury unit. That's the issue, most of our wages are middle-class wages or lower in the basin.

Mr. Hester said that is correct. And you have to be a permanent resident. And that direction to make that tougher came from the Regional Plan.

Ms. Gustafson said on the process if someone was to use the height, it's her understanding from Placer County it has to through design review and has to meet the Scenic standards of TRPA. When we see images posted on websites alarming people that these are going to be above-ridge lines and above tree lines that cannot happen, correct?

Mr. Hester said that's correct.

Ms. Gustafson said she wanted to be clear because she doesn't want people to think that in any way anything that we're doing today is going to allow what is shown here.

Mr. Hester said the code amendments that are proposed clearly say you must still meet TRPA scenic regulations.

Ms. Gustafson said the comments heard today were excellent and there is confusion out there and some of the confusion comes from sources other than us. That's a challenge the government isn't good at. We're not great at doing a lot of social media and posts.

Board Comments & Questions

Mr. Hoenigman, Regional Planning Commission Chair, said we've been working on this for two years. The committee considers everything that is brought before them, and all those ideas have been tested. No one is happy 100 percent, and this tells him that they are probably in about the right spot. What they have done here from the community standpoint is we are doing the minimum that the consultants have suggested will actually produce results. We know that there are some things out there that a lot of you don't like but this is the minimum that it will take for us to get achievable housing. We can't afford to subsidize all this housing that we need so we have to get the private sector involved. And the request that you guys have brought to us, a lot of them have made and are about to ask for additional changes based on input that we've got.

There was a lot of concern about the multi-family areas. He recommended that they only allow those changes in areas where there is an area wide stormwater management system. So, we don't rely on

privately owned BMPs anymore. That is to protect the lake. That reduces the multi-family areas down to a very scant number.

Mr. Marshall asked if that was related to the coverage exception.

Mr. Hoenigman said yes for the coverage exemption will only be allowed in areas where there's an area wide stormwater management system.

Ms. Fink said that it's only the coverage incentive that you're saying would be ratcheted down, the other incentives that we've proposed would still be in the proposal.

Mr. Hoenigman said yes. And we can look at that again in Phase 3 because there was a lot of concern about that.

He also suggested that they move the transition zones to Phase 3. In response to the St. Josephs Housing letters and requests, he'd like to restrict the number of achievable housing units to 25 percent of the total. That leaves 25 percent middle income and 50 percent affordable. Also, increase the audit rate from a minimum of 10 percent to a minimum of 20 percent knowing that the board can change that percentage as they deem necessary based on what we're seeing out there.

These proposals were unanimously approved by the Regional Planning Committee. They not only provide one level of housing availability, but they also make the other levels much less expensive to subsidize for us. They provide improvements in lake clarity, community revitalizations, reductions in vehicle miles traveled, and emissions. And all of this is without us spending a public dime. If we don't act on this problem, it will get worse, and the solutions will need to be bigger. This is the bare minimum that works now.

Board Comments & Questions

Ms. Laine asked if they'd thought about putting a cap on achievable. She thought maybe 20 percent achievable when we split out the bonus units and maybe 30 percent moderate. The reason why is because even at 20 percent, it's 189 bonus units. It's a lot and if and if the public is right if that's what developers are going to focus on, she'd rather have a smaller number in there to begin with knowing that to your point we can move things around if we decide to.

Mr. Hoenigman said when he said they could move it around he's talking about the audit requirement. The percentage of achievable versus low income and affordable. He thinks we should keep it at 25 percent because remember that's only 25 percent of the units that we can get without these massive subsidies. And if they need more in those other levels they can pull from the achievable. They shouldn't run out and we can evaluate and if it looks like it's skewing in the wrong direction, we can change it at any time. He's committed to us re-evaluating things continuously.

Ms. Laine said 25 percent is the difference between 236 bonus units and 189 so that's a difference of almost 50 more units. We can change it later if we want to but she'd rather the cat not get so far out of the bag, and we end up with 250 achievable units without any affordable or moderate.

Mr. Hoenigman said the public money, the numbers are so big it's going to take a while.

Ms. Laine asked what about the income cap.

Mr. Hoenigman said we've heard a lot about that, and it's been very difficult to resolve because we have such differences around the lake. We end up with these high levels. What they decided to do was to audit more and to reduce that number of achievable units and then look at what's happening and review it and if we need to, we can come back with that. For Placer County to get their workforce, county workers and emergency professionals housed, they have asked us to keep it where it's just a local workforce requirement. To get these units to pencil, they're going to be smaller than a lot of typical units. They're in multi-family buildings. The APC who worked on this for a long time with the different counties came up with this and have resisted putting a cap on it.

Ms. Gustafson said one of the issues that they've seen is housing prices continue to escalate. Whatever number you put we as a board will just have to come back and try to raise that at some point if housing prices continue to escalate because we have a limited supply and a lot of demand. Placer County felt comfortable if you were a resident and working in the basin that is what they wanted to see. According to their Regional Housing Needs Allocation (RHNA) numbers that we got, 181 units above moderate and that's 42 percent of the total of what we need. They've done some affordable housing with Domus and Martis Valley. They have a fairly high need for those achievable units. She doesn't think that there's that many people that make that kind of money in our community to drive a luxury product. We could also do this through the opt-out program, correct? If there's consensus around the board that they wanted to do that. If Placer County ops out, we can reconsider height, but the bonus units would already be set and income level set. Could that be an alternative program that we say our share of the bonus units could be used?

Mr. Hester said essentially what the criterion for an alternative program under the opt out is you have to show that you can reduce the cost of the housing unit in the same amount that these changes. If you don't have an income level, we tried to tie this to reducing costs, not to income levels. Because we think that's more important way to go income levels as you all just said change county by county and year by year.

Ms. Gustafson said that's where it's so challenging because our incomes and our housing prices are different all around the basin and if we start setting a number unless it's pretty high people will be angry about that too. Placer County is trying to develop the Dollar Creek housing project and are trying to put for sale units for young workers and teachers and is where we're seeing prices that are going to continue to require a huge amount of public subsidy even to get those done and we've already donated the land. It's cost prohibitive right now even to build a small townhome duplex that somebody could buy.

Mr. Hester said the percentages needed for moderate and achievable are 26 and 27. That bolsters the argument for keeping it 25.

Ms. Leumer clarified with Mr. Hoenigman that he's suggesting capping it at 25 percent. She's more comfortable with that. She also likes the idea of an income cap or guardrails, so it's not taken advantage of and pairing that with a higher audit percentage. Fifty percent was proposed. She'd be comfortable starting 50 percent and it ends up that no one is violating it then we can lower it. It was mentioned if there could be a requirement that not just the renter is a resident in Tahoe, but the owner is two. Has that ever been contemplated?

Mr. Hoenigman said typically money comes from all over the country. We would love it if outsiders poured money into this basin to create housing for us. He doesn't know that we could come up with the money inside the basin to provide this need. They would like outside investment to come into the

basin to help solve our housing needs. That would be his argument against it and doesn't know if it's legal.

Ms. Leumer said she'd be supportive of trying to limit this to the town centers for now. We've heard that in a lot of public comments and makes sense. She would support pushing the incentives outside the town center to Phase 3. She also appreciated the changes that have been made around stormwater monitoring and only doing that where the locals can do the enforcement. She doesn't necessarily see that there needs to be a whole new environmental impact analysis done but deferred to Mr. Marshall to explain.

Mr. Marshall said let's distinguish between a general desire to look at evacuation and how that can happen in the basin versus a much more restricted analysis of what we're doing in this exercise. Under Article 7, obligations to review the environmental impacts but looking at the change that the proposal might have. It's not that generally conditions have changed over time, which staff presented information to the board recently that they haven't been seeing a whole lot of traffic. It may have shifted how it comes in and what time periods. There is a strong basis to say that changes may be more in perception than reality. What's key is that with the changes that we're talking about are to and already allocated and analyzed set of development potential. We're trying to get those approved bonus units on the ground. We're not adding any units or population that has not already been analyzed within the various environmental impact statements that we referenced in the beginning part of the Initial Environmental Checklist.

Ms. Leumer said her concerns if we are going to be eliminating parking it doesn't take away from what would have been required for EV capable and EV ready parking spaces. Statewide multi-family requires a certain percentage. She doesn't want to disincentivize people who might be wanting to get electric vehicles to help with our overall goals of reducing emissions in the basin. She wanted to ensure that ADA spots are still being provided at the bare minimum. We are all doing our best to engage with the public and listen to you all. The Tahoe Living Working Group is a good opportunity to expand and try and get more members of the public involved in that. She reads the public comment letters but it's nice to also get on the phone with folks and hear your opinion. She appreciated all the outreach that staff has done.

Mr. Friedrich said the question is about the reallocation of units among affordable, achievable, and moderate. He supported that amendment. St. Josephs has a lot of great projects and wants to ensure that there's space for those. For the record, Leah had reached out and had questions on some of the accounting of the number of units left. Are we talking about reallocation among the net units that are still available that haven't been reserved. For example, there's 800 and we're dividing those 50, 25, 25 or we were talking about allocating among the original 50/50 split before recent uses of these and reservations.

Ms. Fink recommended that we talk about allocating from the original language that is in Chapter 52 right now. It has a set amount that was still remaining in 2018 which was 1,124. Of that, about 50 units have been constructed. Another couple of hundred are in permitting. When we look at the overall need of approximately 50 percent, 50 percent moderate, and 50 percent achievable, we can still meet that need if we use that original 1,124. Whereas, if we apply those percentages to the remaining that leaves even fewer units in the moderate and achievable categories and the goal was to try to get more in the moderate, if that's what you are saying. Most of the deed restricted housing that's in permitting is affordable housing. There are over 400 units of affordable that are either in permitting or approved.

Whereas, we have two achievable units that have been constructed since 2018. The concern is around achievable but affordable is actually what's been getting built.

Mr. Friedrich said there's a lot of support for affordable and it's been the intention of carving out more for affordable would make sense to him to carve out the balance but might create some other issues of reevaluation. We could probably readjust that allocation in the future, but it's worth noting. The staff report mentions that the bulk of the opportunity for affordable housing for moderate is in the multi-family zoned areas. As we've heard from folks testifying for South Lake Tahoe, there's support for that. These units could all be built on single-family parcels of whatever that balance is. Presumably that we're concentrating some number of those on a smaller number of parcels rather than having dispersed among all units. These could be built on a single-family residence. He's heard the concern from other parts of the lake about building outside of town centers, but from the South Lake Tahoe perspective, there's a lot of opportunity here and a lot of housing that could be built that would meet some immediate needs. A few examples, where the college is, and Rite-Aid on Al Tahoe is empty and outside of a town center. That could be redeveloped as mixed-use development with housing on top. Not to mention duplexes and triplexes in residential neighborhoods. What is the percentage of opportunity that would be left on the table if we postpone the multi-family areas and again referring to what was said in the staff report.

Ms. Fink said the town centers were drawn around commercial areas, so, there's actually very little residential. Of course, they can be mixed-use or there are some vacant parcels. The multi-family areas were drawn around the places that local jurisdictions had already designated in their local plans for multi-family and is where most of our multi-family is. That area is about four times the amount of developable land for multi-family outside than there is inside the town centers. With the opt out provision, if a local jurisdiction doesn't want to allow those incentives, they could opt out. The threshold for opting out is pretty low. They need to submit an intent to update their area plan to TRPA within a year and specify generally what would be in that. It would allow them to opt out and not have TRPA codes take effect.

Mr. Friedrich said to him South Lake Tahoe wants to be able to have this option to develop. Even the League mentioned there's differences around the lake. We've heard that the opt out provision seems to be a fair resolution of that but will leave that open for discussion. A lot of people have talked about the disincentives, the carrots, and Phase 3 items. We need to make those choices between affordable housing, protecting the lake and kind of luxury free market real estate. We can't necessarily do all the above in Phase 3, it's about wrestling with those choices. As we're thinking ahead, could you give a preview of the type of choices and issues that would come in that discussion and what the timeline would be and opportunities for the public to engage now.

Mr. Hester said Phase 3 we have what's called the high impact transformative grant funding for that's over \$2 million and we plan to look at how we can reach people who have obligation to see who they are and what do they need. As well as what changes could we consider to our growth management system, including things like scaling, development rights so that a big house needs more development rights than a small one. We've also talked about all the different boundaries such as multi-family and bonus area boundaries, urban area and stormwater service areas and aligning those and making sure all our incentives and disincentives are working in the same areas the same way. Those are just some the things coming in Phase 3.

Ms. Fink said the idea of Phase 3 is to do an equity and climate update of some key programs in our code like our growth management system. That would mean looking at things like our development rights system. The fact that one development rate can be used either for a monster home or for a tiny

accessory dwelling units and there's no break in cost for the person doing the ADU. That same calculation will be used to look at coverage, and mitigation fees. It's not just looking at the equity impacts but the climate impacts as well.

Mr. Friedrich said we could also consider a tourist accommodation unit for vacation home rentals or if we're going to be an expansion of bonus units, are they carved out of the market rate remaining allocations. Not saying that those will be fully accepted but that would be a type of issues that could be contemplated in Phase 3.

Ms. Fink said Phase 3 is going to start with the goals in January. There's the Tahoe Living Working Group and an extensive public outreach process built into that grant. They'll determine how to engage with all the different groups that want to be engaged.

Ms. Hill said what is being lost by the Board is the three years of work that we've been doing on this. And by limiting this development to town centers, it is really not going to solve the problem. We need to take some bold steps and if the individual jurisdictions want to opt out, they can. But it's not appropriate to put that on the rest of the jurisdictions who would benefit greatly from these workforce housing projects happening in the transition zones. Staff did a really good job of working on these transition zones and working on this full package. We asked them to go bold. She supported the amendments as proposed but if the Board wants to make a compromise, that's what we do. We're going to return to this and not solve the problem is long term.

Ms. Diss said what she's trying to address with question/comment was this concern about the changing of the way of life and the rural versus urban and that interface. Do you know what the already existing current population density is of the specific areas that we are talking about this applying to?

Ms. Bettinger said she doesn't have it at the ready but believes it's pretty low.

Ms. Diss said inside what would be considered the town centers.

Ms. Fink said we did this analysis for a previous presentation earlier in the process because our on the ground densities are much lower than what's allowed. They allow 15 units per acre but what we're seeing is eight or less and that's not enough to support transit.

Ms. Diss said she doesn't mean per acre, more like for communities that are geographically small, but the entirety of the population lives within a couple of miles of each other. The work done over the three to four years to narrow this to specific areas of town centers and then places already designated as multi-family speaks to the work of the agency and staff to try to keep this to the feel of the areas that it's in. We know that the City of South Lake City is more densely populated than a lot of other parts of the lake. But if areas are already zoned multi-family and if areas are a town center where we're trying to designate development, she agreed with Ms. Hill that she would like to move forward with the multi-family outside of town centers at this point in time. We're talking about 946 bonus units spread out across a very small percentage of the entire lake. In no one area could it dramatically change even the total population of the area, much less the feel of the area. Tahoe is unique and a special place and it does have a largely rural feel, but California is the most urban populated state in the nation and Nevada is the second most urban populated. In Nevada, all of the people live in urban centers. Leaving open space to be open space and concentrating growth into certain places. And this is that on a microscopic level. We're trying to concentrate population into small areas, so we have the benefit of enjoying those wonderful open spaces and you don't have a mansion or something in the middle of an open space. These measures move us in the right direction in terms of concentrating development in that matter.

Mr. Hester said a lot of those concepts Ms. Diss alluded to is what are good considered good planning.

Ms. Diss understands the concern. She appreciates what makes Tahoe is the feel that you're getting away from it all. In these town centers where we already have grocery stores and Starbucks and things like that, we're not talking about one stop light towns, it's areas that have already been a little bit urbanized.

Mr. Settlemeyer said Nevada is incredibly densely populated because over 90 percent of it is owned by somebody else. And Tahoe suffers from the same type of affliction per se. Whether the land is owned by the state of Nevada, state of California, Forest Service, State Parks, or county city area that is also owned but not able to be built upon, or this minor fact called the entire lake, which nobody builds on. Where are all the buildable lots left, are they in these town centers? Where are the majority of the buildable lots that could be utilized for these type of projects?

Ms. Fink said the buildable lots are pretty well distributed throughout the basin. Throughout the whole basin, we only have about 3,000 to 4,000 buildable lots left for single and multi-family in town centers.

Ms. Bettinger said in town centers, there's about 181 parcels that we consider vacant and developable. In multi-family areas that's 918 parcels.

Mr. Settlemeyer said that goes into the analysis of where this is going to occur. But also, it's going to be driven by market forces. The simple fact that Incline Village tends to be a lot more valuable per square foot because we're no longer dealing with acre prices anymore is going to govern where a lot of these potential projects go and is just a reality.

Ms. Conrad-Saydah said short term rentals come up all the time and feels having a workshop or a process to discuss this would be valuable.

Mr. Friedrich said it might be worth having some discussion to see if there is concurrence on the proposed changes and what are the trade-offs to those changes. He believes there is concurrence on the reallocation.

Ms. Gustafson said when she was thinking of opt-out, she knows the North Shore community has been very outspoken about the height being very egregious. She has repeatedly told members of the public and various groups that there are a couple of key sites, but they're in the transition zones that may accommodate more height. If eliminate transition zones today and a project comes forward that the community is interested in doing to try to meet our needs. We're in crisis mode in the North Shore as far as businesses closing, we're down to one grocery store in Tahoe City and boarded up buildings for the first time and 50 years in downtown Tahoe City. We need to find some solutions on housing. She doesn't want to be in a position where we've taken out transition zones. One of these is the old 71 acre dump site which is unbuildable. There is a small parcel behind the Trading Post Center, Lake Forest, and Dollar Hill are transition zones.

Ms. Fink said you could come in with your own change to say we want to allow additional height in these areas.

Ms. Gustafson said or additional coverage or the other. Because she doesn't know that the community wants height or in all these situations. Lake Forest has been a traditional area of a lot of housing. Are there other incentives with?

Mr. Marshall said yes, that would be the way to do it and yes you can do that either with a change to an area plan or coupled with the project. It's going to be probably easier to do height and density

changes subsequently, but coverage is going to be more difficult just because it requires thinking through of what you're proposing and what that might be.

Ms. Gustafson said yes, that's one of her fears. Anytime we talk about area plan changes, then we're getting this dialogue going of anything could be litigated and then hold us up from getting housing on the ground. She asked Placer County staff how many developers have come forward since we started the Mountain Housing Council in 2015. We had tiger teams that tried to get things going for development in these areas and zero for the affordable and moderate.

Mr. Hester said right now there are multi-family zoned areas, and you have towns center areas, then the transition zone. All three of those are parts of the proposal and what Mr. Hoenigman said was drop the transition zones, keep the town centers and multi-family. That's part of the answer. The other part is if you said we don't want the height in town centers, we want to drop it, TRPA would ask how would the local jurisdictions make up the cost per unit by not allowing that. It might be that they pay for the stormwater. Land might have to be put in or some other way to get that cost to the same level.

Ms. Gustafson said she wants to find a compromise for the transition zones. She understands that's our duty in making public policy, she just doesn't want to be short sighted that we may prohibit any housing at least in the Tahoe City area. You can't go taller in the downtown because of the scenic guidelines. It would have to be in these lots that are back off the road. She doesn't know that it will pencil even with the heights. If we set this at 25 percent for the achievable, we can take away from that and move it to affordable, but we can't take affordable and move it to achievable. If we see that's running rampant, the Board could say no, we're going to move more to affordable. She doesn't think we'll see that because these are difficult projects to do.

Mr. Hoenigman said his understanding is the affordable kind of automatically pulls from the other levels. We as a board could pull from them to assign more to achievable if we wanted to and would require a vote, but it's automatic in the other direction.

Ms. Gustafson said she's unsure because we have much more limited room on the North Shore than you have on the South Shore if you look at the zones that could potentially apply to any of this. Eliminating transitions could be a big impact if we can move quickly and have projects come forward and the county willing to carry them and get support from our community. Look, we've made this compromise today, but we're going to come back with specific zones where we need them or sites.

Ms. Laine said this is also an issue of trust. All of us around the table are human beings. We're all trying our best, but we're not viewed in the best lens, not especially recently. The idea that Mr. Hoenigman put forward, that we save the transitional zones for Phase 3 slows it down a little bit and allows the public the ability to say, okay, well, they're at least trying. The concern that she hears from El Dorado County is that there's going to be some big development right next to a neighborhood. We need the community's support, and this addresses that a little bit.

Her other question is around the public subsidies. It's been stated by even board members that this does not eliminate the need for public subsidies whether it's local, state, or federal. Her experience is that when you accept state and federal grants, which we needed to do even in the Sugar Pine project to get that \$100 million dollar investment. Once you do that, anybody living in the state of California or in the United States can apply for housing in that particular development. She believes that's right because the City of South Lake has done an exorbitant amount of affordable housing, much more than our share. But when we've opened up some of these facilities, there's a lot of out of state people that move into them and not always necessarily locals. How do we ensure that if something's built it's going to have the effect that we're looking for?

Mr. Marshall said if you're accepting particularly federal money then there's going to be strings attached to that. It's mostly going to happen in affordable and moderate. What we're trying to do with achievable is bring the cost down, so you don't have to subsidize for achievable. If you can get away with not having the string from the funding, then you can restrict it to local workers.

Ms. Gustafson said she's not saying it doesn't work anywhere. She's saying on North Shore we haven't been able to pencil a project for an achievable without a local subsidy. They are okay with that because we know we have to help our workers get houses.

Ms. Laine said because the local subsidy wouldn't have the same effect.

Mr. Hoenigman said the motion would be to approve the package and drop the transition zones and pushing the multi-family to Phase 3.

Mr. Marshall said the first time he said that it had to do with connecting coverage outside of centers, you would have to be connected to area wide stormwater.

Mr. Hoenigman said right now and then we can reevaluate in Phase 3. Making sure that parking does not prevent us from meeting any EV or ADA requirements from state or federal sources.

Mr. Marshall said those are independent requirements that TRPA's rules would not trump. TRPA's are just an allowance that if they can go to zero or .75 average, they can do that. If they have other obligations they have to meet, then they've got to meet those.

Mr. Hoenigman said there was the question on the audit where he had proposed 20 percent, and some had proposed higher.

Mr. Hester said it would cost us a little bit more but not significantly more and they can go to 50 percent.

Mr. Hoenigman said maybe in the first couple of years that would get people confidence.

Mr. Hester said he also mentioned limiting achievable to 25 percent using the 1,152 number.

Mr. Marshall said starting on page 369 of the packet, which is the code language. To implement the transition zones, we're going to pull those out which are in Chapter 37, Section 5.5.B on page 381-382 deleting Subsection B, 37.5.5.B, height and transition zones. To affect the coverage requirement change is on page 337 of the packet Section 30.4.2.B5.b which is the carryover from 377 to 378. You'd delete Subsection B. On page 377, 30.4.2.B.5.a is if they can connect to a stormwater collection system that allows it. B was the alternative to say that they can go to BMPs if such and such. We'd delete B so the only way they could get coverage outside of centers is if they are connected to a stormwater system under A.

Mr. Friedrich asked what would be the ramifications of that. There aren't many area wide stormwater systems. How many developments are we potentially curtailing?

Mr. Marshall said you are curtailing the availability of the coverage going from 50 to 70 percent outside of centers. Those would have to occur when they could connect to a stormwater treatment. He believes all of ours are in centers. There may be a couple instances but there's reduced opportunity because otherwise you could go the BMP route in Subsection B if the local jurisdiction undertakes certain obligations. So, it is reducing the scope of that ability to go from 50 to 70 percent.

GOVERNING BOARD

December 13, 2023

Ms. Gustafson asked if this is something that could come back in Phase 3 with the right sort of interceptors. They've done a lot of mechanical treatment now that far exceeds some of our area wide storm drainage.

Mr. Marshall said yes. mean, we've done a lot of mechanical treatment now.

Mr. Hester said they'd hope to identify the next phase where they should go to align with everything else.

Ms. Gustafson said the two that she's aware of on the North Shore are the ones in Tahoe City and Kings Beach.

Ms. Bettinger said there's a slide that shows active stormwater area wide treatments in blue. They are limited. There's one in Tahoe City and the one in Kings Beach is getting close to being active. And then there are a few on the South Shore.

Mr. Friedrich said we should know that allowable coverage was selected to enable the type of duplex, triplex, quadplex type developments. They're likely not to happen for quite a while because that these stormwater systems are not in place.

Mr. Hester said before they happen with using 50 percent coverage instead of 70 percent.

Ms. Fink said very few areas allow 50 percent coverage. Those are only the areas that are in the old community plans. Once they convert to an area plan, the ability to do 50 percent goes away.

Mr. Hoenigman said they can be reevaluated in Phase 3, and it could come back with the BMPs. There was much more community upset about the multi-family areas.

Ms. Gustafson said she believes the concern was that the BMPs may not be maintained and up kept and think again if the local jurisdictions agree that they're going to maintain those and can prove that to folks than there's an opportunity because we know technically, we can treat that stormwater in a smaller system for a site but they need to be maintained by the local jurisdiction she believes is the concern.

Mr. Hester said that's correct and they wanted to make sure that it was part of the pollutant load reduction credits that Lahontan and the Nevada Division of Environmental Protection would be doing.

Mr. Marshall said these are the language edits that we would propose that the Board adopts to Section 52.3.1 that would restrict the number of bonus units to 25 percent for achievable.

Mr. Hoenigman made a motion to adopt the required findings (Attachment A), including a finding of no significant effect, for the adoption of amendments to the Code of Ordinances Chapters 1, 13, 30, 31, 34, 36, 37, 52, and 90; and changes to the Regional Plan Goals and Policies, Land Use and Housing Sections; that will only apply to projects applying for deed-restricted bonus units.

Ayes: Ms. Bagwell, Ms. Conrad-Saydah, Ms. Diss, Mr. Friedrich, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine, Ms. Leumer, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

Nays: Mr. Aguilar

Absent: Ms. Faustinos

Motion carried.

GOVERNING BOARD

December 13, 2023

Mr. Hoenigman made a motion to adopt Ordinance 2023-__ (Attachment D), amending Ordinance 2021-03, as amended, for the adoption of amendments to the Regional Plan Goals and Policies, Land Use and Housing Sections; that will only apply to projects applying for deed-restricted bonus units to the TRPA Governing Board with the following amendments to Attachment B, deletion of 30.4.2.B.5b, deletion of 37.5.5.B, and the edits to Section 52.3.1 to limit achievable bonus units to 25 percent of the pool.

Ayes: Ms. Bagwell, Ms. Conrad-Saydah, Ms. Diss, Mr. Friedrich, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine, Ms. Leumer, Mr. Rice, Mr. Settelmeier, Ms. Williamson

Nays: Mr. Aguilar

Absent: Ms. Faustinos

Motion carried.

Mr. Hoenigman made a motion to adopt Ordinance 2023-__ (Attachment C), amending Ordinance 87-9, as amended, for the adoption of amendments to the TRPA Code of Ordinances Chapters 1, 13, 30, 31, 34, 36, 37, 52, and 90; that will only apply to projects applying for deed-restricted bonus units to the TRPA Governing Board with the following amendments for the deletion of Section 30.4.2.B.5b and the deletion of 37.5.5.B, and the amendment of Section 52.3.1 to limit achievable bonus units to 25 percent of the pool. And 52.3.1. Assignment of Bonus Units: A maximum of 1,400 residential bonus units may be approved by TRPA pursuant to this section. Residential bonus units may be made available to affordable, moderate, and achievable-income single and multi-family housing projects subject to the criteria in subsection 52.3.4 below. Eight-hundred and forty three (843) of the 1,124, or three quarters of the remaining as of December 24, 2018, residential bonus units from the TRPA pool, whichever is less, shall be used for affordable or moderate-income housing units; the remaining 281, or one quarter of the remaining, residential bonus units from the TRPA pool, whichever is less, may be used for achievable housing units.

Ayes: Ms. Bagwell, Ms. Conrad-Saydah, Ms. Diss, Mr. Friedrich, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine, Ms. Leumer, Mr. Rice, Mr. Settelmeier, Ms. Williamson

Nays: Mr. Aguilar

Absent: Ms. Faustinos

Motion carried.

VII. REPORTS

A. Executive Director Status Report

1) Executive Director Performance Review and FY2023-24 Proposed Compensation

Ms. Atchley presented the results of the performance review for Julie Reagan, executive director. Feedback on Ms. Reagan's performance this year is based on the timeframe of December 2022 to November 2023. Miss Reagan wrote a self-assessment of her overall accomplishments for the above noted time period, which was emailed to two different groups consisting of all Governing Board members and all TRPA staff members. That report and that self-assessment is included in the staff report as Attachment A along with the summary of performance review results as Attachment B. All respondents were set a confidential anonymous survey link which asked for feedback on her Mr. Reagan's level of overall goal attainment. Based on her self-assessment assessment and her

performance on the TRPA core leadership competencies. Those overall results respondents ranked Mr. Reagan as exceptional at 47 percent and fully effective at 37 percent. There were some also specific results based on those TRPA core competencies, but those were, again, the majority of respondents that ranked Miss Reagan exceptional or fully effective. There was a third part of this review where we sent to a group of agency partners. The survey consisted of four different questions where they ranked her from either strongly agree to strongly disagree. And then there were six open-ended questions.

Staff are recommending an increase in salary as stipulated in the staff report.

Ms. Regan appreciated the feedback and it's been an honor to be your director this last year. Thank you for instilling your confidence in me to lead this incredible organization. I'm so proud of the teamwork at the board level at the staff level. Our team has gelled, and we have unleashed a lot of creativity. I will take those constructive pieces of feedback to heart and would be happy to meet with any of you individually if you have additional ideas or suggestions.

Board Comments & Questions

None.

Public Comment:

Tim Delaney said there's no way he'd support folks giving themselves a pay raise. Tahoe is about quality life and the environment. The way you're managing it have highly damaged my human spirit. When I see the East shore beaches being pummeled and destroyed after the Burning Man festival with garbage. Others were out there the day before picking up trash and the day after it was me picking up from Whale Beach to Secret Cove. His generation never got anything affordable or achievable. His Vietnam War era babysitter was drafted and lost his legs from Agent Orange poisoning, and he didn't make it passed the 30. He had to leave Tahoe to work in a dirty, filthy urban environment around our country and all around the world. He paid my dues so he could have the opportunity to own a home up here and my friends paid their dues so they can try to keep them. This is disrespectful. You're Americans, you are destroying it.

Lyn Barnett said he appreciated Ms. Reagan. It's a tough job and the Agency cannot solve all the problems in the world, and you've always been on a lightning rod for people that are disenchanted. Ms. Regan builds teams and brings people together.

Doug Flaherty said in the future if we're going to give raises to government bureaucrats, that you show the data of the entire benefit package. Because a little over \$200,000 after taxes does not go that far but would like to be able to see a consideration and discussion on total benefits as well.

Ms. Laine made a motion to increase Julie Reagan's base pay to \$207,926.80 per year.

Ayes: Ms. Bagwell, Ms. Conrad-Saydah, Ms. Diss, Mr. Friedrich, Ms. Gustafson, Mr. Hoenigman, Ms. Laine, Ms. Leumer, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

Absent: Mr. Aguilar, Ms. Faustinos, Ms. Hill

Motion carried.

B. General Counsel Status Report

1) General Counsel Performance Review and FY2023-24 Proposed Compensation

Ms. Williamson said they discussed this at the Legal Committee this morning. Ms. Atchley read the summary of comments that were overwhelmingly positive but also some good introspection from Mr. Marshall on what he would also call constructive criticism. She thanked him for everything he does.

Board Comments & Questions

None.

Public Comments:

Tim Delaney said he's not too positive about these reviews and pay raises. The concept that you folks are damaging Lake Tahoe and at the same time you're reviewing your own results here and you're giving yourselves a pay raise. You should ask for a pay raise from the general public.

Mr. Settelmeier made a motion to increase John Marshall's base pay to \$205,871.71 per year.

Ayes: Ms. Bagwell, Ms. Conrad-Saydah, Ms. Diss, Mr. Friedrich, Ms. Gustafson, Mr. Hoenigman, Ms. Laine, Ms. Leumer, Mr. Rice, Mr. Settelmeier, Ms. Williamson

Absent: Mr. Aguilar, Ms. Faustinos, Ms. Hill

Motion carried.

VIII. GOVERNING BOARD MEMBER REPORTS

Ms. Diss said there's been comments about board members not living in the basin. There are the four appointed members, three from California and one from Nevada, who are not allowed to live in the basin according to the Compact that these members shall not reside in the region. It's not to move power away from this important place, we're supposed to be here to represent the entirety of the states that we come from.

Ms. Leumer said she's one who lives outside the basin but spends a lot of her time here. Her family's been here for five generations and spends her winters over the hill in Woodfords. Even for folks who don't reside here, they love Tahoe and do this job unpaid because they do care and have a deep commitment to do the right thing.

Mr. Settelmeier said he lives in the Carson Valley. His family thought about buying some land in Lake Tahoe and great Grandfather thought it was ridiculously overpriced and would not be caught dead paying one dollar per acre for any land!

Mr. Friedrich said he went to a presentation at the Tahoe Environmental Research Center last Thursday for a presentation by Herman Fillmore and his sister about the homelands of the Washoe Tribe. They've been here up to 15,000 years and they made the comment that only two members of the tribe could afford to live in Tahoe right now. That's a little perspective on the action we just took. Last Tuesday he attended TRPA's all staff meeting. He was so impressed by the passion, dedication, and the commitment of the staff who he thinks are equal or achieves anyone in the basin putting them toe to toe. It was great to have that interaction. Today is his last meeting as he will be turning this position over to Cody Bass and he will be the alternate. He's moving over to the Tahoe Transportation District Board and Cody will be the alternate there.

IX. COMMITTEE REPORTS

A. Local Government Committee

None.

B. Legal Committee

None.

C. Operations & Governance Committee

None.

D. Environmental Improvement Program Committee

None.

E. Transportation Committee

None.

F. Regional Planning Committee

None.

X. PUBLIC INTEREST COMMENTS

Tim Delaney said there's been talk about how expensive the cost of real estate is. Living in Tahoe since 1970, he's seen about five or six real estate and economic busts. Real estate always goes up, it's always going to be more expensive no matter what, it moves with inflation. Sometimes there's a plunge and people go bankrupt. This is not new to this generation. For folks that didn't buy property a long time ago, I feel for them. If you are not willing to buy and hold on to it and bail, that's too bad. He lives life on a nickel budget with penny taste. You have to teach younger folks to think about all that, always bailing them out is going to hurt you and then the country will go down the drain. If you lose the environment, you have nothing at all. Large buildings are ugly. All your documents and slide shows have all these big old garish buildings and it's got a tile roof. You folks don't know what you're doing. When a winter storm happens or something bad happens and you lose power and there's all those folks that are tied to the grid and have no backup source for a month. You can kill a lot of people in Tahoe.

Ann Nichols, North Tahoe Preservation Alliance said this is disappointing and appreciate that you feel like you've really given us a lot of gimmies, but you never gave us the environmental analysis that is required. What's concerning is that Ms. Gustafson keeps saying that all of these people are saying all these wrong things and thinks the board was misled. If you self-report that you work 30 hours per week, you could be self-employed, have your own business license, you don't have to work for an employer. She could even do this, and you are not fairly presenting the loophole that is huge. Ms.

GOVERNING BOARD

December 13, 2023

Gustafson, if you are going to recuse yourself if 39 Degrees North comes forward what about your husband working for Palisades, Northstar, and Homewood. How can you represent us then?

Doug Flaherty, TahoeCleanAir.org gave a shout out to Mr. Aguilar to have the fortitude and think as an individual to vote on these amendments. It's something we don't see very often. He knows being raised as a child in the outskirts of Reno by a stepfather who was a turn in the century cowboy, miner, carpenter, and horse breaker. He's proud of the Nevada that he used to know. But you are a long way from that. You didn't provide the leadership today that was needed. It's obvious that you didn't read all of the information or otherwise your conscience would have hopefully said that you're going to have to vote no. You gave into the developers. When is enough, enough? We're facing more than a housing crisis here. Lake Tahoe is beyond the breaking point. The pristine East Shore has been damaged by the East Shore Trail and you want to build more trails and parking. We need the Nevada legislature to declare the East shore and the area on the east side of the Tahoe Basin as a conservation area. He's disappointed that the chair uses this excuse that people just don't understand. Please provide the leadership to be good stewards of Lake Tahoe and stop these projects that are degrading Lake Tahoe without adequate environmental impact statements.

XI. ADJOURNMENT

Mr. Friedrich made a motion to adjourn.

Ms. Gustafson adjourned the meeting at 6:38 p.m.

Respectfully Submitted,



Marja Ambler
Clerk to the Board

The above meeting was recorded in its entirety. Anyone wishing to listen to the recording of the above-mentioned meeting may find it at <https://www.trpa.gov/meeting-materials/>. In addition, written documents submitted at the meeting are available for review. If you require assistance locating this information, please contact the TRPA at (775) 588-4547 or virtualmeetinghelp@trpa.gov.

TAHOE REGIONAL PLANNING AGENCY
REGIONAL PLANNING COMMITTEE

TRPA/Zoom

December 13, 2023

Meeting Minutes

CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Hoenigman called the meeting to order at 11:21 a.m.

Members present: Ms. Bagwell (for Ms. Aldean), Ms. Diss, Ms. Gustafson, Mr. Hoenigman, Ms. Leumer, Mr. Settelmeyer

I. APPROVAL OF AGENDA

Mr. Hester said Item 4 will not have a presentation, but staff will take public comment. Any action will be postponed to the next meeting.

Mr. Hoenigman deemed the agenda approved as amended.

II. APPROVAL OF MINUTES

Ms. Bagwell said the meeting was called to order at 12:08 p.m. and not a.m.
Ms. Diss moved approval of the November 15, 2023 minutes as amended.

Motion carried.

III. ELECTION OF VICE CHAIR

Ms. Diss nominated Mr. Settelmeyer as the Vice Chair.

Public Comments:

None.

Board Comments & Questions:

None.

Ms. Gustafson made a motion to elect Mr. Settelmeyer as Vice Chair.

Ayes: Ms. Bagwell (for Ms. Aldean), Ms. Diss, Ms. Gustafson, Mr. Hoenigman, Ms. Leumer, Mr. Settelmeyer

Motion carried.

- IV. Discussion and possible recommendation on modification of the Regional Plan Goals and Policies Policies (DP 5) that guide adaptive management towards Transportation and Sustainable Communities Threshold Standard 1 (TSC1)

Public Comments:

Ellie Waller asked if presentations that go to the legislators first come before the Governing Board. She expressed a desire for local jurisdictions to have presentations on projects from the Tahoe Transportation District, specifically mentioning the State Route 28 Spooner Mobility Hub in Douglas County even though it intersects with Washoe County. There is secured funding as stated, the earmarks are here for \$4.6 million for that 250 space parking lot and joint Aquatic Invasive Species Inspection Station. She appreciated everyone trying to state their names and avoid excessive use of acronyms.

Jesse Patterson, League to Save Lake Tahoe said the updated Vehicle Miles Traveled (VMT) Threshold was a reduction of VMT per capita from the baseline that was negotiated and agreed upon. Implementation of the Regional Transportation Plan or projects within was one of the best ways to help identified to help achieve that threshold. He mentioned the environmental safeguard triggered at the end of the year and expresses concern about falling short on ongoing funding. That was a no net unmitigated VMT for all projects except for affordable and single-family housing. They appreciate the efforts of TRPA staff in securing funding for 2023 but highlight the need for assurances to implement the plan effectively over time. Despite that progress they've fallen short with the ongoing source of funding which doesn't get those assurances to implement the plan overtime and offset those VMT impacts. He looks forward to continuing conversations in 2024 under the new trigger of no net VMT for all projects, except for affordable housing and single-family residences.

Ann Nichols, North Tahoe Preservation Alliance said the public is unaware of the 7-7-7 plan. How is the public supposed to pay for this and how is it going to happen? She hopes for some transparency. You are going to the public for money which is really a tax without representation.

Committee Comments & Questions:

Ms. Gustafson has served in various capacities related to transportation issues for several decades. She appreciated that they were pulling this from the agenda for more dialogue. There was some disagreement on what was agreed upon during the bi-state consultation and highlighted the importance of discussing sustainable and ongoing funding sources to achieve those goals. In the breakdown on page 647, it shows that the local private share being underfunded. In Placer County they are general funding over \$6 million annually to projects related to free and frequent, micromass transit and other items in the project list. They requested clarification on how these contributions are counted and emphasized the need for accurate numbers when discussing the issue further. Their contributions are coming from Transient Occupancy Tax (TOT) and Tourism Business Improvement District (TBID) dollars, with some potential general fund in planning for some of those larger projects. In conclusion, she underscored the importance of considering the significant contributions made by local jurisdictions, such as micromass transit and other solutions that we all support.

Ms. Leumer expressed concern about ensuring that the agreements made during the bi-state consultation are upheld. She's spoken to both the League and the Attorney General's office and there

December 13, 2023

seems to be misunderstanding about when and how the trigger happens. It feels like there's an automatic trigger because the funding hasn't been met and automatically happens. If there are projects in the queue, it might be better to institute the no net VMT trigger now to avoid retroactively revisiting decisions.

Mr. Marshall clarified that the trigger is based on a policy and goal adopted by the board as part of the new Transportation Threshold for VMT per capita based on funding. The policy states that ongoing regional-based funding needs to be in place by December 31, 2023. There's a separate policy for the way that the trigger is pulled. If there is a finding that the standard has not been met, then automatically the standards of significance for reviewing projects becomes more strict for certain classes of projects. While the standard is set on that you need funding by a particular date there is nothing in the standard that automatically therefore triggers the reduction in the standard of significance that is the project review function. There needs to be a finding first that the standard has not been met. If there is a positive finding that it hasn't been met, then the increased standard of significance automatically goes into effect. It doesn't happen automatically, it happens by a finding of the Governing Board that the conditions of the initial standard were not met, i.e., ongoing regional funding by December 31, 2023.

Between now and January 24, 2024, unless the Board decides to make a finding on this at an agenized meeting, there is not automatic reduction in the standard of significance. It only happens after that finding has been made. There is no deadline specified in the Regional Plan in the implementation for when that finding is supposed to be made. There's a certain understanding that if it's related to that December 31st deadline, there is some urgency that it should be made relatively soon thereafter. It's also articulated in that implementation section for this threshold is an adaptive management process. There's a committee that reviews information to whether or not we are in compliance with various transportation requirements. They would issue a report that goes to the Governing Board. Presented from that adaptive management measures that the Board can take to address the question of whether or not we are meeting our threshold obligations.

Also, in the section of the Goals and Policies that if they don't meet certain VMT per capita milestones then automatically there is an adaptive response to that of increasing fees and the higher standard of significance for projects that are outside of town centers. Once the check is made on what the VMT per capita is there is no finding in that circumstance that the Governing Board needs to make. It was just put in for the finding requirement for the reduction in the standard of significance for project review VMT generation.

Mr. Settelmeyer asked what constitutes ongoing. Since the legislature has the ability to invalidate previous funding agreements and we are seeing a potential shortfall in the state of California, they could be making a change of allocation. What is the definition of ongoing? Does it need to be a dedicated tax stream? Do projects count towards that and is part of the reason for the delay of this discussion. The confusion is not about the explanation, it's just the definitions that go into it.

Mr. Mashall said that makes up your findings and the Board has the discretion about how to apply that language to the various appropriations sources of funding that are being put forward currently. There's the Tourism Business Improvement District (TBID), legislative appropriations, and different kinds of funding mechanisms that get us to the 7-7-7 or funding of the constrained model for the Regional Transportation Plan.

December 13, 2023

Ms. Gustafson said as a local representative you can see her testimonies before her Board of Supervisors, the Tahoe Transportation District, and many others saying the locals need to come up with their share to avoid this situation. Many of them were in support of a basin entry fee as probably the only thing that would meet that kind of ongoing and not be a discretion of project approvals. There is a lot of discussion about what the two states want to do. If they as locals can't do a basin entry fee, even their Tourism Business Improvement District (TBID) be renewed at certain points. She thinks their approach at this Board is to hear each other out and try to understand how to move forward cooperatively. Let's celebrate the huge success in transportation because we are closer in alignment to everybody's interest and performance than we've ever been in many decades. If the two states are going to tell them that they want to implement this or have another solution for what would be ongoing, she would like to hear it.

Ms. Regan said this discussion just illustrates the complexity that's involved in this and why we're moving that into next month. Staff will go back and make sure all those local sources are correct. Some of it has to do with reporting on the annual fiscal year. Number one, education in getting everybody on the same playing field. Many members of the board and staff have changed in the last couple of years and is imperative that we all get on the same page.

V. UPCOMING TOPICS

Mr. Hester said we have the Tahoe Basin Area Plan Amendments from Placer County and the item we've been discussing today is coming next month. Topics for the future are the mixed-use and inclusionary zoning amendments, area plan amendments from the City of South Lake Tahoe and Douglas County.

VI. COMMITTEE MEMBER REPORTS

None.

VII. PUBLIC INTEREST COMMENTS

Ellie Waller, Douglas County resident, has attended a lot of meetings and hopes we do not have a repeat of the 1,300 VMT count which seemed by perception a problem at Mr. Yeates' last meeting on the Governing Board. The public is anxious to have TRPA weigh in on short term rentals because there are impacts there that have not been analyzed at the jurisdiction level or at the TRPA. There are more cars and people. That needs to come forward with your planning of how VMT is counted.

Ann Nichols, North Tahoe Preservation Alliance said this is piecemeal planning when you're talking about your forthcoming topics. It's just like rolling out Phase 2 of the housing and now Phase 3 and no environmental on anything until you get to Phase 3. It's the wrong way to do planning.

VIII. ADJOURNMENT

Ms. Gustafson moved to adjourn.
Motion carried.

Mr. Hoenigman adjourned the meeting at 11:54 a.m.

Respectfully Submitted,

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

Marja Ambler
Clerk to the Board

The above meeting was recorded in its entirety. Anyone wishing to listen to the recording of the above-mentioned meeting may find it at <https://www.trpa.gov/meeting-materials/>. In addition, written documents submitted at the meeting are available for review. If you require assistance locating this information, please contact the TRPA at (775) 588-4547 or virtualmeetinghelp@trpa.gov.

DRAFT



Mail

PO Box 5310
Stateline, NV 89449-5310

Location

128 Market Street
Stateline, NV 89449

Contact

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

STAFF REPORT

Date: January 17, 2024
To: TRPA Governing Board
From: TRPA Staff
Subject: December Financial Statements, Fiscal Year 2024

Summary and Staff Recommendation:

We are six months, or 50% of the way into fiscal year 2024. So far, everything is going according to plan. Contract expenditures lag, but that is normal.

Staff recommends acceptance of the December Financial Statements for Fiscal Year 2024.

Required Motion:

In order to accept the Financial Statements, the Governing Board must make the following motion based on the staff report:

- 1) A motion to accept the December 2023 Financial Statements

In order for the motion to pass, an affirmative vote of any eight Board members is required.

Background:

The first six months (50%) of the fiscal year are now complete. Revenues are 46% of the annual budget, and expenditures are 33% of the budget. Planning Fees are comparable to this time last year and 8% over the three-year average. Grant revenues are billed in arrears, so they lag, leaving us in a negative position. We are currently billing second-quarter grant invoices.

YTD Revenues and Expenses

Revenues are 46% of the budget. TRPA recognizes revenue when billed, so the states' contributions are shown in their entirety. Expenditures over the rest of the fiscal year will offset the revenue received up front. Tahoe Science Council billings account for the remaining unrealized state revenue. Those are cost reimbursement and are billed in arrears. Planning fees are ahead of the three-year average. This includes Current Planning fees, AIS fees, and Shoreline fees. Current Planning Fees are 108% of the average for the prior 3 years and are at 46% of the budget. The annual inflation increase for planning fees will be implemented at the end of January. AIS fees are 48% of the budget. Shoreline fees are 20% of the budget, but buoy renewal fees are not due until June. We did just bill TKPOA for their mooring fees and that will be

reflected in January's numbers. Grants are in a negative position because we bill those costs in arrears.

Expenditures are 33% of the budget. Compensation expenses are at 46% of the annual budget, which is expected due to vacancies. We are still working to fill the second Attorney spot. Contract expenses have risen to 25% of the budget and will continue to close the gap in the months ahead.

Year to date we have taken in \$1.3M in mitigation fees and disbursed \$0.1M.

Tahoe Regional Planning Agency
Fiscal YTD December 2023

Revenue	State & Local	Fees	Grants	Total
Fees for Service	11,200	2,308,187		2,319,386
Grants	282	2,424	1,446,897	1,449,603
State Revenue	8,058,165		83,496	8,141,661
Local Revenue	150,000			150,000
Rent Revenue		177,860		177,860
Other Revenue	106,078	5,204		111,282
TRPA Rent Revenue		344,490		344,490
Revenue Total	8,325,725	2,838,164	1,530,393	12,694,282
Expenses				
Compensation	2,374,512	1,116,557	616,760	4,107,830
Contracts	1,047,953	628,557	2,443,382	4,119,892
Financing	(350)	37,437		37,087
Other	421,494	137,245	55,748	614,486
Rent	363,687	11,327		375,014
A&O/Transfers	(886,253)	604,327	281,749	(177)
Expenses Total	3,321,044	2,535,450	3,397,639	9,254,132
Net	5,004,681	302,715	(1,867,245)	3,440,150

** Excludes mitigation funds*

TRPA Balance Sheet

TRPA's Balance Sheet remains strong due to billing both State's contributions at the beginning of the fiscal year. Nevada's contribution was received in August and California funds were received in September. TRPA spends down the annual state funds throughout the fiscal year. Total assets decreased by \$2.5M mostly due to expenditures. Liabilities increased by \$0.2M due to outstanding A/P balances. Net assets are \$26.6M, mostly due to having the state funds on hand at the beginning of the fiscal year plus \$9.7M of Mitigation and Securities deposits and \$2.3M of Grants.

Tahoe Regional Planning Agency

Balance Sheet @12-31-23

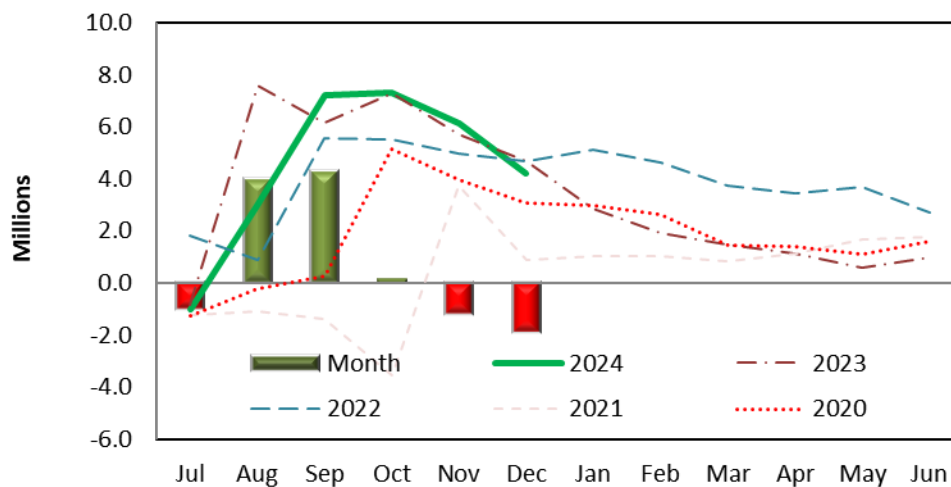
	TRPA	Grants	Trust	Total
Cash & Invest	10,609,978	1,860,771	24,130,453	36,601,202
A/R	131,922	530,100		662,023
Current Assets	178,785			178,785
LT Assets	8,313,592			8,313,592
Total Assets	19,234,277	2,390,871	24,130,453	45,755,601
A/P	13,616	(4,001)		9,615
Benefits	954,904			954,904
Deferred Rev	53,810	42,091		95,901
Deposits	154,000	2,845		156,845
LT Debt	7,972,000			7,972,000
Mitigation			2,271,380	2,271,380
Securities			7,429,788	7,429,788
Total Liabilities	9,148,330	40,934	9,701,168	18,890,433
Net Position	10,085,947	2,349,937	14,429,285	26,865,169

Acc. Depreciation \$ 6,168,086

Cash Flow

Net Cash flow was a negative \$1.9 for the month. Cash receipts totaled \$0.6M, almost all planning fees. Disbursements were \$2.5M, 45% higher than the five-year average for December. Increased funding from LTRA is driving this.

Monthly/Cumulative Cash Flow



OPERATIONS & GOVERNANCE
COMMITTEE AGENDA ITEM NO. 3 &
CONSENT CALENDAR ITEM NO. 1

When reading the detailed reports (attached), be aware that fund balances may not be intuitive. Negative balances mean revenues exceeded expenses. Positive fund balance occurs when expenses exceed revenue. This reflects the formatting in our accounting system.

Contact Information:

For questions regarding this agenda item, please contact Chris Keillor at (775) 589-5222 or ckeillor@trpa.gov.

To submit a written public comment, email publiccomment@trpa.gov with the appropriate agenda item in the subject line. Written comments received by 4 p.m. the day before a scheduled public meeting will be distributed and posted to the TRPA website before the meeting begins. TRPA does not guarantee written comments received after 4 p.m. the day before a meeting will be distributed and posted in time for the meeting.

Attachment:

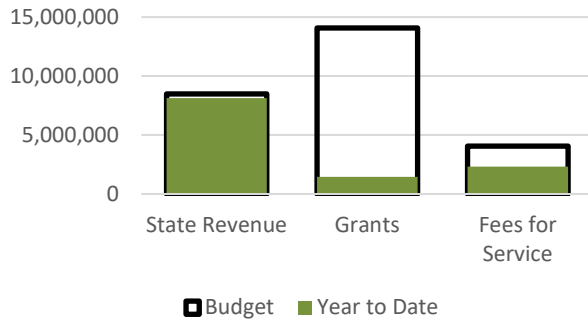
- A. December Financial Statements

Attachment A

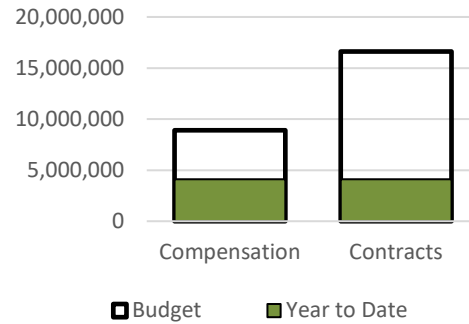
December Financial Statements

Tahoe Regional Planning Agency
Fiscal YTD December 2023

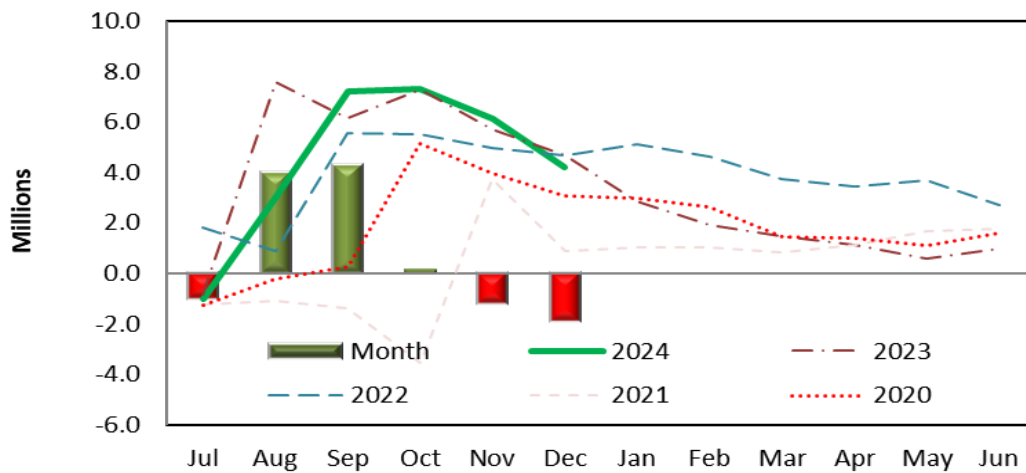
Revenue



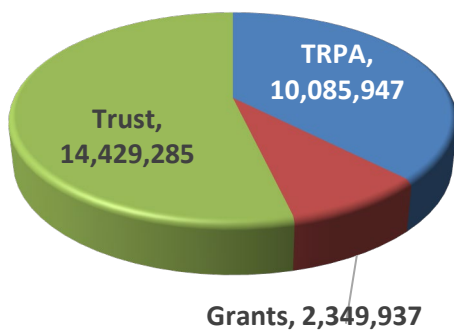
Expenditures



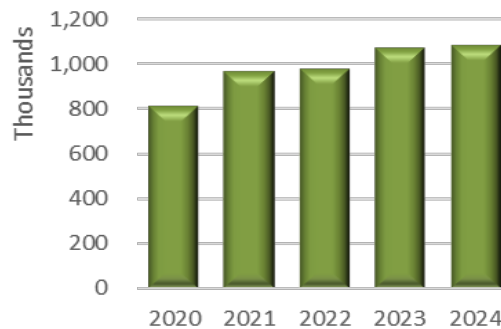
Monthly/Cumulative Cash Flow



Net Position



YTD Planning Fees



Tahoe Regional Planning Agency
Actuals vs. Budget by Program
Fiscal YTD December 2023

TRPA Totals	Ann Budget	YTD	Remaining	% Spent
Revenue				
State Revenue	8,479,456	8,141,661	337,795	96%
Grants	14,069,747	1,449,603	12,620,143	10%
Fees for Service	4,069,663	2,319,386	1,750,277	57%
Local Revenue	150,000	150,000		100%
Rent Revenue	329,623	177,860	151,763	54%
TRPA Rent Revenue	688,980	344,490	344,490	50%
Other Revenue	100,000	111,282	11,282	111%
Revenue Total	27,887,469	12,694,282	15,193,186	46%
Expenses				
Compensation	8,901,175	4,107,830	4,793,345	46%
Contracts	16,618,623	4,119,892	12,498,731	25%
Financing	620,260	37,087	583,172	6%
Rent	788,525	375,014	413,511	48%
Other	1,293,388	675,140	618,248	52%
A&O/Transfers	13,838	177	13,661	1%
Expenses Total	28,208,133	9,314,786	18,893,347	33%
TRPA Net	(320,664)	3,379,496	(3,700,160)	

Agency Mgmt

Revenue				
Fees for Service	4,069,663	11,200	4,058,464	0%
Grants	14,069,747	924	14,068,823	0%
State Revenue	8,479,456	7,179,000	1,300,456	85%
Other Revenue	100,000	106,078	6,078	106%
Local Revenue	150,000	150,000		100%
Revenue Total	26,868,866	7,447,202	19,421,664	28%
Expenses				
Compensation	8,901,175	1,175,204	7,725,971	13%
Contracts	16,618,623	94,413	16,524,210	1%
Financing	620,260	290	620,550	0%
Rent	788,525	2,586	785,939	0%
Other	1,293,388	89,111	1,204,277	7%
Expenses Total	28,221,970	1,361,024	26,860,947	5%
Agency Mgmt Net	(1,353,104)	6,086,178	(7,439,282)	

	Ann Budget	YTD	Remaining	
Current Planning				
Revenue				
Fees for Service	4,069,663	1,843,183	2,226,480	45%
Grants	14,069,747	1,500	14,068,247	0%
State Revenue	8,479,456	124,000	8,355,456	1%
Other Revenue	100,000	5,204	94,796	5%
Revenue Total	26,718,866	1,973,887	24,744,979	7%
Expenses				
Compensation	8,901,175	1,089,444	7,811,731	12%
Contracts	16,618,623	524,210	16,094,414	3%
Financing	620,260	26,916	593,343	4%
Other	1,293,388	17,632	1,275,757	1%
A&O/Transfers	13,838	580,875	594,712	
Expenses Total	27,419,608	2,239,076	25,180,532	8%
Curr Plan Net	(700,742)	(265,189)	(435,553)	
Envir. Imp.				
Revenue				
Fees for Service	4,069,663	465,004	3,604,660	11%
Grants	14,069,747	935,125	13,134,622	7%
State Revenue	8,479,456	750,000	7,729,456	9%
Revenue Total	26,618,866	2,150,128	24,468,738	8%
Expenses				
Compensation	8,901,175	651,367	8,249,808	7%
Contracts	16,618,623	2,177,041	14,441,582	13%
Financing	620,260	10,461	609,799	2%
Rent	788,525	22,386	766,139	3%
Other	1,293,388	52,410	1,240,978	4%
A&O/Transfers	13,838	99,088	112,925	
Expenses Total	28,208,133	3,012,752	25,195,381	11%
Env Imp Net	(1,589,267)	(862,624)	(726,643)	

	Ann Budget	YTD	Remaining	
L RTP				
Revenue				
Grants	14,069,747	321,035	13,748,712	2%
Fees for Service	4,069,663		4,069,663	
Other Revenue	100,000		100,000	
Revenue Total	18,239,410	321,035	17,918,375	2%
Expenses				
Compensation	8,901,175	594,912	8,306,262	7%
Contracts	16,618,623	166,760	16,451,864	1%
Rent	788,525		788,525	
Other	1,293,388	88,318	1,205,070	7%
A&O/Transfers	13,838	205,597	219,434	
Expenses Total	27,587,873	1,055,587	26,532,286	4%
L RTP Net	(9,348,463)	(734,552)	(8,613,911)	
R & A				
Revenue				
Grants	14,069,747	191,020	13,878,727	1%
State Revenue	8,479,456	88,661	8,390,795	1%
Revenue Total	22,549,203	279,681	22,269,522	1%
Expenses				
Compensation	8,901,175	547,319	8,353,855	6%
Contracts	16,618,623	642,626	15,975,997	4%
Other	1,293,388	2,360	1,291,029	0%
A&O/Transfers	13,838	517	14,354	-4%
Expenses Total	26,799,349	1,192,822	25,606,527	4%
R & A Net	(4,250,146)	(913,141)	(3,337,005)	

	Ann Budget	YTD	Remaining	
Infrastructure				
Revenue				
Other Revenue				
Rent Revenue	329,623	177,860	151,763	54%
TRPA Rent Revenue	688,980	344,490	344,490	50%
Revenue Total	1,018,603	522,350	496,253	51%
Expenses				
Compensation	101,607	49,584	52,023	49%
Contracts	626,860	184,843	442,017	29%
Financing	547,575		547,575	
Rent	688,980	344,490	344,490	50%
Other	555,859	364,655	191,204	66%
Expenses Total	2,520,881	943,572	1,577,309	37%
Infrastructure Net	(1,502,279)	(421,222)		

Other				
Expenses				
A&O/Transfers	2,005,640	886,253	1,119,388	
Expenses Total	2,005,640	886,253	1,119,388	

TRPA Selected Current Planning Fees

Fiscal YTD December 2023

Fee Type	2021	2022	2023	2024	This year vs. Last 3 Years
RESIDENTIAL	188,189	209,910	277,890	143,184	(82,145)
OTHER_REV	100,780	83,761	93,123	130,387	37,832
SHOREZONE	65,304	31,719	27,812	122,862	81,250
REVISIONS	48,003	42,362	54,934	85,136	36,702
COMMERCL_TA	36,385	55,630	49,529	69,178	21,997
ALLOCATION	49,337	49,790	48,665	65,044	15,780
TREE_RMV	55,593	51,976	43,511	56,191	5,831
FULL_SITE	41,303	49,423	42,966	45,542	978
LAND_CHALL	72,783	35,462	26,598	44,536	(412)
SECURITIES	23,896	29,276	46,292	41,385	8,230
RECR_PUBLIC	28,552	36,806	32,885	41,152	
GENERAL	92,082	78,516	79,381	40,905	
MOORING	21,070	63,616	53,026	24,174	(21,730)
GRADE_EXCEPT	19,722	25,722	20,838	23,783	1,689
LAND_CAP	9,350	7,490	12,537	20,316	10,524
SOILS_HYDRO	14,056	23,265	15,232	18,213	695
IPES	10,210	7,932	9,069	14,374	5,303
VB_USE	1,928	1,986	7,322	10,764	
VB_COVERAGE	8,211	5,087	7,593	10,561	
ENFORCEMNT	31,203	24,649	11,273	10,101	
ENVIRONMENT				8,280	
STD2			34,462	7,632	(3,855)
LLADJ_ROW	5,140	5,572	17,018	7,550	(1,693)
QUAL_EXEMPT	4,732	3,553	4,925	6,326	1,923
TRANS_DEV	9,940	6,835	6,220	5,004	(2,661)
GRADING	6,800	6,351	6,454	4,990	(1,545)
TEMP_USE	1,846	2,853	5,005	4,336	1,101
PARTIAL_SITE	4,944	5,512	4,014	4,009	(814)
PRE-APP	1,748	3,933	7,584	3,591	(831)
CONSTR_EXT	1,836	2,418	2,318	3,407	
SUBDIV_EXIST		3,329	1,119	2,999	
QE SHOREZONE	3,090	4,770	2,697	2,541	(978)
SIGNS	2,186	3,016	1,731	2,097	(214)
HISTORIC	1,105		1,198	1,297	529
RES_DRIVE	600	0	651	940	523
LMTD_INCENT	357		756	840	469
SCENIC_ASSES		546		483	301
UNDRGRD_TANK	1,628	419	882	478	(498)
CONVERSION			331	358	248
STD	(596)	13,512	5,344	0	(6,087)
MONITORING			5,000		(1,667)
CEP			4,995		(1,665)
NOTE_APPEAL	3,968	3,066	3,228		(3,421)
Totals	967,281	980,061	1,076,408	1,084,945	77,028

108%

TRPA Detailed Financials
Fiscal YTD December 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Agency Mgmt				
GF Revenue				
Revenue				
Fees for Service	-	(11,200)	11,200	
State Revenue	(7,262,571)	(7,179,000)	(83,571)	98.8%
Local Revenue	(150,000)	(150,000)	0	100.0%
Other Revenue	(100,000)	(106,078)	6,078	
Revenue Total	(7,512,571)	(7,446,278)	(66,293)	99.1%
GF Revenue Total	(7,512,571)	(7,446,278)	(66,293)	99.1%
Gov Board				
Expenses				
Contracts	-	16,838	(16,838)	
Other	26,038	10,897	15,141	41.9%
Rent	2,249	2,500	(251)	111.2%
Expenses Total	28,287	30,235	(1,948)	106.9%
Gov Board Total	28,287	30,235	(1,948)	106.9%
Executive				
Expenses				
Compensation	913,969	490,036	423,933	53.6%
Other	12,803	13,336	(533)	104.2%
Expenses Total	926,773	503,373	423,400	54.3%
Executive Total	926,773	503,373	423,400	54.3%
Legal				
Expenses				
Compensation	489,553	153,166	336,387	31.3%
Contracts	123,319	14,092	109,227	11.4%
Other	6,920	2,252	4,668	32.5%
Expenses Total	619,792	169,510	450,282	27.3%
Legal Total	619,792	169,510	450,282	27.3%
Communications				
Expenses				
Compensation	390,061	137,528	252,533	35.3%
Contracts	30,000	0	30,000	0.0%
Other	61,607	14,048	47,559	22.8%
Rent	-	86	(86)	
Expenses Total	481,668	151,662	330,006	31.5%

TRPA Detailed Financials
Fiscal YTD December 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Communications Total	481,668	151,662	330,006	31.5%
Finance				
Revenue				
Financing	(100)	(350)	250	
Revenue Total	(100)	(350)	250	
Expenses				
Compensation	461,504	252,412	209,092	54.7%
Contracts	54,115	23,300	30,815	43.1%
Other	3,259	24	3,235	0.7%
Expenses Total	518,878	275,736	243,141	53.1%
Finance Total	518,778	275,386	243,391	53.1%
HR				
Expenses				
Compensation	277,636	142,062	135,575	51.2%
Contracts	64,746	40,184	24,563	62.1%
Other	82,592	25,858	56,734	31.3%
Expenses Total	424,975	208,103	216,872	49.0%
HR Total	424,975	208,103	216,872	49.0%
Agency Mgmt Total	(4,512,299)	(6,108,009)	1,595,710	135.4%
Current Planning				
Current Planning				
Revenue				
Fees for Service	(2,415,068)	(1,092,149)	(1,322,919)	45.2%
Revenue Total	(2,415,068)	(1,092,149)	(1,322,919)	45.2%
Expenses				
Compensation	1,636,795	800,661	836,134	48.9%
Contracts	342,970	179,535	163,435	52.3%
Financing	49,087	24,589	24,498	50.1%
Other	5,485	3,846	1,638	70.1%
A&O/Transfers	912,022	446,128	465,894	48.9%
Expenses Total	2,946,358	1,454,759	1,491,599	49.4%
Current Planning Total	531,290	362,610	168,680	68.3%
Current Planning Reimbursed				

TRPA Detailed Financials
Fiscal YTD December 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Revenue				
Fees for Service	(200,000)	(622,922)	422,922	311.5%
Revenue Total	(200,000)	(622,922)	422,922	311.5%
Expenses				
Contracts	200,000	235,798	(35,798)	117.9%
Expenses Total	200,000	235,798	(35,798)	117.9%
Current Planning Reimbursed Total	-	(387,124)	387,124	
Code Enforcement				
Expenses				
Compensation	393,182	203,557	189,625	51.8%
Other	7,889	1,425	6,464	18.1%
A&O/Transfers	219,081	113,422	105,659	51.8%
Expenses Total	620,151	318,404	301,748	51.3%
Code Enforcement Total	620,151	318,404	301,748	51.3%
Boat Crew				
Revenue				
State Revenue	(124,000)	(124,000)	0	100.0%
Revenue Total	(124,000)	(124,000)	0	100.0%
Expenses				
Compensation	53,356	46,955	6,401	88.0%
Other	50,055	10,416	39,639	20.8%
Rent	-	2,813	(2,813)	
Expenses Total	103,411	60,184	43,227	58.2%
Boat Crew Total	(20,589)	(63,816)	43,227	
Settlements				
Revenue				
Fees for Service	(150,000)	0	(150,000)	0.0%
Grants	-	(1,500)	1,500	
Revenue Total	(150,000)	(1,500)	(148,500)	1.0%
Expenses				
Contracts	159,000	72,351	86,649	45.5%
Other	20,600	0	20,600	0.0%
Expenses Total	179,600	72,351	107,249	40.3%
Settlements Total	29,600	70,851	(41,251)	239.4%

TRPA Detailed Financials
Fiscal YTD December 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Legal - Direct or Disallowed				
Revenue				
Fees for Service	-	(67,479)	67,479	
Revenue Total	-	(67,479)	67,479	
Expenses				
Contracts	-	3,709	(3,709)	
Fees for Service	-	9,172	(9,172)	
Expenses Total	-	12,880	(12,880)	
Legal - Direct or Disallowed Total	-	(54,599)	54,599	
Shorezone				
Revenue				
Fees for Service	(346,548)	(69,804)	(276,744)	20.1%
Other Revenue	-	(5,204)	5,204	
Revenue Total	(346,548)	(75,008)	(271,540)	21.6%
Expenses				
Compensation	177,543	38,270	139,273	21.6%
Contracts	129,855	32,817	97,037	25.3%
Financing	8,524	2,328	6,196	27.3%
Other	12,363	1,945	10,418	15.7%
Rent	-	2,739	(2,739)	
A&O/Transfers	98,927	21,324	77,603	21.6%
Expenses Total	427,212	99,424	327,788	23.3%
Shorezone Total	80,664	24,416	56,248	30.3%
Current Planning Total	1,241,117	270,741	970,375	21.8%
Envir. Imp.				
Env. Improv.				
Expenses				
Compensation	649,229	382,080	267,149	58.9%
Contracts	21,855	1,960	19,895	9.0%
Other	14,131	1,960	12,171	13.9%
Expenses Total	685,215	386,000	299,215	56.3%
Env. Improv. Total	685,215	386,000	299,215	56.3%
USFS LTRA Ski Run Marina				
Revenue				

TRPA Detailed Financials
Fiscal YTD December 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Grants	(194,816)	(1,783)	(193,033)	0.9%
Revenue Total	(194,816)	(1,783)	(193,033)	0.9%
Expenses				
Compensation	44,835	1,876	42,958	4.2%
Contracts	125,000	16,382	108,618	13.1%
A&O/Transfers	24,982	1,046	23,936	4.2%
Expenses Total	194,816	19,303	175,513	9.9%
USFS LTRA Ski Run Marina Total	0	17,520	(17,520)	
BMP Enforcement in NV (NV 319)				
Revenue				
Grants	(62,114)	(616)	(61,498)	1.0%
Revenue Total	(62,114)	(616)	(61,498)	1.0%
Expenses				
Compensation	1,566	808	758	51.6%
Contracts	60,000	0	60,000	0.0%
A&O/Transfers	548	283	265	51.6%
Expenses Total	62,114	1,090	61,024	1.8%
BMP Enforcement in NV (NV 319) Total	0	474	(474)	
Stormwater Planning Support				
Revenue				
Fees for Service	(61,100)	(35,673)	(25,427)	58.4%
Revenue Total	(61,100)	(35,673)	(25,427)	58.4%
Expenses				
Compensation	-	42,089	(42,089)	
Other	721	0	721	0.0%
A&O/Transfers	-	23,452	(23,452)	
Expenses Total	721	65,542	(64,821)	
Stormwater Planning Support Total	(60,379)	29,869	(90,248)	-49.5%
Lahontan Caldor Fire Monitoring				
Revenue				
Grants	(99,639)	(313)	(99,326)	0.3%
Revenue Total	(99,639)	(313)	(99,326)	0.3%
Expenses				
Compensation	2,305	404	1,901	17.5%

TRPA Detailed Financials
Fiscal YTD December 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Contracts	97,333	0	97,333	0.0%
A&O/Transfers	-	0	0	
Expenses Total	99,639	404	99,234	0.4%
Lahontan Caldor Fire Monitoring Total	(0)	92	(92)	
USFS LTRA Forest Health				
Revenue				
Grants	(1,631,476)	(23,546)	(1,607,930)	1.4%
Revenue Total	(1,631,476)	(23,546)	(1,607,930)	1.4%
Expenses				
Compensation	52,380	7,088	45,292	13.5%
Contracts	1,549,909	0	1,549,909	0.0%
A&O/Transfers	29,186	58	29,129	0.2%
Expenses Total	1,631,476	7,146	1,624,330	0.4%
USFS LTRA Forest Health Total	(0)	(16,400)	16,400	
USFS LTRA BMP				
Revenue				
Grants	-	(19,596)	19,596	
Revenue Total	-	(19,596)	19,596	
Expenses				
Compensation	24,689	504	24,185	2.0%
Contracts	1,699,962	0	1,699,962	0.0%
Grants	(1,738,407)	0	(1,738,407)	0.0%
A&O/Transfers	13,757	4,173	9,584	30.3%
Expenses Total	0	4,677	(4,676)	
USFS LTRA BMP Total	0	(14,919)	14,919	
EPA Green Infrastructure Watershed				
Revenue				
Grants	(34,695)	(1,009)	(33,686)	2.9%
Revenue Total	(34,695)	(1,009)	(33,686)	2.9%
Expenses				
Compensation	9,437	934	8,502	9.9%
Contracts	20,000	15,515	4,485	77.6%
A&O/Transfers	5,258	521	4,738	9.9%
Expenses Total	34,695	16,970	17,725	48.9%

TRPA Detailed Financials
Fiscal YTD December 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
EPA Green Infrastructure Watershed Total	(0)	15,961	(15,961)	
Envir. Imp. Total	624,836	418,598	206,238	
L RTP				
Long Range & Transp. Planning				
Expenses				
Compensation	279,976	139,084	140,892	49.7%
Contracts	328,408	10,500	317,908	3.2%
Other	8,777	2,621	6,156	29.9%
Rent	2,527	0	2,527	0.0%
Expenses Total	619,687	152,204	467,483	24.6%
Long Range & Transp. Planning Total	619,687	152,204	467,483	24.6%
TMPO				
Expenses				
Contracts	155,729	233	155,496	0.1%
Other	21,034	29,989	(8,955)	142.6%
Expenses Total	176,763	30,222	146,541	17.1%
TMPO Total	176,763	30,222	146,541	17.1%
L RTP Total	796,450	182,427	614,023	
R & A				
Research & Analysis				
Expenses				
Compensation	1,112,391	541,230	571,160	48.7%
Contracts	1,237,942	272,940	965,002	22.0%
Other	13,133	1,854	11,279	14.1%
Expenses Total	2,363,466	816,025	1,547,441	34.5%
Research & Analysis Total	2,363,466	816,025	1,547,441	34.5%
Nearshore Trib Monitoring (Lahontan)				
Revenue				
Grants	(128,223)	(97,507)	(30,716)	76.0%
Revenue Total	(128,223)	(97,507)	(30,716)	76.0%
Expenses				
Compensation	2,305	814	1,492	35.3%
Contracts	125,918	60,413	65,505	48.0%
A&O/Transfers	-	0	0	

TRPA Detailed Financials
Fiscal YTD December 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Expenses Total	128,223	61,227	66,997	47.7%
Nearshore Trib Monitoring (Lahontan) Total	0	(36,280)	36,281	
Lake Tahoe West GIS Support				
Revenue				
State Revenue	(201,422)	(83,496)	(117,926)	41.5%
Revenue Total	(201,422)	(83,496)	(117,926)	41.5%
Expenses				
Contracts	201,422	36,495	164,927	18.1%
Other	-	25	(25)	
Expenses Total	201,422	36,520	164,902	18.1%
Lake Tahoe West GIS Support Total	-	(46,976)	46,976	
Lahontan Lakewide Survey				
Revenue				
Grants	(207,057)	(28,064)	(178,993)	13.6%
Revenue Total	(207,057)	(28,064)	(178,993)	13.6%
Expenses				
Compensation	3,590	495	3,095	13.8%
Contracts	204,752	86,117	118,635	42.1%
A&O/Transfers	(1,285)	(177)	(1,108)	13.8%
Expenses Total	207,057	86,435	120,622	41.7%
Lahontan Lakewide Survey Total	(0)	58,371	(58,371)	
Climate Impacts on Alpine Lake				
Revenue				
Grants	(48,000)	0	(48,000)	0.0%
Revenue Total	(48,000)	0	(48,000)	0.0%
Expenses				
Contracts	45,714	0	45,714	0.0%
A&O/Transfers	2,286	0	2,286	0.0%
Expenses Total	47,999	0	47,999	0.0%
Climate Impacts on Alpine Lake Total	(0)	0	(0)	0.0%
NDEP Nearshore Algal Monitoring				
Revenue				
Grants	(32,000)	0	(32,000)	0.0%

TRPA Detailed Financials
Fiscal YTD December 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Revenue Total	(32,000)	0	(32,000)	0.0%
Expenses				
Contracts	32,000	19,072	12,928	59.6%
Expenses Total	32,000	19,072	12,928	59.6%
NDEP Nearshore Algal Monitoring Total	-	19,072	(19,072)	
R & A Total	2,363,466	810,212	1,553,254	
Infrastructure				
General Services				
Expenses				
Compensation	101,607	49,584	52,023	48.8%
Contracts	30,414	432	29,982	1.4%
Other	181,208	114,951	66,257	63.4%
Rent	688,980	344,490	344,490	50.0%
Expenses Total	1,002,209	509,457	492,752	50.8%
General Services Total	1,002,209	509,457	492,752	50.8%
IT				
Expenses				
Contracts	280,000	124,149	155,851	44.3%
Other	213,586	188,629	24,957	88.3%
Expenses Total	493,586	312,778	180,808	63.4%
IT Total	493,586	312,778	180,808	63.4%
Building				
Revenue				
Rent Revenue	(325,943)	(177,860)	(148,083)	54.6%
TRPA Rent Revenue	(688,980)	(344,490)	(344,490)	50.0%
Revenue Total	(1,014,923)	(522,350)	(492,573)	51.5%
Expenses				
Contracts	316,447	60,262	256,184	19.0%
Financing	547,575	0	547,575	0.0%
Other	83,378	13,358	70,020	16.0%
Expenses Total	947,400	73,620	873,780	7.8%
Building Total	(67,523)	(448,730)	381,207	
CAM				

TRPA Detailed Financials
Fiscal YTD December 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Revenue				
Rent Revenue	(3,680)	0	(3,680)	0.0%
Revenue Total	(3,680)	0	(3,680)	0.0%
Expenses				
Other	77,687	47,718	29,969	61.4%
Expenses Total	77,687	47,718	29,969	61.4%
CAM Total	74,007	47,718	26,289	64.5%
Infrastructure Total	1,502,279	421,222	1,081,056	28.0%
Other				
Other				
Expenses				
Compensation	143,183	0	143,183	0.0%
Contracts	-	330,000	(330,000)	
Other	140,181	0	140,181	0.0%
A&O/Transfers	(2,005,640)	(886,253)	(1,119,388)	44.2%
Expenses Total	(1,722,276)	(556,253)	(1,166,024)	32.3%
Other Total	(1,722,276)	(556,253)	(1,166,024)	32.3%
Other Total	(1,722,276)	(556,253)	(1,166,024)	32.3%



Mail

PO Box 5310
Stateline, NV 89449-5310

Location

128 Market Street
Stateline, NV 89449

Contact

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

STAFF REPORT

Date: January 17, 2024

To: TRPA Governing Board

From: TRPA Staff

Subject: Approve release of Tahoe Keys Water Quality Mitigation Fund interest (\$200,000), to match pursued grant funds and to initiate planning for the Tahoe Keys Lagoons Long Term Water Quality Improvement Project (EIP# 01.02.01.0106).

Summary and Staff Recommendation:

Staff recommends, subject to the conditions cited below, that the Governing Board approve the Tahoe Keys Property Owners Association (TKPOA) request for the release of Tahoe Keys Water Quality Mitigation Fund interest in the amount of \$200,000 to match pursued grant funds and to assist in initiating planning on the Tahoe Keys Lagoons Long Term Water Quality Improvement Project ([EIP# 01.02.01.0106](#)). The request is consistent with the Environmental Improvement Program objectives, Regional Plan Goals and Policies, TRPA Code of Ordinances, and the Governing Board's policy guidelines for the release of mitigation interest funds.

Required Motions:

To approve the requested release, the Board must make the following motions:

- 1) A motion to approve the release subject to the conditions specified in this staff summary.

For the motion to pass, an affirmative vote of any eight Board members is required.

Project Description:

The Tahoe Keys neighborhood is located on a former portion of the Upper Truckee Marsh on the southern shore of the California side of Lake Tahoe. First established in 1959, the Tahoe Keys dredged and graded portions of the Upper Truckee Marsh to create a suburban residential development with eleven miles of backyard "lagoon" waterways. The lagoons receive urban stormwater runoff and are more than 90 percent covered with aquatic invasive weeds. The proposed project aims to identify strategies that will improve overall water quality in the Keys lagoons and reduce the risk to adjacent federal lands and Lake Tahoe from water quality impacts and spread of aquatic weeds. The project will analyze existing conditions and identify opportunities and constraints to help develop strategies and formulate action alternatives that mitigate local and regional non-point source nutrient and pollutant inputs to Pope Marsh and Lake Tahoe from the Tahoe Keys and upgradient South Lake Tahoe developments. See Attachment A for more detail.

Of the requested \$200,000 Tahoe Keys Water Quality Mitigation Fund interest, half (\$100,000) will provide matching funds for two grant proposals (if awarded) and the other half (\$100,000) will support

stakeholder engagement and coordination, and initiate planning to formulate project alternatives. If awarded, grant funding would further evaluate the feasibility of these alternatives. See Attachment A for more detail on the Work Program. The mitigation fund release request will supplement dedicated TKPOA funds generated through property owner approved special assessment that fund a share of planning activities. The project proposal aligns with the EIP [Stormwater Quality Improvement Committee \(SWQIC\)](#) project delivery and formulating and evaluating alternatives (FEA) processes for stormwater improvement projects and was approved by the Lahontan Regional Water Quality Control Board, see Attachment B for more detail.

Tahoe Keys Water Quality Mitigation Fund Background:

In 1982, at TKPOA's request, the California Tahoe Regional Planning Agency (CTRPA) and the State of California Regional Water Quality Control Board (Lahontan) passed resolutions (Lahontan 82-8 and CTRPA 82-10) reclassifying most of the lots in the Keys from a "SEZ" classification to a "man-modified SEZ" classification. This change allowed the construction of homes that would have otherwise been prohibited, at a time when structures had been built on roughly two-thirds of the lots.

In seeking the change, TKPOA proposed a mitigation fee which would pay for "projects that offset the pollution of Lake Tahoe caused by the Tahoe Keys development". In response, CTRPA and Lahontan established a fund, to be financed by a \$4,000 mitigation fee, paid by lot owners applying for building permits. This \$4,000 fee included a \$750 fee charged to all lakefront Tahoe Keys owners by TRPA for its general mitigation program. Initially fees collected by CTRPA went into a Tahoe Keys Water Quality Mitigation Fee Account inherited by TRPA. Today, mitigation fees for all new single-family permits in the Keys collected by TRPA are deposited in the City's general water quality mitigation fund account.

In 2001, Lahontan approved the allocation of approximately \$2 million from the Tahoe Keys Water Quality Mitigation Fee Account for projects at Angora Creek (\$100,000), Pioneer Trail (\$175,000), Trout Creek (\$812,300), and the Upper Truckee Wetlands (\$669,000), which expended most of the fund principal. However, a balance of \$447,000 remains in the Tahoe Keys Mitigation Fund interest account.

The balance of the Tahoe Keys Mitigation Fund interest account is unencumbered and sufficient to cover the request. Lastly, the proposed project is consistent with TRPA Governing Board policy guidelines for the release of mitigation funds, which permits the use of mitigation fund interest for project planning. See Attachment C for more detail.

Conditions:

Staff recommends approving the release of these funds subject to the following conditions of approval:

1. TKPOA shall only use the funds for the project cited above and as approved by TRPA.
2. TRPA reserves the right to withhold funds to ensure project priorities, goals, and objectives are consistent with those of the Environmental Improvement Program and TRPA's Regional Plan.
3. TKPOA agrees to follow all laws, codes, and regulations adopted by federal, state, and local authorities/agencies.

4. TKPOA agrees to maintain a report detailing the use and expenditures of all funds used on the project. These records shall be made available for review and audit by TRPA within thirty (30) calendar days upon written request.
5. All mitigation funds not used as described above shall be returned to TRPA. TRPA will not release match funds unless grant proposals are awarded. Upon written approval from TRPA, these funds may be re-allocated to another project.
6. TRPA approved signage shall be used on all projects during future construction to identify TRPA as a funding source and shall include the EIP logo.
7. TKPOA agrees to report the applicable EIP Performance Measures achieved by this project.

Regional Plan Compliance:

The proposed release is consistent with TRPA Regional Plan Water Quality and Conservation Policies as well as with Chapter 60 of the TRPA Code of Ordinances.

Contact Information:

For questions regarding this agenda item, please contact Shay Navarro, Watersheds & Water Quality Program Manager, at (775) 589-5282 or snavarro@trpa.gov.

To submit a written public comment, email publiccomment@trpa.gov with the appropriate agenda item in the subject line. Written comments received by 4 p.m. the day before a scheduled public meeting will be distributed and posted to the TRPA website before the meeting begins. TRPA does not guarantee written comments received after 4 p.m. the day before a meeting will be distributed and posted in time for the meeting.

Attachments:

- A. TKPOA Project Proposal Mitigation Fund Release Request
- B. Lahontan Acceptance Letter
- C. TRPA Mitigation Fund Release Policy Guidelines

Attachment A

TKPOA Mitigation Fund Release Request



TAHOE REGIONAL PLANNING AGENCY MITIGATION FUND RELEASE REQUEST FORM



Please submit a form for each individual project
Submit completed form and any supplemental information to the EI Division Manager at TRPA
Please allow 30 to 60 days to process the request

Date _____ Requesting Entity _____

Contact Name _____ Phone/Email _____

New Request or Transfer of Previously Released Funds? _____

Amount Requested _____ Mitigation Fund Account _____

If using funds from multiple accounts use additional line below.

Amount Requested _____ Mitigation Fund Account _____

Funds will be administered by? _____

O&M Local Match Amount _____ O&M Local Match Funding Source _____

Project Name _____ Project EIP Number (required) _____

Project Description
(Please include what the funds will be used for specifically, environmental benefits the project intends to achieve, and how it is consistent with the Environmental Improvement Program)

What phase of the project will these funds be expended on? _____

Project/Construction Schedule Start/End Dates _____

Indicate any other funding sources and amounts for this project

Is this project required as part of a mitigation requirement? _____

Please attach Board/Council approval or any other supplemental information if applicable.

Date Received _____ For Internal Use Only

Approved by Staff Member _____ Date of GB Approval _____

Amount Approved _____ Account Code _____ Confirmed Funds Available

Amount Approved _____ Account Code _____ ☐ through Trial Balance (attach report)

Date Invoiced _____ Date of Payment _____ Check # _____

**REQUIREMENTS FOR RELEASE OF AIR AND WATER QUALITY FUNDS
as per Policy Guidelines approved by the TRPA Governing Board on June 23, 2010**

Project must be on the EIP 5-year list

Cannot be released for projects that are required as part of project mitigation

Mitigation fund requests must have:

- o Project description
- o Description of project readiness
- o Project priority
- o Project schedule
- o Amount and type of funds requested
- o Any other funding sources covering the project

Up to 25% may be used for administration and O&M but require a 1:1 local funding match

Air or Water quality mitigation funds cannot be used for ongoing administrative costs such as design studies, environmental documents, application costs, or other pre-design tasks

Accrued interest may be used for project planning and effectiveness monitoring associated with implementation of projects on the 5-year list

Funds can be used for the purchase of certain equipment or vehicles such as high-efficiency street sweepers, clean technology transit vehicles, and vector trucks, provided the local jurisdiction commits to funding the ongoing maintenance of the equipment or vehicles

Before release of funds, the requesting entity must show documentation that all mitigation funds collected have been paid to TRPA (required monthly)

Air

Funds are available to local jurisdictions or as authorized by local jurisdiction to transfer to the Tahoe Transportation District (TTD)

Project must be consistent with the

- o Regional Transportation Plan
- o Environmental Improvement Program
- o 1992 Air Quality Plan

Accrued interest may be used for air quality projects /program or for effectiveness monitoring associated with projects on the 5-year list

As an alternative to distributing air quality mitigation funds to the jurisdiction of origin, a portion of the air quality mitigation funds may be distributed across jurisdictional boundaries to support projects of regional priority that are specifically identified in a regional capital improvement program developed in cooperation with local jurisdictions, such as the Five Year Environmental Improvement Program (EIP) Priority Project List.

Water

Given to local jurisdictions for water quality related EIP Projects

Project must be consistent with

- o TRPA's 208 Water Quality Management Plan
- o Environmental Improvement Program

Accrued interest may be used for water quality improvement projects, water quality planning, or effectiveness monitoring associated with projects on the 5-year list

At least 25% of the water quality mitigation funds shall be set aside for Stream Environment Zone (SEZ) projects

- o This jurisdictional set-aside shall be individually evaluated and may be waived if TRPA determines that there are no more SEZ restoration projects identified in a given jurisdiction.

**2024 – 2025 Work Plan for the Tahoe Keys Lagoons
Long-Term Water Quality Improvement Project (EIP Project No. 01.02.01.0106)**

Overview

The Tahoe Keys Property Owners Association (TKPOA) requests that the Lahontan Regional Water Quality Control Board (Lahontan) and Tahoe Regional Planning Agency (TRPA) Board release \$200,000 of the Tahoe Keys Development Mitigation Account interest funds to support the planning for the multiple benefit Tahoe Keys Lagoons Long-Term Water Quality Improvement Project (Project), EIP No. 01.02.01.0106.

The Tahoe Keys neighborhood is located on a former portion of the Upper Truckee Marsh on the southern shore of the California side of Lake Tahoe. First established in 1959, the Tahoe Keys dredged and graded portions of the Upper Truckee Marsh to create a suburban residential development with eleven miles of backyard “lagoon” waterways. The lagoons receive urban stormwater runoff and are more than 90 percent covered with aquatic invasive weeds. The proposed project aims to identify strategies that will improve overall water quality in the Keys lagoons and reduce the risk to adjacent federal lands and Lake Tahoe from water quality impacts and spread of aquatic weeds. The project will analyze existing conditions and identify opportunities and constraints to help develop strategies and formulate action alternatives that mitigate local and regional non-point source nutrient and pollutant inputs to Pope Marsh and Lake Tahoe from the Tahoe Keys and upgradient South Lake Tahoe developments.

TKPOA will use the requested funds to match grant funding proposals pursued by TKPOA (if awarded) and to perform specific planning and stakeholder engagement tasks to scope the environmental, technical, project participant, and regulatory issues that would shape the future purpose, objectives, and description of the Project. This project planning phase follows the Stormwater Quality Improvement Committee (SWQIC) project delivery process to refine goals and objectives with key stakeholder input, analyze and compile existing site conditions, identify opportunities and constraints, and to formulate alternatives for TKPOA and other stakeholder actions to mitigate the loss of Upper Truckee River Marsh ecosystem services that resulted from development of the Tahoe Keys, and improve overall water quality in the Keys lagoons and Lake Tahoe.

One-half of the requested funds (\$100,000) would help support TKPOA to lead the 2024-2025 work plan summarized above and presented in the below-described task descriptions. The remainder of the requested funds (\$100,000) would be reserved to fulfill grant program match requirements of grant applications that TKPOA would prepare and submit using its own funding. TKPOA has identified the CA Department of Fish and Wildlife (CDFW) Watershed Restoration Grant Program and the State Water Resources Control Board (SWRCB) Clean Water Act Non-Point Source Grant Program as grant opportunities closely aligned with the Project. A CDFW grant (if awarded) would help fund planning and scoping activities related to restoration actions that could reduce risk and impacts to Pope Marsh and Lake Tahoe in 2024 and 2025, and a SWRCB grant (if awarded) would help fund technical evaluations of alternatives and development of Project design elements of a future preferred alternative that could mitigate

**2024 – 2025 Work Plan for the Tahoe Keys Lagoons
Long-Term Water Quality Improvement Project (EIP Project No. 01.02.01.0106)**

local and regional non-point source nutrient and pollutant inputs to Lake Tahoe from the Tahoe Keys and upgradient South Lake Tahoe developments.

The environmental and technical issues and actions to be addressed through the stakeholder planning process would include:

1. Reducing non-point stormwater nutrient and pollutant inputs to the Keys Lagoons that in turn impact Pope Marsh and Lake Tahoe, both from the Tahoe Keys development and from upgradient surface stormwater and shallow groundwater inflows,
2. Identifying and evaluating infrastructure and treatment options to restore hydrologic and wetland functions, -mitigate climate change impacts on the water quality in the Keys Lagoons (e.g., harmful algal blooms) and reduce risks and impacts to Pope Marsh and Lake Tahoe, and
3. Exploring additional, multiple-benefit Project objectives and actions that could address related water resource management and policy goals related to Lake Tahoe, Pope Marsh, Tahoe Valley South Groundwater Basin, Upper Truckee River Marsh, and Tahoe Basin's climate resiliency.

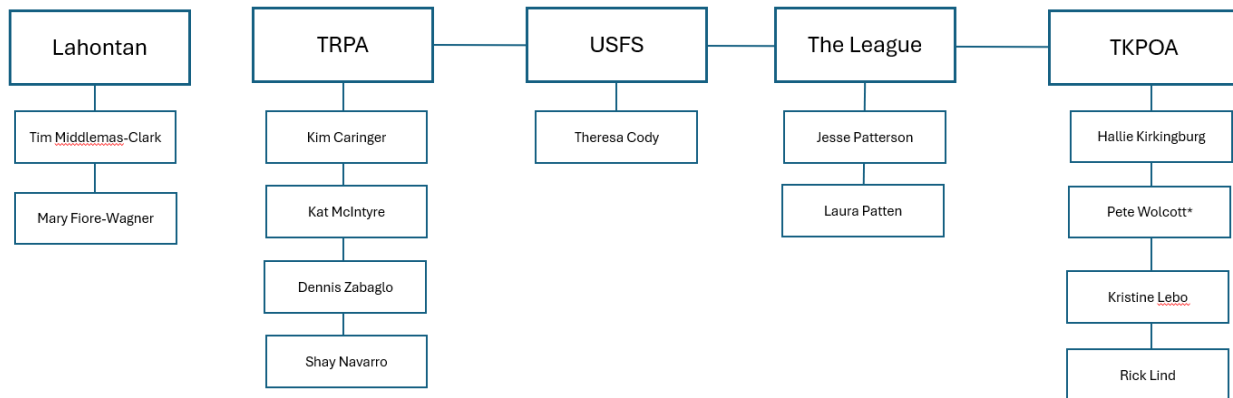
Participant Roles and Responsibilities

TKPOA proposes to lead the Project and be supported by planning and facilitation consultants, science experts and its Waterways Committee representatives.

TKPOA also anticipates a Project Management Review Group (Figure 1) that initially would include representatives from Lahontan, TRPA, the U.S. Forest Service (USFS) and the League to Save Lake Tahoe (League). This management review group would be charged with guiding the planning process and would likely change composition in 2025 or later based on a more refined focus of the Project.

2024 – 2025 Work Plan for the Tahoe Keys Lagoons **Long-Term Water Quality Improvement Project (EIP Project No. 01.02.01.0106)**

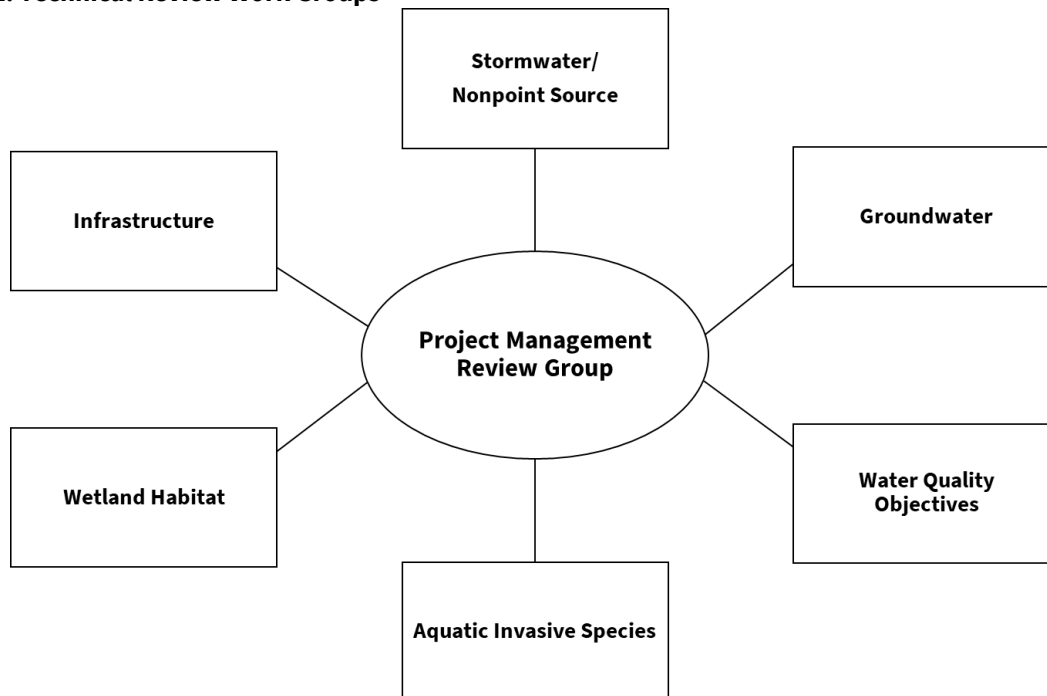
Figure 1. Project Management Review Group



* Pete Wolcott is the current Chair of TKPOA’s Waterways Committee.

Technical Review Work Groups would be established and consist of resource, regulatory, engineering, and scientific specialists. These groups would review environmental resource issues, technical data collected through the TKPOA Control Methods Test (CMT) Project, and previous and new technical papers that will serve as the basis for stakeholder meetings and discussions regarding development of the Project. Figure 2 shows the proposed Technical Review Work Groups.

Figure 2. Technical Review Work Groups



2024 – 2025 Work Plan for the Tahoe Keys Lagoons
Long-Term Water Quality Improvement Project (EIP Project No. 01.02.01.0106)

Relationship to Existing Projects and Programs

The environmental and technical issues to be addressed by this Project are related to several resource management projects and policy programs underway in the South Lake Tahoe region. For TKPOA, this Project would address nutrients that are a known contributor to aquatic invasive plant growth, the management of which is being tested through the Tahoe Keys Lagoons CMT Project. Although the primary contributor of nutrients to the Keys Lagoons is the annual life cycle of the weeds themselves, surface stormwater and shallow groundwater inflows of phosphorous and nitrogen are also known to be substantial contributors of nutrients to certain parts of the lagoons.

Other resource management projects and policy programs that relate to this Project address stormwater, groundwater, regulatory standards for water quality in the Keys lagoons, and wetlands restoration. Known projects and programs that could be supported by this initiative are listed in Table 1. Whether or not this Project could support those identified in Table 1 would be evaluated as part of this Project’s planning process.

Table 1. Relevant South Lake Tahoe Projects and Programs

Agency/ Program	Stormwater/ Non-Point Source	Groundwater	Water Quality Objectives	Aquatic Invasive Species	Wetland Habitat	Infrastructure
LRWQCB - Lake Tahoe Total Maximum Daily Load	X		X		X	
LRWQCB - Climate Change Mitigation and Adaptation	X	X	X		X	X
TRPA - Lake Tahoe AIS Management Program			X	X		
U.S.F.S. - Pope Marsh Management Plan			X		X	
CSLT - Model Water Efficient Landscape Ordinance (MWELO) Program	X	X	X			
STPUD - TVS Subbasin Groundwater Management Plan (GWMP)	X	X	X			X
CTC - Tahoe Climate Adaptation Action Portfolio	X	X	X	X	X	X
CTC - Greater Upper Truckee Watershed Restoration Program		X			X	

2024 – 2025 Work Plan for the Tahoe Keys Lagoons
Long-Term Water Quality Improvement Project (EIP Project No. 01.02.01.0106)

Stakeholders Group

Figure 3.3.3-1 from the CMT Project Draft EIR/EIS (Figure 3 below) shows the surface and groundwater interrelationships between the Tahoe Keys, City of South Lake Tahoe, Upper Truckee Marsh, Pope Marsh, and Lake Tahoe. To fully consider the issues defining the scope of this Project, and thereby identify actions that most benefit water quality to mitigate the displacement of the Upper Truckee Marsh from Tahoe Keys development, a broad Stakeholders Group is suggested that includes, at a minimum, those organizations shown in Figure 1 and Table 1 above.

Figure 3. Schematic of the Water Budget Model of the Tahoe Keys Lagoons



Source: Tahoe Keys Lagoons Aquatic Weed Control Methods Test Draft EIR/EIS (July 6, 2020)

Proposed Tasks and Deliverables

The following tasks and deliverables are preliminary and subject to revision based on guidance supplied by the Project Management Review Group. These tasks and deliverables may also be subject to change based on TKPOA's annual budgeting process and future applications for grant funding support for the Project. Future changes to the scope and deliverables for the Project would also be subject to review by the Project Management Review Group.

Task 1: Project Management and Organization

TKPOA would work with TRPA, USFS, the League, and Lahontan to develop and reach agreement on the participants involved in the project management, technical review, and stakeholder groups. Preliminary organization of the Project Management Review Group and the Technical Review Work Group structures are shown in Figures 1 and 2. Determining the

2024 – 2025 Work Plan for the Tahoe Keys Lagoons
Long-Term Water Quality Improvement Project (EIP Project No. 01.02.01.0106)

frequency, scope, and schedule for the project management meetings would also be established as part of this task. Monthly meetings are assumed for this scope of work. The deliverables that would be produced from this task are listed below.

1. Final Project Management Review Group Chart
2. Final Technical Review Work Group Chart
3. Final Schedule for Project Management Meetings
4. Meeting Notes and Final Stakeholder Summary Memo

Throughout the Project, TKPOA would also prepare quarterly progress reports that contain Project updates and supplemental information relating to the Project. Descriptions of milestones achieved and future objectives to be achieved would be included, along with schedule and budget updates.

Task 2: Stakeholder Coordination/Engagement

Early in the project, TKPOA would facilitate outreach for engaging stakeholder participation in the Project. In addition, TKPOA would help organize and then participate in a total of four stakeholder meetings. The first three stakeholder meetings would be dedicated to refining project goals and objectives with key stakeholder input, reviewing planning and technical topics to analyze and compile existing site conditions and identify opportunities and constraints, while the final meeting would be dedicated to formulating a range of alternatives of stakeholder and TKPOA actions to mitigate the loss of Upper Truckee River Marsh ecosystem services that resulted from development of the Tahoe Keys, and improve overall water quality in the Keys lagoons and Lake Tahoe. These alternatives will serve as the basis for scoping associated with future CEQA/ NEPA processes . TKPOA and its consultants would prepare and present technical review papers, as outlined in the Task 4 planning and technical topics. Draft slides would be reviewed by the Project Management Review Group prior to the meetings. TKPOA would also participate in discussions related to the planning/technical papers and follow-up on applicable action items. The deliverables that would be produced from this task are listed below.

1. Draft/Final Planning/Technical Papers (See Task 4)
2. Draft/Final Meeting Presentations (4)
3. Stakeholder Meetings to Review Planning/Technical Topic Presentations (3)
4. Final Stakeholder Meeting to Formulate Project Components/Alternatives (1)
5. Final Stakeholder Summary Memo (See Task 1)

Task 3: Facilitate Stakeholder Meetings

The facilitator would be contracted by TKPOA and take the lead in developing the Stakeholders Group structure with input from the Project Management Review Group. The facilitator would also coordinate, schedule, conduct, record, and document three separate stakeholder meetings on planning/technical issues (see Task 4), and a final meeting on formulation of Project components/alternatives. Review and tracking of the status of milestones, deadlines, action items and logistics would be a component of the facilitator's duties. Preparation and

**2024 – 2025 Work Plan for the Tahoe Keys Lagoons
Long-Term Water Quality Improvement Project (EIP Project No. 01.02.01.0106)**

distribution of meeting agendas, notes, and other handouts are also elements of this task. The facilitator would be responsible for preparing the following deliverables:

1. Schedules, agendas and meeting notes for three stakeholder meetings and a fourth (final) meeting on formulation of Project components/alternatives
2. Annotated list of resource issues for future technical studies
3. Project Components/Alternatives Report

Task 4: Preparation of Planning/Technical Review Papers

TKPOA would work with its consultant and science advisors to prepare six (6) summary technical review papers and present them at three (3) stakeholder meetings. Using existing studies, evaluations, and data, the papers would summarize the current knowledge and unknowns for each of the topics. Each technical review paper would summarize resource/technical issues, mitigation action options, data gaps, and recommendations for further study. The identified topics and deliverables would be finalized with input from the Project Management Review Group, and would be expected to include the following:

1. Final West and East Lagoon Water Quality and Lake Tahoe Water Quality Goals and Objectives Memo
2. Lake Tallac Lagoon Water Quality and Pope Marsh Existing Conditions Memo
3. Circulation and Treatment System Assessment and Possible Approaches and Treatment Methods for the Lagoons Opportunities and Constraints Memo
4. Formulation of Alternatives Memo

The Technical Review Work Group(s) would review the draft technical papers and provide input and comments regarding the summaries. TKPOA would then finalize the papers for distribution to the Stakeholders Group in advance of the meetings on each of the topics.

Task 5: Prepare Grant Applications

Using TKPOA funds, TKPOA's planning and science advisor consultants would prepare and submit documents needed to apply for both of the identified CDFW and SWRCB grant opportunities. This would include arranging consultation meetings with agency staff from CDFW and SWRCB to discuss proposal concepts, preparing concept papers, and writing proposals. These grant opportunities would help fund anticipated planning, engineering technical, and environmental assessments for identifying the components and design of the Project alternatives. If TKPOA is awarded grant funding for the Project, one half (\$100,000) of the requested Tahoe Keys Development Mitigation Fund release would be reserved for cost share match requirements associated with the grant awards. The deliverables that would be produced from this task are listed below.

1. Pre-Application Consultation Meetings
2. CDFW Watershed Restoration Grant Proposal
3. SWRCB Clean Water Act Non-Point Source Grant Application

2024 – 2025 Work Plan for the Tahoe Keys Lagoons
Long-Term Water Quality Improvement Project (EIP Project No. 01.02.01.0106)

Proposed Schedule

A preliminary schedule for the proposed tasks and deliverables described above is presented below in Figure 4 for 2024 and 2025.

Figure 4. Preliminary Schedule for Proposed Tasks and Deliverables

LT WQ IP - Planning Phase	2023	2024				2025
Project Activities	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	-
	Oct. - Dec.	Jan. - Mar.	Apr. - Jun.	Jul. - Sept.	Oct. - Dec.	Jan. - Dec.
Project Organization and Agreements						TBD
Lahontan/TRPA Mitigation Fund Release						
Project Agreements						
Project Management Review Group Kick-off						
Stakeholder Group Meetings						TBD
Stakeholder Group Formation						
Environmental/Technical Issue Meetings (3)						
Alternatives Identification Meeting (1)						
Final Stakeholder Summary Memo						
Planning/Technical Topics/Papers						TBD
West and East Lagoon WQ/ Lake Tahoe WQ Goals & Objectives Memo						
Lake Tallac Lagoon WQ/ Pope Marsh Existing Conditions Memo						
CTS Assessment/ Possible WQ Treatments/ Opportunities & Constraints Memo						
Project Components/Formulation of Alternatives Memo						
Grant Applications						TBD
CDFW Watershed Restoration Program						
SWRCB Clean Water Act Non-point Source Program						
Grant Funded Technical Study Implementation						TBD

Preliminary Work Program, subject to revisions. January 16, 2024

2024 – 2025 Work Plan for the Tahoe Keys Lagoons
Long-Term Water Quality Improvement Project (EIP Project No. 01.02.01.0106)

Preliminary 2024-2025 Budget and Funding Sources

The scope and timing of the proposed 2024 to 2025 tasks and deliverables described above are based on several funding assumptions. This includes TKPOA's approval of funding for consultant, science advisor, and facilitator support contracts. This scope of work and budget do not include funding associated with grant awards from the CDFW Watershed Restoration, SWRCB Clean Water Act, or similar grant programs. Such additional scope activities and budget would be determined following the scope of the final applications to be developed for the CDFW and SWRCB grant funding. However, TKPOA's estimated costs and scope of work for preparing and submitting the applications are included in this scope of work, although the grant application activities would be solely funded by TKPOA.

For planning purposes, Table 2 shows the preliminary estimates of funding sources and budgets for the proposed tasks, schedule, and deliverables for 2024 and 2025. If CDFW and SWRCB grant applications are successful, then the funding (and associated task activities) from those grants would be in addition to the funding shown in Table 2.

Table 2. Preliminary 2024-2025 Budget and Funding Sources*

	TKPOA Funding	Mitigation Fund
Task 1: Project Management and Organization (2024)	\$15k	\$15k
Task 2: Stakeholder Coordination/Engagement (2024)	\$10k	\$10k
Task 3: Facilitate Stakeholder Meetings (2024)	\$25k	\$0k
Task 4: Preparation of Technical Review Papers (2024)	\$20k	\$75k
Task 5: Prepare Grant Applications (2024)	\$30k	\$0k
Tasks TBD (2025)	\$100k	\$0k
Tahoe Keys Development Mitigation Funds to be held for TKPOA grant application match requirements (2024/2025)	--	\$100k
Total	\$200k	\$200k

* Budgets and tasks subject to change based on Project Management Review Group input. Additional tasks and budgets may be identified for 2024 and 2025 through agency consultations, grant program funding, or TKPOA budget authorizations.



Tahoe Keys Lagoons Long Term Water Quality Improvement Project Planning

Project Number	01.02.01.0106
Action Priority	Restore Priority Meadows, Wetlands, and Lake Tahoe Tributaries
Implementers	Tahoe Keys Property Owners Association
Primary Contact	Rick Lind (Rick@SierraEcos.com)
Stage	Planning/Design
Duration	2023 - 2031

Watershed Restoration Program ➤ Restore Priority Meadows, Wetlands, and Lake Tahoe Tributaries

The Tahoe Keys Property Owners Association proposes to plan, address technical challenges, and engage stakeholders on improvements to the long-term quality and beneficial uses of waters of the Tahoe Keys Lagoons (i.e., the Marina, West, and Lake Tallac lagoons). Evaluations will focus on water quality, lagoons circulation, and control of algae/HABs and invasive aquatic plant fragments. Depending on TKPOA and stakeholder interests, project planning could also include interrelated environmental issues, such as: 1) reduced nutrient inflow to/outflow from Lake Tallac Lagoon, and 2) reduce water quality & AIS impacts and threats to Pope Marsh.

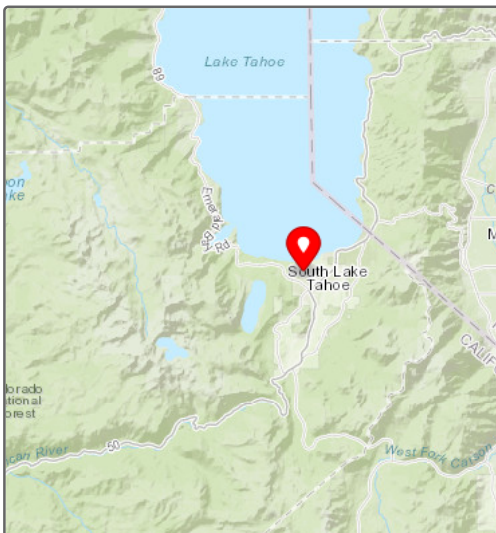
Key Accomplishments

Accomplishments to be provided upon completion of project

Threshold Categories

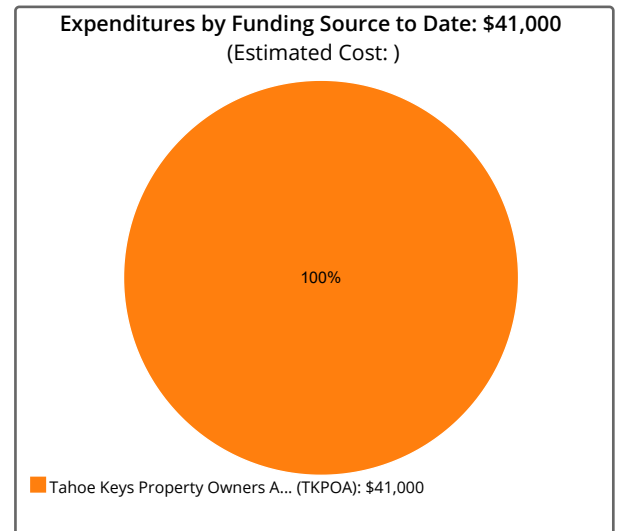
- Fisheries
- Scenic Resources
- Water Quality
- Recreation
- Vegetation Preservation
- Wildlife

Location



Harmful algae blooms (HABs) are occurring more frequently in the Tahoe lagoons.

Expenditures



Photos

Before



Tahoe Keys homeowners have 11 miles of waterways "lagoons" in their backyard.

Project Fact Sheet Data as of 01/16/

Attachment B

Lahontan Acceptance Letter



Lahontan Regional Water Quality Control Board

Dec 5, 2023

Kat McIntyre
Tahoe Regional Planning Agency
PO Box 5310
Stateline, NV 89449

Lahontan Water Board Acceptance for the Tahoe Regional Planning Agency to Release Interest from the Tahoe Keys Mitigation Fund to Support Development of the Tahoe Keys Property Owners Association's Long-Term Water Quality Improvement Project

The purpose of this letter is to provide my acceptance for the Tahoe Regional Planning Agency (TRPA) to release \$200,000 in interest from the Tahoe Keys Mitigation Fund to support planning and development of the Tahoe Keys Property Owners Association's (TKPOA) 2024-2025 Work Plan for the Tahoe Keys Lagoons Long-Term Water Quality Improvement (Project). In the following paragraphs, are conditions that should be considered when releasing the requested funds.

Conditions of Approval

From the overview of TKPOA's Project, TKPOA indicates that the requested funds will be used to support (1) TKPOA's preparation of the Project, and (2) to fulfill TKPOA's grant program match requirements for future grant proposals to support additional planning. TKPOA indicates that it will apply for the California Department of Fish and Wildlife's (CDFW) Watershed Restoration Grant Program and for the United States Environmental Protection Agency's Clean Water Act section 319(h) grant program (319 Grant Program) - a program which is administered by the State Water Resources Control Board (State Water Board) for the state of California.

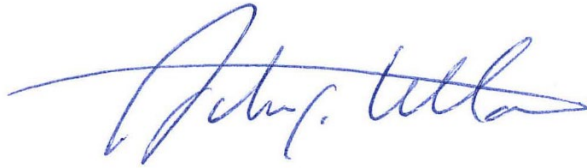
While we support the release of the requested funds, the following should be considered before allowing the requested funds to fulfill grant program match requirements. Conditions on the use of the funds may be required.

- (1) Project should be consistent with the objectives identified for the Integrated Management Plan for Aquatic Invasive Weeds and the Non-Point Source Water Quality Management Plan required by [Board Order R6T-2014-0059](#).

DR. AMY HORNE, ACTING CHAIR | MICHAEL R. PLAZIAK, PG, EXECUTIVE OFFICER

- (2) Released funding should not be used to investigate and prepare technical review papers associated with the South Y PCE Investigation and any point sources of pollutants affecting drinking water wells and the distribution system within the TKPOA residential development.
- (3) Released funds should primarily be used to identify approaches/mitigation action options to reduce non-point sources of nutrients and sediments entering or generated from within the Tahoe Keys residential development, which could include restoring the hydrologic and wetland functions of Pope Marsh and rehabilitating and operating the circulation and treatment system.
- (4) Before allowing funds to support TKPOA's grant match contribution associated with a future 319 grant award, TKPOA must become familiar with the eligibility requirements and allowable work permitted for planning grants, which can be viewed at https://www.waterboards.ca.gov/water_issues/programs/nps/319grants.html. For the 2023/2024 grant cycle, the funding minimum is \$50,000 and the maximum is \$250,000 for planning projects. Additionally, all projects must provide a 25% match. These amounts are subject to change for future grant funding cycles.
- (5) If elements of the Project are not permissible tasks for planning projects under the 319 Grant Program, released funds should be dedicated toward additional planning tasks needed to fulfill full Project development. TKPOA's Project should identify contingency tasks beyond Tasks 1-4 that will assist with the necessary planning, technical, and environmental assessments for identifying the components and design of Project alternatives.
- (6) Lahontan Water Board staff involvement with the Project Management Review Group will depend on prioritization of our limited resources to achieve the region's identified goals and top priority projects/topics as detailed in the Lahontan Region Strategic Narrative and associated Divisional Objectives. Currently Aquatic Invasive Species Management has been identified as top priority for the Tahoe Basin and the entire Lahontan Region.

If you have any questions regarding this notice, please contact Mary Fiore-Wagner, Senior Environmental Scientist – Supervisor, at (530) 542-5425 (mary.fiore-wagner@waterboards.ca.gov), or Ben Letton, Assistant Executive Officer at (530) 542 5436 (ben.letton@waterboards.ca.gov).

A handwritten signature in blue ink, appearing to read "Michael R. Plaziak". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

for Michael R. Plaziak, PG
EXECUTIVE OFFICER

cc: Shay Navarro, TRPA
Rick Lind, Sierra Ecosystem Associates
Rob Tucker, Lahontan Water Board

Attachment C

TRPA Mitigation Fund Release Policy Guidelines



ATTACHMENT C: MITIGATION FUND RELEASE POLICY GUIDELINES

DECEMBER 8, 2021

Attachment C

Mitigation Fund Release Policy Guidelines

Background

TRPA collects mitigation fees from project applicants to mitigate the impacts of project development. These fees are kept in TRPA accounts and may be requested for use by the region's local jurisdictions to implement Environmental Improvement Program (EIP) projects on the 5-year EIP priority list and/or projects included in the Regional Transportation Plan.

Procedure

Each local jurisdiction (City of South Lake Tahoe, Douglas County, El Dorado County, Placer County and Washoe County) is required to update its EIP projects and Regional Transportation projects annually in LT Info online: <https://laketahoeinfo.org/>.

Local jurisdictions submit mitigation fund requests to TRPA staff for initial review and TRPA Governing Board approval.

Local jurisdictions must use the standard Mitigation Fund Request Form which includes the following:

- EIP project number
- Project description
- Project stage and schedule for completion
- Amount and type of mitigation funds requested
- Details of any other funding sources targeted or secured for the project

Before TRPA approves a release of funds, the requesting jurisdiction must show documentation that all mitigation funds collected by their jurisdiction on behalf of TRPA have been paid to TRPA.

The local jurisdiction must report to TRPA annually through the EIP reporting process online (<https://laketahoeinfo.org/>) on the progress, performance measures, and funding expenditures of each EIP project and/or Regional Transportation project for which mitigation funds were authorized.

Policies

Mobility Mitigation Funds:

TRPA may disperse funds from the mobility mitigation fund to the local jurisdictions, or the Tahoe Transportation District (TTD) upon approval from the appropriate jurisdiction, for Vehicle Miles Travelled (VMT) mitigating transportation projects/programs.

The project/program must also be consistent with the most recently approved Regional Transportation Plan constrained project list.

The intended use of mobility mitigation funds is for implementation and project delivery activities for shovel-ready projects (e.g., project-level environmental review, preliminary engineering/design, construction phase, etc.). Principal account funds cannot be used for project planning which includes design/feasibility studies, environmental impact documents, or application or permitting costs.

Mobility Mitigation Interest Funds: Accrued interest may be used for VMT mitigating transportation projects as outlined above, and/or:

- Project planning including design/feasibility studies, environmental impact documents, or application or permitting costs.
- Monitoring or project-specific research
- Special one-time project costs (to be reviewed and approved by TRPA legal counsel)

Note: The balance of fees collected under the previous Air Quality Mitigation Fee (AQMF) program can be used for VMT and air quality projects by local jurisdictions until expended. Examples of projects eligible for the AQMF, and not the MMF, are high efficiency street sweepers, vector trucks, wood stove retrofit programs, and other directly related air quality projects.

Water Quality Mitigation Funds:

TRPA may disperse funds from the water quality mitigation fund to the local jurisdictions for water quality Environmental Improvement Projects/programs on the EIP 5-year list.

The project/program must also be consistent with TRPA's 208 Water Quality Management Plan and the Environmental Improvement Program.

The intended use of water quality mitigation funds is for the implementation of shovel-ready projects. Funds can also be used to purchase equipment to improve water quality, such as vector trucks, high efficiency street sweepers, etc., provided the local jurisdiction commits to funding the ongoing operations and maintenance costs of the equipment or vehicles.

Principal account funds cannot be used for project planning which includes design/feasibility studies, environmental impact documents, or application or permitting costs.

Water Quality Mitigation Interest Funds: Accrued interest may be used for water quality projects/programs as outlined above, and/or:

- Project planning including design/feasibility studies, environmental impact documents, or application or permitting costs
- Monitoring or project-specific research
- Special one-time project costs (to be reviewed and approved by TRPA legal counsel)

Stream Environment Zone (SEZ) Funds:

As provided in Section 82.6 of the TRPA code, at least 25% of the water quality mitigation funds shall be set aside in a separate account for SEZ restoration projects that are consistent with TRPA's 208 Water Quality Management Plan and the Environmental Improvement Program. This jurisdictional set-aside shall be evaluated annually and may be waived if TRPA determines that there are no more SEZ restoration projects identified in a given jurisdiction.

Operations and Maintenance (O&M) Funds:

Up to 25% of the mobility mitigation and water quality mitigation funds received, may be set aside for EIP project/program related administration, regular operations and maintenance costs or monitoring expenditures.

- All O&M mitigation fund releases require a 1:1 local funding match. This is funding provided by the local jurisdictions, exclusive of state or federal funds. Matching funds may include in-kind general fund expenses provided which are directly related to EIP project/program implementation.
- O&M mitigation funds cannot be used for project planning such as design/feasibility studies, environmental impact documents, or application or permitting costs.

Restrictions

Mitigation funds cannot be used to fund mitigation measures that are required as conditions of project approval if a project is required to fully fund implementation of the mitigation measure. For example, water quality mitigation funds cannot be used to finance an SEZ restoration project, if that restoration is a required condition of project approval.



Mail

PO Box 5310
Stateline, NV 89449-5310

Location

128 Market Street
Stateline, NV 89449

Contact

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

STAFF REPORT

Date: January 17, 2024
To: TRPA Governing Board
From: TRPA Staff
Subject: Updated Procurement Policy

Summary and Staff Recommendation:

TRPA's Purchasing Policy has not been updated since 2008. The Office of Management and Budget has updated and simplified procurement rules for entities receiving federal funding. The proposed changes are consistent with that new guidance.

There are three substantive changes:

1. Separate the Governing Board Policy statement from the daily "how to" guidance to staff members working on contracting.
2. Increase the levels at which a procurement requires a formal RFP, informal RFP, or constitutes a small purchase.
3. Identify specific situations where full competition is impractical and not in the best interest of the Agency.

Required Motions: In order to adopt the new TRPA Procurement Policy, the Governing Board must make the following motion, based on the staff report:

- 1) A motion to r adopt of the new TRPA Procurement Policy

In order for the motion to pass, an affirmative vote of any eight Board members is required.

Project Description/Background:

TRPA staff works to update processes and procedures for maximum efficiency while maintaining compliance with Federal and State regulations. In 2019 the OMB updated its guidance to government entities receiving federal funding. Staff proposes adjusting our internal policies and procedures in light of those changes.

The first change is to separate the policy, which must be set by the Governing Board, from the day to day implementation, or "how to", guidance. The latter guidance changes frequently as organizations and managers shift in roles and responsibilities. Since those items are purely tactical, there is no reason to require constant action from the Governing Board to modify the manual. This policy sets the overall direction of how procurement should be handled. Any potential conflict between the policy and the internal procurement manual will be decided based on the policy adopted by the board. As a result, the

Procurement Policy has been reduced from a 65-page document, with attachments, down to a clean five-page policy document.

The second proposed change is to increase the levels for micro-purchases and informal RFPs to:

Proposed TRPA	CA (Fi\$Cal)	NV	OMB	Type of Procurement
\$10,000	\$5,000	\$5,000	\$35,000	Micro Purchase. No quotes required
\$50,000	\$25,000	\$25,000	\$800,000	Small Purchase, multiple quotes required
> \$50,000	> \$25,000	>\$25,000	>\$800,000	Formal procurement (RFP)

Micro purchases would routinely be made using Agency credit cards. Some of the small purchases may also be handled by credit card, if appropriate, but generally would utilize a Purchase Order or, depending on complexity, a Contract. Everything requiring a formal RFP would use a PO or Contract. Purchase orders are used when the item or service being acquired is straightforward, easy to determine if it meets the purchasing criteria (e.g., a physical deliverable or obvious service) and does not have any major non-financial liability issues. Contracts are used for complex purchases where “delivery” requires professional judgement or there are significant liability issues.

The third change is an update to the list of situations where contracting by negotiation, instead of a RFP process, is warranted. This list was developed over time by real-world situations. Most of the exceptions have carried over from the prior policy. The three new or significantly changed provisions are:

- a. *When the Agency has made a joint proposal for funding with partner entities and the distribution of work between the partners was set out in the proposal.* We are increasing collaboration with other entities in the basin and pursuing joint funding requests. This new provision recognizes that and permits us to proceed with the existing team that prepared the proposal.
- b. *When the Agency has established an ongoing strategic partnership with another Governmental Entity to handle specific areas of work that the Agency itself does not perform. The Governing Board will review and approve all such arrangements at least once every five years.* We anticipate using more of these types of arrangements with partner entities going forward. One example of this is our AIS Prevention Program agreement with the Tahoe Resource Conservation District (TRCD). We made a strategic assessment at the beginning of the program to work with the TRCD on inspection and decontamination stations. Instead of executing a formal RFP process every five years, we propose a regular review of the strategic relationship on the same schedule or, as conditions warrant, more frequently.
- c. *When supplies or service can only be obtained from one person, firm, or Agency. This includes technical services in connection with the assembly, installation, or servicing of equipment or software of a highly technical or specialized nature. This explicitly includes websites and online services.* This provision has been modified to combine three individual ones in the original Policy. It is also intended to cover situations like contracts we have with boat ramps on the AIS prevention program. Since all boat ramps must

participate for the program to work, there is no point in a competitive procurement process.

Issues and Concerns:

One major issue is that neither California nor Nevada have updated their policies based on the new OMB guidelines. We would be adopting procurement levels that are higher than either state.

Contact Information:

For questions regarding this agenda item, please contact Chris Keillor, CFO at (775) 589-5222 or ckeillor@trpa.gov. To submit a written public comment, email publiccomment@trpa.gov with the appropriate agenda item in the subject line. Written comments received by 4 p.m. the day before a scheduled public meeting will be distributed and posted to the TRPA website before the meeting begins. TRPA does not guarantee written comments received after 4 p.m. the day before a meeting will be distributed and posted in time for the meeting.

Attachments:

- A. Proposed TRPA Procurement Policy
- B. Crosswalk between existing policy (2008) and revised

Attachment A

Proposed TRPA Procurement Policy



Purchasing Policy

Approved January 24, 2024

Page purposefully left blank.

Table of Contents

1.	PURCHASING AND FINANCIAL POLICY	4
2.	PROCUREMENT BY NEGOTIATION FOR SOLE SOURCE PURCHASES AND CONTRACTING	5
3.	USE OF OTHER AGENCY BID AWARDS	7
4.	CAPITAL EQUIPMENT PURCHASES.....	7
5.	EMERGENCIES.....	7

PURCHASING AND FINANCIAL POLICY It is the policy of the Tahoe Regional Planning Agency to acquire all services and supplies competitively at the lowest cost considering needs for performance, maintenance, continuity, and appropriateness.

1 PURPOSE

- A This policy governs the purchase of supplies, equipment and services required by the Agency.
- B The purpose of this policy is to:
 - (a) Establish efficient, consistent procedures for the procurement of supplies, equipment and services including professional services and, when needed, construction services.
 - (b) To procure these items at the best value to the agency considering cost, quality, and delivery schedule.
 - (c) To exercise control over purchases to assure that they are both budgeted and authorized.
 - (d) To encourage full and open competition wherever reasonable.

1.2 NON-DISCRIMINATION

The Agency does not discriminate against any potential contractor or vendor on the basis of sex, race, color, religion, national origin, or ancestry.

1.3 APPROVAL LEVELS

- A The following personnel are authorized to approve purchases and contracts for the Agency to the limits noted below:
 - (a) Staff appointed in writing by the Executive Director \$0 - up to \$10,000.
 - (b) Executive Director
 - (i) if NOT budgeted: \$0 - \$100,000.
 - (ii) if budgeted: up to budgeted amount.
 - (c) Governing Board – if NOT budgeted \$100,000+.
- B The Executive Director or his/her designee is designated as the Agency's Purchasing Agent.
- C It is the responsibility of each person who approves a purchase or contract to ensure that adequate funds have been budgeted for each transaction.
- D All contracts must be approved by the appropriate authority or his/her designee following review of Legal Counsel, the Chief Financial Officer, and the Department Manager

1.4 GENERAL BID REQUIREMENTS

- A Micro purchases are anything under \$10,000 and do not require bids or requests for proposal. The responsible purchaser will take care to ensure the Agency receives the best value for the expenditure and stay aware of potential suppliers and costs. The use of credit cards for these purchases is encouraged. Appropriate documentation will support every such purchase.
- B The simplified acquisition threshold will cover purchases between \$10,000 and \$50,000. The project manager will seek out at least 3 competitive bids, but no formal Request for Proposal (RFP) is required. Bids and the decision criteria will be documented and kept by the Finance Department.
- C All purchases and contracts for more than \$50,000 will be administered by formal Request for Bids or Request for Proposals unless the procurement is done as an emergency under the authority of Section 19 herein, or is a negotiated procurement as provided under the exceptions allowed in Section 7.3.

- D Specific instructions on how to meet these requirements can be found in the Purchasing Manual. Any conflict between the Purchasing Policy and the Purchasing Manual will be governed by the Purchasing Policy.

1.5 PROHIBITION ON CONTRACTING WITH AGENCY EMPLOYEES AND OFFICIALS

Except when approved by the Governing Board, contracts shall not knowingly be entered into with business firms which are substantially owned or controlled by Agency employees or Officials except for the most compelling of reasons (*example: such cases where the needs of the Agency cannot reasonably be otherwise supplied*).

1.6 AWARD CRITERIA

- A TRPA will acquire goods and service on a “best value” basis considering cost, quality, and timeliness. Except for Construction contracts, purchases and contracts shall not be made solely based on price. Cost-factors such as total life cycle, maintenance, the availability of repair parts and service centers, suitability for intended use, trade-in value, and other relevant information will be considered. For professional service contracts, the award criteria will differ for each engagement. Award criteria should be specified in any Requests for Proposal.
- B For construction contracts, awards will be made to the lowest responsive and responsible bidder. Proposals will first be evaluated to ensure they are a) responsive to the statement of work in the RFP and b) the bidder is fully qualified to complete the work including possessing appropriate licenses and certifications. The cost proposal will only be reviewed after the initial screening for qualified responsive bids.

1.1 PROCUREMENT RESPONSIBILITY AND AUTHORITY

- C The Agency Purchase Agent shall have the authority to purchase all supplies, equipment, and non-professional services required by the Agency.
- D The Department requiring such services will manage contracts for professional services and the Project Manager appointed by the Department Manager will be responsible for ensuring these policies and procedures are complied with.
- E The Chief Financial Officer will oversee the purchasing system, review all major contracts, and supervise payments of invoices. The CFO will also be responsible for the purchase of insurance for the Agency.
- F The Agency Purchase Agent or his/her designee will be responsible for insuring that these policies and procedures are complied with.
- G The Executive Director is the only official authorized to commit the Agency to a contract.

2 PROCUREMENT BY NEGOTIATION FOR SOLE SOURCE PURCHASES AND CONTRACTING

A PURPOSE

- (a) Some circumstances make it impractical to utilize the formal bid procedures described in Section X and Section X as applicable, and when those certain, restricted instances arise, the procurement of these supplies and services will be done by negotiation using the procedures of this Section. Sole source is only allowed for the circumstances specified in this section.

B MAXIMUM COMPETITION REQUIRED

Negotiated procurements shall only be used when a competitive procurement is not practical. Wherever supplies or services are to be procured by negotiation, proposals or informal bids shall be obtained from at least 3 sources if possible.

2.2 APPROVAL FOR USE OF THESE PROCEDURES

The Executive Director must approve the use of the negotiation procedures for all budgeted procurements or up to \$100,000 if not budgeted. The Governing Board must approve procurements exceeding these amounts.

2.3 CIRCUMSTANCES PERMITTING NEGOTIATION

A Negotiation may be used ONLY under the following circumstances:

- (a) When the Executive Director determines that an emergency condition exists that will not permit the delay required by formal bidding. This subsection requires a formal declaration of Emergency by the Executive Director.
- (b) When the Agency has made a joint proposal for funding with partner entities and the distribution of work between the partners was set out in the proposal.
- (c) When the contemplated procurement is funded by a third party, or parties, and the Agency and funding party, or parties, agree in writing to waive the normal bidding requirements when such a waiver is reasonable and prudent.
- (d) When the Agency has established an ongoing strategic partnership with another Governmental Entity to handle specific areas of work that the Agency itself does not perform. The Governing Board will review and approve all such arrangements at least once every five years.
- (e) When supplies or service can only be obtained from one person, firm, or Agency. This includes technical services in connection with the assembly, installation, or servicing of equipment or software of a highly technical or specialized nature. This explicitly includes websites and online services.
- (f) When formal bids have been solicited and no responsive bid has been received from more than one responsible bidder.
- (g) When the item being purchased is a "used" item. In these cases, the Agency will utilize all available resources to assure that the value is appropriate (*as in use of Kelly Blue Book for used vehicles*).
- (h) When the contemplated procurement involves maintenance, repair, alteration, or inspection and the exact nature or amount of the work to be done is not known. In this instance a time and materials contract should be negotiated based on agreed labor rates.
- (i) When it is impractical to draft adequate specifications for a Request for Bid.
- (j) When the contemplated procurement is for original equipment manufactured (OEM) parts or components being procured as replacement parts in support of equipment or software specially designed by the manufacturer, or where licensing agreements prohibit modification without the approval of the vendor.
- (k) For the procurement of technical equipment requiring standardization and interchangeability of parts when it is determined that such standardization and interchangeability is necessary in the best interests of the Agency.
- (l) When the contemplated procurement involves training services.
- (m) For any other procurement authorized by the Executive Director where direct Negotiation is reasonable and prudent.

3 USE OF OTHER AGENCY BID AWARDS

The Agency may utilize the competitive bid processes of other government agencies.

3.1 GENERAL SERVICES AGENCY AWARD SCHEDULES

TRPA is eligible to purchase goods and services through the United States General Services Agency award schedules.

3.2 CALIFORNIA MULTIPLE AWARD SCHEDULES – CMAS

- A The State of California established the CMAS program for use by state agencies and local governments for the streamlined acquisition of numerous types of goods and services.
- B The State of California establishes fixed price contracts with vendors based on the vendors Federal General Services Administration (GSA) contract or other multiple award contracts. These GSA prices are then extended to the participating State and local governmental agencies.
- C It is cost efficient for the Agency to utilize these contracts because it provides competitive prices while avoiding the expense and time involved in developing bid specifications and soliciting, analyzing, and awarding bids.
- D The use of CMAS contracts is hereby authorized in place of the Agency's own bidding procedures and such contracts may be approved with the limitations of Section 1.3 of this manual.

3.3 NEVADA CONTRACTS

The State of Nevada Purchasing Department, working with other western states, frequently issues awards based on competitive responses. These may be utilized by TRPA on a case-by-case basis.

4 CAPITAL EQUIPMENT PURCHASES

The Agency shall identify and account for all capital and material items of significance.

- 4.1 The Agency shall track and capitalize all assets with a value of \$5,000 or more. New assets fitting this definition will be booked and the value capitalized annually. It shall inventory and track assets which require special tracking due to their intrinsic value as, determined by the Chief Financial Officer or Controller. All assets shall be inventoried on a rotating basis so that all of TRPA's tangible capital assets are physically accounted for at least once every 2 years.
- 4.2 The TRPA financial staff will utilize the current asset listing to isolate and inventory all relevant, existing tangible property of the Agency. These will be tracked for inventory purposes only. Once the inventory is compiled, the Agency will complete 100% of the inventory every 2-years to comply with OMB circular A-133 requirements as scheduled by the Finance unit.
- 4.3 All new assets will be tracked for inventory purposes based on the year acquired. Such assets will be capitalized for expensing purposes annually by the Finance unit.
- 4.4 Each Department is responsible for developing an annual Capital Budget/Equipment request as needed and scheduled by the annual budget calendar. This will be reviewed by the Leadership Team and adopted by the Governing Board during the annual budget process.

5 Emergencies

- 5.1 In order for this authority to be used, the need must be compelling and of unusual urgency as when the Agency could be seriously injured, financially or otherwise, or unable to perform mission-related functions if the property or services to be purchased or contracted for were not furnished by a certain time, and when they could not be procured by that time using the methods set forth in this policy. This applies irrespective of whether that urgency could or should have been foreseen.

For example, this authority may be used when property or services are needed at once because of fire, flood, explosion, mechanical breakdown, or other disaster.

- 5.2 The applicable procedures in Section 13, Procurement by Negotiation, will be utilized for procurements under this authority to the maximum extent possible.
- 5.3 All procurement actions under this authority exceeding \$50,000 to any single contractor will be reviewed and approved by the Executive Director.
- 5.4 The Governing Board Chair or Vice Chair shall be advised of such purchases as soon as practical, and the Governing Board advised at each subsequent Governing Board meeting until the emergency has passed.

Attachment B

Crosswalk between existing policy (2008) and revised

Tahoe Regional Planning Agency
Procurment Policy vs. Procurement Manual Breakout

Section	Title	New Location
1	Purchasing and Financial Policies and Procedures	Keep in Policy, New Section 1
2	Procurement Responsibility and Authority	Keep in Policy, New Section 1
3	Purchasing Goods and non-professional services costing less than \$25,000	Move to Procurement Manual and consolidate, rules are the same for all three.
4	Purchasing Goods and non-professional services costing more than \$25,000	
5	Contracting for Professional Services	
6	Contracting for Construction Work	Move to Procurement Manual
7	Procurement by Negotiation for sole source purchases and contracts	Keep in Policy, New Section 2
8	General Procedures Applicable to all Formal Bids	Move to Procurement Manual
9	Use of Other Agency Bid Awards	Keep in Policy, New Section 3
10	Payment Policy	Move to Procurement Manual
11	Method of Payment	Move to Procurement Manual
12	Receiving and Processing Procedures	Move to Procurement Manual
13	Meals, Travel, Lodging, and Training	Move to Procurement Manual
14	Capital Equipment Purchases and Accounting	Keep in Policy, New Section 4
15	Utilities	Move to Procurement Manual
16	Insurance Purchases	Move to Procurement Manual
17	Credit Cards	Move to Procurement Manual
18	Surplus Property	Move to Procurement Manual
19	Emergencies	Keep in Policy, New Section 5
20	Environmental Policies and Procedures	Move to Procurement Manual

TAHOE REGIONAL PLANNING AGENCY
TRPA RESOLUTION NO. 2024–

NATIONAL RADON ACTION MONTH

WHEREAS, the great state of Nevada, known for its natural beauty and diverse landscapes, is home to a unique geological feature - an abundance of surface uranium, making it the leading state in the United States with this natural resource; and

WHEREAS, the granitic and glacial till soils of the Lake Tahoe Basin also contain naturally elevated levels of uranium;

WHEREAS, uranium is harnessed for various beneficial uses, including nuclear energy production, medical applications, and scientific research;

WHEREAS, it is crucial to recognize that while uranium has beneficial applications, it also poses potential dangers when it naturally breaks down into radon gas, a colorless, odorless, naturally occurring radioactive gas that can endanger the health and well-being of our residents;

WHEREAS, radon gas occurs naturally when Uranium breaks down, silently seeping into the homes of our residents;

WHEREAS, it has come to our attention that many Lake Tahoe residents remain unaware of the hidden danger lurking within their homes, known as radon - a colorless, odorless, naturally occurring radioactive gas, which stands as the primary cause of lung cancer among nonsmokers and the second leading cause of lung cancer in smokers;

WHEREAS, the U.S. Environmental Protection Agency estimates that approximately 21,000 people in the United States tragically lose their lives each year due to lung cancer caused by indoor radon exposure. Lung and bronchus cancer claim more lives each year than any other form of cancer;

WHEREAS, lung cancer, impacting more women than breast cancer, poses a higher risk to Nevadans compared to the national average;

WHEREAS, it is a fact that one in four homes in Nevada contains elevated levels of radon. Any Lake Tahoe home could harbor elevated radon levels, even when neighboring homes do not. Living in a home with an average radon level of 4 picocuries per liter of air poses a risk comparable to smoking half a pack of cigarettes a day;

WHEREAS, most geologic units of the Lake Tahoe Basin have been determined to have high potential for radon;

WHEREAS, it is the right of home buyers to know the radon level of any home they consider purchasing;

WHEREAS, the importance of radon testing cannot be overstated, as it is the sole means to determine whether a home contains elevated radon levels. This testing is not only easy and free but also opens the door to potential mitigation efforts that can make homes safer;

WHEREAS, the University of Nevada, Reno Extension's Nevada Radon Education Program and the U.S. Environmental Protection Agency stand firmly in support of initiatives aimed at motivating all Lake

Tahoe residents to act by testing their homes for radon, mitigating elevated radon levels, and promoting new construction with radon-reducing materials and features.

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the Tahoe Regional Planning Agency does hereby support January 2024 as National Radon Action Month in Lake Tahoe.

PASSED and ADOPTED by the Governing Board of the Tahoe Regional Planning Agency this ____ day of _____, 2024, by the following vote:

Ayes:

Nays:

Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency
Governing Board



Mail

PO Box 5310
Stateline, NV 89449-5310

Location

128 Market Street
Stateline, NV 89449

Contact

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

STAFF REPORT

Date: January 17, 2024
To: TRPA Governing Board
From: TRPA Staff
Subject: Governing Board Committee Membership Appointment

Summary and Staff Recommendation:

Staff recommends approval of the committee membership appointment as presented.

Required Motion:

To approve the committee membership appointment, the Board must make the following motion, based on the staff report:

- 1) A motion to approve the membership appointment as shown in Attachment A.

For the motion to pass, an affirmative vote of any eight Board members is required.

Background:

The City of South Lake Tahoe has appointed Mayor Cody Bass to the TRPA Governing Board. This new member will need to be appointed to various TRPA Governing Board Committees.

Operations & Governance Committee:

Appoint Cody Bass to replace Vince Hoenigman on the Operations & Governance Committee.

Transportation Committee:

Appoint Cody Bass to replace John Friedrich on the Transportation Committee.

Local Government & Housing Committee:

Cody Bass becomes a Local Government Committee member as a representative of local governments on TRPA's Board.

Tahoe Living: Housing and Community Revitalization Working Group:

Cody Bass to replace John Friedrich on the Tahoe Living: Housing and Community Revitalization Working Group.

Contact Information:

For questions regarding this agenda item, please contact Julie Regan, Executive Director at (775) 589-5237 or jregan@trpa.gov.

To submit a written public comment, email publiccomment@trpa.gov with the appropriate agenda item in the subject line. Written comments received by 4 p.m. the day before a scheduled public meeting will be distributed and posted to the TRPA website before the meeting begins. TRPA does not guarantee written comments received after 4 p.m. the day before a meeting will be distributed and posted in time for the meeting.

Attachment:

- A. Committee Membership Appointment

Attachment A

Committee Membership Appointment

Local/State	TRPA Governing Board Committees -- revised January 2024							
	Legal	Operations & Governance	Environmental Improvement Program	Regional Planning	Transportation	Local Government	Tahoe Living: Housing and Community Revitalization Working Group	Threshold Update Initiative Stakeholders Working Group
CA Local - C. Bass		Bass			Bass	Bass	Bass	
CA Local - C. Gustafson		Gustafson		Gustafson		Gustafson	Gustafson	
CA Local - B. Laine		Laine	Laine			Laine		
CA State - B. Faustinos	Faustinos		Faustinos			Faustinos (Ex Officio)		
CA State - V. Hoenigman				Hoenigman			Hoenigman	
CA State - A. Conrad-Saydah					Conrad-Saydah			Conrad-Saydah
CA State - A. Leumer	Leumer		Leumer	Leumer				
NV Local - S. Aldean	Aldean			Aldean		Aldean		
NV Local - A. Hill		Hill			Hill	Hill	Hill	
NV Local - W. Rice	Rice		Rice			Rice		
NV SOS - F. Aguilar		Aguilar			Aguilar	Aguilar (Ex Officio)		
NV State - J. Diss		Diss		Diss				
NV DCNR - J. Settelmeier			Settelmeier	Settelmeier				Settelmeier
NV At Large - H. Williamson	Williamson		Williamson					
Pres. Appointee - M. Hays			Hays		Hays			



Mail

PO Box 5310
Stateline, NV 89449-5310

Location

128 Market Street
Stateline, NV 89449

Contact

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

STAFF REPORT

Date: January 17, 2024
To: TRPA Governing Board
From: TRPA Staff
Subject: Transportation and Sustainable Communities Threshold Standard 1

Summary

In pursuit of the goal to align TRPA threshold standards with the best available science, TRPA adopted Transportation and Sustainable Communities Threshold Standard 1 (TSC1) in April 2021, codifying a new goal for reduction of VMT per capita. TRPA staff, Governing Board members, basin stakeholders, and partners, worked diligently for more than a year to update the standard. Implementing the Regional Transportation Plan (RTP) is central to achieving the threshold standard and there is a significant funding shortfall projected for the RTP. Funding targets were included in the Regional Plan to focus attention on closing the gap. Two notable advancements have occurred since the adoption of TSC1. First, the Bi-State Consultation on Transportation endorsed the “7-7-7” funding strategy after extensive negotiations and community engagement. Second, the partnership secured an additional \$23 million for transportation projects in 2024, exceeding the annual “7-7-7” goal by \$2 million and putting new money on the ground two years in advance of the RTP financial forecast.

Staff Recommendation:

Staff seeks guidance on implementing the adaptive management framework for TSC1 in the goals and policies of the Regional Plan. Specifically, staff would like feedback on how changes in the funding landscape agreed to by the Bi-State Consultation on Transportation that occurred after the adoption of the threshold standard should be considered.

Background:

In 2021, TRPA replaced a nitrogen-focused threshold standard with TSC1 (VMT per capita), which aligned the vision of the RTP and Regional Plan to reduce reliance on the automobile, support greenhouse gas emission reduction, and increase mobility through modes other than the automobile. Coordinated land use (Regional Plan) and transportation (RTP) policies are central to achieving the threshold standard. A major question during the development of TSC1 was how the Region would fund

RTP implementation. Full implementation, including capital projects and other implementing programs of the transportation and sustainable communities' strategy, is estimated to cost \$2.7 billion over 25 years. Increasing investment is the single most effective way to accelerate RTP implementation.

TRPA and basin partners identified closing the funding gap for RTP implementation as critical to achieving the VMT per capita reduction goal (TSC1). To further focus the partnership on bringing in additional revenue, a revenue target (DP-5.4.B) and associated management responses (supplemental compliance measures) to be taken (DP-5.6.A) if the milestone was not attained were established in the Regional Plan as part of the adaptive management structure of TSC1.

GOAL DP-5.4.B

2024 Regional Revenue Milestone - An ongoing regional funding source or sources dedicated to transportation for the Tahoe Region that is reasonably expected to meet the needs set forth for it in the Regional Transportation Plan, shall commence implementation no later than December 31, 2023.

If it is found that the revenue milestone in DP-5.4.B has not been achieved, DP-5.6.A establishes “no-net unmitigated VMT” as the standard of significance used to evaluate the transportation impacts of development that generates new VMT. The impact of the change would make it harder for large projects, even those that contribute to attainment of TSC1, to go forward.

GOAL DP-5.6.A

2024 Regional Revenue Milestone - If the milestone established DP-5.4.B is not attained, the standard of significance for all land uses in Code of Ordinances Table 65.2.3-1 shall be no-net unmitigated VMT, except for deed restricted affordable and/or workforce housing. This measure will remain in effect until the funding sources described in DP-5.4.B commences.

In 2017, the Director of the Nevada Department of Conservation and Natural Resources and the Secretary of the California Natural Resources Agency convened a Bi-State Consultation on Transportation for Lake Tahoe to strengthen regional coordination and accelerate delivery of priority transportation projects. The Bi-State working group brought together over 15 public agencies with private sector partners to address transportation needs in Tahoe. The first phase of Bi-State consultation completed its work in 2018 and delivered a 10-year Transportation Action Plan that identified top-priority projects and services, and a framework and commitment from all sectors to accelerate transportation planning and project implementation in and around Lake Tahoe.

At the time DP-5.4.B was drafted, a leading proposal for closing the RTP funding gap was being advanced by the Tahoe Transportation District called “One Tahoe”. The “One Tahoe” recommendations included 1) an annual fee on households and business in the Tahoe region, and 2) a basin entry fee for non-

residents and commuters charged when traveling into the region. The report suggested that 95% of the new revenue would be generated through the basin entry fee. While there was not agreement on this funding approach, the policy reflected thinking at the time.

The Bi-State Consultation on Transportation analyzed additional funding options in 2022 and found the basin entry fee to be infeasible at that time. Instead, the group arrived at consensus to pursue a funding approach modeled after the Lake Tahoe Environmental Improvement Program (EIP), dubbed the “7-7-7” strategy.

Under the “7-7-7” framework, federal, state, and local/private partners would each seek an additional \$7 million per year, for high-priority, regionally significant transportation projects, totaling \$21 million annually. Partners responded to the urgent call to fund the RTP and secured an additional \$23 million for 2024. This milestone exceeds the funding target for the year and arrives two years earlier than anticipated by the 2020 RTP. A sector-based summary of the additional secured funding (funding in excess of the 2020 RTP revenue forecast) is provided in Table 1, and a detailed breakdown is included in Attachment A.

	Federal	State-CA	State-NV	Local/Private	Total
Target	\$7,000,000	\$4,500,000	\$2,500,000	\$7,000,000	\$21,000,000
Secured	\$9,575,000	\$4,065,000	\$3,200,000	\$6,181,000	\$23,021,000
Difference	+\$2,575,000	-\$ 435,000	+\$700,000	-\$819,000	+\$2,021,000

Table 1: Transportation Funding in Excess of RTP Revenue Forecast

If the partnership is successful in securing a similar amount next year, it will put an additional \$46 million on the ground two years earlier than anticipated in the RTP. It would also put the partnership on track to close the \$400M funding gap, four years ahead of schedule.

While the partnership’s success in closing the RTP funding gap for 2024 is impressive, it raises questions about alignment with the goals and policies of the Regional Plan, because the 7-7-7 strategy is not fully aligned with DP-5.4.B.

Staff requests feedback on how the changes in the funding landscape agreed to by the Bi-State Consultation on Transportation should be considered.

At least three options are available:

1. Implement the goals and policies in DP-5.4.B as adopted prior to the funding strategy shift - Find that ongoing regional funding has not been achieved and change the standard of significance to “no-net unmitigated VMT” for development projects.
2. Update the goals and policies in DP-5.4.B to reflect the change in funding strategy - Recognize the change and success of the partnership’s approach to closing the funding gap and modify the goals and policies.

3. Amend DP-5.4.B to push the assessment date two years out - Recognize the success of the partnership in exceeding funding targets for this year and delay assessment of DP-5.4.B two years to align with the next Regional Transportation Plan.

Contact Information:

For questions regarding this agenda item, please contact Dan Segan, Chief Science and Policy Advisor, at 775-589-5233, or dsegan@trpa.gov.

To submit a written public comment, email publiccomment@trpa.gov with the appropriate agenda item in the subject line. Written comments received by 4 p.m. the day before a scheduled public meeting will be distributed and posted to the TRPA website before the meeting begins. TRPA does not guarantee written comments received after 4 p.m. the day before a meeting will be distributed and posted in time for the meeting.

Attachments

- A. 7-7-7 Funding Tracking Spreadsheet
- B. Lake Tahoe Bi-State Transportation Letter 2022

Online resources

- C. [Lake Tahoe Transportation Action Plan](#)
- D. [Nevada Resolution \(ACR5\)](#)
- E. [Governing Board Presentation on the Transportation Funding Initiative \(6/22/2022\)](#)
- F. [Lake Tahoe Sustainable Transportation Funding Initiative Revenue Options Briefing Book](#)
- G. [Bi-State Consultation on Transportation Summary Report \(2018\)](#)
- H. [One Tahoe Report](#)

Attachment A
7-7-7 Funding Tracking Spreadsheet

7-7-7 Transportation Funding Tracking Worksheet

(Final FFY 23- as of 9/30/23)

This is a working list of secured new funding and includes funding above and beyond revenue anticipated by the 2020 Regional Transportation Plan. This list will be updated as new funding is secured during the balance of the 2022-23 Federal Fiscal Year.

Federal:

CDS/Earmarks Received:	SR 28/Spooner Mobility Hub	\$2,000,000
	TTD Transit Maintenance Facility	\$2,000,000
	Kahle Drive Complete Streets	\$1,385,000
	TTD Strengthening Mobility and Revolutionizing Transportation (SMART)	\$1,045,000
	Regional Grant Program – IIJA Increased Project funds (STBG, CMAQ, and CRP)	\$ 745,000
	SNPLMA (USFS) – SR 28 Chimney Beach Parking	<u>\$2,400,000</u>
	Total FY23	\$9,575,000

State of CA:

Seeking administrative or legislative fix to recognize Federal population change applied to state programs (145,000 CA + 65,000 NV). Estimated resulting funding \$4,000,000 annually.

Local Partnerships Program (LPP) SB1- Pioneer Trail/US 50 Safety Project	\$3,065,000
CA Tahoe Conservancy – Tahoe Greenbelt (CSLT)	<u>\$1,000,000</u>
Total FY23	\$4,065,000

State of NV:

Legislative support in place:

-ACR 5 NV support of Tahoe Transportation Action Plan and 7-7-7 strategy.

NV Department of Transportation - Spooner Mobility Hub/AIS	\$2,600,000
SB341 – Microtransit Funding to TDVA (\$1.2M over 2 yrs.)	<u>\$ 600,000</u>
Total FY23	\$3,200,000

Local/Private:

TRPA	Microtransit (Lake Link)	\$ 20,000
City of South Lake Tahoe	Microtransit (Lake Link)	\$ 200,000
Placer County	Microtransit+Projects (TART Connect+NTT)	\$2,400,000
El Dorado County	Microtransit (Lake Link)	\$ 200,000
Douglas County	Kahle Complete Streets	\$ 250,000
	Microtransit (Lake Link)	<u>\$ 520,000</u>
Washoe County	Microtransit (TART Connect)	\$ 130,000
	Microtransit (TART Connect) RTC	<u>\$ 290,000</u>
Private Sector	Lake Link Private Consortium	\$ 676,000
	League to Save Lake Tahoe (Micro)	\$ 120,000
	IVCBVB Incline Microtransit	\$ 65,000
	Kahle Complete Streets	\$ 350,000
	Tahoe Fund (SR 28 & Incline Microtransit)	<u>\$ 960,000</u>
	Total FY23	\$6,181,000

	Federal	State-CA	State-NV	Local/Private	Total
Target	\$7,000,000	\$4,500,000	\$2,500,000	\$7,000,000	\$21,000,000
Secured	\$9,575,000	\$4,065,000	\$3,200,000	\$6,181,000	\$23,021,000
Difference	+\$2,575,000	-\$ 435,000	+\$ 700,000	-\$ 819,000	+\$2,021,000

Attachment B
Lake Tahoe Bi-State Transportation Letter 2022

Transportation: A Bi-State Commitment to Improving Lake Tahoe



Lake Tahoe's awe-inspiring environment has attracted visitors from across the globe for generations. Its proximity to major metropolitan areas in Northern California and Nevada make it a popular destination for millions of people getting outdoors into nature. The Tahoe Basin is also a beloved home to tens of thousands of residents and the sacred ancestral lands of the Washoe Tribe of Nevada and California. Today, providing a world class transportation system for residents and visitors is a priority for leaders in California and Nevada. Our states recognize that the health of the lake, local communities, and economy are at risk from outdated transportation infrastructure.

Since 2017, the Director of the Nevada Department of Conservation and Natural Resources and the Secretary of the California Natural Resources Agency have convened a Bi-State Consultation on Transportation for Lake Tahoe. The Bi-State working group brings together public and private sector partners to catalyze needed transportation investment in the Tahoe Region.

The Lake Tahoe Transportation Action Plan is a product of this Bi-State Consultation and reflects the collaboration across local, state, and federal agencies. It prioritizes the most important transportation projects and establishes a funding framework to make these projects a reality.

Transportation investments are being secured through a '7-7-7' funding framework in which each sector of the partnership—local/regional governments and business, state agencies, and federal government— works to allocate additional investments of \$7 million per year. These investments include congressionally designated funds, state supported grant applications, local jurisdiction funding, and private investment from local businesses.

Recent accomplishments include:

- \$2 million in congressionally designated funding for state Route 28 corridor implementation.
- Approximately \$700,000 in new federal annual support for transit operations.
- Nevada passage of Senate Concurrent Resolution 8 (2021) to support transportation solutions at Lake Tahoe.
- California joint funding application with Placer County.
- Public-private partnerships to launch micro-transit service on both the North and South Shores.

We are committed to continuing to build momentum for critical transportation improvements at Lake Tahoe. This shared effort will help us protect and maintain this world-renowned place for residents and visitors alike.

A stylized, handwritten signature in black ink.

Wade Crowfoot, Secretary
California Natural Resources Agency
State of California

A stylized, handwritten signature in black ink.

Jim Lawrence, Acting Director
Nevada Department of Conservation and
Natural Resources
State of Nevada

Attachment C

Lake Tahoe Transportation Action Plan

https://www.trpa.gov/wp-content/uploads/documents/Transportation_ActionPlan_FINAL.pdf

Attachment D
Nevada Resolution (ACR5)

<https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/10201/Text>

Attachment E

Governing Board Presentation on the Transportation Funding Initiative (6/22/2022)

<https://www.trpa.gov/wp-content/uploads/documents/Agenda-Item-No.-VII.A-Transportation-Funding-Initiative-.pdf>

Attachment F

[Lake Tahoe Sustainable Transportation Funding Initiative Revenue Options Briefing Book](#)

https://www.trpa.gov/wp-content/uploads/1TRPA-TTD-Revenue-Options-Briefing-Book_DRAFT-11-30-21.pdf

Attachment G

Bi-State Consultation on Transportation Summary Report (2018)

<https://www.trpa.gov/wp-content/uploads/documents/archive/2/BiStateConsultationOnTransportationFinal-Report-1.17.19.pdf>

Attachment H
One Tahoe Report

<https://www.trpa.gov/wp-content/uploads/documents/2020-2-7-One-Tahoe-Draft-Final-Project-Report.pdf>



Mail

PO Box 5310
Stateline, NV 89449-5310

Location

128 Market Street
Stateline, NV 89449

Contact

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

STAFF REPORT

Date: January 17, 2024
To: TRPA Operations Committee
From: TRPA Staff
Subject: Quarterly Treasurer's Report

Summary and Staff Recommendation:

TRPA has \$12.3M of our cash equivalents invested with the Principal Group. Those funds are mitigation funds and project securities held for other parties and not available for TRPA use. Our Principal Group investment advisor, Bruce Remington, will brief the committee on the performance of that pool, as well as The Principal Group's view of the market in this month's meeting. This is a standard annual review of the investment pool.

There is a lot of activity in the government bond market right now, with questions being raised about the ability of the market to absorb a significant amount of bonds to be issued in the near term. This has led to volatility in interest rates and significantly impacted longer term treasuries (which we do not own). Treasuries for less than one year are in the 5.4% range, and the 2-year Treasury is lower at 4.3%, still showing a negative yield curve. Longer term 10-year bonds are running around 4% as of January 5th. We continue to stay short with 66% of our investments in liquid pools (LAIF/LGIP/MM Funds), 81% of our investments mature in less than 1 year, 15% in the 1 to 3-year category, and 5% over 3 years.

We transferred \$5.8M from the LAIF pool in September. This anticipates a major Excess Coverage Mitigation Fund release plus normal operating expenses. The attachment shows our investments broken down by investment type and maturity. It also lists each individual investment in the Principal Group Investment Pool. I have also included comparable returns.

This item is for informational purposes and no action is required.

Investments:

TRPA Investments total \$31.9M, down from \$37.7M last month and \$38.0M on September 30th. We transferred \$5.8M to our checking account anticipating a significant Excess Coverage Mitigation Transfer plus normal operating expenses. This balance will continue to drop over the fiscal year as we spend down the State funds.

Only 5% of the investments are rated commercial securities with 31% in Treasuries, rated AAA by Moody's (unrated by S&P). Most of our investments, 66%, are in investment pools. This number is significantly higher at the beginning of the fiscal year due to transferring our State funds into LAIF, to be drawn down over the fiscal year. We normally use LAIF for this kind of cash management.

Last month we had one maturity and five new purchases. Two more Treasuries will mature in January. There were no rating changes this month. The maturity of the pool increased from 15.3 months to 18.6 months. We have 5% of the pool in securities that mature in more than three years. As a reminder, the bulk of the investments in the principal pool are mitigation funds and securities held for other parties. This cash is not available for TRPA use.

Please see the attachment for a breakout of the investments. All securities in the portfolio meet the rating and term requirements of our Investment Policy. All securities are at least A- (S&P) or A3 (Moody's). We have one with an S&P of A- rating (one of which matured 9/30/23 but is still listed on this report), and none with a Moody's A3

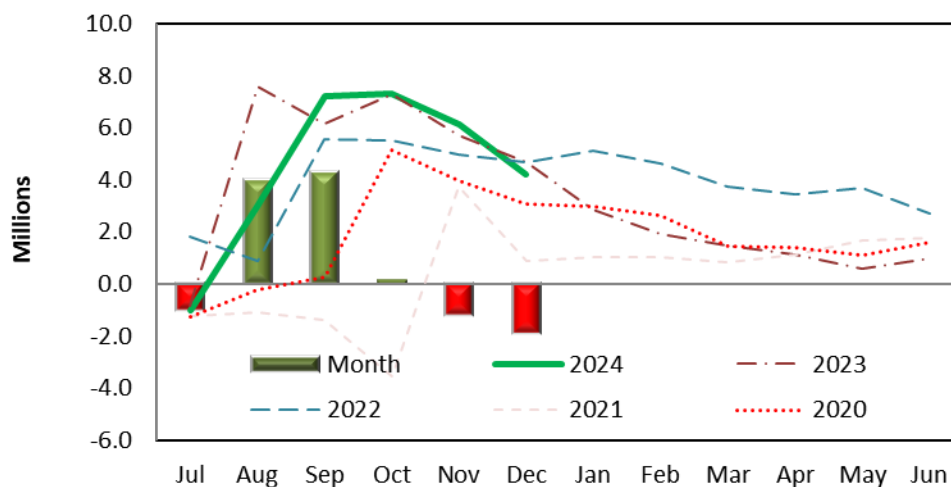
The current breakdown by type and maturity is:

	BELOW 1	1 TO 3	3 TO 5	Total	% of Pool	Policy
CA State Investment Pool	18,407,344			18,407,344	58%	No Limit
NV State Investment Pool	1,203,425			1,203,425	4%	No Limit
Treasuries	4,517,480	4,460,758	994,023	9,972,260	31%	< 75 %
Corporate	935,395	250,160	445,063	1,630,618	5%	< 20%
Money Market Fund	726,927			726,927	2%	< 20%
Totals	25,790,570	4,710,918	1,439,086	31,940,573	100%	
% of Pool	81%	15%	5%			

Cash Flow

Cash flow was a negative \$3.0M for the Quarter, normal as we spend down the State allocations. Total receipts for the quarter were \$3.9M. Disbursements were \$7.0M, \$2.0M higher than the average for prior years. This is due to added LTRA funding. All expenditures were within budget. This graph includes operating cash and Mitigation funds.

Monthly/Cumulative Cash Flow



For questions regarding this agenda item, please contact Chris Keillor, Finance Director, at (775) 589-5222 or ckeillor@trpa.gov.

To submit a written public comment, email publiccomment@trpa.gov with the appropriate agenda item in the subject line. Written comments received by 4 p.m. the day before a scheduled public meeting will be distributed and posted to the TRPA website before the meeting begins. TRPA does not guarantee written comments received after 4 p.m. the day before a meeting will be distributed and posted in time for the meeting.

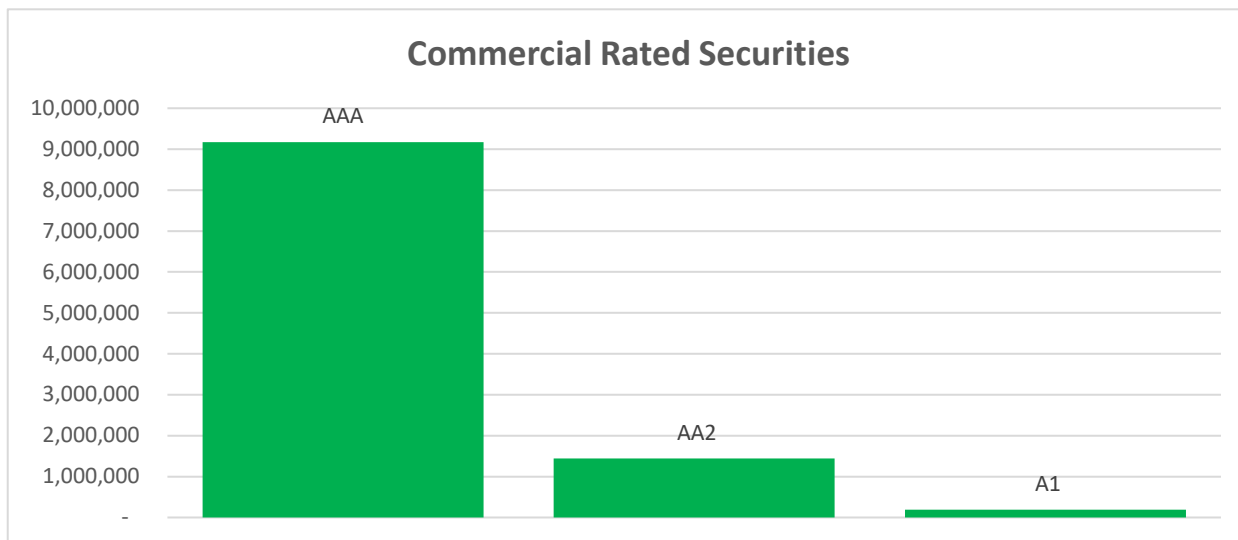
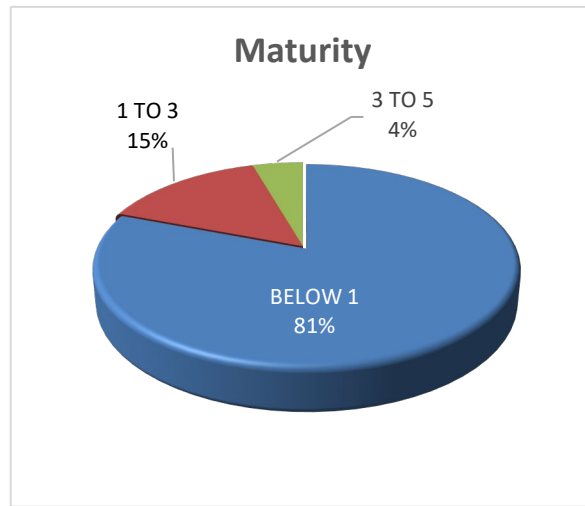
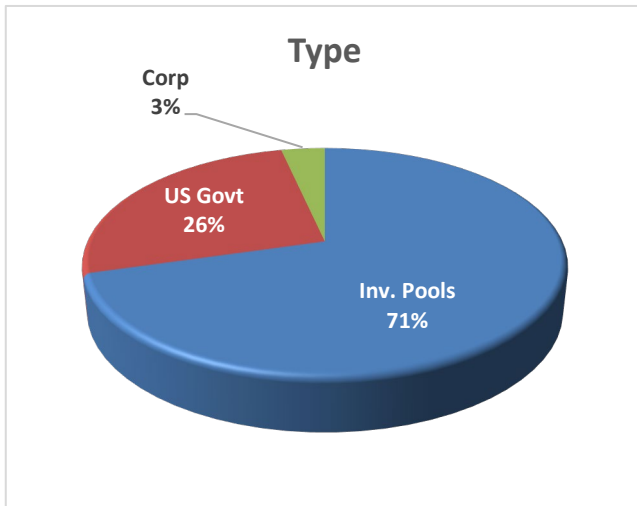
Attachment:

- A. Quarterly Treasurer's Report

Attachment A

Quarterly Treasurer's Report

TRPA Quarterly Treasurer's Report
As of 12/31/23



Security	Yields		
	Return	Date	Basis
1 Month Bill	5.389%	12/29/23	Spot Rate
3 Month Bill	5.371%	12/29/23	Spot Rate
6 Month Bill	5.251%	12/29/23	Spot Rate
1 Year Note	4.790%	12/29/23	Spot Rate
2 Year Note	4.316%	12/29/23	Spot Rate
MMKT	0.48%	12/29/23	Spot Rate
Principle Group	4.222%	9/30/23	Annual
LAIF	3.843%	9/30/23	November
LGIP	5.044%	11/30/22	December

Securities Held by TRPA

As of 12/31/2023

Investment	Market Value	Unrealized Gain(Loss)
US TREASURY NOTE	500,000	9,863
US TREASURY NOTE	498,755	4,439
US TREASURY NOTE	498,850	7,854
US TREASURY NOTE	497,645	5,438
US TREASURY NOTE	198,406	4,094
U.S. TREASURY NOTES	99,086	(590)
US TREASURY NOTE	297,069	1,194
US TREASURY NOTE	295,323	5,835
US TREASURY NOTE	491,660	5,742
U.S. TREASURY NOTES	296,460	4,968
U.S. TREASURY NOTES	247,040	2,401
U.S. TREASURY NOTES	298,464	(481)
U.S. TREASURY NOTES	298,722	(1,348)
U.S. TREASURY NOTES	499,705	1,424
U.S. TREASURY NOTES	495,605	(3,790)
U.S. TREASURY NOTES	292,653	2,133
U.S. TREASURY NOTES	97,633	(2,105)
U.S. TREASURY NOTES	244,335	2,079
U.S. TREASURY NOTES	293,448	(2,579)
U.S. TREASURY NOTES	245,020	(1,113)
U.S. TREASURY NOTES	295,581	1,604
U.S. TREASURY NOTES	499,065	1,643
U.S. TREASURY NOTES	501,680	(1,718)
U.S. TREASURY NOTES	496,190	(6,935)
U.S. TREASURY NOTES	252,168	(811)
U.S. TREASURY NOTES	247,675	(3,184)
U.S. TREASURY NOTES	240,478	7,353
U.S. TREASURY NOTES	249,473	3,935
U.S. TREASURY NOTE	246,025	4,248
U.S. TREASURY NOTES	258,048	10,157
Total US Government	9,972,260	61,748

Securities Held by TRPA
Continued from prior page

Investment	Market Value	Unrealized Gain(Loss)
CA LAIF	18,407,344	
NV LGIP	1,203,425	
FED HERMES GOVT OB	726,927	
Total Investment Pools	20,337,696	
COCA-COLA CO/THE	293,244	3,459
TORONTO DOM MTN CON\	198,350	(624)
BANK OF NY MELLON CO	243,343	2,153
ROYAL BK CANADA CONV	200,458	458
JPMORGAN CHASE V-D	250,160	(1,653)
HOME DEPOT INC	191,238	(2,922)
AMAZON.COM INC	253,825	5,235
Total Commercial	1,630,618	6,106
Total TRPA	31,940,573	67,854

Inv. Pools	20,337,696
US Govt	9,972,260
Corp	<u>1,630,618</u>
	31,940,573

12,329,804
<u>11,830,310</u>
<u>499,494</u>
<u>4.2222%</u>



Mail

PO Box 5310
Stateline, NV 89449-5310

Location

128 Market Street
Stateline, NV 89449

Contact

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

STAFF REPORT

Date: January 17, 2023

To: TRPA Environmental Improvement Program Committee

From: TRPA Staff

Subject: Environmental Improvement Program (EIP) Overview and Committee Goal Setting

Summary and Staff Recommendation:

The TRPA Environmental Improvement Program (EIP) Committee was created at the November 15, 2023, Governing Board meeting. TRPA staff will provide an overview of the (EIP) to inform discussion and goal setting for the newly formed EIP Committee. The presentation will briefly cover the history and accomplishments of the program and provide an update on the current EIP collaborative governance structure, priorities, and funding initiatives.

Project Description/Background:

The EIP is the implementation arm of the Regional Plan and centers around proactive project implementation to accelerate threshold attainment. This bi-state, cross-boundary restoration partnership has implemented more than 800 projects since 1997, totaling 2.7 billion in investments, to improve the health of the Tahoe Basin. The [EIP 2022 Accomplishments Report](#) provides a summary of the program focus areas and the most recent accomplishment data.

Contact Information:

For questions regarding this item, please contact Kimberly Caringer, Chief Partnerships Officer & Deputy Director, at 775.589.5263 or kcaringer@trpa.gov.

To submit a written public comment, email publiccomment@trpa.gov with the appropriate agenda item in the subject line. Written comments received by 4 p.m. the day before a scheduled public meeting will be distributed and posted to the TRPA website before the meeting begins. TRPA does not guarantee written comments received after 4 p.m. the day before a meeting will be distributed and posted in time for the meeting.



STAFF REPORT

Date: January 17, 2024

To: TRPA Regional Planning Committee

From: TRPA Staff

Subject: A Public Hearing to Consider Recommendation of Economic Sustainability and Housing Amendments to Placer County's Tahoe Basin Area Plan

Summary and Staff Recommendation:

Placer County will provide an overview of the proposed amendments to the Tahoe Basin Area Plan (TBAP). Staff and the Advisory Planning Commission (APC) both recommend that the Governing Board find the proposed amendments conform with the Regional Plan and will have no significant environmental impact beyond the impact already analyzed and mitigated in the 2016 TBAP EIR/EIS. Staff seeks Regional Planning Committee (RPC) discussion and a recommendation to the TRPA Governing Board that they approve and adopt the proposed area plan amendments.

Required Motions:

To recommend adoption of the area plan amendments, the RPC must make the following motion(s), based on the staff summary:

- 1) A motion to recommend approval of the Required Findings, as described in Attachment D, including a Finding of No Significant Effect, for adoption of the Area Plan amendment as described in the staff summary; and
- 2) A motion to recommend adoption of Ordinance 2024-___, amending Ordinance 2021-02, to amend the Tahoe Basin Area Plan as shown in Attachment C.

An affirmative vote of a majority of the quorum present is required for a motion to pass.

Project Description/Background:

The 2012 Regional Plan amendments established the ability for local jurisdictions to develop area plans to replace the former local planning documents that were prepared by TRPA: plan area statements and community plans. Area plans are collaborative documents which become a component of both the Regional Plan and the city or county's comprehensive plan. They represent a paradigm shift for TRPA since they enable TRPA to transition its focus to regional issues while allowing local jurisdictions greater autonomy to define and manage their own local land use.

The TRPA Governing Board approved the TBAP on January 25, 2017. The plan encompasses Placer County's entire jurisdiction in the Tahoe Basin. The plan includes two town center districts to accommodate mixed-use and higher density development in the area: the Tahoe City and Kings Beach Town Center Districts. The proposed TBAP amendments focus on specific changes to facilitate

appropriate development and redevelopment in these town center districts along with standards and policies applying across the plan area.

Placer County's proposed amendment package is intended to provide a systematic approach to encouraging desired investment (i.e., environmentally and economically beneficial redevelopment and affordable workforce housing) in the Tahoe portion of Placer County. The proposed amendments are based on analysis and adaptive management after five years of using the Area Plan's goals and policies and implementing regulations. The following key studies completed between 2019 and 2022 and a robust stakeholder engagement process serve as the basis for this proposed amendment package:

- [Tahoe Basin Town Center Economic Sustainability Needs Analysis](#) (2019)
- [Placer County Tahoe Basin Town Center Economic Sustainability Analysis](#) (2020)
- [Baseline Report for the Tahoe Basin](#) (2021)
- [Community Report for the Tahoe Region](#) (2022)
- [Envision Tahoe Prosperity Playbook](#) (2022)

Placer County is proposing a comprehensive package of amendments to TBAP policies and implementing regulations based on the studies listed above and stakeholder engagement.

Proposed Policy Amendments:

- Sustainable town center redevelopment and protection of scenic resources
- Expanded hardening, green waste, and defensible space incentives
- High-speed broadband and childcare facilities to meet the needs of local workers
- Allocation and conversion of TRPA development rights to maximize community benefit
- Frontage improvements including, sidewalks, curbs, gutters, and parking management
- Development of mixed-use, business park, and light industrial space in town centers
- Public art by local artists
- Adaptive reuse of underutilized properties
- Development of affordable, moderate, and achievable housing

Proposed Implementing Regulation Amendments (presented below in categories and in more detail within Attachment C):

- Mobile vending
- Streamlined permitting for uses within a defined maximum square footage
- Building length and height
- Groundwater interception
- Parking exemptions
- Barriers to affordable housing including setbacks, articulation, massing, and parking requirements
- Incentives for affordable housing
- Inclusionary zoning for new condominium subdivisions in Town Centers
- Street frontage improvements
- Signs
- Shorezone permitting
- Other miscellaneous cleanup

Placer County staff have held workshops with the Placer County Planning Commission, North Lake Tahoe Resort Association, North Tahoe Business Association, and Tahoe City Downtown Association to refine and build support for this amendment package. The proposed amendments were presented to the Placer County Planning Commission on August 10, 2023. An ordinance adopting the amendments was approved by the Placer County Board of Supervisors on October 31, 2023 (Attachment A). The Advisory Planning Commission (APC) unanimously recommended adoption of the amendments at their December 6, 2023, meeting. County staff provided a detailed summary of the proposed amendments included as Attachment B to this packet. Additionally, County staff provided a status report on the implementation of the TBAP (Attachment K) and a detailed response to public comments (Attachment M).

Following the RPC's recommendation, Placer County and TRPA staff will forward the amendment package to the Governing Board for a final determination on the proposed amendments.

Environmental Review:

Placer County submitted an Initial Environmental Checklist (IEC) pursuant to Chapter 3: Environmental Documentation of the TRPA Code of Ordinances and Article VI of the Rules of Procedure (Attachment E). TRPA staff completed a review of the IEC and submitted revisions to Placer County staff. The IEC finds that the proposed amendments would not result in significant effects on the environment.

Regional Plan Compliance:

TRPA staff completed a Regional Plan Conformance Review Checklist (Attachment F) and determined that the proposed amendment is in conformance with the Regional Plan. Recommendations of the APC and RPC will be considered by the Governing Board in determining whether to find the Area Plan amendment in compliance with the Regional Plan.

Contact Information:

For questions regarding this agenda item, please contact Jacob Stock, AICP, Senior Planner, at (775) 589-5221 or jstock@trpa.org. To submit a written public comment, email publiccomment@trpa.gov with the appropriate agenda item in the subject line. Written comments received by 4 p.m. the day before a scheduled public meeting will be distributed and posted to the TRPA website before the meeting begins. TRPA does not guarantee written comments received after 4 p.m. the day before a meeting will be distributed and posted in time for the meeting.

Attachments:

- A. Placer County Adopting Ordinance
- B. Placer County Staff Report
- C. TRPA Adopting Ordinance
 - Exhibit A—Proposed Policy Amendment Language
 - Exhibit B—Proposed Implementing Regulation Amendment Language
- D. Findings
- E. IEC
- F. Conformity Checklist
- G. Compliance Measures
- H. Table of Amendments
- K. TBAP Implementation Report
- M. Response to Comments

Attachment A
Placer County Adopting Ordinance

Before the Board of Supervisors County of Placer, State of California

In the matter of:

A RESOLUTION TO REPEAL AND REPLACE IN ITS ENTIRETY, THE PLACER COUNTY TAHOE BASIN AREA PLAN WHICH INCLUDES AMENDMENTS TO THE POLICY DOCUMENT PART 2, 3, 4, AND 8 PERTAINING TO ECONOMIC SUSTAINABILITY AND HOUSING (PLN22-00490)

Resolution No.: 2023-257


The following Resolution was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held on October 31, 2023, by the following vote:

Ayes: GORE, LANDON, JONES, GUSTAFSON, HOLMES

Noes: NONE

Absent: NONE

THE FOREGOING INSTRUMENT IS A CORRECT
COPY OF THE ORIGINAL ON FILE IN THIS OFFICE
ATTEST

MEGAN WOOD
Clerk of the Board of Supervisors, County
of Placer, State of California

Deputy Clerk

Signed and approved by me after its passage.


Chairperson, Board of Supervisors

Attest:


Clerk of said Board

WHEREAS, the Tahoe Basin Area Plan and Implementing Regulations (TBAP) were adopted by the Placer County Board of Supervisors on December 6, 2016, and by the Tahoe Regional Planning Agency on January 25, 2017; and

WHEREAS, the TBAP was amended by the Board of Supervisors on December 15, 2020, to further support workforce housing needs in the Tahoe Basin; and

WHEREAS, in 2019, the County contracted with BAE Urban Economics, Inc. to prepare the Placer County Tahoe Basin Town Center Economic Sustainability Needs Analysis to identify the causal forces and the financial feasibility needs/gaps behind the lack of private investment, and to

identify potential local government regulatory updates and incentives that could be tailored to attract environmentally and economically beneficial re-investment in the County's Tahoe Basin Town Centers; and

WHEREAS, the amendments to the TBAP are in response to the Placer County Tahoe Basin Town Center Economic Sustainability Needs Analysis, which recommended process, policy, and code improvements to facilitate development, scale back requirements, and better understand and alleviate constraints and challenges in the development process, including zoning and building requirements and fees, collaborating with TRPA, updating parking standards and creating parking districts, and increasing workforce housing allowances; and

WHEREAS, the Tahoe Prosperity Center prepared and released several reports documenting the economics of the Tahoe Basin from Fall 2021 to Summer 2022: the Baseline Report for the Tahoe Basin in September 2021, the Community Report for the Tahoe Region in March 2022, and the Envision Tahoe Prosperity Playbook in June 2022; and

WHEREAS, the amendments to the TBAP respond to the Tahoe Prosperity Center's reports, which include action goals and tactical approaches aimed at improving the economic viability of the Tahoe Basin; and

WHEREAS, the amendments to the TBAP aim to further implement existing policies aimed at supporting additional housing at affordable price levels, construction of workforce housing, and providing assistance for economic development and environmental redevelopment, including the following:

Policy SE-P-3 Opportunities for economic development outside Town Centers should be pursued in a manner consistent with the Regional Plan.

Policy SE-P-4 Whenever feasible, Placer County should provide assistance to property owners seeking to complete projects on priority redevelopment sites through public-private partnerships and other forms of assistance.

Policy SE-P-5 Placer County supports efforts to promote environmental redevelopment in mixed use areas within and outside Town Centers, including the Village Centers identified in this Area Plan.

Policy SE-P-6 Continue efforts to address the existing job-housing imbalance and provide additional housing at affordable price levels should be pursued.

Policy HS-P-6 Pursue TRPA-Certified Local Governing Moderate-Income Housing Programs pursuant to Sections, 52.3.4 and 52.3.6 of the TRPA Code of Ordinances to provide additional opportunities for deed-restricted affordable and moderate income housing.

Policy HS-P-7 Evaluate housing needs in the region in coordination with TRPA. Consistent with Regional Plan Housing Policy HS-3.1, update TRPA policies and ordinances as necessary to achieve state, local and regional housing goals. Future housing efforts should seek to remove identified barriers preventing the construction of necessary affordable housing in the region including, but not limited to, workforce and moderate-income housing, secondary residential units and long-term residency in motel units.

WHEREAS, the Board further finds that the amendments to the TBAP are consistent with the applicable requirements of State law, and are in compliance with the provisions of the General Plan, including but not limited to the following:

- Policy 1.B.2. The County shall encourage the concentration of multi-family housing in and near downtowns, village centers, major commercial areas, and neighborhood commercial centers.
- Policy A-4. The County shall encourage mixed-use and transit-oriented development projects where housing is provided in conjunction with compatible non-residential uses.
- Policy A-7. The County shall encourage the development of multi-family dwellings in locations where adequate infrastructure and public services are available.
- Policy B-7. The County shall facilitate expanded housing opportunities that are affordable to the workforce of Placer County.
- Policy H-1. The County shall promote housing opportunities for all persons regardless of race, religion, color, ancestry, national origin, sex, disability, family status, income, sexual orientation, or other barriers that prevent choice in housing.

WHEREAS, the amendments to the TBAP include revisions intended to further support workforce housing needs in the Tahoe Basin and to encourage environmentally beneficial redevelopment in Town Centers; and

WHEREAS, the work program for the amendments to the TBAP involved public outreach that included multiple public meetings, including two information presentations and one action item presentation to the Placer County - North Tahoe Regional Advisory Committee, a Planning Commission workshop, presentations before the North Tahoe Community Alliance (formerly known as the North Tahoe Resort Association), the Tahoe City Downtown Association, and the North Tahoe Business Association; and

WHEREAS, an addendum to the Placer County Tahoe Basin Area Plan and Tahoe City Lodge Project Environmental Impact Statement/Environmental Impact Report (Area Plan EIR) (certified and adopted by the Placer County Board of Supervisors on December 6, 2016, California State Clearinghouse #2014072039; and adopted by the Tahoe Regional Planning Agency (TRPA) on January 25, 2017), was prepared pursuant to CEQA Guidelines Section 15164 and Placer County Environmental Review Ordinance Section 18.20.110, and was adopted by the Board on

WHEREAS, on August 10, 2023, the Planning Commission held a noticed public hearing pursuant to Placer County Code Chapter 17, Article 17.58, Section 17.58.200(E)(1) and Article 17.60, Section 17.60.140 to consider the amendments to the TBAP, and pursuant to Placer County Code Chapter 17, Article 17.60, Section 17.60.090(C), the Planning Commission has made recommendations to the Board related thereto; and

WHEREAS, notice of a public hearing was given in compliance with Placer County Code Chapter 17, Article 17.60, Section 17.60.140, and on _____, the Board held the duly noticed public hearing pursuant to Placer County Code Chapter 17, Article 17.60, Section 17.60.090(D) to consider the recommendations of the Planning Commission and to receive public input regarding the amendments to the TBAP; and

WHEREAS, the Board finds the amendments to the TBAP will serve to protect and enhance the health, safety, and general welfare of the communities within the Tahoe Basin portion of Placer County and the County as a whole; and

WHEREAS, notice of all hearings required has been given and all hearings have been held as required by County ordinance and State law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER that the Tahoe Basin Area Plan is hereby repealed in its entirety and replaced with the Tahoe Basin Area Plan as set forth in Exhibit 1.

BE IT FURTHER RESOLVED that this resolution shall take effect and be in full force upon the effective date of the Ordinance to repeal and replace the Tahoe Basin Area Plan Implementing Regulations.

EXHIBIT 1

Placer County Tahoe Basin Area Plan

(Note: The Area Plan is on file with the Community Development Resources Agency and the Clerk of the Board and available here: <https://www.placer.ca.gov/tahoebasinareaplan>)

Before the Board of Supervisors County of Placer, State of California

In the matter of:

AN ORDINANCE TO REPEAL AND
REPLACE IN ITS ENTIRETY, THE
PLACER COUNTY TAHOE BASIN
AREA PLAN IMPLEMENTING
REGULATIONS WHICH INCLUDES
AMENDMENTS TO CHAPTERS 1, 2,
AND 3 PERTAINING TO ECONOMIC
SUSTAINABILITY AND HOUSING
(PLN22-00490)

Ordinance No.: 6230-B

The following Ordinance was duly passed by the Board of Supervisors of the County of Placer at
a regular meeting held on October 31, 2023, by the following vote:

Ayes: GORE, LANDON, JONES, GUSTAFSON, HOLMES

Noes: NONE

Absent: NONE

THE FOREGOING INSTRUMENT IS A CORRECT
COPY OF THE ORIGINAL ON FILE IN THIS OFFICE
ATTEST

MEGAN WOOD
Clerk of the Board of Supervisors, County
of Placer, State of California

Deputy Clerk

Signed and approved by me after its passage.


Chair, Board of Supervisors

Attest


Clerk of said Board

WHEREAS, the Tahoe Basin Area Plan and Implementing Regulations (TBAP) were adopted by the Placer County Board of Supervisors on December 6, 2016, and by the Tahoe Regional Planning Agency on January 25, 2017; and

WHEREAS, the TBAP was amended by the Board of Supervisors on December 15, 2020, to further support workforce housing needs in the Tahoe Basin; and

WHEREAS, in 2019 the County contracted with BAE Urban Economics, Inc. to prepare the Placer County Tahoe Basin Town Center Economic Sustainability Needs Analysis to identify the causal forces and the financial feasibility needs/gaps behind the lack of private investment, and to identify potential local government regulatory updates and incentives that could be tailored to attract

environmentally and economically beneficial re-investment in the County's Tahoe Basin Town Centers; and

WHEREAS, the amendments to the TBAP Implementing Regulations are in response to the Placer County Tahoe Basin Town Center Economic Sustainability Needs Analysis, which recommended process, policy, and code improvements to facilitate development, scale back requirements, and better understand and alleviate constraints and challenges in the development process, including zoning and building requirements and fees, collaborating with TRPA, updating parking standards and creating parking districts, and increasing workforce housing allowances; and

WHEREAS, the Tahoe Prosperity Center prepared and released several report documenting the economics of the Tahoe Basin from Fall 2021 to Summer 2022: the Baseline Report for the Tahoe Basin in September 2021, the Community Report for the Tahoe Region in March 2022, and the Envision Tahoe Prosperity Playbook in June 2022; and

WHEREAS, the amendments to the TBAP Implementing Regulations respond to the Tahoe Prosperity Center's reports, which include action goals and tactical approaches aimed at improving the economic viability of the Tahoe Basin; and

WHEREAS, the amendments to the TBAP Implementing Regulations aim to further implement existing policies aimed at supporting additional housing at affordable price levels, construction of workforce housing, and providing assistance for economic development and environmental redevelopment, including the following:

Policy SE-P-3 Opportunities for economic development outside Town Centers should be pursued in a manner consistent with the Regional Plan.

Policy SE-P-4 Whenever feasible, Placer County should provide assistance to property owners seeking to complete projects on priority redevelopment sites through public-private partnerships and other forms of assistance.

Policy SE-P-5 Placer County supports efforts to promote environmental redevelopment in mixed use areas within and outside Town Centers, including the Village Centers identified in this Area Plan.

Policy SE-P-6 Continue efforts to address the existing job-housing imbalance and provide additional housing at affordable price levels should be pursued.

Policy HS-P-6 Pursue TRPA-Certified Local Governing Moderate-Income Housing Programs pursuant to Sections, 52.3.4 and 52.3.6 of the TRPA Code of Ordinances to provide additional opportunities for deed-restricted affordable and moderate income housing.

Policy HS-P-7 Evaluate housing needs in the region in coordination with TRPA. Consistent with Regional Plan Housing Policy HS-3.1, update TRPA policies and ordinances as necessary to achieve state, local and regional housing goals. Future housing efforts should seek to remove identified barriers preventing the construction of necessary affordable housing in the region including, but not limited to, workforce and moderate-income housing, secondary residential units and long-term residency in motel units.

WHEREAS, the Board further finds that the amendments to the TBAP Implementing Regulations are consistent with the applicable requirements of State law, and are in compliance with the provisions of the General Plan, including but not limited to the following:

- Policy 1.B.2. The County shall encourage the concentration of multi-family housing in and near downtowns, village centers, major commercial areas, and neighborhood commercial centers.
- Policy A-4. The County shall encourage mixed-use and transit-oriented development projects where housing is provided in conjunction with compatible non-residential uses.
- Policy A-7. The County shall encourage the development of multi-family dwellings in locations where adequate infrastructure and public services are available.
- Policy B-7. The County shall facilitate expanded housing opportunities that are affordable to the workforce of Placer County.
- Policy H-1. The County shall promote housing opportunities for all persons regardless of race, religion, color, ancestry, national origin, sex, disability, family status, income, sexual orientation, or other barriers that prevent choice in housing.

WHEREAS, the amendments to the TBAP Implementing Regulations include revisions intended to further support workforce housing needs in the Tahoe Basin and to encourage environmentally beneficial redevelopment in Town Centers; and

WHEREAS, the work program for the amendments to the TBAP involved public outreach that included multiple public meetings, including two information presentations and one action item presentation to the Placer County - North Tahoe Regional Advisory Committee, a Planning Commission workshop, presentations before the North Tahoe Community Alliance (formerly known as the North Tahoe Resort Association), the Tahoe City Downtown Association, and the North Tahoe Business Association; and

WHEREAS, an addendum to the Placer County Tahoe Basin Area Plan and Tahoe City Lodge Project Environmental Impact Statement/Environmental Impact Report (Area Plan EIR) (certified and adopted by the Placer County Board of Supervisors on December 6, 2016, California State Clearinghouse #2014072039; and adopted by the Tahoe Regional Planning Agency (TRPA) on January 25, 2017), was prepared pursuant to CEQA Guidelines Section 15164 and Placer County Environmental Review Ordinance Section 18.20.110, and was adopted by the Board on

WHEREAS, on August 10, 2023, the Planning Commission held a noticed public hearing pursuant to Placer County Code Chapter 17, Article 17.58, Section 17.58.200(E)(1) and Article 17.60, Section 17.60.140 to consider the amendments to the TBAP Implementing Regulations, and pursuant to Placer County Code Chapter 17, Article 17.60, Section 17.60.090(C), the Planning Commission has made recommendations to the Board related thereto; and

WHEREAS, notice of a public hearing was given in compliance with Placer County Code Chapter 17, Article 17.60, Section 17.60.140, and on _____, the Board held the duly noticed public hearing pursuant to Placer County Code Chapter 17, Article 17.60, Section 17.60.090(D) to consider the recommendations of the Planning Commission and to receive public input regarding the amendments to the TBAP Implementing Regulations; and

WHEREAS, the Board finds the amendments to the TBAP Implementing Regulations will serve to protect and enhance the health, safety, and general welfare of the communities within the Tahoe Basin portion of Placer County and the County as a whole; and

WHEREAS, notice of all hearings required has been given and all hearings have been held as required by County ordinance and State law.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER
ORDAINS AS FOLLOWS:

Section 1: The Placer County Tahoe Basin Area Plan Implementing Regulations are hereby repealed in its entirety and replaced with the Tahoe Basin Area Plan Implementing Regulations as set forth in Exhibit 1.

Section 2: This ordinance shall take effect and be in full force thirty (30) days after the date of its passage. The Clerk is directed to publish this ordinance, or a summary thereof, within fifteen (15) days in accordance with Government Code section 25124.

EXHIBIT 1

Placer County Tahoe Basin Area Plan Implementing Regulations

(Note: The Area Plan is on file with the Community Development Resources Agency and the Clerk of the Board and available here: <https://www.placer.ca.gov/tahoebasinareaplan>)

Before the Board of Supervisors County of Placer, State of California

In the matter of:

AN ORDINANCE TO AMEND PLACER
COUNTY CODE, CHAPTER 12,
ARTICLE 12.08, SECTION 12.08.020

Ordinance No.: 6231-B

The following Ordinance was duly passed by the Board of Supervisors of the County of Placer
at a regular meeting held on October 31, 2023, by the following vote:

Ayes: GORE, LANDON, JONES, GUSTAFSON, HOLMES

Noes: NONE

Absent: NONE

THE FOREGOING INSTRUMENT IS A CORRECT
COPY OF THE ORIGINAL ON FILE IN THIS OFFICE
ATTEST

MEGAN WOOD

Clerk of the Board of Supervisors, County
of Placer, State of California

Deputy Clerk

Signed and approved by me after its passage.


Chair, Board of Supervisors

Attest:


Clerk of said Board

WHEREAS, the Tahoe Basin Area Plan and Implementing Regulations (TBAP) were adopted by the Placer County Board of Supervisors on December 6, 2016, and by the Tahoe Regional Planning Agency on January 25, 2017; and

WHEREAS, Placer County Code, Chapter 12, Article 12.08, "Street Improvements," identifies where street frontage and access improvements are required countywide, describes county review and approval processes, and restricts building permit issuance until requirements are met; and

WHEREAS, Section 12.08.020 describes where street improvements are required, and subdivision (A) identifies old zoning designations that are no longer in use and need to be updated to reflect current community and area plan zoning areas, including the TBAP; and

WHEREAS, an amendment to Section 12.08.020 is sought to remove outdated zoning area references, clarify where Countywide street improvements are required, and to add single-family detached dwellings as subject to street improvement requirements to align with Tahoe Basin Area Plan pedestrian mobility goals; and

WHEREAS, an addendum to the Placer County Tahoe Basin Area Plan and Tahoe City Lodge Project Environmental Impact Statement/Environmental Impact Report (Area Plan EIR) (certified

and adopted by the Placer County Board of Supervisors on December 6, 2016, California State Clearinghouse #2014072039; and adopted by the Tahoe Regional Planning Agency (TRPA) on January 25, 2017), was prepared pursuant to CEQA Guidelines Section 15164 and Placer County Environmental Review Ordinance Section 18.20.110, and under PRC Section 21080.17 and CEQA Guidelines Section 15282 subsection (h), CEQA does not apply to the adoption of an ordinance by a city or county to implement the provisions of Section 65852.2 of the Government Code (the state accessory dwelling unit law); and

WHEREAS, the Board finds the proposed Ordinance containing an amendment to Placer County Code Chapter 12, Article 12.08, Section 12.08.020 will serve to protect and enhance the health, safety, and general welfare of the communities within the Tahoe Basin portion of Placer County and the county as a whole; and

WHEREAS, notice of all hearings required has been given and all hearings have been held as required by County ordinance and State law.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER
ORDAINS AS FOLLOWS:

Section 1: Placer County Code, Chapter 12, Article 12.08, Section 12.08.020 is amended as follows:

12.08.020 Improvements required.

A. Street improvements shall not be required for in areas that allow for commercial, industrial, business park, office and professional, highway service, motel, resort, airport, multi-family, and mixed use. ~~s~~Single-family residential detached dwellings are excluded except within the Tahoe Basin Area Plan zoning districts where street improvements are specifically required but shall be required in the following zoned areas: R-2, R-3, C-1, C-2, C-1 and 2, C-3, C-4, M, M-P, S-C, APT and HS, whether or not combined with any other district.

Section 2: This ordinance shall take effect and be in full force thirty (30) days after the date of its passage. The Clerk is directed to publish this ordinance, or a summary thereof, within fifteen (15) days in accordance with Government Code Section 25124.

Attachment B
Placer County Staff Report

TO: TRPA Regional Planning Committee **DATE:** November 27, 2023
FROM: Crystal Jacobsen, Acting Community Development Resource Agency Director
BY: Emily Setzer, Principal Planner and Stacy Wydra, Principal Planner
SUBJECT: Tahoe Basin Area Plan – Economic Sustainability and Housing Amendments

ACTIONS REQUESTED

1. Conduct a public hearing to consider the following items:
 - a. Recommendation to adopt the Addendum and the Errata to the Tahoe Basin Area Plan Environmental Impact Report.
 - b. Recommendation to adopt a Resolution approving amendments to the Tahoe Basin Area Plan policy document.
 - c. Recommendation to adopt an Ordinance amending the Tahoe Basin Area Plan implementing regulations.
 - d. Recommendation to adopt an Ordinance amending Placer County Code, Chapter 12, Article 12.08, Section 12.08.020(A).
2. Close the public hearing, take tentative action on the above and continue the item to October 31, 2023 at 2:00pm for final action.

BACKGROUND

Planning Services Division staff proposes changes to the Placer County Tahoe Basin Area Plan (TBAP) to promote economic sustainability and production of new housing. Staff recommends that the Board of Supervisors (Board) consider adoption of a Resolution and Ordinance to repeal and replace the TBAP in its entirety and adoption of an Ordinance amending Placer County Code Chapter 12, Article 12.08, Section 12.08.020(A) to remove outdated zoning area references, clarify where countywide street improvements are required, and to add single-family detached dwellings as subject to street improvement requirements to align with TBAP pedestrian mobility goals. The proposed replacement of the TBAP would amend Parts 2.6, 2.7, 3.4, 3.5, 4.3, 4.7 and 8.2 of the TBAP, and Chapters 1, 2, and 3 of the TBAP Implementing Regulations to refine policy and code sections aimed at supporting workforce housing, as well as encouraging lodging and mixed-use redevelopment in Town Centers. The amendment package focuses on diversifying land uses across a variety of sectors, streamlining land use processes and reducing barriers for new businesses in the Town Centers, and providing additional opportunities for a greater variety of housing types, including workforce housing, throughout North Tahoe.

Tahoe Basin Area Plan

As stated, the TBAP was originally adopted by the Board on December 6, 2016, and by the Tahoe Regional Planning Agency (TRPA) Governing Board on January 25, 2017. The TBAP replaced all previous community plans, general plans, land use regulations, development standards and guidelines, and Plan Area Statements within the Tahoe Basin. The TBAP includes both a Policy document and an Implementing Regulations document, which serves as the zoning code for the Tahoe Basin.

Area plans are a central part of the TRPA Lake Tahoe Regional Plan and an important strategy to accelerate attainment of TRPA environmental thresholds. The TBAP sets forth the regulations that implement the Lake Tahoe Regional Plan in the Placer County portion of the Lake Tahoe region. Since adoption of the TBAP, the State of California has passed housing legislation in each legislative session that limits the ability of local governments to regulate housing development. State Housing laws have sought to reduce and limit local permitting processes, moving toward a ministerial approval model for housing in an effort to reduce barriers to housing production. The State laws obligate local government to undertake updates in their housing plans and plan for growth, among other requirements. Also, since the TBAP adoption, multiple efforts have been underway to address the lack of redevelopment and revitalization of the Town Centers and Village Centers.

Purpose of Proposed Amendments

The proposed TBAP amendments are targeted at economic development and housing in response to 1) a lack of new development/redevelopment, particularly lodging, in the Town Centers, 2) a lack of workforce housing, and 3) a decreasing population.

Although North Tahoe has undergone significant public infrastructure investment and community and governing body approval of comprehensive plans and visions for the future, the Tahoe City and Kings Beach Town Centers have yet to see significant private sector investment resulting in projects in the ground. A few sizable, proposed redevelopment projects in the Town Centers have been proposed in the past year and are in the planning stages; however, even those projects are struggling to meet various onerous existing TBAP development standards.

Due to the lack of high-quality lodging in the Town Centers, lodging has shifted to the neighborhoods in the form of short-term rentals. This, in combination with second homes, has drastically decreased the availability of workforce housing. The North Tahoe region has seen very few new multifamily workforce or “missing middle” housing projects, defined as house-scale buildings with multiple units in walkable environments, often targeted at those who earn above the typical 60 percent Area Median Income limits deemed as “affordable” but still can’t afford to purchase homes in the region.

East Placer currently has approximately 19,000 residential units, 12 percent of which are owner-occupied fulltime, 15 percent are used as short-term rentals, while the remaining 73 percent sit mostly vacant as private vacation homes/second homes, some of which are used as long-term rentals. The North Tahoe-Truckee Regional Housing Implementation Plan prepared for the Mountain Housing Council in October 2021 estimated that about one third of North Tahoe and Truckee’s housing was used for workforce housing, which combines housing used as long-term rentals and housing owned and occupied by local workers.

In addition, the 2020 American Community Survey five-year estimates predict that only eight percent of the housing units in the Tahoe Truckee Unified School District geographical boundary (which covers North Tahoe and Truckee) are renter-occupied. The lack of housing options has led to a decrease in population. In the Placer County portion of the Tahoe Basin, the population decreased by 2,000 residents between 2000 and 2020. This lack of year-round economic stability has made it challenging for businesses to thrive.

Since adoption of the TBAP, a variety of studies have been released that connect the regional economic base with workforce housing needs in the Tahoe-Truckee region. Two of these studies, the Placer County Tahoe Basin Town Center Economic Sustainability Needs Analysis (Attachment I) conducted by Placer County and BAE Urban Economics, Inc. (BAE) in 2019, as well as a series

of economic reports collectively called “Envision Tahoe” released by the Tahoe Prosperity Center (Attachment H), are included with this report package and further discussed below.

Additionally, many community groups have commented about the desire for quality hotels in the Town Centers, ways to make the approval process for small business start-ups more simplified, and the overwhelming demand for workforce housing. These groups include the North Lake Tahoe Resort Association, the North Tahoe Business Association, the Tahoe City Downtown Association, and the Mountain Housing Council. The overall theme has centered around shifting lodging from short-term rentals in residential neighborhoods to quality hotels in Town Centers, creating vibrant Town Centers with a unique sense of place, and the need for a variety of workforce housing units.

Placer County Tahoe Basin Town Center Economic Sustainability Needs Analysis

In 2019, the Placer County Executive Office (CEO) contracted with a real estate advisory consulting firm BAE Urban Economics to identify the causal forces and the financial feasibility needs/gaps behind the lack of private sector investment, and to identify potential local government regulatory updates and incentives that could be tailored and utilized to attract environmentally and economically beneficial re-investment in the Town Centers. BAE was also asked to develop recommendations to address a number of issues identified in the analysis. The results of BAE’s analysis were incorporated into the Placer County Tahoe Basin Town Center Economic Sustainability Analysis, finalized in March 2020. The analysis examined four prototypes of projects that had been trending or which the County would prefer to see built:

1. Mixed-Use Residential
2. For-Sale Residential Condominium
3. Limited-Service Hotel
4. Full-Service Condotel

Based on a range of factors, the only prototype that proved within the range of market acceptable financial feasibility was the For-Sale Residential Condominium. It is important to note that while the TBAP allows this type of use in the Town Centers, area residents do not believe it is consistent with either the Kings Beach or Tahoe City vision documents, which preceded the TBAP. Barriers to investment in desired development types include:

- High construction material and labor costs
- High cost to meet parking requirements
- Utility costs
- Infeasible employee housing requirement
- Uncertain and prolonged entitlement and construction permitting process
- Complex and prescriptive regulatory requirements
- Detailed and expensive plan sets required for pre-entitlement
- Vehicle miles traveled (VMT) thresholds
- Town Center incentives not designed for smaller infill projects
- Lack of catalyst, proof of concept, projects
- Lack of available parcels large enough for development
- Anticipated developer and lender caution about a real estate market dip

The report's recommendations were built around four broad findings outlined in the document:

1. High Cost of Development
2. Uncertainty, Risk and Indirect Costs Associated with a Complex Entitlement and Permitting Process
3. Complex and Prescriptive Requirements Hinder Project Feasibility
4. Local Conditions Create Perception of Increased Risk

Staff recommended a multi-pronged approach in moving forward with the concepts proposed in the BAE study including the following:

1. Updates to the North Lake Tahoe Economic Incentives Program to include a Transient Occupancy Tax (TOT) incentive program, addition of TRPA development rights, and an enhanced infrastructure finance district.
2. Process, policy, and code improvements to facilitate development, scale back requirements, and better understand and alleviate constraints and challenges in the development process, including zoning and building requirements and fees, collaborating with TRPA, updating parking standards and creating parking districts, and increasing workforce housing allowances.
3. Relaxing workforce housing mitigation and allocate funding to implement programs to attract and retain permanent residents.

Since that time, staff has made significant strides towards implementing the improvements outlined in the study including:

- CEO staff updated the North Lake Tahoe Economic Incentives Program (Incentives Program) in June 2022.
- CDRA and CEO staff are coordinating on amendments to the Incentives Program to include an allocation and priority process for distribution of TRPA development rights.
- CDRA staff is evaluating the creation of Enhanced Infrastructure Finance Districts, particularly for the Kings Beach “Grid” neighborhood, to complete frontage improvements such as sidewalks.
- CDRA staff brought forward programs such as the Workforce Housing Preservation Program (adopted by the Board on February 26, 2021, and launched Summer 2021) and the Lease to Locals Program (adopted by the Board on July 26, 2022, and launched August 1, 2022) to facilitate down payment assistance while preserving housing for the workforce and to incentivize long-term rentals.
- CDRA staff also brought forward an updated Affordable Housing and Employee Accommodation Ordinance, adopted by the Board on October 27, 2020, and a fee, most recently approved on April 19, 2022.

Envision Tahoe

The Tahoe Prosperity Center prepared and released several reports documenting the economics of the Tahoe Basin from Fall 2021 to Summer 2022: the Baseline Report for the Tahoe Basin in September 2021, the Community Report for the Tahoe Region in March 2022, and the Envision

Tahoe Prosperity Playbook in June 2022. The three documents focused on a number of key findings for the Tahoe Basin as a whole:

- Population:
 - Tahoe's 20-year population decline changed direction in 2019 and population growth accelerated in 2020 but is still lower than the population count in 2000.
 - K-12 public school enrollment data shows an overall decline in student population over the past five years, including the pandemic years.
 - The number of residents with advanced degrees has steadily increased over the past 10 years, suggesting a knowledgeable and skilled talent pool is available to be tapped in Tahoe to support existing and/or new businesses.
- Housing Availability & Affordability:
 - The total number of housing units increased in the Basin 1.35 percent from 2010 to 2020.
 - The median average income in Tahoe is \$53,165 while real estate reports show the median home price in January 2022 has risen to \$950,000.
- Economy:
 - Tahoe's economic base has become more concentrated in a few areas since 2010. Three industry clusters (and the businesses that support them) contribute 95 percent of all economic output in the Tahoe Basin: visitor services, environmental innovation, and health and wellness. All three sectors experienced flat or declining job growth and economic output over the past 10 years.
 - Visitor-related businesses increased from 40 percent to 62 percent of all economic activity in the Basin over the past 10 years, is subject to wide seasonal swings in employment, and is highly susceptible to disruption.
 - Construction has seen a steady increase in jobs over the past 10 years. Since 2010, construction has grown by 57 percent to more than 4,000 jobs today, or 12 percent of the job base. Like tourism, construction is subject to boom and bust cycles driven by economic swings and available consumer spending.
 - With the rise of economic, social, and environmental disruptions caused by climate change, pandemics, and rapid economic and technological shifts, the importance of economic diversification is rising as a central element in economic development planning at the regional, state, and national level.

The Envision Tahoe Prosperity Playbook focuses on four action goals and tactical approaches:

Action Goals:

1. Strengthen key industries: Support tourism-related job shift to sectors such as health and wellness and environmental innovation.
2. Build skill pathways for upward mobility: Explore ways to build region-wide skills programs and curriculums.
3. Jump start the innovation system: Support entrepreneurship and local chambers and business associations to help launch new businesses.
4. Shape the enabling environment: Quantify the business and community advantages that could result from a well-coordinated branding and global marketing strategy focused on health, wellness, recreation and the outdoors, environmental innovation,

and the connections between them; and energize and scale up present conversations about improved public-private sector alignment and shared governance across the Tahoe-Truckee region.

Tactical Approaches:

1. Accelerate workforce housing in the Tahoe-Truckee region.
2. Improve and fund Tahoe transportation and mobility.

Outreach and Stakeholder Engagement

The proposed TBAP amendments have been informed from years of ongoing feedback from a variety of stakeholders and community groups in the region, including:

- North Tahoe Business Association Board and its Economic Vitality Committee
- Tahoe City Downtown and its Business Advocacy Committee
- North Tahoe Community Alliance
- Mountain Housing Council
- TRPA Living Working Group
- Applicants to the Community Development Resource Agency
- Planner feedback from customer interactions

Additionally, staff sought input from seven professionals from the Tahoe Basin business and development community, including designers/architects, small business owners, and developers, regarding their experiences bringing forward new business and/or development in the Town Centers and to formulate potential modifications. Staff met with those individuals from May to June in 2021 to better understand the factors that contribute to the lack of investment, development and/or redevelopment in the Town Centers and to gain a better understanding regarding their experiences related to the development and/or processing of a project within the Town Centers. Staff documented their feedback which included topics such as processing barriers, strict development standards and/or required site improvements, zoning restrictions, etc. The proposed amendments of the TBAP are intended to address as many of these topics as possible.

Staff also presented these amendments to the following groups to conduct outreach and seek feedback:

- Placer County Planning Commission informational workshop - September 22, 2022
- North Lake Tahoe Resort Association – October 5, 2022
- North Tahoe Regional Advisory Council informational item – October 13, 2022
- North Tahoe Business Association – October 17, 2022
- Tahoe City Downtown Association – October 18, 2022
- North Tahoe Regional Advisory Council workshop – November 9, 2022 (see summaries below)
- North Tahoe Regional Advisory Council action item – November 30, 2022 (see summaries below)
- Planning Commission Hearing – December 8, 2022 (see summary below)

- TRPA Regional Plan Implementation Committee informational workshop – December 14, 2022
- TBAP Community Workshop - March 9, 2023
- TBAP Town Hall Meeting – August 1, 2023

North Tahoe Regional Advisory Council Meeting Overview

On October 13, 2022, and November 9, 2022, staff presented the proposed TBAP amendments as an informational item to the North Tahoe Regional Advisory Council (NTRAC). At the November 9, 2022, NTRAC meeting, 26 members of the public provided comments on the proposed amendments. Of the 26 members who spoke, 15 of them provided positive comments in support of the amendments proposed. Comments included support for frontage improvements, including addressing sidewalks; parking for both developments and enforcement (overflows into neighborhoods); concerns that density is increasing; address short term rentals impacts; fire impacts and evacuation; the need for walkability; the need for housing; the need for workforce housing and deed restrictions extended beyond 50 years; acknowledgement that these amendments target small businesses and the challenges that they face; concerns with the height amendments and exceptions; impact fees and hinderance to development – should consider different fees for difference projects/number of units; short term rentals impacting the neighborhoods; balance of environmental improvements and development; concerns with existing boarded-up buildings and difficulty for redevelopment of existing structures; provide incentives to make it easier to build smaller homes, more affordable; majority of housing inventory is large, second homes; consider utilizing campgrounds as alternative for housing opportunities (during the winter months); process is difficult and challenging; need to require workforce housing first; discourage more population; need to improve incentives; support for mixed-use development, tiny houses, community kitchens; need for RV parks year-round; exemptions of coverage need to be considered; concerns with mobile vendors and noise impacts; wealth and inequality is the bigger issue; concerns with environmental impacts to existing conditions; need to look at transportation issues; cannot continue to do nothing, need to make some changes.

The proposed TBAP amendments were brought forward for recommendation at the November 30, 2022, NTRAC meeting, where six of the eight NTRAC members voted in support of a recommendation of approval with a few considerations:

- Height: Remain at 56-FT with allowance of additional height for appurtenances and roof-top uses.
- Consider Transition Zones: Between Town Center and Adjoining Residential Zone Districts.
- Review of Fire Evacuation and Egresses – Updates to the 2016 review.
- Efforts to support redevelopment over new development.
- Development Right Manual. Requested community input, develop a program, i.e., Stakeholder Working Group.

Planning Commission Overview and Modifications to the Proposal

On December 8, 2022, the Planning Commission considered the TBAP Amendment package. Due to substantial public comment received, the meeting largely focused on building height and length and perceived density increases. The Planning Commission voted (5 Yes, 0 No, 2 Absent) to continue the item to a future date. Commissioners Woodward and DeMattei were absent from the meeting.

After the Planning Commission meeting, increases to height and length allowances were eliminated from this Amendment proposal (see Building Length and Building Height sections below). Transition Zones currently exist within the TBAP, and no changes are proposed to those existing zones. However, in both Town Centers, building length transitions have been incorporated to ensure compatibility with residential zone districts. Buildings are proposed to be a maximum of 75 feet on all parcel frontages directly facing residential zone districts (see Building Length section below). An Addendum was prepared for the proposed amendments and the review of Fire Evacuation and Egresses was evaluated. The Addendum concluded that these proposed Amendments would not hamper emergency response or evacuation plans and would result in a less than significant impact, in accordance with the TBAP Environmental Impact Report (EIR) (pgs. 18-23). The Amendments are focused on the redevelopment of our Town Centers and those efforts are demonstrated through the proposed amendments. Lastly, the County will conduct a public process for the Development Right Manual when that work program is initiated.

At the August 10, 2023 Planning Commission hearing, the Planning Commission considered the proposed TBAP Amendment package with revisions. Thirty-five (35) members of the public commented on the proposed TBAP Amendments. Comments received included but were not limited to cumulative impacts, traffic, transportation, parking, wildfire evacuation, housing. Commissioner Woodward expressed concerns about the Addendum, asking questions about the cumulative analysis. In response, an Errata was prepared. Commissioner Ronten had questions regarding density, however, after staff responded to his questions, he expressed satisfaction with the analysis of the Addendum and support of the goals to reinvest and shift development into Town Centers. Commissioner Dahlgren commented on the amendments noting they were minor in nature and not significant and was satisfied with the analysis of the Addendum. Following deliberations, the Planning Commission voted (5 Yes, 0 No, 2 Absent) to recommend approval to the Board. Commissioners Herzog and DeMattei were absent from the meeting.

Implementation Report.

As a result of comments received regarding the implementation of the TBAP, staff have prepared the Implementation Report, Attachment K, summarizing the county's efforts to implement the TBAP, the TRPA Regional Plan and to achieve regional goals. The report outlines the County's implementation efforts related to: transportation and mobility, housing, Total Daily Maximum Load, and the TBAP goals and policies, implementation plan, and mitigation measures identified in the TBAP EIR.

Overview of Proposed Area Plan Changes

The proposed TBAP Amendments are targeted at the final recommendations related to process, policy, and code improvements identified in the Placer County Tahoe Basin Town Center Economic Sustainability Needs Analysis, and are particularly focused on lodging, mixed-use, and workforce housing. The amendments also focus on diversifying land uses across a variety of sectors, with the intent of diversifying the business sector and a variety of housing types, as identified in the Envision Tahoe reports. Therefore, the proposed amendments are designed to round out the implementation of recommendations outlined in the study, particularly focused on process, policy and code improvements to facilitate and encourage revitalization projects in the Town Centers and workforce housing throughout North Tahoe.

1. Tahoe Basin Area Plan – Policy Document Proposed Amendments

To align the Area Plan policies with updated regional and County goals, additional policies and revisions have been included to the following sections: Scenic Resources, Vegetation,

Socio Economic, Land Use, Mixed-use, Town Centers, Community Design, Redevelopment, and Housing. The policies are based off recommendations in the BAE study as well as community feedback and regional partner goals. A summary is provided below.

- Scenic Resources: These policy amendments are intended to support the evaluation of scenic requirements to achieve private reinvestment in Town Centers targeted for redevelopment and/or new development in a manner that improves environmental conditions, creates a more efficient, sustainable and less auto-dependent land use pattern, and provides for economic opportunities.
- Vegetation: A new policy was added to support implementation of new or expanded home hardening programs (i.e., replacing wood shake roofs to protect structures from falling embers during a wildfire), green waste, and defensible space incentive and/or rebate programs.
- Socio Economic: Policies were added to support high-speed broadband infrastructure capacity and to support childcare facilities to meet the needs of the local workforce. Policy was also added to address the prevention of blight.
- Land Use: Policies were added to support the development of a reservation and conversion manual for the allocation and conversion of TRPA development rights. Policies were added to address land uses in the Town Centers. Policies are included to support funding sources for a frontage improvement implementation plan to achieve the Area Plan infrastructure and streetscape features such as sidewalks, curbs, and gutters, as well as implementing parking management plans, community-wide snow storage plans, and development of a reservation and conversion manual as described below.
- Mixed-use: Policies have been added to support the development of mixed-use, business park, and light industrial space and encourage residential components in industrial and commercial development.
- Town Centers: New policies have been added that would allow groundwater interception for mixed-use projects in Town Centers, supporting simplified permit processes for mixed-use projects, encouraging active ground floor uses, facilitating mobile vendors and food trucks in Town Centers, supporting the retention and expansion of businesses within the North Tahoe-Truckee region, supporting relocations of industrial and public utility land uses in the Town Centers to free up Town Center sites, as well as supporting parking maximums and creative parking solutions.
- Community Design: Policies to support and promote local artists and public art in North Tahoe have been included.
- Redevelopment: New policies to support and encourage adaptive reuse of vacant or underutilized retail and office space, support redevelopment of aging lodging products and encourage revitalization and creation of new high-quality lodging, allow multipurpose and flexible gathering spaces in private and public parking areas where events could be held during off-peak hours, expedite building permit processes, and support the development of new business innovation space and flexible light industrial spaces to diversify the local economy.
- Housing: Additional policies have been included to support streamlining affordable, moderate, and achievable housing, require that 50 percent of units converted from multifamily to condominiums be deed restricted to affordable, moderate or achievable housing, address the job-housing imbalance in the region, monitor and track housing data in the region, and to support adaptive management of the short-term rental inventory to

balance housing availability with short-term rentals as new lodging products are added to the region. Policies have been added to explore opportunities for local worker overnight camping in public and private parking lots, as well as to support local worker housing to be constructed above public and private parking lots.

Additionally, planned environmental improvement projects have been modified to support coordination with TRPA to address Town Center development as it relates to TRPA scenic standards and to develop a reservation and conversion manual to guide the conversion and allocation of TRPA development rights in North Lake Tahoe by prioritizing them towards the most community-benefitting and high priority projects that align with the policies in this Area Plan and the Lake Tahoe Regional Plan.

Changes are also proposed to the Area Plan Implementing Regulations document, including amendments in Chapters 1) Introduction and General Provisions, 2) District Standards, as well as 3) Area-Wide Standards and Guidelines. A summary of the proposed Implementing Regulations amendments are described below.

2. Tahoe Basin Area Plan - Implementing Regulations Proposed Amendments

Town Centers:

Mobile Vendors

On September 17, 2018, the Governor signed Senate Bill 946 (the “Safe Sidewalk Vending Act”), which establishes requirements for local regulation of sidewalk vending. The law became effective January 1, 2019. The purpose of SB 946 is to legalize and decriminalize sidewalk vending across the state. SB 946 defines “sidewalk vendor” as a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack or other nonmotorized conveyance, or from one’s person, on a public sidewalk or other pedestrian path. A sidewalk vendor can be “a roaming sidewalk vendor,” which is defined as moving from place to place and stopping only to complete a transaction, or “a stationary vendor,” which is defined as vending from a fixed location. SB 946 applies only to public sidewalks and paths, not private property. The law allows local authorities to adopt regulations governing sidewalk vending or amend existing regulations. If the local authority wishes to regulate sidewalk vending, those regulations need to be consistent with SB 946. A local authority may adopt additional requirements regulating the time, place, and manner of sidewalk vending if the requirements are directly related to objective health, safety, or welfare concerns, including a sidewalk vending permit or valid business license, as well as a valid California Department of Tax and Fee Administration seller’s permit. Placer County has not adopted additional sidewalk vending laws and current County Code is not compliant with SB 946.

In the Tahoe Basin, mobile vendors such as sidewalk vendors and food trucks have been considered outdoor retail sales per the TRPA Code of Ordinances, which required a minor use permit under the TBAP. As of the time of publishing the BAE study, the North Tahoe area had not seen the establishment of many new brick and mortar food related businesses in the past decade. While a few have experienced success by starting as a food truck and transitioning later to a commercial space, staff had heard anecdotally that the use permit process significantly deterred these types of businesses from starting in the area. The proposed amendments would allow food trucks and mobile vendors in the Town Centers and would comply with SB 946 requirements. These uses still require approval through the County’s Environmental Health division. These amendments are intended to simplify and

facilitate food related startup businesses to strengthen the economic vitality of the Town Centers while being compatible with State law.

Land Use Allowances

The Town Centers currently require use permits for a variety of land uses that are commonly desired in a Town Center to promote walkability and support a year round economy. These include the following:

- Hotels, Motels and other Transient Dwelling Units
- Eating and drinking facilities
- Building materials and hardware stores
- Repair services

The proposed amendments would allow certain land uses by right based on a certain maximum square footage or allowed with a use permit if a larger size. To calculate these size thresholds, staff used the maximum square footage listed for each land use in the TRPA Project Impact Assessment (PIA) which calculates maximum sizes based on the vehicle miles traveled for each land use type. For example, a hotel may be allowed in certain Town Center zone districts based on the maximum size threshold as specified in the PIA. Additionally, the proposed amendments separate eating and drinking facilities into subcategories based off the traffic generation rates found in the Institute of Transportation Engineers Manual (Drinking Place, Fast Casual Restaurant, Quality Restaurant, High-Turnover Sit-Down Restaurant, and Fast-Food Restaurant without Drive Thru Window) to allow a specified maximum commercial floor area for each type of facility listed in the use tables. If the maximums differ from the PIA, the PIA threshold would take precedence. The goal of these changes is to incentivize new lodging products, restaurants, retail, and local-serving land uses and encourage these types of land uses in the Town Centers.

Building Length

Following the December 8, 2022 Planning Commission meeting, staff removed the additional building height and length allowances in the Town Centers. Any future projects that would like to request additional building height and/or length would have to be analyzed through a separate TBAP amendment process.

Tables 2.04.A-4, Building Form Guidelines for the Greater Tahoe City Mixed-Use Subdistricts, and 2.04.B-4, Building Form Guidelines for the North Tahoe East Mixed-Use Subdistricts of the Area Plan, have been revised to further clarify building modulation requirements, ensure compatibility between mixed use and residential zone districts, and to define maximum building lengths for proposed structures in the mixed-use Town Center zone districts in Kings Beach and to add maximum building lengths in Tahoe City where there were no existing maximums.

- Building length is reduced in MU-TOR near Stateline from 350 feet to 200 feet to align with maximum building lengths in other mixed-use subdistricts.
- In Greater Tahoe City Mixed-Use Subdistricts, maximum building length has been added where there was none before to align with development standards in North Tahoe East Mixed-Use Subdistricts.

- In both Town Centers, building length transitions have been incorporated to ensure compatibility with residential zone districts. Buildings are proposed to be a maximum of 75 feet on all parcel frontages directly facing residential zone districts.
- Building modulation requirements for any buildings over 75 feet wide have been refined to make the requirements in North Tahoe East Mixed-Use Subdistricts align with those in the Greater Tahoe City Mixed-Use Subdistricts, and to clarify the use of facades, modulations, and other articulation features.

Building Height

A potential amendment to increase building height (from the existing allowed 56 feet to 72.7 feet) and length allowances of up to 500 feet in the Town Centers was originally suggested. At the March 9, 2023 workshop the proposed height allowances were decreased to a maximum of 61 feet. To be eligible for the extra height and building length, projects would have been required to construct deed restricted achievable housing, at least one public art component, and comply with scenic and design standards. Following that workshop, due to a majority of feedback that was not supportive of extra building height or length, staff removed those height and building length increases from this set of amendments.

Section 2.09, Overlay Districts, of the TBAP has been revised in coordination with TRPA staff to allow for a few adjustments to building height. These changes are intended to provide flexibility in the number of stories and clarity to maximum building heights in Special Planning Area Overlay Districts. All projects would still be required to comply with TRPA scenic thresholds.

1. The TBAP currently includes maximum height in both feet and number of stories. The amendments dictate maximum building height by feet rather than by the number of stories (e.g., 56 feet in Core Areas instead of four stories and 46 feet in Transition Areas instead of three stories). The maximum height in feet remains the same.
2. The maximum height in Special Planning Areas has been added to provide clarity.
 - a. In the Tahoe City Western Entry Special Planning Area, maximum height on the mountainside has been adjusted to match that of the Core Areas, 56 feet, due to its location in front of a tall ridgeline and that parcels in that area have been identified as potential housing opportunity sites.
 - b. Height maximums matching the Transition Areas have been added to the Tahoe City River District Special Planning Area where there were none before, matching those of the Transition Areas.
 - c. Height maximums have been specified for the portion of the Tahoe City Golf Course Special Planning Area that is not within a Core or Transition Area, matching those of the Transition Areas.
 - d. Height maximums have been specified for the Truckee River Corridor Special Planning Area where there were none before, matching those of the Transition Areas.
 - e. Height maximums have been specified for the Kings Beach Entry Special Planning Area where there were none before, matching those of the Transition Areas.

- f. Height maximums have been specified for the North Stateline Special Planning Area where there were none before, matching those of the Transition Areas.

Groundwater

To facilitate the redevelopment desired in Town Centers and allow for below grade parking which reduces coverage, the proposed amendments include exceptions to groundwater interception to projects proposing below grade parking. When such exceptions are granted, the applicant must demonstrate that the project impacts have been mitigated to be equal to or better than the original impacts.

Parking

On February 9, 2021, the Board approved a two-year pilot parking exemption program for the North Lake Tahoe Town Centers. The purpose was to support exemptions to parking requirements to spur redevelopment in the Town Centers and support strategies identified in the Resort Triangle Transportation Plan (RTTP), which was approved by the Board in October 2020, and which outlines strategies to increase mobility and reduce VMT in the Tahoe region. The pilot parking exemption program allows for the following:

- Expands eligible applicants to include all development/redevelopment proposed in Town Centers.
- Allows for tourist accommodation and residential uses to be considered in the program, whereas these uses currently were previously excluded.
- Removes the existing limitation in the Area Plan that project sites eligible for the exemption shall be 25,000 square feet or less.
- Expands financial mitigations beyond establishment of a transit County Service Area Zone of Benefit to include financial support for transit service enhancements or other alternative transportation projects that support multi-modal transportation and/or strategies noted in the RTTP.

At the end of the two-year period, staff agreed to bring forward permanent TBAP amendments for consideration that support RTTP strategies and provide permanent expanded parking exemptions for Town Center development. Therefore, the proposed amendments have incorporated these changes to permanently provide greater flexibility for property owners and businesses in Town and Village Centers and to encourage alternative modes of transportation.

Housing:

Opticos Missing Middle Recommendations

On January 18, 2021, missing middle housing consulting firm, Opticos, provided recommendations to TRPA, on how to better facilitate missing middle housing development in the Tahoe Basin (Attachment I). The Tahoe-Truckee region's housing stock predominantly consists of single-family housing with a handful of affordable lower-income apartments. To facilitate more development of missing middle housing, such as smaller homes, townhouses, duplexes and triplexes, which are intended to be more affordable by design for middle income worker whose incomes exceed affordable rental income limits but cannot afford the majority of houses on the open market, staff incorporated the following recommendations into the proposed amendments:

- Removing setbacks and articulation and massing requirements which limit building square footage and are not possible to enforce over time. Such requirements are challenging to implement because the setbacks are based on the interior land use, which can change over time. For example, a mixed-use building may be built in the Town Center that includes commercial on the second floor and would require a smaller setback than residential uses. However, a future owner could want to convert that commercial use to residential and would therefore require a greater setback than would be infeasible to create.
- Reducing or removing parking requirements for residential multifamily. The proposed amendments would 1) reduce multifamily parking standards to better align with single-family parking standards and 2) reduce single-family parking standards to accommodate smaller single-family development. Per Opticos, these changes would make multifamily less burdensome and costly to develop. For example, Opticos states that changing the required number of parking spaces from one to two per unit increases the average monthly rent per bedroom from \$993 to \$1,404 and the income required for affordability from \$36,000 to \$51,000.
- Allowing multifamily by right with no use permit. Opticos recommends that an easier process be provided for multifamily projects by preparing standards with enough clarity and predictability about what the standards will generate.
- Density. Opticos has had economists tell them that in order to sustain neighborhood- serving shops and services within a short walking distance, a rule of thumb is that the immediate area (5-to-10-minute walking distance) have an overall density of 16 units per acre. While the proposed amendments do not increase the overall density in any zone districts, the amendments do refine minimum lot size and width which has prohibited projects from achieving the maximum density.
- Reducing minimum lot width. Opticos recommends reducing lot widths to better accommodate small lot development which is more affordable by design, and which would accommodate attached multifamily such as duplexes, triplexes, and fourplexes. The proposed amendments include reduced minimum lot widths for certain zone districts. Similarly, staff also removed minimum lot area per dwelling unit in all residential zone districts to accommodate smaller dwelling units.

Preferred Affordable, Moderate and Achievable Areas

The TBAP included 21 zone districts that were listed as Preferred Affordable, Moderate and Achievable Areas but did not include any development standards to incentivize or encourage the production of housing. In most of these zone districts, multifamily required a minor use permit while single family housing was allowed. In these zone districts the following changes have been proposed:

- Where not otherwise allowed by right, the proposed amendments would allow multifamily and employee housing by right with no use permit if 100 percent of units are deed restricted to affordable, moderate or achievable housing per TRPA Code of Ordinances Chapter 90: Definitions, for achievable, moderate income or affordable housing. This is intended to encourage development of multifamily housing by reducing costs and time delays associated with use permits.
- In seven residential zone districts listed as Preferred Affordable, Moderate and Achievable Areas, the minimum lot size was reduced to 2,904 square feet to

accommodate existing densities of 15 dwelling units per acre and minimum lot widths were reduced to 25 feet to accommodate smaller lots that are more affordable by design, and which match existing lot sizes in many areas of the Area Plan. Side setbacks were also reduced to five feet minimum, except when adjoining another unit on adjacent property, which would require zero feet on one side and 10 feet on the other to accommodate duplex style developments.

Town Center: Single Family Land Use

The TBAP allowed single-family development in Town Centers, if already existing. Previous development proposals have spurred considerable community feedback opposing new single-family development in Town Centers. The proposed amendments would only allow new single-family over one unit, including townhomes and condominiums, if single-family encompasses 25 percent or less of the entire project or if at least 50 percent of the single-family residential units are deed restricted to affordable, moderate or achievable housing per TRPA Code of Ordinances Chapter 90: Definitions, for achievable, moderate-income or affordable housing. The intent is to facilitate mixed-use development and allow some single-family units to offset costs of workforce housing or commercial uses while still achieving the goals of the Area Plan and community.

Tiny Houses

The proposed amendments refer to the countywide housing code amendments that were adopted by the Board on June 14, 2022, to allow for tiny houses as primary or accessory dwelling units as well as employee housing and tiny house communities. Moveable tiny houses and moveable tiny house communities would comply with definitions and development standards in Placer County's Zoning Ordinance. Staff has coordinated with TRPA to determine that the County regulates these uses in the Tahoe Basin rather than TRPA.

Miscellaneous Housing Cleanups

In the Fairway Tract Northeast Subdistrict, multiple family density was adjusted from eight to 15 dwelling units per acre to clean up inconsistency with the already existing density allowances for similar zone districts. In all other residential subdistricts, the density allowances for employee housing and multiple family housing were the same.

Other:

Street Frontage Improvements

Street Frontage Improvements are requirements of the Tahoe City Mixed-Use Subdistricts, North Tahoe East Mixed-Use Subdistricts, and the North Tahoe West Mixed-Use Subdistricts. The proposed amendments are designed to provide consistency throughout the Area Plan in identifying the requirements of street frontage improvements and to also provide reference to the applicable standards contained in the Area Plan, i.e., Section 3.06 "Streetscape and Roadway Design Standards" and Table 3.06.A "Future Streetscape and Roadway Design Characteristics". Specifically, amendments are sought to Placer County Code Chapter 12, Article 12.08, Section 12.8.020A, to add single-family detached dwellings, as subject to street improvements requirements, to align with the TBAP pedestrian mobility goals.

The revisions to Section 3.06 and Table 3.06.A, specifically, will provide clarity to project applicants which is intended to result in fewer design exceptions and variance requests. Minor changes were made to the text of the TBAP to eliminate redundancy and/or to provide clarity and consistency. For example, in the Kings Beach Residential zone district, street frontage

improvements were required of commercial or multifamily developments but not of single-family, which further incentivized development of second homes rather than multifamily or new commercial development. The proposed amendments would require streetscape and frontage improvements of all development as identified in Table 3.06.A. CDRA staff intends to bring forward a comprehensive sidewalk improvement financing plan to offset the costs and burdens on individual development at a later date.

Signs

The proposed amendments eliminate the sign regulations contained in the TBAP under Section 3.11 and direct the reader to refer to the TRPA Code of Ordinance Chapter 38 “Signs.” This amendment is intended to simplify signage requirements and will make the TBAP consistent with the TRPA Code of Ordinances, thereby eliminating the need for future amendments to the TBAP should the TRPA modify Chapter 38 of the Code of Ordinance.

Shorezone

The proposed amendments to the TBAP are intended to reflect the changes made to Placer County Code Chapter 12, Article 12.32, “Lake Tahoe Shorezone” adopted by the Board in February of 2021. In August 2019, TRPA amended its Code of Ordinances, including shorezone regulations contained in Chapters 80 through 85. With the 2019 amendment, Section 12.32 of the Placer County Code was no longer in alignment with TRPA and contained conflicting permitting requirements. Therefore, staff proposed a complete replacement of the original ordinance with updated ordinance text to eliminate duplicate permitting processes, align with the TRPA ordinance, limit the County’s permitting role, and primarily rely on the Memorandum of Understanding between the California State Lands Commission and TRPA for shorezone related permitting. While the shorezone is primarily governed by TRPA and the State Lands Commission, the proposed amendments reflect the changes adopted by the Board in February of 2021. These comprise adding text to reference the Placer County Code Article 12.32 “Lake Tahoe Shorezone” and adjusting the applicable land use table to notify the reader that certain accessory structures shall also comply with the requirements of Article 12.32.

Miscellaneous Cleanup

The proposed amendments also included several “cleanups” recommended by staff that are intended to provide more clarity across the document and address typos or other minor errors.

Next Steps for Project Approval

On October 16, 2023, the Placer County Board of Supervisors considered public testimony and closed the public hearing and continued the item to October 31, 2023 at 2:00pm for final action. Once approved by the Board, it will also be presented to the TRPA Advisory Planning Commission and the TRPA Regional Plan Implementation Committee prior to being presented to and considered by the TRPA Governing Board for final action by TRPA.

ENVIRONMENTAL IMPACT

Addendum to the EIR

An Addendum (Attachment D) to the TBAP and Tahoe City Lodge Project Environmental Impact Statement/EIR (certified and adopted by the Board on December 6, 2016, California State Clearinghouse #2014072039; and adopted by the TRPA on January 25, 2017), was prepared pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15164 and Placer County Environmental Review Ordinance Section 18.20.110.

The Addendum demonstrates that while some modifications and refinements are necessary to adopt and implement the TBAP amendments, none of the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR have occurred. The Addendum concludes that the proposed TBAP amendments would not result in any new or substantially more severe significant effects than were identified in the EIR.

Consistent with the requirements of CEQA Guidelines Section 15162, the County must determine whether the proposed changes to the EIR trigger the need for a modified EIR. Under CEQA Section 15162, when an EIR has been adopted for a project, no subsequent EIR shall be prepared for the project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

1. Substantial changes are proposed in the amendments which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the amendments are undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted, shows any of the following:
 - a. The amendments will have one or more significant effects not discussed in the previous EIR;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures would substantially reduce one or more significant effects of the amendments, but the project amendments decline to adopt the mitigation measure; or
 - d. Mitigation measures which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the amendments decline to adopt the mitigation measure.

If only minor technical changes or additions are necessary or none of the triggers set forth above have occurred, then the County can prepare an addendum pursuant to CEQA Guidelines Section 15164, explaining why “some changes or additions” to the adopted EIR “are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.”

The County, as Lead Agency, prepared the Addendum pursuant to CEQA Guidelines Section 15164 to evaluate the environmental resource categories in terms of a “changed condition” (i.e., changed circumstances, project changes, or new information of substantial importance) that may result in environmental impact significance conclusions different from those found in the previously adopted EIR. The Addendum Checklist is a convenient tool for disclosing the County’s evidence and reasoning for determining the project’s consistency with the previously adopted EIR. Staff concluded through preparation of the Addendum that the proposed project is consistent with the EIR and there are no new or substantially more severe significant effects which are peculiar to the amendments and that the amendments meet the criteria in Public Resources Code Section 21166 and the CEQA Guidelines Section 15162 through 15164.

Errata to the Addendum

In addition to the Addendum prepared for the Amendments, an Errata (Attachment E) to the Addendum was prepared subsequent to an August 10, 2023 Planning Commission hearing on the TBAP Amendments. The Errata provides additional clarity on the cumulative impact evaluation in the Area Plan EIR. The Errata includes additional discussion on the cumulative impacts of the proposed Tahoe Basin Area Plan Amendments as they relate to the cumulative analysis in the 2016 Area Plan EIR, the changes to cumulative conditions in the Tahoe Basin and changes to cumulative conditions outside the Tahoe Basin. The information outlined in the Errata does not result in any new significant impacts or a substantial increase in the severity of an environmental impact identified in the Area Plan EIR and none of the conditions described in State CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR have occurred. The proposed TBAP Amendments (TBAP Amendments or Area Plan Amendments) would not result in any new or substantially more severe significant effects than were identified in the Area Plan EIR, which was certified by the Board on December 6, 2016. The information contained in the Errata is for clarification purposes only and does not alter the conclusions of the EIR addendum.

Tahoe Regional Planning Agency – Initial Environmental Checklist

In addition to the Addendum and Errata prepared for CEQA, draft documents: an Initial Environmental Checklist, Compliance Measures, a Conformity Checklist and Findings were prepared for the Amendments to comply with the environmental review requirements of the TRPA.

RECOMMENDATIONS

Based on the discussion and analysis in this report, staff recommends that the Board approve the following items:

1. Adopt the Addendum and Errata to the Tahoe Basin Area Plan EIR prepared for the project as set forth in Attachment D and Attachment E, respectively, and supported by the following findings:
 - A. The Placer County Tahoe Basin Area Plan and Tahoe City Lodge Project Environmental Impact Statement/Environmental Impact Report (Area Plan EIR) (certified and adopted by the Placer County Board of Supervisors on December 6, 2016, California State Clearinghouse #2014072039; and adopted by the Tahoe Regional Planning Agency on January 25, 2017), and Addendum and Errata to the Area Plan EIR have been considered prior to approval of this project. Together they are determined to be adequate to serve as the environmental documentation for this project and satisfy all the requirements of CEQA. The Addendum to the Area Plan EIR did not raise important new issues about the significant effects on the environment.
 - B. The Addendum and the Errata to the Area Plan EIR were prepared pursuant to CEQA Guidelines Section 15164 and Placer County Environmental Review Ordinance Section 18.20.110. Pursuant to CEQA Guidelines Section 15162 through 15164, no changes have occurred in the amendments or to existing circumstance that would warrant additional environmental analysis for the TBAP Amendments requested.
 - C. The proposed amendments to the TBAP modify policies to achieve housing and Town Center redevelopment which were already considered under the TBAP and therefore the policy changes would not have the potential to cause a significant effect on the environment.
 - D. Under PRC Section 21080.17 and CEQA Guidelines Section 15282 subsection (h), CEQA does not apply to the adoption of an ordinance by a city or county to implement the provisions of Section 65852.2 of the Government Code (the state accessory

dwelling unit law). The proposed amendments implement Government Code Section 65852.2 and 65852.22 within unincorporated Placer County in a manner that is consistent with the requirements of state law.

2. Adopt a Resolution approving amendments to the Tahoe Basin Area Plan policy document based on the following findings:

A. The proposed amendments to the Tahoe Basin Area Plan policy document are consistent with the objectives, policies, general land uses and programs specified in the Placer County General Plan and Tahoe Basin Area Plan, and the amendments are internally consistent with the remaining provisions of the 2017 approved Tahoe Basin Area Plan. Specifically these amendments will address process, policy, and code improvements to facilitate development, scale back requirements, and better understand and alleviate constraints and challenges in the development process, including zoning and building requirements and fees, collaborating with TRPA, updating parking standards and creating parking districts, and increasing workforce housing allowances; will include action goals and tactical approaches aimed at improving the economic viability of the Tahoe Basin; and contains amendments aimed to further implement existing policies aimed at supporting additional housing at affordable price levels, construction of workforce housing, and providing assistance for economic development and environmental redevelopment and are consistent with the goals, objectives and policies of the Placer County General Plan and the Tahoe Basin Area Plan since they are in accordance with the following:

- i. TBAP Policy SE-P-3. Opportunities for economic development outside Town Centers should be pursued in a manner consistent with the Regional Plan.
- ii. TBAP Policy SE-P-4. Whenever feasible, Placer County should provide assistance to property owners seeking to complete projects on priority redevelopment sites through public-private partnerships and other forms of assistance.
- iii. TBAP Policy SE-P-5. Placer County supports efforts to promote environmental redevelopment in mixed-use areas within and outside Town Centers, including the Village Centers identified in this Area Plan.
- iv. TBAP Policy SE-P-6. Continue efforts to address the existing job-housing imbalance and provide additional housing at affordable price levels should be pursued.
- v. TBAP Policy HS-P-6. Pursue TRPA-Certified Local Governing Moderate-Income Housing Programs pursuant to Sections, 52.3.4 and 52.3.6 of the TRPA Code of Ordinances to provide additional opportunities for deed-restricted affordable and moderate-income housing.
- vi. TBAP Policy HS-P-7. Evaluate housing needs in the region in coordination with TRPA. Consistent with Regional Plan Housing Policy HS-3.1, update TRPA policies and ordinances as necessary to achieve state, local and regional housing goals. Future housing efforts should seek to remove identified barriers preventing the construction of necessary affordable housing in the region including, but not limited to, workforce and moderate-income housing, secondary residential units and long-term residency in motel units.
- vii. General Plan Policy 1.B.2. The County shall encourage the concentration of multi-family housing in and near downtowns, village centers, major commercial areas, and neighborhood commercial centers.
- viii. Housing Element – Policy HE-A-2. The County shall continue efforts to streamline and improve the development review process based on object design standards, and to eliminate any unnecessary delays in the processing of development applications.

- ix. Housing Element – Policy HE-A-3. The County shall strive to remove barriers to new housing production including advancing adaptive policies, regulations, and procedures, as well as addressing market constraints as admissible.
 - x. Housing Element Policy HE-A-4. The County shall encourage mixed-use and transit-oriented development projects where housing is provided in conjunction with compatible non-residential uses.
 - xi. Housing Element Policy HE A-6. The County shall encourage the development of multi-family dwellings in locations where adequate infrastructure and public services are available.
 - xii. Housing Element Policy HE-B-1. The County shall facilitate expanded housing opportunities that are affordable to the workforce of Placer County.
 - xiii. Housing Element Policy HE-G-1. The County shall promote housing opportunities for all persons regardless of race, religion, color, ancestry, national origin, sex, disability, family status, income, sexual orientation, or other barriers that prevent choice in housing.
 - xiv. Housing Element Policy HE-E-2. The County shall encourage the TRPA to strengthen the effectiveness of existing incentive programs for the production of affordable housing and encourage Accessory Dwelling Units.
- B. The Area Plan as amended is not within the area of any airport land use plan.
- C. Notices of all hearings required by Section 17.60.140 have been given and all hearings required pursuant to Section 17.58.200 have been held.
3. Adopt an Ordinance approving amendments to the Tahoe Basin Area Plan Implementing Regulations based on the following findings:
- A. The proposed amendments to the Tahoe Basin Area Plan Implementing Regulations are consistent with Placer County General Plan and Tahoe Basin Area Plan. Specifically these amendments are in response to the Placer County Tahoe Basin Town Center Economic Sustainability Needs Analysis, which recommended process, policy, and code improvements to facilitate development, scale back requirements, and better understand and alleviate constraints and challenges in the development process, including zoning and building requirements and fees, collaborating with TRPA, updating parking standards and creating parking districts, and increasing workforce housing allowances; responds to the Tahoe Prosperity Center’s reports, which include action goals and tactical approaches aimed at improving the economic viability of the Tahoe Basin; and aim to further implement existing policies aimed at supporting additional housing at affordable price levels, construction of workforce housing, and providing assistance for economic development and environmental redevelopment consistent with the goals, objectives and policies of the Placer County General Plan and the Tahoe Basin Area Plan since they are in accordance with the following:
 - i. TBAP Policy SE-P-3. Opportunities for economic development outside Town Centers should be pursued in a manner consistent with the Regional Plan.
 - ii. TBAP Policy SE-P-4. Whenever feasible, Placer County should provide assistance to property owners seeking to complete projects on priority redevelopment sites through public-private partnerships and other forms of assistance.
 - iii. TBAP Policy SE-P-5. Placer County supports efforts to promote environmental redevelopment in mixed-use areas within and outside Town Centers, including the Village Centers identified in this Area Plan.

- iv. TBAP Policy SE-P-6. Continue efforts to address the existing job-housing imbalance and provide additional housing at affordable price levels should be pursued.
 - v. TBAP Policy HS-P-6. Pursue TRPA-Certified Local Governing Moderate-Income Housing Programs pursuant to Sections, 52.3.4 and 52.3.6 of the TRPA Code of Ordinances to provide additional opportunities for deed-restricted affordable and moderate income housing.
 - vi. TBAP Policy HS-P-7. Evaluate housing needs in the region in coordination with TRPA. Consistent with Regional Plan Housing Policy HS-3.1, update TRPA policies and ordinances as necessary to achieve state, local and regional housing goals. Future housing efforts should seek to remove identified barriers preventing the construction of necessary affordable housing in the region including, but not limited to, workforce and moderate-income housing, secondary residential units and long-term residency in motel units.
 - vii. General Plan Policy 1.B.2. The County shall encourage the concentration of multi-family housing in and near downtowns, village centers, major commercial areas, and neighborhood commercial centers.
 - viii. Housing Element – Policy HE-A-2. The County shall continue efforts to streamline and improve the development review process based on object design standards, and to eliminate any unnecessary delays in the processing of development applications.
 - ix. Housing Element – Policy HE-A-3. The County shall strive to remove barriers to new housing production including advancing adaptive policies, regulations, and procedures, as well as addressing market constraints as admissible.
 - x. Housing Element Policy HE-A-4. The County shall encourage mixed-use and transit-oriented development projects where housing is provided in conjunction with compatible non-residential uses.
 - xi. Housing Element Policy HE-A-6. The County shall encourage the development of multi-family dwellings in locations where adequate infrastructure and public services are available.
 - xii. Housing Element Policy HE-B-1. The County shall facilitate expanded housing opportunities that are affordable to the workforce of Placer County.
 - xiii. Housing Element Policy HE-G-1. The County shall promote housing opportunities for all persons regardless of race, religion, color, ancestry, national origin, sex, disability, family status, income, sexual orientation, or other barriers that prevent choice in housing.
 - xiv. Housing Element Policy HE-E-2. The County shall encourage the TRPA to strengthen the effectiveness of existing incentive programs for the production of affordable housing and encourage Accessory Dwelling Units.
- B. The proposed amendments to the Tahoe Basin Area Plan Implementing Regulations are consistent with and implement the Area Plan, as approved in 2017 and as herein amended.
- C. The proposed amendments to the Tahoe Basin Area Plan Implementing Regulations will implement the Tahoe Basin Area Plan policies and goals and will ensure orderly development of the Plan Area.
4. Adopt an Ordinance amending the Placer County Code, Chapter 12, Article 12.08, Section 12.08.020(A).

Attachment C
TRPA Adopting Ordinance

TAHOE REGIONAL PLANNING AGENCY
ORDINANCE 2024-__

AN AMENDMENT TO ORDINANCE NO. 2021-02 TO ADOPT
TAHOE BASIN AREA PLAN AMENDMENTS

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

Section 1.00 Findings

- 1.10 It is desirable to amend TRPA Ordinance 2021-02 by amending the Tahoe Basin Area Plan to further implement the Regional Plan pursuant to Article VI (a) and other applicable provisions of the Tahoe Regional Planning Compact.
- 1.20 The Tahoe Basin Area Plan amendments were the subject of an Initial Environmental Checklist (IEC), which was processed in accordance with Chapter 3: *Environmental Documentation* of the TRPA Code of Ordinances and Article VI of the Rules of Procedure. The Tahoe Basin Area Plan amendments have been determined not to have a significant effect on the environment and are therefore exempt from the requirement of an Environmental Impact Statement (EIS) pursuant to Article VII of the Compact.
- 1.30 The Advisory Planning Commission (APC) and the Governing Board have each conducted a noticed public hearing on the proposed Tahoe Basin Area Plan amendments. The APC has recommended Governing Board adoption of the necessary findings and adopting ordinance. At these hearings, oral testimony and documentary evidence were received and considered.
- 1.40 The Governing Board finds that the Tahoe Basin Area Plan amendments adopted hereby will continue to implement the Regional Plan, as amended, in a manner that achieves and maintains the adopted environmental threshold carrying capacities as required by Article V(c) of the Compact.
- 1.50 Prior to the adoption of these amendments, the Governing Board made the findings required by TRPA Code of Ordinances Section 4.5, and Article V(g) of the Compact.
- 1.60 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.00 TRPA Code of Ordinances Amendments

Ordinance 2021-02 is hereby amended by amending the Tahoe Basin Area Plan as set forth in the exhibits to this ordinance.

Section 3.00 Interpretation and Severability

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

Section 4.00 Effective Date

The provisions of this ordinance amending the Tahoe Basin Area Plan shall become effective on adoption.

PASSED AND ADOPTED by the Tahoe Regional Planning Agency Governing Board at a regular meeting held on _____, 2024, by the following vote:

Ayes:

Nays:

Abstentions:

Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency,
Governing Board

Attachment C

[Exhibit A—Proposed Policy Amendment Language](#) (link)

Attachment C

[Exhibit B—Proposed Implementing Regulation Amendment Language](#) (link)

Attachment D
Findings

REQUIRED FINDINGS FOR AN AMENDMENT TO PLACER COUNTY'S TAHOE BASIN AREA PLAN

This document contains required findings per Chapters 3, 4, and 13 of the TRPA Code of Ordinances (Code) for the amendments to Placer County's Tahoe Basin Area Plan (Area Plan):

Chapter 3 Findings: The following finding must be made prior to amending the Area Plan:

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

Rationale: Based on the completed Initial Environmental Checklist (IEC), no significant environmental impacts have been identified as a result of the proposed amendments. The IEC was prepared to evaluate the potential environmental impacts of the proposed amendments and tiers from programmatic analyses contained in the following environmental review documents:

- Placer County Tahoe Basin Area Plan and Tahoe City Lodge Project Environmental Impact Statement/Environmental Impact Report (Area Plan EIS/EIR) (California State Clearinghouse (SCH) Number 20140720039)
- Tahoe Regional Plan Update Environmental Impact Statement (RPU EIS) (California SCH Number 2007092027; Nevada SCH Number E2008-124)

These program-level environmental documents include regional cumulative scale analyses and a framework of mitigation measures that provide a foundation for subsequent, site-specific environmental review documents as individual planning, redevelopment and other projects are proposed. The IEC is tiered from the Area Plan EIS/EIR and RPU EIS in accordance with Section 6.12 of the TRPA Rules of Procedure. The Area Plan EIS/EIR and RPU EIS are programmatic environmental documents prepared pursuant to Article VI of the TRPA Rules of Procedure (Environmental Impact Statements) and Chapter 3 (Environmental Documentation) of the TRPA Code.

The RPU EIS evaluates a comprehensive plan that establishes growth limits, provides policy direction, and enacts development and environmental standards. The Area Plan EIS/EIR evaluates a comprehensive land use plan that implements the Regional Plan and includes greater specificity within the Placer County portion of the Tahoe Region. The Area Plan EIS/EIR analyzes full implementation of uses and physical development proposed under the Area Plan, and it identifies measures to mitigate the significant adverse program-level and cumulative impacts associated with that growth. The Area Plan is an

element of the growth that was anticipated in the 2012 Tahoe Regional Plan Update RPU and evaluated in the 2012 RPU EIS. By tiering from the Area Plan EIS/EIR and RPU EIS, the IEC relies on these documents for the following:

- background and setting information for environmental topic areas,
- regional growth-related issues,
- issues that were evaluated in sufficient detail in the Area Plan EIS/EIR or RPU EIS for which there is no significant new information or change in circumstances that would require further analysis, and
- assessment of cumulative impacts.

Nothing in the IEC in any way alters the obligations of Placer County or TRPA to implement the mitigation measures adopted as part of the Area Plan or RPU, as documented in the Area Plan EIS/EIR or RPU EIS. Consequently, Placer County would adhere to all applicable adopted mitigation measures required by the Area Plan and Regional Plan as a part of the proposed Area Plan amendments.

Adoption of the proposed amendments would amend policies in the TBAP Policy document and the Area Plan Implementing Regulations. The proposed Area Plan amendments focus on process, policy, and code improvements to support appropriate lodging, mixed-use developments, and a variety of housing types, including workforce housing. The amendments also focus on diversifying land uses, with the intent of streamlining planning processes and increasing the diversity of business and housing types. Therefore, the proposed amendments are designed to implement recommendations outlined in the Economic Sustainability Needs Assessment, particularly those focused on process, policy, and code improvements that will facilitate and streamline revitalization projects in the Town Centers and workforce housing throughout North Tahoe. Taken together, these changes seek to accelerate implementation of the goals and policies of the Regional Plan. The proposed Area Plan Policy document changes are summarized in Table 1 of the IEC and the proposed Area Plan Implementing Regulations are summarized in Table 2 of the IEC. The effects of these amendments were evaluated in detail in the IEC and found to be less than significant.

All aspects of the Regional Plan, Area Plan, and TRPA Code not specifically affected by the proposed amendments would continue to apply throughout the plan area. As such, future projects proposed within the plan area would be required to comply with all applicable provisions of the TRPA Code, including requirements for site development, growth management, and resource management and protection, as well as

applicable TRPA standard conditions of approval. Proposed projects within the plan area would be reviewed through applicable TRPA and CEQA environmental review requirements and, if necessary, project revisions or mitigation measures necessary to avoid significant environmental impacts would continue to be required as a condition of approval.

Chapter 4 Findings: The following findings must be made prior to amending the Area Plan:

1. Finding: The proposed Area Plan amendments are consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable goals and policies, community plans/plan area statements, the TRPA Code, and other TRPA plans and programs.

Rationale: The Area Plan consists of a Policy document and Implementation Regulations (ordinances) that conform to the Regional Plan. The adopted land use and zoning maps are consistent with Regional Plan Map 1, Conceptual Regional Land Use Map. No modifications to the Area Plan boundaries are proposed.

The proposed amendments to the Area Plan were prepared in conformance with the substantive and procedural requirements of the Regional Plan goals and policies, as implemented through TRPA Code, Chapter 13, "Area Plans." The Area Plan is consistent with the Tahoe Regional Plan and TRPA Code, as shown in the Area Plan Finding of Conformity Checklist and as demonstrated in the IEC. The proposed amendments focus on process, policy, and code improvements to support appropriate lodging, mixed-use developments, and a variety of housing types, including workforce housing. The amendments also focus on diversifying land uses, with the intent of streamlining planning processes and increasing the diversity of business and housing types.

Pursuant to TRPA Code Section 4.4.2, TRPA considers, as background for making the Section 4.4.1.A through C findings, the proposed project's effects on compliance measures (those implementation actions necessary to achieve and maintain thresholds), supplemental compliance measures (actions TRPA could implement if the compliance measures prove inadequate to achieve and maintain thresholds), the threshold indicators (adopted measurable physical phenomena that relate to the status of threshold attainment or maintenance), additional factors (indirect measures of threshold status, such as funding levels for Environmental Improvement Program [EIP] projects), and interim and target dates for threshold achievement. TRPA identifies and reports on threshold compliance measures, indicators, factors, and targets in the threshold evaluation reports prepared pursuant to TRPA Code, Chapter 16, "Regional Plan and Environmental Threshold Review."

TRPA relies upon a project's accompanying environmental documentation, staff's professional analyses, and prior plan level documentation, including findings and environmental documentation, to reach the fundamental conclusions regarding a project's consistency with the Regional Plan and thresholds. A project that is consistent with all aspects of the Regional Plan and that does not adversely affect any threshold is, by definition, consistent with compliance measures, indicators, and targets.

To increase its analytical transparency, TRPA has prepared worksheets related specifically to the TRPA Code Section 4.4.2 considerations, which set forth the 222 compliance and supplemental compliance measures. Effects of the proposed project (here the amendments to support appropriate lodging, mixed-use developments, and a variety of housing types, including workforce housing, and that are intended to streamline planning processes and increase the diversity of business and housing types) on these items, if any, are identified and to the extent possible described.

TRPA cannot identify target dates, status, and trends for some threshold indicators because of a lack of available information. TRPA may still determine whether the project will affect the TRPA Code Section 4.4.2 considerations (and ultimately consistency with the Regional Plan and impact on thresholds) based on the project's specific environmental impacts related to those threshold indicators.

Based on the IEC prepared for the proposed amendments, Area Plan EIS, Area Plan findings made by the TRPA Governing Board, TRPA Code Section 4.4.2 staff analyses, and using applicable measurement standards consistent with the available information, the proposed amendments will not adversely affect applicable compliance and supplemental compliance measures, indicators, additional factors, and attainment of targets by the dates identified in the 2019 Threshold Evaluation. The Area Plan incorporates and/or implements relevant compliance measures, and with implementation of the measures with respect to development within the Area Plan, the effects are not adverse, and with respect to some measures, are positive.

TRPA anticipates that implementation of the proposed amendments could accelerate threshold gains to the extent that it leads to environmental redevelopment in an aging town center.

Section 4.4.2.B also requires TRPA to disclose the impact of the proposed project on its cumulative accounting of units of use (e.g., residential allocations, commercial floor area, tourist accommodation units). The proposed Area Plan amendments do not affect the cumulative accounting of units of use as no additional residential, commercial, tourist, or recreation allocations are proposed or allocated as part of the Area Plan amendments. The proposed amendments promote diversifying land uses, with the intent of streamlining planning processes and increasing the diversity of business and housing types. The proposed process, policy, and code improvements will facilitate and streamline revitalization projects in the Town Centers and

workforce housing throughout North Tahoe but would not increase the number of allowable units of use in the plan area.

Similarly, TRPA Code Section 4.4.2.C requires TRPA to confirm whether the proposed project is within the remaining capacity for development (e.g., water supply, sewage, electrical service) identified in the environmental documentation for the Regional Plan. The amendments do not affect the amount of the remaining capacities available, identified and discussed in the RPU EIS. The Area Plan does not allocate capacity or authorize any particular development.

TRPA therefore finds that the amendments are consistent with and will not adversely affect implementation of the Regional Plan, including all applicable goals and policies, community plans, plan area statements, the TRPA Code, and other TRPA plans and programs.

2. Finding: The proposed Area Plan amendment will not cause the environmental threshold carrying capacities to be exceeded.

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

TRPA reviewed the proposed amendments in conformance with the adopted Threshold Standards and 222 compliance measures and supplemental compliance measures. The amendments will not adversely affect applicable compliance measures, indicators, additional factors, and supplemental compliance measures and target dates as identified in the 2019 Threshold Evaluation indicator summaries. Pursuant to Chapter 13 of the TRPA Code, TRPA will monitor all development projects within the Area Plan through quarterly and annual reports. These reports will be used to evaluate the status and trend of the thresholds every 4 years.

The proposed Area Plan amendments do not affect the cumulative accounting of units of use as no additional residential, commercial, tourist, or recreation allocations are proposed or allocated as part of the Area Plan amendments. The proposed amendments promote diversifying land uses, with the intent of streamlining planning processes and increasing the diversity of business and housing types. The proposed process, policy, and code improvements will facilitate and streamline revitalization projects in the Town Centers and workforce housing throughout North Tahoe but would not increase the number of allowable units of use in the plan area.

The amendments do not affect the amount of the remaining capacity available, as the remaining capacity for water supply, sewage collection and treatment, recreation and vehicle miles travelled have been identified and evaluated in the Area Plan EIS/EIR. No changes to the overall capacity are proposed in the proposed amendments. TRPA therefore finds that the amendments will not cause the thresholds to be exceeded.

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

Rationale: Based on the following: (1) Area Plan Amendments IEC, (2) Area Plan EIS/EIR, and (3) the 2019 Threshold Evaluation Report, adopted by the Governing Board, no applicable federal, state, or local air and water quality standard will be exceeded by adoption of the amendment. The proposed amendments do not affect or change the federal, state, or local air and water quality standards that apply to the Region. Projects developed under the Area Plan will meet the strictest applicable air quality standards and implement water quality improvements consistent with TRPA Best Management Practices (BMPs) requirements, the Lake Tahoe Total Maximum Daily Load (TMDL), Middle Truckee River Watershed TMDL, and the County's Pollutant Load Reduction Plan (PLRP). Federal, state, and local air and water quality standards remain applicable for all parcels in the Area Plan, thus ensuring environmental standards will be achieved or maintained pursuant to the Bi-State Compact.

The proposed amendments to Policy TC-P-10 in the Area Plan and Section 3.09 of the Implementing Regulations would allow groundwater interceptions for mixed-use projects proposing below-grade parking. When such exceptions are granted, the applicant would be required to demonstrate that the project's impacts have been mitigated to be equal to or better than the original impacts from the proposed project. This policy would strengthen the intent of the Area Plan to condense development in Town Centers and limit impermeable surfaces at street level. The revised policy was guided by Section 33.3.6 of the TRPA Code of Ordinances for mixed use projects in Town Centers.

The amendments to policies and implementing regulations would support implementation of the goals and policies in the existing Area Plan by continuing to promote compact redevelopment of Town Centers and minimizing the environmental impacts from development on water quality and habitat. The amendments that would allow groundwater interception for mixed-use projects would require design approaches to ensure the project does not interfere with groundwater flow or quality. Because these policies would further support implementation of the land use patterns identified in the Area Plan while maintaining regional water quality, the amendments would not result in any new or more severe impacts to water quality.

4. Finding: The Regional Plan and all of its elements, as amended, achieves and maintains the thresholds.

Rationale: **I. Introduction**

In 1980, Congress amended the Compact to accelerate the pace of environmental progress in the Tahoe region by tasking TRPA with adopting a regional plan and implementing regulations that protect the unique national treasure that is Lake Tahoe. First, Article V(b) required that TRPA, in collaboration with Tahoe's other regulatory agencies, adopt "environmental threshold carrying capacities"

(“thresholds” or “standards”) establishing goals for a wide array of environmental criteria, including water quality, air quality, and wildlife. Second, Article V(c) directed TRPA to adopt a “regional plan” that “achieves and maintains” the thresholds, and to “continuously review and maintain” implementation of the plan.

The 1980 Compact inaugurated an era of establishing and enforcing rigorous controls on new development. In 1982, TRPA adopted the necessary thresholds for the Tahoe Region. These thresholds are a mix of both long- and short-term goals for the Tahoe Region. The Region was “in attainment” of a number of these thresholds shortly after the adoption of the Regional Plan and remains in attainment today. Other thresholds address more intractable problems; for example, TRPA established numeric water quality standards that, even under best-case conditions, could not be attained for decades. *See, e.g., League to Save Lake Tahoe v. Tahoe Reg’l Planning Agency*, 739 F. Supp. 2d 1260, 1265 (E.D. Cal. 2010).

The second phase in this process was establishing a regional plan that, when implemented through rules and regulations, would ultimately “achieve and maintain” the thresholds over time. In 1987, following years of negotiation and litigation, TRPA adopted its Regional Plan. The 1987 Regional Plan employed a three-pronged approach to achieve and maintain the adopted environmental thresholds. First, the plan established a ceiling on development in Tahoe and restricted the placement, timing, and extent of new development. Second, the plan sought to prevent new harm to the environment as well as repair the environmental damage caused by existing development, particularly for projects that pre-dated TRPA’s existence (i.e., correcting the “sins of the past”); to this end, the plan created incentives to redevelop urbanized sites under more protective regulations and to transfer development out of sensitive areas that would then be restored. Third, TRPA adopted a capital investment program that was largely, but not exclusively, publicly funded to achieve and maintain thresholds by improving infrastructure and repairing environmental damage. In 1997, TRPA replaced this program with its EIP. In subsequent years, TRPA generated investments of well over \$1 billion in public and private money to restore ecosystems and improve infrastructure under the EIP. Recent litigation confirmed that the Regional Plan as established in 1987 and subsequently amended over time will achieve and maintain the adopted environmental thresholds. *Sierra Club v. Tahoe Reg’l Planning Agency*, 916 F.Supp.2d 1098 (E.D. Cal. 2013) [Homewood litigation].

Regional Plan Update Process

Even though implementation of the 1987 Regional Plan would achieve and maintain the thresholds, in 2004 TRPA began public outreach and analysis of the latest science and monitoring results to identify priority areas in which the Regional Plan could be comprehensively strengthened to accelerate the rate of threshold attainment. TRPA’s policymakers realized that the challenges facing the region differed from those confronting the agency when it adopted its original Regional Plan in 1987. Uncontrolled new growth that had been the primary threat decades earlier had been brought into check by the strict growth limitations in the 1987 Regional Plan. Today’s problems differed, resulting from the continuing deterioration and lack of upgrades

to existing “legacy” development. In essence, to make the greatest environmental difference, the Tahoe region needed to fix what was already in place. In addition, TRPA realized some existing land-use controls could be improved to remove barriers to redevelopment that would address ongoing environmental degradation caused by sub-standard development constructed before TRPA had an adopted Regional Plan or even came into existence. Land use regulations and public and private investment remain essential to attaining the thresholds for Lake Tahoe.

Furthermore, TRPA recognized that the social and economic fabric of the Tahoe Region could not support the level of environmental investment needed. The economic foundation of gaming had fallen away, and the level of environmental investment needed could not be supported solely by an enclave of second homes for the wealthy. Businesses and the tourism sector were faltering. Affordable housing and year-round jobs were scarce. Local schools were closing, and unemployment was unusually high. In light of these realities, TRPA sponsored an ongoing outreach program to obtain input on how to advance TRPA’s environmental goals. Between 2004 and 2010, TRPA conducted over 100 public meetings, workshops, and additional outreach. More than 5,000 people provided input regarding their “vision” for TRPA’s updated Regional Plan. Based on this input, TRPA identified a number of priorities to be addressed by the updated Regional Plan, including:

1. Accelerating water quality restoration and other ecological benefits by supporting environmental redevelopment opportunities and EIP investments.
2. Changing land-use patterns by focusing development in compact, walkable communities with increased alternative transportation options.
3. Transitioning to more permitting by local governments to create “one-stop” and “one permit” for small to medium sized projects, where local government wanted to assume these duties.

On December 12, 2012, TRPA’s 9-year effort culminated with the approval of the RPU.

Regional Plan Update Amendments

The RPU uses multiple strategies targeting environmental improvements to accelerate achieving and maintaining threshold standards in the Region. First, the RPU maintained both regulatory and implementation programs that have proven effective in protecting Lake Tahoe’s environment. TRPA’s regional growth control regulatory system, strict environmental development standards, and inter-agency partnerships for capital investment and implementation (e.g., EIP) remain in place.

Second, the RPU promotes sensitive land restoration, redevelopment, and increases the availability of multi-modal transportation facilities. The implementation of the RPU will facilitate transferring existing development from outlying, environmentally sensitive areas into existing urbanized community centers. The RPU provides incentives so that private capital can be deployed to speed this transformation.

Third, the RPU authorizes the area plan process for communities and land management agencies in the Tahoe Region to eliminate duplicative and unpredictable land use regulations that deterred improvement projects. Area plans, created pursuant to Chapter 13 of the TRPA Code, also allow TRPA and local, state, federal, and tribal governments to expand the types of projects for which local, state, federal, and tribal governments apply TRPA rules to proposed projects within the Tahoe Region. After approval of an area plan by TRPA, this process allows a single government entity to review, permit, and inspect projects in their jurisdiction. All project approvals delegated to other government entities may be appealed to TRPA for final decision. In addition, the performance of any government receiving delegated authority will be monitored quarterly and audited annually to ensure proper application of TRPA rules and regulations.

As noted above, a variety of strategies in the Regional Plan will work together to accelerate needed environmental gains in the categories where threshold benefits are most needed – water quality, restoration of sensitive lands, scenic quality advances in developed scenic units, and efforts to continue maintenance and attainment of air quality standards. Area plans that include “Centers” play a key role in the Regional Plan’s overall strategy by activating environmental redevelopment incentives (e.g., increases in density and height) that also provide the receiving capacity for transfers of units from sensitive lands.

The next section of this finding establishes how the Amended Placer County Tahoe Basin Area Plan fulfills the role anticipated by the RPU and the expected threshold gain resulting from its implementation.

II. Area Plan Amendment and Threshold Gain

The proposed Area Plan amendments would maintain programs in the existing Area Plan that could accelerate threshold gain, including water quality restoration, scenic quality improvement, and other ecological benefits. To the extent that the amendments lead to environmental redevelopment in aging town centers, it would accelerate threshold gain. An increase in redevelopment will likewise increase the rate of threshold gain by accelerating the application of controls designed to enhance water quality, air quality, soil conservation, and scenic quality improvements.

As described in more specific detail below, the amendments will have a potentially beneficial effect on multiple threshold areas.

A. Water Quality

The 2019 Threshold Evaluation found that the trend in reduced lake clarity has been slowed. The continued improvement is a strong indication that the actions of partners in the region are contributing to improved clarity and helping TRPA attain one of its signature goals.

The proposed revisions to Policy TC-P-10 in the Area Plan and Section 3.09 of the Implementing Regulations will allow groundwater interceptions for mixed-use projects proposing below-grade parking. When such exceptions are granted, the

applicant would be required to demonstrate that the project's impacts have been mitigated to be equal to or better than the original impacts from the proposed project. This policy would strengthen the Area Plan's intent to condense development in Town Centers and limit impermeable surfaces at street level. The revised policy was guided by Section 33.3.6 of the TRPA Code of Ordinances for mixed-use projects in Town Centers.

The amendments to policies and implementing regulations would support implementation of the goals and policies in the existing Area Plan by continuing to promote compact redevelopment of Town Centers and minimizing the environmental impacts from development on water quality and habitat. The amendments that would allow groundwater interception for mixed-use projects would require design approaches to ensure the project does not interfere with groundwater flow or quality. Because these revised policies would further support implementation of the land use patterns identified in the Area Plan while maintaining regional water quality.

Potential environmental redevelopment within the amended Area Plan will result in accelerated water quality benefits. Each redevelopment project is required to comply with strict development standards, including water quality BMPs and coverage mitigation requirements, and will provide additional opportunities for implementing area wide water quality systems.

B. Air Quality

The 2019 Threshold Evaluation found that the majority of air quality standards are in attainment and observed changes suggest that conditions are improving or stable. Actions implemented to improve air quality in the Tahoe Region occur at the national, state, and regional scale. The US Environmental Protection Agency has established vehicle tail-pipe emission standards and industrial air pollution standards. These actions have resulted in substantial reductions in the emissions of harmful pollutants at state-wide and national scales and likely have contributed to improvement in air quality at Lake Tahoe. At a regional scale, TRPA has established ordinances and policies to encourage alternative modes of transportation and to reduce vehicle idling by prohibiting the creation of new drive-through window establishments and limiting idling during project construction.

Facilitating projects within the approved area plans is an integral component in implementing regional air quality strategies and improvements at a community level. (TRPA Goals and Policies: Chapter 2, "Land Use"). The Area Plan was adopted to implement and achieve the environmental improvement and redevelopment goals of the Regional Plan, and the proposed amendments would further that goal. A primary function of the Amended Area Plan is to consolidate applicable local and regional plans to facilitate implementation of the Regional Plan. Because implementation of the Area Plan would lead to implementation of the Regional Plan, it would directly contribute to achieving and maintaining the air quality threshold.

TRPA's 2020 RTP includes an analysis of its conformity with the California State Implementation Plan to ensure that the RTP remains consistent with state and local

air quality planning work to achieve and/or maintain the national ambient air quality standards (NAAQS). The proposed amendments do not propose substantial changes to land use assumptions and would not change the conformity determination by state regulators.

The proposed Area Plan amendments would not change the development potential within the plan area, so the location, amount, and type of construction activities within the plan area would not change substantially. Operational emissions would also not change substantially because the Area Plan Amendments would not change air quality regulatory requirements, increase vehicle use, or alter the amount or type of development possible within the plan area. The proposed amendments could affect the land use pattern by encouraging redevelopment of Town Centers; promoting mixed-use projects; encouraging shared parking; encouraging affordable, moderate, or achievable housing; allowing food trucks and mobile vendors; and supporting the Resort Triangle Transportation Plan. Taken together, these changes would encourage more concentrated development within Town Centers with less development outside of the Town Centers. This land use pattern would create residences near commercial uses and potentially generate the shorter trip lengths and reduce vehicle miles traveled (VMT) needed to meet the Air Quality Thresholds.

C. Soil Conservation

The 2019 Threshold Evaluation found negligible change in the total impervious cover in the Region over the last 5 years and the majority of soil conservation standards in attainment. While the permitting process of partners has been effective in focusing development on less sensitive lands and encouraging removal of impervious cover from sensitive areas, there is still much work to be done. Plans for large scale stream environment zone (SEZ) restoration, recent improvements in the development rights program, and implementation of the area plans will continue to help achieve SEZ restoration goals.

As summarized in Table 3-1 of the IEC, the plan area exceeds the amount of coverage allowed in land capability districts 1b and 2. This indicates that future redevelopment would be required to implement excess land coverage mitigation strategies and relocation of development from sensitive land consistent with the Regional Plan. Furthermore, redevelopment permitting would require these properties to incorporate modern site design standards, including landscaping, BMPs, and setbacks. These standards would likely result in the removal of existing land coverage for properties that are overcovered. Any projects on over-covered parcels implemented within the amended Area Plan would include excess land coverage mitigation. The coverage limits and policies in the proposed Area Plan would not be changed by the proposed amendments and the proposed developed allocation system would clarify allowable coverage for future projects. This would support attainment of TRPA Threshold Standards related to land coverage consistent with the limits allowed by the land capability and Individual Parcel Evaluation System systems. Therefore, the amendments will help to accelerate threshold gain through soil conservation.

D. Scenic Quality

The 2019 Threshold Evaluation found that scenic gains were achieved in developed areas along roadways and scenic resources along the lake's shoreline, the areas most in need of additional scenic improvement. Overall, 93 percent of the evaluated scenic resource units met the threshold standard and no decline in scenic quality was documented in any indicator category.

TRPA-designated scenic travel units within the Area Plan include those along State Route (SR) 89, SR 28, and Lake Tahoe. The proposed amendments to Area Plan policies and Implementing Regulations include clarification of existing scenic requirements, support for public art, and slightly more compact development within Town Centers, due to incentives for affordable housing, changes to setbacks, and allowances for tiny homes. Most of the existing design standards would continue to apply, which have been demonstrated to result in improved scenic quality and community character as older, non-conforming development is replaced with new buildings consistent with current standards (TRPA 2023). Therefore, it is reasonable to expect that redevelopment under the Area Plan, as amended, would continue to result in incremental improvements in scenic quality and a built environment that is consistent with the community character. Any subsequent projects carried out under the amended Area Plan would be required to make project-specific findings, as well as the Chapter 4 threshold findings and Chapter 37 height findings in the TRPA Code.

Consistent with the Regional Plan, the Area Plan allows for changes in the built environment through use of remaining allocations, use of newly authorized allocations, and implementation of design standards and guidelines and Code provisions that ultimately affect the form of new development and redevelopment. The Area Plan implements, and is consistent with, the provisions of the Regional Plan (such as increased density and height in community centers) intended to incentivize redevelopment, while protecting scenic resources. The Area Plan Area-wide Standards and Guidelines (Implementing Regulations, Chapter 3) are designed to guide development that would reflect the character of the area, protect viewsheds, and substantially improve the appearance of redevelopment projects.

E. Vegetation

The 2019 Threshold Evaluation found that vegetation in the Region continues to recover from the impacts of legacy land use. The majority of vegetation standards that are currently not in attainment relate to common vegetation in the Region. This finding is consistent with those of past threshold evaluations. As the landscape naturally recovers from the impacts of historic logging, grazing, and ground-disturbance activities over the course of this century, many of the standards are expected to be attained.

The plan area includes extensive undeveloped areas primarily characterized by the dominant vegetation habitat types of Sierran Mixed conifer, Jeffery pine (*Pinus jeffreyi*), white fir (*Abies concolor*), and perennial grasslands. The urban zones are along the shoreline and lower canyons surrounded by mixed conifer forests. The

proposed Area Plan amendments would not change land use classifications or allow new uses that would be more likely to require vegetation removal. These amendments would facilitate more concentrated redevelopment in existing Town Centers, which could reduce the potential for development on vacant lands containing native vegetation because a higher proportion of future growth would likely occur in already developed Core Areas. The proposed amendments would not alter or revise the regulations pertaining to native vegetation protection during construction. Consistent with existing conditions, individual projects implemented under the Area Plan are required to comply with Section 33.6, "Vegetation Protection During Construction," of the TRPA Code. Protective requirements include installation of temporary construction fencing, standards for tree removal and tree protection, standards for soil and vegetation protection, and revegetation of disturbed areas.

The proposed amendments would not result in direct tree or vegetation removal. Future projects are subject to project-level environmental review and the removal of native, live, dead, or dying trees must be implemented consistent with Chapter 61, "Vegetation and Forest Health," of the TRPA Code.

F. Recreation

The 2019 Threshold Evaluation found that land acquisition programs and the Lake Tahoe EIP have contributed to improved access and visitor and resident satisfaction with the quality and spectrum of recreation opportunities. Partner agencies have improved existing recreation facilities and created new ones, including providing additional access to Lake Tahoe, hiking trailheads, and bicycle trails. Today's emerging concerns are transportation access to recreation sites and maintaining quality recreation experiences as demand grows, concerns that may require the Region to revisit policies and goals for the recreation threshold standards.

The plan area contains numerous recreational opportunities within its boundaries. Tahoe City Public Utility District (TCPUD) and North Tahoe Public Utility District (NTPUD) manage recreation facilities throughout the plan area, including beaches, day-use areas, lakeside parks, hiking and biking trails, and boat launch facilities. Some of the other agencies and organizations that contribute to the development and management of recreational facilities within the plan area include the US Forest Service, California Tahoe Conservancy, California Department of Parks and Recreation, Tahoe Rim Trail Association, Tahoe Fund, and the County.

The proposed amendments do not alter regulations related to recreation or approve changes to existing recreation facilities that would affect access or visitor and resident satisfaction with the quality and spectrum of recreation opportunities.

Although the proposed Area Plan amendments could modestly increase the pace of construction within the plan area, they would not increase the potential for growth in the plan area beyond that which could already occur under the existing Area Plan. As such, because potential future growth in the plan area is limited, the demand for recreation facilities would not substantially increase. The existing Area Plan already includes appropriate strategies to provide additional recreation capacity consistent

with demand. The proposed Area Plan amendments do not approve any projects that would affect recreation demand or capacity and all future projects would be assessed for their impact on access to or the quality of existing recreation opportunities.

The approval of any project proposing the creation of additional recreational capacity would be subject to subsequent project-level environmental review and permitting and, if applicable, would be subject to the Persons At One Time (PAOT) system of recreation allocations administered by TRPA as described in Section 50.9, "Regulation of Additional Recreation Facilities," of the TRPA Code. No additional PAOTs are proposed by the amendment.

In addition, the existing Area Plan is consistent with applicable plans that guide existing and proposed recreation uses, which would be unchanged.

G. Fisheries

While the 2019 Threshold Evaluation found standards for fisheries to generally be in attainment, the standards focus on physical habitat requirements that may not reflect the status of native fish populations. Recent population surveys in Lake Tahoe suggest significant declines in native fish species in parts of the nearshore. Declines are likely the result of impacts from the presence of aquatic invasive species in the lake. While efforts to prevent new invasive species from entering the lake have been successful, mitigating the impact of previously introduced existing invasive species remains a high priority challenge. Invasive species control projects are guided by a science-based implementation plan. Ensuring native fish can persist in the region and the restoration of the historic trophic structure to the lake will likely require partners to explore novel methods to control invasive species and abate the pressure they are placing on native species. Climate change driven shifts in the timing and form of precipitation in the Region pose a longer-term threat to native fish that may need to be monitored.

BMPs required for project development would improve water quality and thus could contribute to improved riparian and lake conditions in receiving water bodies. The Area Plan amendments will not alter the resource management and protection regulations, Chapters 60 through 68 of the TRPA Code. Chapter 63, "Fish Resources," includes the provisions to ensure the protection of fish habitat and provide for the enhancement of degraded habitat. Development within the Area Plan could benefit the fisheries threshold through goals and policies aimed at the restoration of SEZs and implementation of BMPs.

H. Wildlife

The 2019 Threshold Evaluation found that 12 of the 16 wildlife standards are in attainment. Over 50 percent of the land area in the Tahoe region is designated for protection of listed special-status species. Populations of special interest species are either stable or increasing.

Future redevelopment projects in the Area Plan would be subject to project-level environmental review and permitting at which time the proposals would be required

to demonstrate compliance with all federal, state, and TRPA regulations pertaining to the protection of animal species in accordance with Section 62.4 of the TRPA Code. Therefore, implementation of the proposed amendments would not result in the reduction in the number of any unique, rare, or endangered species of animals, including waterfowl.

I. Noise

The 2019 Threshold Evaluation found that ambient noise levels in seven of nine land-use categories are in attainment with standards, but because of the proximity of existing development to roadways just two of seven transportation corridors are in attainment with ambient targets. Due to insufficient data, status determinations were not possible for nearly half of the single event noise standards. Limited noise monitoring resources were prioritized towards collecting more robust information to analyze ambient noise standards, which are more conducive to influence by management actions than are single event sources. TRPA continues to update and evaluate its noise monitoring program to ensure standards are protective and realistically achievable.

As discussed in the IEC, the Area Plan amendments would not alter noise policies and the adopted TRPA CNEL threshold standards, and Regional Plan noise policies would continue to be applied. Future projects within the plan area would be evaluated at a project level and Placer County or TRPA would enforce CNEL standards on a project-by-project basis pursuant to the noise limitations in TRPA Code Chapter 68, "Noise Limitations." Through the project-level analysis, TRPA or Placer County would only approve projects that can demonstrate compliance with TRPA's threshold standards (i.e., CNEL standards). The existing Area Plan CNEL standards are consistent with the TRPA's threshold standards; thus, future projects under the amendments would only be approved by TRPA or Placer County if they can demonstrate compliance with these CNEL standards.

III. Conclusion

Based on the foregoing: completion of the IEC, previously certified Area Plan EIR/EIS, and the findings made on January 25, 2017, TRPA finds the Area Plan, as amended by the project achieves and maintains the thresholds. As described above in more detail, the Area Plan as amended actively promotes threshold achievement and maintenance by (1) potentially incentivizing environmentally beneficial redevelopment, (2) requiring the installation of BMP improvements for all projects in the Area Plan, (3) requiring conformance with the Area-wide Standards and Guidelines that will result in improvements to scenic quality and water quality, (4) facilitating redevelopment in proximity to alternative modes of transportation to reduce VMT; and (5) incorporating projects identified in the County's PLRP to guarantee the assigned reductions necessary to meet water quality objectives. In addition, as found in Chapter 4 Findings 1 through 3 and the Chapter 13 Findings, no element of the proposed amendments interferes with the efficacy of any of the other elements of the Area Plan. Thus, the Regional Plan, as amended by the Amended

Area Plan, will continue to achieve and maintain the thresholds.

Chapter 13 Finding: The following findings must be made prior to amending the Area Plan:

1. Finding: The proposed Area Plan amendment is consistent with and furthers the goals and policies of the Regional Plan.

Rationale: Regional Plan Land Use Policy 4.6 encourages the development of area plans that supersede existing plan area statements and community plans or other TRPA regulations to be responsive to the unique needs and opportunities of communities. The proposed Area Plan amendments were found to be consistent with the goals and policies of the Regional Plan and would accelerate implementation of Regional Plan goals and policies, as described in the Area Plan Finding of Conformity Checklist (Attachment F to the staff summary), and as described in Chapter 4, Finding #1, above.

The finding of no significant effect based on the IEC can be found on the subsequent page.

FINDING OF NO SIGNIFICANT EFFECT

Project Description: Proposed amendments to the Placer County Tahoe Basin Area Plan.

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

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

TRPA Executive Director/Designee

Date

Attachment E
[IEC](#) (Link)

Attachment F
Conformity Checklist

Tahoe Regional Planning Agency

Area Plan Finding of Conformity Checklist

AREA PLAN INFORMATION

Area Plan Name: Placer County Tahoe Basin Area Plan Amendments
Lead Agency: Placer County
Submitted to TRPA: July 27, 2023
TRPA File No: N/A

CONFORMITY REVIEW

Review Stage: Final Review - After Local Adoption
Conformity Review Date: November 15, 2023
TRPA Reviewer: Jacob Stock

HEARING DATES

Lead Agency Approval: October 31, 2023
APC: December 6, 2023
RPIC: December 13, 2023
Governing Board: January 27, 2024
Appeal Deadline: N/A
MOU Approval Deadline: N/A

CHARACTERISTICS

Geographic Area and Description: The Placer County Tahoe Basin Area Plan addresses that portion of Placer County that is also within the jurisdiction of TRPA, encompassing an area of 46,162 acres (72.1 square miles) that includes the communities of Kings Beach/Stateline, Tahoe City, Carnelian Bay, Dollar Point, Sunnyside, Homewood, Tahoe Vista, and Tahoma.

Land Use Classifications: Residential, Recreation, Mixed-Use, Tourist, Backcountry, Conservation, Town Center

**Area Plan Amendment
Summary:**

The proposed Area Plan amendments focus on process, policy, and code improvements to support appropriate lodging, mixed-use developments, and a variety of housing types, including workforce housing. The amendments also focus on diversifying land uses, with the intent of streamlining planning processes and increasing the diversity of business and housing types. Therefore, the proposed amendments are designed to implement recommendations outlined in the Economic Sustainability Needs Assessment, particularly those focused on process, policy, and code improvements that will facilitate and streamline revitalization projects in the Town Centers and workforce housing throughout North Tahoe. Tables 1 through 3 summarize the proposed amendments to the Tahoe Basin Area Plan (TBAP) policy document, implementing regulations, and height and building length limits in Town Centers, respectively.

Table 1. Summary of Proposed Policy Document Changes

Area Plan Element	Proposed Change	Summary of Change
Scenic Resources	Changed policy language in policies SR-P-3, SR-P-4, and added policy SR-P-10.	The policy amendments are intended to support the evaluation or reevaluation of scenic requirements to facilitate private reinvestment in Town Centers targeted for redevelopment and/or new development under the Area Plan. The intent is to generate development that improves environmental conditions, creates a more efficient, sustainable, and less auto-dependent land use pattern, and provides for economic opportunities.
Vegetation	Changed policy language in policy VEG-P-6 and added policy VEG-P-7	A new policy was added to support implementation of new or expanded hardening, green waste, and defensible space incentive and/or rebate programs.
Socio-Economic	Removed policy SE-P-5 and added policies SE-P-6 and SE-P-7	Former Policy SE-P-5 was removed from the Area Plan, which related to addressing the job-housing imbalance and providing housing at various affordable levels. Policies were added to support high-speed broadband infrastructure capacity and to support childcare facilities to meet the needs of the local workforce.
Land Use	Added policies LU-P-19, LU-P-20, LU-P-21, LU-P-22, and LU-P-23.	New policies were added to help achieve the objectives of the Placer County North Lake Tahoe Economic Development Incentive Program, which prioritizes development rights to the most community-benefitting projects that align with the Area Plan and Regional Plan. Policies were added to support the allocation and conversion of TRPA development rights, and to address land uses in the Town Centers. Policies were also included to support funding sources for a frontage improvement implementation plan to achieve area plan infrastructure such as sidewalks, curbs, and gutters, as well as implementing parking management plans and developing a reservation and conversion manual for development rights.
Mixed Use	Added policies MU-P-7, MU-P-8, and MU-P-9.	Policies were added to ensure the availability and development of mixed use, business park, and light industrial space, and to encourage potential residential components in such development.
Town Centers	Changed policy language in policy TC-P-5, and added policies TC-P-10, TC-P-11, TC-P-12, TC-P-13, TC-P-14, TC-P-15, TC-P-16, TC-P-17, TC-P-18, and TC-P-19.	New policies were added that would allow groundwater interception for mixed-use projects in Town Centers, supporting streamlined permit processes for mixed use projects, encouraging active ground floor uses, facilitating mobile vendors and food trucks in Town Centers, supporting the retention and expansion of businesses from the North Tahoe-Truckee region, supporting relocations of industrial and public utility land uses in

Area Plan Element	Proposed Change	Summary of Change
		the Town Centers to free up Town Center sites, as well as supporting parking maximums and other parking solutions.
Community Design	Added policies CD-P-14, CD-P-15, CD-P-16, and CD-P-17.	Policies to support and promote local artists and public art in North Tahoe were included.
Redevelopment	Added policies DP-P-5, DP-P-6, DP-P-7, DP-P-8, DP-P-9, DP-P-10, and DP-P-11.	New policies support and encourage adaptive reuse of vacant or underutilized retail and office space, support redevelopment of aging lodging products and encourage revitalization and creation of new high-quality lodging, allow multipurpose and flexible gathering spaces in private and public parking areas where events could be held during off-peak hours, expedite building permit processes, and support the development of new business innovation space and flexible light industrial spaces to diversify the local economy.
Housing	Added policies HS-P-8, HS-P-9, HS-P-10, HS-P-11, HS-P-12,	Additional policies were included to support streamlining affordable, moderate, and achievable housing, require that 50 percent of units converted from multifamily to condominiums be deed restricted to affordable, moderate or achievable housing, address the job-housing imbalance in the region, monitor and track housing data in the region, and support adaptive management of the short-term rental inventory to balance housing availability with short-term rentals as new lodging products are added to the region.

Table 2. Summary of Proposed Implementing Regulations Changes

Proposed Change	Summary of Change
Global changes to the Implementing Regulations to adopt and incorporate the TRPA Shorezone Ordinances.	The proposed amendments to the area plan are intended to reflect the changes made to Placer County Code Chapter 12, Article 12.32, "Lake Tahoe Shorezone" adopted by the Board of Supervisors in February of 2021. In August 2019, TRPA amended its Code of Ordinances, including shorezone regulations contained in Chapters 80 through 85.
Additions have been made to Chapter 1.04 Administration, Design Review Required for Commercial, Tourist Accommodation, and Multi-Family Dwelling Residential Development, and All Development in Designated Scenic Areas. Tourist Accommodation was added to the review requirement and an exemption was added.	Tourist Accommodation development has been added and would therefore be subject to Design Review. Multi-Family Residential Development with 15 units or fewer and not in a designated scenic area is exempt from the Design Review requirements under this part. Additionally, the process for Design Review has been modified to provide for lesser environmental review if project is exempt per applicable CEQA Guidelines exemptions or other California streamlining exemptions.
Residential Subdistrict Development Standards revised to reduce or remove setbacks, articulation, massing requirements, minimum lot widths, and minimum lot area.	Setbacks and articulation and massing requirements limiting building capacity would be removed and/or reduced. The proposed amendments would also include reduced minimum lot widths for some zone districts. The minimum lot area per dwelling unit in all residential zone districts would also be removed to accommodate smaller dwelling units. In seven of the 21 residential zone districts listed as Preferred Affordable, Moderate and Achievable Areas, the minimum lot size was reduced to 2,904 square feet to accommodate existing densities of 15 dwelling units per acre, and minimum lot widths were reduced to 25 feet to accommodate smaller lots that can promote smaller and more affordable houses, and which match existing lot sizes. Street side setbacks for corner lots are introduced. Side setbacks were also reduced to 5 feet minimum, except when adjoining another unit on

Proposed Change	Summary of Change
	adjacent property, which would require 0 feet on one side and 10 feet on the other to accommodate duplex-style developments.
Residential Subdistrict Land Use Regulations revised to change multiple family and multi-person dwellings and employees housing to an Allowed Use.	In the 21 residential zone districts listed as Preferred Affordable, Moderate, and Achievable Areas, where not otherwise allowed by right, the proposed amendments would allow multifamily and employee housing by right with no use permit if 100 percent of units are deed restricted to affordable, moderate, or achievable housing per TRPA Code of Ordinances Chapter 90: Definitions, for achievable, moderate-income, or affordable housing. This is intended to encourage development of multifamily housing by reducing costs and time delays associated with use permits and provide clear standards and requirements that must be met.
Mixed-Use Districts Tables 2.04.A-1 for Greater Tahoe City Mixed Use and 2.04.B-1 and North Tahoe East Residential Uses	Multifamily, multi-person, and employee housing would be allowed by right if 100% of the units are deed restricted to affordable, moderate, or achievable housing per TRPA Code of Ordinances Chapter 90: Definitions, for achievable, moderate-income or affordable housing. New attached single-family residential units of more than one unit, would only be allowed if single family encompasses 25% or less of the entire project or if at least 50% of the units are deed restricted to affordable, moderate or achievable housing per TRPA Code of Ordinances Chapter 90: Definitions, for achievable, moderate-income or affordable housing.
Mixed-Use Districts Tables 2.04.A-3 for Greater Tahoe City Mixed Use and 2.04.B-3 and North Tahoe East	Side and rear setbacks were reduced to 0 ft to encourage mixed use development in the Town Centers.
Table 2.04.A-4, Building Form Guidelines for the Greater Tahoe City Mixed-Use Subdistricts has been revised.	Revisions refine maximum building lengths for proposed structures in the mixed-use Town Center zone districts in Tahoe City where there were no existing maximums. These changes are proposed to assist in guiding building design and massing. See Table 2-3, below.
Table 2.04.B-4, Building Form Guidelines for the North Tahoe East Mixed-Use Subdistricts has been revised.	Revisions refine maximum building lengths for proposed structures in the mixed-use Town Center zone districts in Kings Beach. These changes are proposed to assist in guiding building design and massing. See Table 2-3, below.
Section 2.09, Overlay Districts, has been revised to clarify building height standards.	The proposed changes below incorporate clarifications on maximum height allowances in Town Centers and transition areas. All projects would still be required to comply with TRPA scenic requirements.
Land Use Regulations for Mixed-Use Subdistricts have been revised.	<p>Amendments would allow food trucks and mobile vendors in Town Centers as an allowed use in compliance with Senate Bill (SB) 946. SB 946 established requirements for local regulation of sidewalk vending, legalizing sidewalk vending across the state. The proposed amendments would also offer an avenue to some types of land uses that currently require use permits to be pursued as an allowed use if below a defined maximum square footage. The following land uses would be eligible:</p> <ul style="list-style-type: none"> Hotels, Motels, and other Transient Dwelling Units Eating and drinking facilities Building materials and hardware stores Repair services <p>Additionally, the proposed amendments separate eating and drinking facilities into subcategories based on the Institute of Transportation Engineers Manual (Drinking Place, Fast Casual Restaurant, Quality Restaurant, High-Turnover Sit-Down Restaurant, and Fast-Food Restaurant without Drive Thru Window) to allow a specified maximum commercial floor area for each type of facility listed in the use table.</p>

Proposed Change	Summary of Change
	The goal of these changes is to incentivize and streamline new lodging products, restaurants, retail, and local-serving land that would strengthen the year-round economic vitality of Town Centers and make the Implementing Regulations compatible with state law.
Section 3.01, "Permissible Uses," has been amended to incorporate Moveable Tiny Houses.	The proposed amendments refer to the countywide housing code amendments that were adopted by the Board of Supervisors on June 14, 2022, to allow for tiny houses as primary or accessory dwelling units as well as employee housing and tiny house communities. Moveable tiny houses and moveable tiny house communities would comply with definitions and development standards in Placer County's Zoning Ordinance.
Section 3.06 "Streetscape and Roadway Design Standards" and Table 3.06.A "Future Streetscape and Roadway Design Characteristics" have been revised.	The proposed amendments are designed to provide consistency throughout the Area Plan in identifying the requirements of street frontage improvements and to provide reference to other applicable standards contained in the area plan. The proposed amendments would require street frontage improvements of all development. Minor changes were made to the text to eliminate redundancy and provide clarity and consistency.
Section 3.07, "Parking and Access," has been revised to permanently adopt the parking pilot program for North Lake Tahoe Town Centers.	<p>These changes support exemptions to parking and spur redevelopment in the Town Centers and support strategies identified in the Resort Triangle Transportation Plan (RTTP), which was approved by the TRPA Board of Supervisors in October 2020 and outlines strategies to increase mobility and reduce VMT in the Tahoe region. Changes include:</p> <p>Expanding eligible applicants to include all development/redevelopment proposed in Town Centers.</p> <p>Allowing further collaboration with tourist accommodation and residential uses to be considered.</p> <p>Removing the existing limitation in the area plan that project sites eligible for the exemption shall be 25,000 square feet or less.</p> <p>Expanding financial mitigations beyond establishment of a transit County Service Area Zone of Benefit to include financial support for transit service enhancements or other alternative transportation projects that support multi-modal transportation and/or strategies noted in the RTTP.</p> <p>Revised single-family and multi-family dwelling parking requirements.</p>
Section 3.09, "Design Standards and Guidelines," has been revised to include exceptions for groundwater interception.	<p>The proposed amendment exempts groundwater interception to projects proposing below-grade parking. When such exceptions are granted, the applicant must demonstrate that the project impacts have been mitigated to be equal to or better than the original impacts. This amendment is intended to facilitate the redevelopment desired in Town Centers and allow for below-grade parking, which reduces coverage.</p> <p>The proposed amendments would restrict new attached single family in Town Centers of over one unit, including townhomes and condominiums, if single family encompasses 25 percent or less of the entire project or if at least 50 percent of the single-family residential units are deed restricted to affordable, moderate, or achievable housing per TRPA Code of Ordinances Chapter 90: Definitions, for achievable, moderate-income, or affordable housing. The intent is to facilitate mixed use development and allow some single family to offset costs of workforce housing or commercial uses while still achieving the goals of the area plan and community.</p>
Section 3.11, "Signs," has been removed.	Updates refer to the TRPA Code of Ordinance Chapter 38 "Signs." This amendment is intended to streamline signage requirements and will make the Basin Area Plan consistent with the TRPA Code of Ordinances, thereby eliminating the need for future amendments to the area plan should TRPA modify Chapter 38 of the Code of Ordinance.

Table 3. Updates to Building Length and Height in Town Centers

Proposed Change	Summary of Change
Building Length – Kings Beach Town Center	Building length is reduced in MU-TOR from 350 ft to 200 ft. To ensure compatibility with residential zone districts, any buildings directly facing residential zone districts are proposed to be a maximum of 75 ft long.
Building Length – Tahoe City Town Center	Building length transitions have been incorporated where there were none before to ensure consistency between Kings Beach and Tahoe City mixed use zone districts. To ensure compatibility with residential zone districts, any buildings directly facing residential zone districts are proposed to be a maximum of 75 ft long.
Building Height – Town Centers	The maximum building height is currently measured in stories, which would change to feet (e.g., 56 feet instead of four stories). Maximum building heights have been incorporated for the special planning area overlay districts where there were none before.

Conformity Checklist

		TRPA Code Section	Conformity YES NO N/A		
A. Contents of Area Plans					
1	General	13.5.1	●		
2	Relationship to Other Code Sections	13.5.2	●		
B. Development and Community Design Standards					
Building Height					
1	Outside of Centers	13.5.3	●		
2	Within Town Centers	13.5.3	●		
3	Within the Regional Center	13.5.3			●
4	Within the High-Density Tourist District	13.5.3			●
Density					
5	Single-Family Dwellings	13.5.3	●		
6	Multiple-Family Dwellings outside of Centers	13.5.3	●		
7	Multiple-Family Dwellings within Centers	13.5.3	●		
8	Tourist Accommodations	13.5.3	●		
Land Coverage					
9	Land Coverage	13.5.3	●		
10	Alternative Comprehensive Coverage Management	13.5.3.B.1			●
Site Design					
11	Site Design Standards	13.5.3	●		
Complete Streets					
12	Complete Streets	13.5.3	●		
C. Alternative Development Standards and Guidelines Authorized in an Area Plan					
1	Alternative Comprehensive Coverage Management System	13.5.3.B.1	●		
2	Alternative Parking Strategies	13.5.3.B.2	●		
3	Areawide Water Quality Treatments and Funding Mechanisms	13.5.3.B.3			●
4	Alternative Transfer Ratios for Development Rights	13.5.3.B.4			●

		TRPA Code Section	Conformity YES NO N/A		
D. Development Standards and Guidelines Encouraged in Area Plans					
1	Urban Bear Strategy	13.5.3.C.1	●		
2	Urban Forestry	13.5.3.C.2	●		
E. Development on Resort Recreation Parcels					
1	Development on Resort Recreation Parcels	13.5.3.D			●
F. Greenhouse Gas Reduction					
1	Greenhouse Gas Reduction Strategy	13.5.3.E	●		
G. Community Design Standards					
1	Development in All Areas	13.5.3.F.1.a	●		
2	Development in Regional Center or Town Centers	13.5.3.F.1.b	●		
3	Building Heights	13.5.3.F.2	●		
4	Building Design	13.5.3.F.3	●		
5	Landscaping	13.5.3.F.4	●		
6	Lighting	13.5.3.F.5	●		
7	Signing – Alternative Standards	13.5.3.F.6			●
8	Signing – General Policies	13.5.3.F.6	●		
H. Modification to Town Center Boundaries					
1	Modification to Town Center Boundaries	13.5.3.G			●
I. Conformity Review Procedures for Area Plans					
1	Initiation of Area Planning Process by Lead Agency	13.6.1	●		
2	Initial Approval of Area Plan by Lead Agency	13.6.2	●		
3	Review by Advisory Planning Commission	13.6.3	●		
4	Approval of Area Plan by TRPA	13.6.4	●		
J. Findings for Conformance with the Regional Plan					
General Review Standards for All Area Plans					
1	Zoning Designations	13.6.5.A.1	●		
2	Regional Plan Policies	13.6.5.A.2	●		

		TRPA Code Section	Conformity		
			YES	NO	N/A
3	Regional Plan Land Use Map	13.6.5.A.3	●		
4	Environmental Improvement Projects	13.6.5.A.4	●		
5	Redevelopment	13.6.5.A.5	●		
6	Established Residential Areas	13.6.5.A.6	●		
7	Stream Environment Zones	13.6.5.A.7	●		
8	Alternative Transportation Facilities and Implementation	13.6.5.A.8	●		
<i>Load Reduction Plans</i>					
9	Load Reduction Plans	13.6.5.B	●		
<i>Additional Review Standards for Town Centers and the Regional Center</i>					
10	Building and Site Design Standards	13.6.5.C.1	●		
11	Alternative Transportation	13.6.5.C.2	●		
12	Promoting Pedestrian Activity	13.6.5.C.3	●		
13	Redevelopment Capacity	13.6.5.C.4	●		
14	Coverage Reduction and Stormwater Management	13.6.5.C.5	●		
15	Threshold Gain	13.6.5.C.6	●		
<i>Additional Review Standards for the High-Density Tourist District</i>					
16	Building and Site Design	13.6.5.D.1			●
17	Alternative Transportation	13.6.5.D.2			●
18	Threshold Gains	13.6.5.D.3			●
K. Area Plan Amendments					
1	Conformity Review for Amendments to an Area Plan	13.6.6	●		
2	Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan – Notice	13.6.7.A			●
3	Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan – Timing	13.6.7.B			●
L. Administration					
1	Effect of Finding of Conformance of Area Plan	13.6.8			●

		TRPA Code Section	Conformity		
			YES	NO	N/A
2	Procedures for Adoption of Memorandum of Understanding	13.7			●
3	Monitoring, Certification, and Enforcement of an Area Plan	13.8			●
4	Appeal Procedure	13.9			●

Conformity Review Notes

A. CONTENTS OF AREA PLANS

1. General

☒ YES ☐ NO ☐ N/A

Citation 13.5.1

Requirement An Area Plan shall consist of applicable policies, maps, ordinances, and any other related materials identified by the lead agency, sufficient to demonstrate that these measures, together with TRPA ordinances that remain in effect, are consistent with and conform to TRPA's Goals and Policies and all other elements of the Regional Plan. In addition to this Section 13.5, additional specific requirements for the content of Area Plans are in subsection 13.6.5.A. The Memorandum of Understanding (MOU) that is associated with an approved Area Plan is a separate, but related, approval and is not part of the Area Plan.

Notes The Placer County Tahoe Basin Area Plan (TBAP) consists of applicable policies, maps, ordinances, and related materials that conform to the Regional Plan. These policies, maps, and ordinances were developed with the specific intent of conforming with the Regional Plan. Development of the TBAP included close collaboration between Placer County and TRPA staff, members of the public, and other stakeholders over approximately five years. TRPA determined that TBAP was in conformance with the Regional Plan and adopted the existing TBAP in December 2016.
The proposed amendments focus on process, policy, and code improvements to support appropriate lodging, mixed use, and workforce housing within the TBAP plan area.

2. Relationship to Other Sections of the Code

☒ YES ☐ NO ☐ N/A

Citation 13.5.2

Requirement This section is intended to authorize development and design standards in Area Plans that are different than otherwise required under this Code. In the event of a conflict between the requirements in this section and requirements in other parts of the Code, the requirements in this section shall apply for the purposes of developing Area Plans. Except as otherwise specified, Code provisions that apply to Plan Area Statements (Chapter 11), Community Plans (Chapter 12), and Specific and Master Plans (Chapter 14) may also be utilized in a Conforming Area Plan. If an Area Plan proposes to modify any provision that previously applied to Plan Area

Statements, Community Plans, or Specific and Master Plans, the proposed revision shall be analyzed in accordance with Code Chapters 3 and 4.

Notes The existing TBAP modified provisions that previously applied to Plan Area Statements and Community Plans consistent with Code Section 13.5.2. The proposed amendments include targeted revisions to include substitute development and design standards including standards related to setbacks, building length, lot size. These changes have been evaluated in an Initial Environmental Checklist consistent with the Tahoe Regional Planning Compact, Chapter 3 of the Code of Ordinances, and the rules of procedure.

B. DEVELOPMENT AND COMMUNITY DESIGN STANDARDS

Area plans shall have development standards that are consistent with those in Table 13.5.3-1

MAXIMUM BUILDING HEIGHT

1. **Outside of Centers** ☒ YES ☐ NO ☐ N/A

Citation 13.5.3

Requirement Building height standards shall be consistent with Code Section 37.4.

Notes Building heights are defined in Placer County Tahoe Basin Area Plan and comply with the TRPA Code of Ordinances. The proposed amendment clarifies that building heights are measured in feet rather than stories, but makes no change to maximum building heights.

2. **Within Town Centers** ☒ YES ☐ NO ☐ N/A

Citation 13.5.3

Requirement Building height is limited to a maximum of 4 stories and 56 feet.

Notes Building heights are defined in Placer County Tahoe Basin Area Plan and comply with the TRPA Code of Ordinances. The proposed amendment limits building height in Town Centers to 56 feet.

3. **Within the Regional Center** ☐ YES ☐ NO ☒ N/A

Citation 13.5.3

Requirement Building height is limited to a maximum of 6 stories and 95 feet.

Notes The TBAP does not include the Regional Center.

4. **Within the High-Density Tourist District** ☐ YES ☐ NO ☒ N/A

Citation 13.5.3

Requirement Building height is limited to a maximum of 197 feet.

Notes The TBAP does not include the High-Density Tourist District

DENSITY

5. Single-Family Dwellings

☒ YES ☐ NO ☐ N/A

Citation 13.5.3

Requirement Single-family dwelling density shall be consistent with Code Section 31.3.

Notes The TBAP proposed density standards for single-family dwellings is consistent with Section 31.3 (see TBAP Implementing Regulations Section 3.04). The proposed amendments do not change existing single-family dwelling density.

6. Multiple-Family Dwellings outside of Centers

☒ YES ☐ NO ☐ N/A

Citation 13.5.3

Requirement Multiple-family dwelling density outside of Centers shall be consistent with Code Section 31.3.

Notes The TBAP proposed density standards for multiple-family dwellings outside of Town Centers is consistent with Section 31.3 (see TBAP Implementing Regulations Section 3.04). The proposed amendments do not change existing multiple-family dwelling density.

7. Multiple-Family Dwellings within Centers

☒ YES ☐ NO ☐ N/A

Citation 13.5.3

Requirement Multiple-family dwelling density within Centers shall be a maximum of 25 units per acre.

Notes The TBAP proposed density standards for multiple-family dwellings outside of Town Centers is consistent with Section 31.3 (see TBAP Implementing Regulation Section 3.04). The proposed amendments do not change existing multiple-family dwelling density.

8. Tourist Accommodations

☒ YES ☐ NO ☐ N/A

Citation 13.5.3

Requirement Tourist accommodations (other than bed and breakfast) shall have a maximum density of 40 units per acre.

Notes The TBAP proposed density standards for multiple-family dwellings outside of Town Centers is consistent with Section 31.3 (see TBAP Implementing Regulation Section 3.04). The proposed amendments do not change tourist accommodation density.

LAND COVERAGE

9. Land Coverage

☒ YES ☐ NO ☐ N/A

Citation 13.5.3

Requirement Land coverage standards shall be consistent with Section 30.4 of the TRPA Code.

Notes

The TBAP land coverage standards are consistent with Section 30.4. Maximum transferred coverage limits within Town Centers are consistent with Code section 30.4.2.B (see TBAP Implementing Regulations Section 3.03). The proposed amendments would not change coverage standards.

10. Alternative Comprehensive Coverage Management System

☐ YES ☐ NO ☒ N/A

See Section C.1 of this document.

SITE DESIGN

11. Site Design Standards

☒ YES ☐ NO ☐ N/A

Citation 13.5.3

Requirement Area plans shall conform to Section 36.5 of the TRPA Code.

Notes

The proposed amendments to the TBAP conforms to Section 36.5 of the TRPA Code of Ordinances. It includes detailed design standards and guidelines. These standards address retention of natural features; building placement that is compatible with adjacent properties and considers sun, climate, noise, safety, and privacy; and site planning that includes a drainage, infiltration, and grading plan that meets water quality standards (see PCTBAP Implementing Regulations Section 3.09). The PCTBAP also includes detailed parking and access design standards that are logical and consistent with the transportation element of the Regional Plan (See PCTBAP Implementing Regulations Section 3.07).

The amendments would modify Section 3.06 "Streetscape and Roadway Design Standards" to clarify requirements of street frontage improvements. They would also modify Section 3.09, "Design Standards and Guidelines," to allow mixed use developments to intercept groundwater when grading for below grade parking if all impacts are mitigated. The amendments would also add to Section 1.04 "Administration for Design Review" to require design review for tourist accommodation uses and exclude multi-family residential developments with 15 units or fewer that are not in designated scenic areas. These proposed amendments were evaluated in an IEC and would remain consistent with Code Section 36.5.

COMPLETE STREETS

12. Complete Streets

☒ YES ☐ NO ☐ N/A

Citation 13.5.3

Requirement Within Centers, plan for sidewalks, trails, and other pedestrian amenities providing safe and convenient non-motorized circulation within Centers, as applicable, and incorporation of the Regional Bike and Pedestrian Plan.

Notes

The TBAP conforms with the complete streets provisions of Section 36.5, and provides additional requirements to implement complete street concepts. The TBAP includes streetscape design standards (See TBAP Implementing Regulations Section 3.06), development standards that require complete street improvements with new development and substantial alteration of existing properties (see TBAP Implementing Regulations Sections 2.04.A.4.a; 2.04.B.4.a; 2.04.C.4.a; and 2.04.D.4.a), as well as design guidelines that promote street frontage designs that are compatible with complete streets concepts (see PCTBAP Implementing Regulations Section 2.04.A.5.a and 2.04.B.5.a). The TBAP amendments include additional polices to support funding sources for a frontage improvement implementation plan to achieve area plan infrastructure such as sidewalks, curbs, and gutters, as well as implementing parking management plans (See Implementing Regulations 3.06).

C. ALTERNATIVE DEVELOPMENT STANDARDS AND GUIDELINES AUTHORIZED IN AREA PLANS

1. Alternative Comprehensive Coverage Management System

☐ YES ☐ NO ☒ N/A

Citation 13.5.3.B.1

Requirement An Area Plan may propose a comprehensive coverage management system as an alternative to the parcel-level coverage requirements outlined in Sections 30.4.1 and 30.4.2, provided that the alternative system shall: 1) reduce the total coverage and not increase the cumulative base allowable coverage in the area covered by the comprehensive coverage management system; 2) reduce the total amount of coverage and not increase the cumulative base allowable coverage in Land Capability Districts 1 and 2; and 3) not increase the amount of coverage otherwise allowed within 300 feet of high water of Lake Tahoe (excluding those areas landward of Highways 28 and 89 in Kings Beach and Tahoe City Town Centers within that zone). For purposes of this provision, "total" coverage is the greater of existing or allowed coverage.

Notes

The TBAP does not propose an alternative comprehensive coverage management system. Future development of an alternative development comprehensive coverage management system would require an amendment to the TBAP and approval by TRPA.

2. Alternative Parking Strategies

☒ YES ☐ NO ☐ N/A

Citation 13.5.3.B.2

Requirement An Area Plan is encouraged to include shared or area-wide parking strategies to reduce land coverage and make more efficient use of land for parking and pedestrian uses. Shared parking strategies may consider and include the following:

- Reduction or relaxation of minimum parking standards;
- Creation of maximum parking standards;
- Shared parking;
- In-lieu payment to meet parking requirements;
- On-street parking;
- Parking along major regional travel routes;
- Creation of bicycle parking standards;
- Free or discounted transit;
- Deeply discounted transit passes for community residents; and
- Paid parking management

Notes The TBAP amendments include parking strategies intended to reduce land coverage, make more efficient use of land, and encourage non-auto transportation modes (See TBAP Implementing Regulations 3.06 and 3.09.B.1.e). These changes support exemptions to parking and spur redevelopment in the Town Centers and support strategies identified in the Resort Triangle Transportation Plan, which was approved by the TRPA in October 2020 and outlines strategies to increase mobility and reduce VMT. Other specific parking strategies include, allowing groundwater interception in mixed use projects for underground parking options which follows TRPA Section 33.3.6.A.2 (see TBAP Implementing Regulations Section 3.07.A.3 and Table 3.07.A-1).

3. Areawide Water Quality Treatments and Funding Mechanisms

☐ YES ☐ NO ☒ N/A

Citation 13.5.3.B.3

Requirement An Area Plan may include water quality treatments and funding mechanisms in lieu of certain site-specific BMPs, subject to the following requirements:

- Area-wide BMPs shall be shown to achieve equal or greater effectiveness and efficiency at achieving water quality benefits to certain site-specific BMPs and must infiltrate the 20-year, one-hour storm.;
- Plans should be developed in coordination with TRPA and applicable state agencies, consistent with applicable TMDL requirements;
- Area-wide BMP project areas shall be identified in Area Plans and shall address both installation and ongoing maintenance;
- Strong consideration shall be given to areas connected to surface waters;
- Area-wide BMP plans shall consider area-wide and parcel level BMP requirements as an integrated system;
- Consideration shall be given to properties that have already installed and maintained parcel-level BMPs, and financing components or area-wide BMP plans shall reflect prior BMP installation in terms of the charges levied against

projects that already complied with BMP requirements with systems that are in place and operational in accordance with applicable BMP standards; and

- Area-wide BMP Plans shall require that BMPs be installed concurrent with development activities. Prior to construction of area-wide treatment facilities, development projects shall either install parcel-level BMPs or construct area-wide improvements.

Notes The existing TBAP does not include an area-wide water quality treatment programs in-lieu of site-specific BMPs. The proposed amendments do not propose any changes to water quality treatment programs in-lieu of site-specific BMPs. The proposed amendments do not change provisions regarding BMPs.

4. **Alternative Transfer Ratios for Development Rights**

☐ YES ☐ NO ☒ N/A

Citation 13.5.3.B.4

Requirement Within a Stream Restoration Plan Area as depicted in Map 1 in the Regional Plan, an Area Plan may propose to establish alternative transfer ratios for development rights based on unique conditions in each jurisdiction, as long as the alternative transfer ratios are determined to generate equal or greater environment gain compared to the TRPA transfer ratios set forth in Chapter 51: Transfer of Development.

Notes The TBAP does not propose alternative transfer ratios for development rights within a Stream Restoration Plan Area. The proposed amendment would not change alternative transfer ratios for development rights.

D. **DEVELOPMENT STANDARDS AND GUIDELINES ENCOURAGED IN AREA PLANS**

1. **Urban Bear Strategy**

☒ YES ☐ NO ☐ N/A

Citation 13.5.3.C.1

Requirement In Area Plans, lead agencies are encouraged to develop and enforce urban bear strategies to address the use of bear-resistant solid waste facilities and related matters.

Notes The TBAP includes policies to manage bear populations. The proposed amendments do not change these provisions.

2. **Urban Forestry**

☒ YES ☐ NO ☐ N/A

Citation 13.5.3.C.2

Requirement In Area Plans, lead agencies are encouraged to develop and enforce urban forestry strategies that seek to reestablish natural forest conditions in a manner that does not increase the risk of catastrophic wildfire.

Notes The TBAP includes vegetative policies to support forest health and maintain healthy vegetation in urban areas. A proposed amendment encourages implementation of new or

expanded hardening, green waste, and defensible space incentive and/or rebate programs for residential and commercial land uses to expand these existing efforts. The efforts would aim to promote healthy urban forest conditions in a manner that does not increase the risk of catastrophic wildfire as per TRPA Code 13.5.3.C.2.

E. DEVELOPMENT ON RESORT RECREATION PARCELS

1. Development on Resort Recreation Parcels

☐ YES ☐ NO ☒ N/A

Citation 13.5.3.D

Requirement In addition to recreation uses, an Area Plan may allow the development and subdivision of tourist, commercial, and residential uses on the Resort Recreation District parcels depicted on Map 1 of the Regional Plan and subject to the following conditions:

- The parcels must become part of an approved Area Plan;
- Subdivisions shall be limited to “air space condominium” divisions with no lot and block subdivisions allowed;
- Development shall be transferred from outside the area designated as Resort Recreation; and
- Transfers shall result in the retirement of existing development.

Notes There are no Resort Recreation parcels within the TBAP plan area.

F. GREENHOUSE GAS REDUCTION

1. Greenhouse Gas Reduction Strategy

☒ YES ☐ NO ☐ N/A

Citation 13.5.3.E

Requirement To be found in conformance with the Regional Plan, Area Plans shall include a strategy to reduce emissions of Greenhouse Gases from the operation or construction of buildings. The strategy shall include elements in addition to those included to satisfy other state requirements or requirements of this code. Additional elements included in the strategy may include but are not limited to the following:

- A local green building incentive program to reduce the energy consumption of new or remodeled buildings;
- A low interest loan or rebate program for alternative energy projects or energy efficiency retrofits;
- Modifications to the applicable building code or design standards to reduce energy consumption; or
- Capital improvements to reduce energy consumption or incorporate alternative energy production into public facilities.

Notes The TBAP amendments do not propose any changes to Greenhouse Gas (GHG) Reduction Strategy programs or air quality policies, which is currently in compliance with TRPA Code (See TBAP Section 2.5). Proposed amendments for complete streets, modified parking requirements, and emphasis on redevelopment projects in core areas would limit vehicle trips necessary in Town Centers and may reduce GHG emissions from vehicle trips in the plan area. Section 3.07, Parking and Access, has been revised to permanently adopt the parking pilot program for North Lake Tahoe Town Centers and provide more flexibility to encourage alternative transportation modes.

G. COMMUNITY DESIGN STANDARDS

To be found in conformance with the Regional Plan, Area Plans shall require that all projects comply with the design standards in this subsection. Area Plans may also include additional or substitute requirements not listed below that promote threshold attainment.

1. Development in All Areas

☒ YES ☐ NO ☐ N/A

Citation 13.5.3.F.1.a

Requirement All new development shall consider, at minimum, the following site design standards:

- Existing natural features retained and incorporated into the site design;
- Building placement and design that are compatible with adjacent properties and designed in consideration of solar exposure, climate, noise, safety, fire protection, and privacy;
- Site planning that includes a drainage, infiltration, and grading plan meeting water quality standards, and
- Access, parking, and circulation that are logical, safe, and meet the requirements of the transportation element.

Notes The TBAP amendments proposes minor changes in site design standards set by TRPA. Tourist accommodations would now require a design review to be reviewed for design standards and multi-Family dwelling units of less than 15 units would be exempt from design review. Amendments are proposed to reduce setbacks in mixed-use subdistricts to accommodate duplex style houses and limit distance of buildings from roadways if the changes would allow the area to remain in compliance with TRPA scenic standards (See Implementing Regulations 3.09).

Proposed amendment to Section 3.09.B.E would allow groundwater interception for mixed-use projects if the project mitigates all groundwater impacts. Section 3.07, Parking and Access, of the Implementing Regulations is proposed to be modified to permanently adopt the parking pilot program for North Lake Tahoe Town Centers. The changes support exemptions to parking and spur redevelopment in Town Centers and is a strategy to reduce VMT in the region. The proposed amendments are in compliance with Code Section 13.5.3.F.1.a.

2. Development in Regional Center or Town Centers

☒ YES ☐ NO ☐ N/A

Citation 13.5.3.F.1.b

Requirement In addition to the standards above, development in Town Centers or the Regional Center shall address the following design standards:

- Existing or planned pedestrian and bicycle facilities shall connect properties within Centers to transit stops and the Regional Bicycle and Pedestrian network.
- Area Plans shall encourage the protection of views of Lake Tahoe.
- Building height and density should be varied with some buildings smaller and less dense than others.
- Site and building designs within Centers shall promote pedestrian activity and provide enhanced design features along public roadways. Enhanced design features to be considered include increased setbacks, stepped heights, increased building articulation, and/or higher quality building materials along public roadways.
- Area Plans shall include strategies for protecting undisturbed sensitive lands and, where feasible, establish park or open space corridors connecting undisturbed sensitive areas within Centers to undisturbed areas outside of Centers.

Notes

The TBAP proposed amendments would not alter plans for a comprehensive network of existing and planned pedestrian and bicycle facilities that connect properties within Centers to other multi-modal transportation options (See TBAP Figures 5-3 through 5-5). Proposed amendments clarify complete street and frontage requirements that incorporate alternative transportation options (See Implementing Regulations 3.06).

The TBAP amendments would continue to include project requirements to comply with the TRPA threshold scenic requirements on Highways and for views of Lake Tahoe (See Implementing Regulations 1.04).

Detailed design standards are included in the TBAP, which addresses pedestrian activity and enhanced design features along public roadways in Town Centers. The standards address building articulation, street frontage landscaping, stepped heights, and other building form requirements. The exact standards vary by Town Center.

The amendments do not change the density or coverage allowances in the plan area. The proposed amendments do not change special planning area requirements for open space, restoring disturbed SEZs, or creating open space corridors connecting undisturbed sensitive areas within Town Centers to undisturbed areas outside of Town Centers (See TBAP Implementing Regulations Sections 2.09.B.1, 3, and 5).

3. Building Heights

☒ YES ☐ NO ☐ N/A

Citation 13.5.3.F.2

Requirement • Area Plans may allow building heights up to the maximum limits in Table 13.5.3-1 of the Code of Ordinances

- Building height limits shall be established to ensure that buildings do not project above the forest canopy, ridge lines, or otherwise detract from the viewshed.
- Area Plans that allow buildings over two stories in height shall, where feasible, include provisions for transitional height limits or other buffer areas adjacent to areas not allowing buildings over two stories in height.

Notes

The TBAP amendments would not change building height allowances from the approved TBAP, which are within the limits allowed in Table 13.5.3-1 of the Code. Within portions of Town Centers designated as core areas and overlay districts, building heights would comply with TRPA Code Ordinance Chapter 37 Section 37.7.16 (see TBAP Implementing Regulations Section 2.09.A & B). Existing TRPA height standards in Chapter 37 of the TRPA Code would continue to remain in effect outside of Town Centers (see TBAP Implementing Regulations Section 3.10).

In addition, TBAP Implementing Regulations sections 2.09.A.1,2, and 3, and section 3.09.A require that buildings in Town Centers shall meet the findings listed in Section 37.7.16 of the TRPA Code of Ordinances; and the project must continue to comply with the Design Standards and Guidelines and Noise Standards of the Tahoe Basin Area Plan and TRPA scenic threshold standards.

4. Building Design

☒ YES ☐ NO ☐ N/A

Citation 13.5.3.F.3

Requirement Standards shall be adopted to ensure attractive and compatible development. The following shall be considered:

- Buffer requirements should be established for noise, snow removal, aesthetic, and environmental purposes.
- The scale of structures should be compatible with existing and planned land uses in the area.
- Viewsheds should be considered in all new construction. Emphasis should be placed on lake views from major transportation corridors.
- Area Plans shall include design standards for building design and form. Within Centers, building design and form standards shall promote pedestrian activity.

Notes

The TBAP includes detailed standards for building design and form that have been developed to ensure attractive and compatible development. These standards address compatibility with adjacent properties, including scale and design for noise, snow removal, aesthetic, and environmental purposes (see TBAP Implementing Regulations Section 3.09). Section 3.09.A.2 requires the consideration of viewsheds in the design of buildings, and the TBAP. The proposed amendments would reduce setback requirements in some locations in order to promote more compact Town Center redevelopment. These amendments were evaluated in an IEC and are consistent with Code Section 13.5.3.F.3.

The proposed amendments to the TBAP would also defer to the Lake Tahoe Shoreline Plan (TRPA Code Chapters 80 through 85) for design standards for shoreline structures.

5. Landscaping

☒ YES ☐ NO ☐ N/A

Citation 13.5.3.F.4

Requirement The following should be considered with respect to this design component of a project:

- Native vegetation should be utilized whenever possible, consistent with Fire Defensible Space Requirements.
- Vegetation should be used to screen parking, alleviate long strips of parking space, and accommodate stormwater runoff where feasible.
- Vegetation should be used to give privacy, reduce glare and heat, deflect wind, muffle noise, prevent erosion, and soften the line of architecture where feasible.

Notes The existing TBAP includes landscaping standards and guidelines that require the use of vegetation on the TRPA Recommended Native and Adapted Plant List, except for accent plantings. The standards require consistency with defensible space requirements, and encourages the use of vegetation to create and separate spaces, give privacy, screen heat and glare, deflect wind, muffle noise, articulate circulation, inhibit erosion, purify air, and soften the lines of architecture and paving (See PCTBAP Implementing Regulations Section 3.09.C). Additional design standards and guidelines require parking lot landscaping to screen parking, break up long strips of parking, and accommodate stormwater (See PCTBAP Implementing Regulations Section 3.07.C).

The TBAP amendments include policies supporting the expansion of building hardening, green waste management, and defensible space incentive and rebate programs (See TBAP Veg-P-7 and Implementing Regulations Section 3.09.C).

6. Lighting

☒ YES ☐ NO ☐ N/A

Citation 13.5.3.F.5

Requirement Lighting increases the operational efficiency of a site. In determining the lighting for a project, the following should be required:

- Exterior lighting should be minimized to protect dark sky views, yet adequate to provide for public safety, and should be consistent with the architectural design.
- Exterior lighting should utilize cutoff shields that extend below the lighting element to minimize light pollution and stray light.
- Overall levels should be compatible with the neighborhood light level. Emphasis should be placed on a few, well-placed, low-intensity lights.
- Lights should not blink, flash, or change intensity except for temporary public safety signs.

Notes The TBAP Section 3.09.D "Lighting" includes detailed lighting standards that are more stringent than required by TRPA Code section 13.5.3.D.5. The TBAP proposed amendments do not change the standards related to lighting.

7. Signing – Alternative Standards

☐ YES ☐ NO ☒ N/A

Citation 13.5.3.F.6

Requirement Area Plans may include alternative sign standards. For Area Plans to be found in conformance with the Regional Plan, the Area Plan shall demonstrate that the sign standards will minimize and mitigate significant scenic impacts and move toward attainment or achieve the adopted scenic thresholds for the Lake Tahoe region.

Notes

The proposed amendments would remove Section 3.11, “Signs” from the implementing regulations. The amended TBAP would not include substitute sign standards and would instead defer signage standards to the TRPA Code Chapter 38 “Signs” to streamline future regional signage updates.

8. Signing – General Policies

☐ YES ☐ NO ☒ N/A

Citation 13.5.3.F.6

Requirement In the absence of a Conforming Area Plan that addresses sign standards, the following policies apply, along with implementing ordinances:

- Off-premise signs should generally be prohibited; way-finding and directional signage may be considered where scenic impacts are minimized and mitigated.
- Signs should be incorporated into building design;
- When possible, signs should be consolidated into clusters to avoid clutter.
- Signage should be attached to buildings when possible; and
- Standards for number, size, height, lighting, square footage, and similar characteristics for on-premise signs shall be formulated and shall be consistent with the land uses permitted in each district.

Notes

The proposed amendments would remove substitute sign standards and would defer to the TRPA Code which is consistent with TRPA Code Section 13.5.3.F.6.

H. MODIFICATION TO TOWN CENTER BOUNDARIES

1. Modification to Town Center Boundaries

☐ YES ☐ NO ☒ N/A

Citation 13.5.3.G

Requirement When Area Plans propose modifications to the boundaries of a Center, the modification shall comply with the following:

- Boundaries of Centers shall be drawn to include only properties that are developed, unless undeveloped parcels proposed for inclusion have either at least three sides of their boundary adjacent to developed parcels (for four-sided parcels), or 75 percent of their boundary adjacent to developed parcels (for non-four-sided parcels). For purposes of this requirement, a parcel shall be considered developed if it includes any of the following: 30 percent or more

of allowed coverage already existing on site or an approved but unbuilt project that proposes to meet this coverage standard.

- Properties included in a Center shall be less than ¼ mile from existing Commercial and Public Service uses.
- Properties included in a Center shall encourage and facilitate the use of existing or planned transit stops and transit systems.

Notes The proposed amendments would not modify a Town Center boundary.

I. CONFORMITY REVIEW PROCEDURES FOR AREA PLANS

1. Initiation of Area Planning Process by Lead Agency ☒ YES ☐ NO ☐ N/A

Citation 13.6.1

Requirement The development of an Area Plan shall be initiated by a designated lead agency. The lead agency may be TRPA or a local, state, federal, or tribal government. There may be only one lead agency for each Area Plan.

Notes Placer County is the lead agency for development of the TBAP and is the lead agency seeking the amendments that are the subject of this application.

2. Initial Approval of Area Plan by Lead Agency ☒ YES ☐ NO ☐ N/A

Citation 13.6.2

Requirement If the lead agency is not TRPA, then the Area Plan shall be approved by the lead agency prior to TRPA's review of the Area Plan for conformance with the Regional Plan under this section. In reviewing and approving an Area Plan, the lead agency shall follow its own review procedures for plan amendments. At a minimum, Area Plans shall be prepared in coordination with local residents, stakeholders, public agencies with jurisdictional authority within the proposed Area Plan boundaries, and TRPA staff.

If the lead agency is TRPA, the Area Plan shall require conformity approval under this section by TRPA only. No approval by any other government, such as a local government, shall be required.

Notes The TBAP amendments were prepared by Placer County staff to clean up Area Plan policies to streamline economic development opportunities and increase affordable housing in the plan area.

3. Review by Advisory Planning Commission ☒ YES ☐ NO ☐ N/A

Citation 13.6.3

Requirement The TRPA Advisory Planning Commission shall review the proposed Area Plan and make recommendations to the TRPA Governing Board. The commission shall obtain and consider the recommendations and comments of the local

government(s) and other responsible public agencies, as applicable. jurisdictional authority within the proposed Area Plan boundaries, and TRPA staff.

Notes The Advisory Planning Commission (APC) will review the amendments on December 8, 2023.

4. Approval of Area Plan by TRPA

☒ YES ☐ NO ☐ N/A

Citation 13.6.4

Requirement For Area Plans initiated and approved by a lead agency other than TRPA, the Area Plan shall be submitted to and reviewed by the TRPA Governing Board at a public hearing. Public comment shall be limited to issues raised by the public before the Advisory Planning Commission and issues raised by the Governing Board. The TRPA Governing Board shall make a finding that the Area Plan, including all zoning and development Codes that are part of the Area Plan, is consistent with and furthers the goals and policies of the Regional Plan. This finding shall be referred to as a finding of conformance and shall be subject to the same voting requirements as approval of a Regional Plan amendment.

Notes The TRPA Governing Board is scheduled to review the TBAP and act regarding a finding of conformance on January 27, 2024. Following review by the Regional Plan Implementation Committee and the Advisory Planning Commission. The Governing Board will need to find the amendment to the TBAP in conformance with the Regional Plan for it to take effect.

J. FINDINGS OF CONFORMANCE WITH THE REGIONAL PLAN

In making the general finding of conformance, the TRPA Governing Board shall make the general findings applicable to all amendments to the Regional Plan and Code set forth in Sections 4.5 and 4.6, and also the following specific review standards:

GENERAL REVIEW STANDARDS FOR ALL AREA PLANS

1. Zoning Designations

☒ YES ☐ NO ☐ N/A

Citation 13.6.5.A.1

Requirement The submitted Area Plan shall identify zoning designations, allowed land uses, and development standards throughout the plan area.

Notes The TBAP Implementing Regulations identify zoning designations (Section 2.01), allowed land uses (Section 2.02 through 2.08), and development standards throughout the entire Plan area (Chapters 2 and 3). The proposed amendments make targeted changes to support affordable housing developments and redevelopment in Town Centers but do not change zoning designations in the plan area.

2. Regional Plan Policies

☒ YES ☐ NO ☐ N/A

Citation 13.6.5.A.2

Requirement The submitted Area Plan shall be consistent with all applicable Regional Plan policies, including, but not limited to, the regional growth management system, development allocations, and coverage requirements.

Notes The TBAP amendments and its components align with the Regional Plan goals and policies and was approved by TRPA in January 2017. The amendments do not propose additional growth, allocations, or coverage beyond that anticipated in the Regional Plan. The amendments do propose to develop an allocation tracking management system to streamline growth and development management. This proposed system, once developed, would require TRPA approval.

3. Regional Plan Land Use Map

☒ YES ☐ NO ☐ N/A

Citation 13.6.5.A.3

Requirement The submitted Area Plan shall either be consistent with the Regional Land Use Map or recommend and adopt amendments to the Regional Land Use Map as part of an integrated plan to comply with Regional Plan policies and provide threshold gain.

Notes The TBAP amendments would not change the Regional Land Use Map or adopt amendments to the Regional Land Use Map as a part of an integrated plan to comply with Regional Plan policies and attain and maintain threshold standards.

4. Environmental Improvement Projects

☒ YES ☐ NO ☐ N/A

Citation 13.6.5.A.4

Requirement The submitted Area Plan shall recognize and support planned, new, or enhanced Environmental Improvement Projects. Area Plans may also recommend enhancements to planned, new, or enhanced Environmental Improvement Projects as part of an integrated plan to comply with Regional Plan Policies and provide threshold gain.

Notes The TBAP recognizes and supports new, planned, and enhanced Environmental Improvement Program (EIP) projects and the amendments do not propose to change EIP projects.

5. Redevelopment

☒ YES ☐ NO ☐ N/A

Citation 13.6.5.A.

Requirement The submitted Area Plan shall promote environmentally beneficial redevelopment and revitalization within town centers, regional centers and the High Density Tourist District.

Notes

The TBAP amendments promote environmentally beneficial redevelopment and revitalization within the Tahoe City and Kings Beach Town Centers and by allowing for more compact redevelopment, while continuing to comply with TRPA's coverage, height, and density limits. Regional centers and High Density Tourist Districts do not exist in the plan area.

New policies added to TBAP support and encourage adaptive reuse of vacant or underutilized retail and office space, support redevelopment of aging lodging products and encourage revitalization and creation of new high-quality lodging, allow multipurpose and flexible gathering spaces in private and public parking areas where events could be held during off-peak hours, expedite building permit processes, and support the development of new business innovation space and flexible light industrial spaces to diversify the local economy.

6. Established Residential Areas

☒ YES ☐ NO ☐ N/A

Citation 13.6.5.A.6

Requirement The submitted Area Plan shall preserve the character of established residential areas outside of town centers, regional centers and the High Density Tourist District, while seeking opportunities for environmental improvements within residential areas.

Notes

The TBAP amendments would not alter the zoning of established residential areas. The amendments would modify setbacks, articulation, massing requirements, and lot widths and minimum lot sizes in Residential Subdistricts to accommodate smaller dwelling units. The amendments would not change density or potential growth rates of the plan area (See TBAP Implementing Regulations Sections 2.09.A & B and 3.04).

7. Stream Environment Zones

☒ YES ☐ NO ☐ N/A

Citation 13.6.5.A.7

Requirement The submitted Area Plan shall protect and direct development away from Stream Environment Zones and other sensitive areas, while seeking opportunities for environmental improvements within sensitive areas. Development may be allowed in disturbed Stream Environment zones within town centers, regional centers and the High-Density Tourist District only if allowed development reduces coverage and enhances natural systems within the Stream Environment Zone.

Notes

No changes related to the above requirement for Stream Environment Zones (SEZs) are proposed with these amendments.

8. Alternative Transportation Facilities and Implementation

☒ YES ☐ NO ☐ N/A

Citation 13.6.5.A.8

Requirement The submitted Area Plan shall identify facilities and implementation measures to enhance pedestrian, bicycling and transit opportunities along with other opportunities to reduce automobile dependency.

Notes The proposed amendments would clarify requirements for complete streets, eliminate parking minimums for additions up to 1,000 square feet in Town Centers, and support frontage improvement implementation plans to achieve area plan infrastructure such as sidewalks, curbs, and gutters, as well as implementing parking management plans (See Implementing Regulations 2.09, 3.06, and 3.07.A.4). These changes support strategies identified in the Resort Triangle Transportation Plan (RTTP), which was approved by the TRPA Governing Board in October 2020 and outlines strategies to increase mobility and reduce VMT in the Tahoe region.

LOAD REDUCTION PLANS

9. Load Reduction Plans ☒ YES ☐ NO ☐ N/A

Citation 13.6.5.B

Requirement TRPA shall utilize the load reduction plans for all registered catchments or TRPA default standards when there are no registered catchments, in the conformance review of Area Plans.

Notes The TBAP incorporates load reduction plans for registered catchments. The proposed amendments include no changes related to the requirement for load reduction plans.

ADDITIONAL REVIEW STANDARDS FOR TOWN CENTERS AND THE REGIONAL CENTER

10. Building and Site Design Standards ☒ YES ☐ NO ☐ N/A

Citation 13.6.5.C.1

Requirement The submitted Area Plan shall include building and site design standards that reflect the unique character of each area, respond to local design issues and consider ridgeline and viewshed protection.

Notes As described above, the TBAP includes detailed design standards that reflect the unique character of each area, respond to local design considerations, and promote ridgeline and viewshed protection. The TBAP Implementing Regulations include a mix of unique standards that reflect the character of individual zoning subdistricts (see Chapter 2), as well as a series of area-wide standards and guidelines (see Chapter 3). The proposed amendments include targeted modifications to setbacks, lot size, and other design standards to promote redevelopment and affordable housing. The revised standards would continue to reflect the unique character of each community within the plan area. The amendments would include no changes to requirements for ridgeline and viewshed protection.

11. Alternative Transportation ☒ YES ☐ NO ☐ N/A

Citation 13.6.5.C.2

Requirement The submitted Area Plan shall promote walking, bicycling, transit use and shared parking in town centers and regional centers, which at a minimum

shall include continuous sidewalks or other pedestrian paths and bicycle facilities along both sides of all highways within town centers and regional centers, and to other major activity centers.

Notes The TBAP amendments would include a policy that encourages the creation of a funding source for a comprehensive frontage improvement implementation plan, to include the construction of sidewalks (See TBAP LU-P-21). The proposed amendments are also designed to provide consistency in the plan area in identifying the street frontage improvement requirements (See Implementing Regulations Section 3.06 and Table 3.06A). The targeted amendments to promote redevelopment in Town Centers would concentrate services in Town Centers and reduce VMT in the plan area.

12. Promoting Pedestrian Activity

☒ YES ☐ NO ☐ N/A

Citation 13.6.5.C.3

Requirement The submitted Area Plan shall use standards within town centers and regional centers addressing the form of development and requiring that projects promote pedestrian activity and transit use.

Notes Detailed design standards are included in the TBAP, which address pedestrian activity and enhanced design features and transit use in Centers. The standards address building articulation, street frontage landscaping, stepped heights, and other building form requirements. The exact standards vary by Center. See for example, the Greater Tahoe City Mixed Use subdistrict standards in Implementing Regulations Section 2.04.A.4. The proposed TBAP amendments include a policy that encourages the creation of a funding source for a comprehensive frontage improvement implementation plan, to include the construction of sidewalks (See TBAP LU-P-21). The amendments are also designed to provide consistency in the plan area in identifying the street frontage improvement requirements (See Implementing Regulations Section 3.06 and Table 3.06A).

13. Redevelopment Capacity

☒ YES ☐ NO ☐ N/A

Citation 13.6.5.C.4

Requirement The submitted Area Plan shall ensure adequate capacity for redevelopment and transfers of development rights into town centers and regional centers.

Notes The existing TBAP includes height, density, and coverage limits up to the maximum limits allowed by Chapter 13 of the Code of Ordinances. These standards would provide adequate capacity for redevelopment of the existing Town Centers and transfers of development from sensitive and/or outlying areas. The TBAP amendments do not propose changes to height, density, and coverage limits. New policies support and encourage adaptive reuse of vacant or underutilized retail and office space, support redevelopment of aging lodging products and encourage revitalization and creation of new high-quality lodging, allow multipurpose and flexible gathering spaces in private and public parking areas where events could be held during off-peak hours, expedite building permit processes, and support the development of new business innovation space and flexible light industrial spaces to diversify the local economy. These standards would provide

adequate capacity for redevelopment of the existing Town Centers and transfers of development from sensitive and/or outlying areas.

14. Coverage Reduction and Stormwater Management

☒ YES ☐ NO ☐ N/A

Citation 13.6.5.C.5

Requirement The submitted Area Plan shall identify an integrated community strategy for coverage reduction and enhanced stormwater management.

Notes Part 8, Implementation Plan, of the existing TBAP includes specific projects necessary to implement an integrated strategy for coverage reduction and stormwater management. The proposed amendments to TBAP do not change or identify new or different specific projects necessary to implement an integrated strategy for coverage reduction and stormwater management. In addition, the TBAP includes special planning areas with specific requirements for SEZ restoration and coverage reduction (See TBAP Implementing Regulations Sections 2.09.B.1, 3, and 5).

15. Threshold Gain

☒ YES ☐ NO ☐ N/A

Citation 13.6.5.C.6

Requirement The submitted Area Plan shall demonstrate that all development activity within Town Centers and the Regional Center will provide for or not interfere with Threshold gain, including but not limited to measurable improvements in water quality.

Notes The existing TBAP was reviewed in an EIR/EIS, which identified beneficial effects on threshold standards including water quality. The proposed amendments were evaluated in an IEC and EIR addendum, which identified no impacts that would interfere with attainment of threshold standards.

ADDITIONAL REVIEW STANDARDS FOR THE HIGH-DENSITY TOURIST DISTRICT

16. Building and Site Design

☐ YES ☐ NO ☒ N/A

Citation 13.6.5.D.1

Requirement The submitted Area Plan shall include building and site design standards that substantially enhance the appearance of existing buildings in the High Density Tourist District.

Notes The TBAP does not include the High Density Tourist District.

17. Alternative Transportation

☐ YES ☐ NO ☒ N/A

Citation 13.6.5.D.2

Requirement The submitted Area Plan shall provide pedestrian, bicycle and transit facilities connecting the High-Density Tourist District with other regional attractions.

Notes There is no High Density Tourist Districts in the plan area..

18. Threshold Gain

☐ YES ☐ NO ☒ N/A

Citation 13.6.5.D.3

Requirement The submitted Area Plan shall demonstrate that all development activity within the High-Density Tourist District will provide or not interfere with Threshold gain, including but not limited to measurable improvements in water quality. If necessary to achieve Threshold gain, off-site improvements may be additionally required.

Notes TBAP does not include a High Density Tourist District and the proposed amendments would not interfere with Threshold gain.

K. AREA PLAN AMENDMENTS

1. Conformity Review for Amendments to an Area Plan

☒ YES ☐ NO ☐ N/A

Citation 13.6.6

Requirement Following approval of an Area Plan, any subsequent amendment to a plan or ordinance contained within the approved Area Plan shall be reviewed by the Advisory Planning Commission and Governing Board for conformity with the requirements of the Regional Plan. Public comment before the Governing Board shall be limited to consideration of issues raised before the Advisory Planning Commission and issues raised by the Governing Board. The Governing Board shall make the same findings as required for the conformity finding of the initial Area Plan, as provided in subsection 13.6.5; however, the scope of the APC and Governing Board's review shall be limited to determining the conformity of the specific amendment only. If the Governing Board finds that the amendment to the Area Plan does not conform to the Regional Plan, including after any changes made in response to TRPA comments, the amendment shall not become part of the approved Area Plan.

Notes The amendment to the TBAP is narrowly focused on achieving affordable housing and redevelopment opportunities in Town Centers in the plan area and has been crafted by Placer County staff for conformity with the Regional Plan. The Advisory Planning Commission and Governing Board's review will be focused on determining the conformity of this amendment.

2. Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan - Notice

☐ YES ☐ NO ☒ N/A

Citation 13.6.7.A

Requirement TRPA shall provide lead agencies with reasonable notice of pending amendments that may affect Area Plans. TRPA also shall provide lead agencies with notice of

Area Plan topics that may require amendment following adopted Regional Plan amendments pursuant to this section.

Notes The proposed amendments were initiated by Placer County and are not the result of an amendment to the Regional Plan.

3. Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan - Timing ☐ YES ☐ NO ☒ N/A

Citation 13.6.7.B

Requirement If TRPA approves an amendment to the Regional Plan that would also require amendment of an Area Plan to maintain conformity, the lead agency shall be given one year to amend the Area Plan to demonstrate conformity with the TRPA amendment. The Governing Board shall make the same findings as required for the conformity finding of the initial Area Plan, as provided in subsection 13.6.5; however, the scope of the Governing Board's review shall be limited to determining the conformity of only those amendments made by the lead agency to conform to the TRPA amendment. If the Governing Board finds that the other government fails to demonstrate conformity with the TRPA amendment following the one-year deadline, then the Board shall identify the policies and/or zoning provisions in the Area Plan that are inconsistent and assume lead agency authority to amend those policies and provisions.

Notes The proposed amendments were initiated by Placer County and are not the result of an amendment to the Regional Plan.

L. ADMINISTRATION

1. Effect of Finding of Conformance of Area Plan ☒ YES ☐ NO ☐ N/A

Citation 13.6.8

Requirement By finding that an Area Plan conforms with the Regional Plan pursuant to the requirements of this chapter and upon adoption of an MOU pursuant to Section 13.7, the Area Plan shall serve as the standards and procedures for implementation of the Regional Plan. The standards and procedures within each Area Plan shall be considered and approved individually and shall not set precedent for other Area Plans.

Notes TRPA and Placer County entered into an MOU for the TBAP consistent with Code section 13.7 on November 13, 2017. The existing MOU would remain in place with adoption of the proposed amendments.

2. Procedures for Adoption of Memorandum of Understanding ☒ YES ☐ NO ☐ N/A

Citation 13.7

Requirement An Area Plan shall be consistent with the Procedures for Adoption of a Memorandum of Understanding.

Notes TRPA and Placer County entered into an MOU for the TBAP consistent with Code section 13.7 on November 13, 2017. The existing MOU would remain in place with adoption of the proposed amendments.

3. Monitoring, Certification, and Enforcement of an Area Plan ☒ YES ☐ NO ☐ N/A

Citation 13.8

Requirement An Area Plan shall include notification, monitoring, annual review, and recertification procedures consistent with Code Section 13.8.

Notes Notification, monitoring, annual review, and recertification procedures are specified in the MOU between Placer County and TRPA dated November 13, 2017.

4. Appeal Procedure ☐ YES ☐ NO ☒ N/A

Citation 13.9

Requirement The Area Plan shall include an appeal procedure consistent with Code Section 13.9.

Notes Appeal procedures are specified in the MOU between Placer County and TRPA, dated November 13, 2017.

Attachment G
Compliance Measures

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
WATER QUALITY/SEZ - IN PLACE				
1	BMP requirements, new development: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	The proposed amendments make no changes to the TBAP's BMP requirements and implementation programs. The proposed Area Plan amendments will comply with existing BMP requirements.
2	BMP implementation program -- existing streets and highways: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Trans, Fish	N	
3	BMP implementation program -- existing urban development: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	
4	BMP implementation program -- existing urban drainage systems: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Trans, Fish	N	
5	Capital Improvement Program for Erosion and Runoff Control	WQ, Soils/SEZ, Trans, Fish	N	The proposed amendments make no changes to the TBAP's policies regarding implementation of the CIP.
6	Excess coverage mitigation program: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	The proposed amendments do not change excess coverage mitigation requirements.
7	Effluent limitations: California (SWRCB, Lahontan Board) and Nevada (NDEP): <i>Code of Ordinances</i> Chapter 5	WQ, Soils/SEZ, Fish	N	The effluent limitations in Chapter 5 of the TRPA Code of Ordinances are not being modified.
8	Limitations on new subdivisions: (See the Goals and Policies: Land Use Element)	WQ, Soils/SEZ, Rec, Scenic	N	All new subdivisions will continue to be limited by the provisions in Chapter 39, Subdivision, of the TRPA Code of Ordinances. No changes are proposed.
9	Land use planning and controls: See the Goals and Policies: Land Use Element and <i>Code of Ordinances</i> Chapters 11, 12, 13, 14, and 21	WQ, Soils/SEZ, Trans, Scenic	N	The TBAP was developed to meet the requirements of Chapter 13, Area Plans, and to implement the 2012 Regional Plan. No changes to the Regional Plan land use planning controls are proposed.
10	Residential development priorities, The Individual Parcel Evaluation System (IPES): Goals and Policies: Implementation Element and <i>Code of Ordinances</i> Chapter 53	WQ, Soils/SEZ	N	The TBAP amendments maintain the existing Growth Management regulations, Chapters 50 through 53, of the TRPA Code. No changes are proposed with the amendments.

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
11	Limits on land coverage for new development: Goals and Policies: Land Use Element and Code of Ordinances Chapter 30	WQ, Soils/SEZ, Scenic	N	The TBAP incorporates the existing land coverage provisions in Chapter 30 of the TRPA Code as well as the provisions that allow for high capability lands in Town Centers and the Regional Center to be covered up to 70%. It also includes provisions to protect and restore SEZs, maximize opportunities to remove or mitigate excess land coverage, implement EIP projects (including area wide water quality and erosion control projects), and accelerate BMP implementation. No changes are proposed with the amendments.
12	Transfer of development: Goals and Policies: Land Use Element and Implementation Element	WQ, Soils/SEZ	N	The TBAP includes Goals and Policies from the Land Use Element and Implementation Element of the Regional Plan regarding the transfer of development. The proposed amendments are consistent with the goals and policies in the TBAP. No changes are proposed.
13	Restrictions on SEZ encroachment and vegetation alteration: <i>Code of Ordinances</i> Chapter 30	WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic	N	The TBAP amendments will not alter existing restrictions on SEZ encroachment and vegetation alteration in the TRPA Code of Ordinances, Chapter 30.
14	SEZ restoration program: Environmental Improvement Program.	WQ, Soils/SEZ, Veg, Wildlife, Fish, Scenic	N	The TBAP benefits the EIP's SEZ restoration program through policies and provisions for the protection and restoration of SEZs. No changes are proposed with the amendments.
15	SEZ setbacks: <i>Code of Ordinances</i> Chapter 53	WQ, Soils/SEZ, Veg, Wildlife, Fish	N	SEZ setback requirements in the TRPA Code of Ordinances, Chapter 53, IPES, Section 53.9, were not altered by the TBAP. No changes are proposed.
16	Fertilizer reporting requirements: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish, Rec	N	The TBAP maintains the Resource Management and Protection regulations in the TRPA Code, including fertilizer reporting and water quality mitigation requirements. No changes to fertilizer requirements are proposed with the amendments.

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
17	Water quality mitigation: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	The TBAP maintains the Resource Management and Protection regulations in the TRPA Code, including fertilizer reporting and water quality mitigation requirements. No changes to water quality mitigations are proposed with the amendments.
18	Restrictions on rate and/or amount of additional development	WQ, Soils/SEZ, Wildlife, Scenic	N	The TBAP contains policies outlining the restrictions on rate and/or amount of additional development. While the proposed amendments may modestly increase the pace of development in the place area, no changes to the amount of development are proposed.
19	Improved BMP implementation/enforcement program	WQ, Soils/SEZ	N	The TBAP includes goals and policies related to the BMP implementation/enforcement program. No changes to BMP requirements are proposed with the amendments.
20	Increased funding for EIP projects for erosion and runoff control	WQ, Soils/SEZ	N	The TBAP amendments do not affect funding for EIP erosion and runoff control projects.
21	Artificial wetlands/runoff treatment program	WQ, Soils/SEZ	N	The TBAP does not alter the artificial wetlands/runoff treatment program. No changes are proposed with the amendments.
22	Transfer of development from SEZs	WQ, Soils/SEZ, Scenic	N	The TBAP provides incentives for property owners to hasten the transfer of development rights from sensitive lands, including SEZs, or outlying areas to Town Centers and the Regional Center where redevelopment is better suited and will have beneficial or reduced adverse environmental impacts. No changes to this provision are proposed with the amendments.
23	Improved mass transportation	WQ, Trans, Noise	N	The TBAP facilitates mass transportation within existing transit routes, supporting increased usage of the transit system. No changes to mass transportation are proposed with the amendments.

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
24	Redevelopment and redirection of land use: Goals and Policies: Land Use Element and Code of Ordinances Chapter 13	WQ, Soils/SEZ, Scenic	N	One of the main objectives of the TBAP is to encourage the environmental redevelopment of the built environment and implement the Goals and Policies in the Land Use Element of the Regional Plan. New redevelopment policies are proposed that would support and encourage adaptive reuse of vacant or underutilized retail and office space, support redevelopment of aging lodging products and encourage revitalization and creation of new high-quality lodging, allow multipurpose and flexible gathering spaces in private and public parking areas where events could be held during off-peak hours, expedite building permit processes, and support the development of new business innovation space and flexible light industrial spaces to diversify the local economy.
25	Combustion heater rules, stationary source controls, and related rules: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	No changes are being proposed that would impact these Compliance Measures. The existing TRPA Code of Ordinance provisions will remain in effect.
26	Elimination of accidental sewage releases: Goals and Policies: Land Use Element	WQ, Soils/SEZ	N	
27	Reduction of sewer line exfiltration: Goals and Policies: Land Use Element	WQ, Soils/SEZ	N	
28	Effluent limitations	WQ, Soils/SEZ	N	
29	Regulation of wastewater disposal at sites not connected to sewers: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
30	Prohibition on solid waste disposal: Goals and Policies: Land Use Element	WQ, Soils/SEZ	N	

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
31	Mandatory garbage pick-up: Goals and Policies: Public Service Element	WQ, Soils/SEZ, Wildlife	N	
32	Hazardous material/wastes programs: Goals and Policies: Land Use Element and <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
33	BMP implementation program, Snow and ice control practices: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, AQ	N	
34	Reporting requirements, highway abrasives and deicers: Goals and Policies:, Land Use Element and Code of Ordinances Chapter 60	WQ, Soils/SEZ, Fish	N	The TBAP did not change BMP requirements. No changes are proposed with the amendments.
35	BMP implementation program--roads, trails, skidding, logging practices: <i>Code of Ordinances</i> Chapter 60, Chapter 61	WQ, Soils/SEZ, Fish	N	
36	BMP implementation program--outdoor recreation: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish, Rec	N	
37	BMP implementation program--livestock confinement and grazing: <i>Code of Ordinances</i> Chapter 21, Chapter 60, Chapter 64	WQ, Soils/SEZ, Veg, Wildlife, Fish	N	
38	BMP implementation program--pesticides	WQ, Soils/SEZ	N	
39	Land use planning and controls --timber harvesting: <i>Code of Ordinances</i> Chapter 21	WQ, Soils/SEZ, AQ, Wildlife, Fish, Scenic	N	The amendments will not alter the effectiveness of compliance measures relating to timber harvesting or outdoor recreation.
40	Land use planning and controls - outdoor recreation: <i>Code of Ordinances</i> Chapter 21	WQ, Soils/SEZ, Wildlife, Noise, Rec, Scenic	N	

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
41	Land use planning and controls--ORV use: Goals and Policies: Recreation Element	WQ, Soils/SEZ, AQ, Wildlife, Fish, Noise, Rec, Scenic	N	Regional Plan Policy R-1.5 states that "Off-road vehicle (ORV) use is prohibited in the Lake Tahoe Region except on specified roads, trails, or designated areas where the impacts can be mitigated." The TBAP did not expand ORV use, and no changes are proposed.
42	Control of encroachment and coverage in sensitive areas	WQ, Soils/SEZ, Wildlife, Rec, Scenic	N	The existing TRPA Code provisions remain in effect, and no changes are proposed with the amendments.
43	Control on shorezone encroachment and vegetation alteration: <i>Code of Ordinances</i> Chapter 83	WQ, Soils/SEZ, Scenic	N	The proposed amendments to the TBAP are intended to reflect the changes made to Placer County Code Chapter 12, Article 12.32, "Lake Tahoe Shorezone" adopted by the Board of Supervisors in February of 2021. In August 2019, TRPA amended its Code of Ordinances, including shorezone regulations contained in Chapters 80 through 85. While the existing TRPA code provisions related to the Shorezone will remain in effect, the TBAP implementing regulations have been updated to adopt and incorporate the current TRPA Shorezone Ordinances.
44	BMP implementation program--shorezone areas: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
45	BMP implementation program--dredging and construction in Lake Tahoe: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
46	Restrictions and conditions on filling and dredging: <i>Code of Ordinances</i> Chapter 84	WQ, Soils/SEZ, Fish	N	
47	Protection of stream deltas	WQ, Soils/SEZ, Wildlife, Fish, Scenic	N	
48	Marina master plans: <i>Code of Ordinances</i> Chapter 14	WQ, AQ/Trans, Fish, Scenic	N	

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
49	Additional pump-out facilities: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
50	Controls on anti-fouling coatings: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	
51	Modifications to list of exempt activities	WQ, Soils/SEZ	N	
				The proposed amendments would add exemptions for multi-family residential development with 15 or fewer units and not

WATER QUALITY/SEZ - SUPPLEMENTAL

52	More stringent SEZ encroachment rules	WQ, Soils/SEZ, Wildlife, Fish	N	The proposed amendments do not include any changes to water quality or SEZ provisions that would affect Compliance Measures 52 through 61.
53	More stringent coverage transfer requirements	WQ, Soils/SEZ	N	
54	Modifications to IPES	WQ, Soils/SEZ	N	
55	Increased idling restrictions	WQ, Soils/SEZ, AQ	N	
56	Control of upwind pollutants	WQ, Soils/SEZ, AQ	N	
57	Additional controls on combustion heaters	WQ, Soils/SEZ, AQ	N	
58	Improved exfiltration control program	WQ, Soils/SEZ	N	
59	Improved infiltration control program	WQ, Soils/SEZ	N	
60	Water conservation/flow reduction program	WQ, Soils/SEZ, Fish	N	
61	Additional land use controls	WQ, Soils/SEZ, Wildlife	N	

AIR QUALITY/TRANSPORTATION - IN PLACE

62	Fixed Route Transit - South Shore: STAGE	Trans, Rec	N	The proposed amendments do not include any air quality of transportation changes or provisions that would affect Compliance Measures 62 through 72.
63	Fixed Route Transit - North Shore: TART	Trans, Rec	N	
64	Demand Responsive Transit	Trans	N	
65	Seasonal Transit Services	Trans, Rec	N	

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
66	Social Service Transportation	Trans	N	
67	Shuttle programs	Trans, Rec	N	
68	Ski shuttle services	Trans, Rec	N	
69	Intercity bus services	Trans	N	
70	Passenger Transit Facilities	Trans	N	
71	Bikeways, Bike Trails	Trans, Noise, Rec, Scenic	N	
72	Pedestrian facilities	Trans, Rec, Scenic	N	The TRPA Code provisions related to Compliance Measures 73 through 75 remain in effect, and no changes are proposed with the amendments.
73	Wood heater controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
74	Gas heater controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
75	Stationary source controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	The proposed TBAP amendments will not affect U.S. Postal Service Delivery.
76	U.S. Postal Service Mail Delivery	Trans	N	
77	Indirect source review/air quality mitigation: <i>Code of Ordinances</i> Chapter 65	WQ, AQ, Trans	N	
78	Idling Restrictions: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	The TRPA Code provisions related to Compliance Measures 77 through 78 remain in effect, and no changes are proposed with the amendments.
79	Vehicle Emission Limitations(State/Federal)	WQ, AQ	N	
80	Open Burning Controls: <i>Code of Ordinances</i> Chapters 61 and Chapter 65	WQ, AQ, Scenic	N	No changes related to open burning requirements are proposed.
81	BMP and Revegetation Practices	WQ, AQ, Wildlife, Fish	N	The TBAP amendments would not alter requirements related to BMPs and revegetation.
82	Employer-based Trip Reduction Programs: <i>Code of Ordinances</i> Chapter 65	Trans	N	No changes are proposed to the Code's provisions related to employer-based trip reduction programs.
83	Vehicle rental programs: <i>Code of Ordinances</i> Chapter 65	Trans	N	
84	Parking Standards	Trans	N	The proposed amendments would revise the parking and access guidelines of the TBAP implementing regulations to permanently adopt the parking pilot program for North
85	Parking Management Areas	Trans	N	
86	Parking Fees	Trans	N	

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
87	Parking Facilities	Trans	N	adopt the parking pilot program for North Lake Tahoe Town Centers. These changes would support exemptions to parking and spur redevelopment in the town centers and support strategies identified in the Resort Triangle Transportation Plan (RTTP), which was approved by the TRPA Board of Supervisors in October 2020 and outlines strategies to increase mobility and reduce VMT in the Tahoe region. Changes would include expanding eligible applicants to include all development/redevelopment proposed in town centers, allowing further collaboration with tourist accommodation and residential uses to be considered, removing the existing limitation in the area plan that project sites eligible for the exemption shall be 25,000 square feet or less, and expanding financial mitigations beyond establishment of a transit County Service Area Zone of Benefit to include financial support for transit service enhancements or other alternative transportation projects that support multi-modal transportation and/or strategies noted in the RTTP. The amendments would not make any changes that would affect traffic management, signal synchronization, aviation, waterborne transit or excursions, air quality monitoring, alternative fueled vehicle fleets or infrastructure improvements, north shore transit, or the Heavenly Ski Resort Gondola. Development associated with the amendments will use existing units of use banked within the Amendment Area and would not generate additional demand for waterborne transit services.
88	Traffic Management Program - Tahoe City	Trans	N	
89	US 50 Traffic Signal Synchronization - South Shore	Trans	N	
90	General Aviation, The Lake Tahoe Airport	Trans, Noise	N	
91	Waterborne excursions	WQ, Trans, Rec	N	
92	Waterborne transit services	WQ, Trans, Scenic	N	
93	Air Quality Studies and Monitoring	WQ, AQ	N	

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
94	Alternate Fueled Vehicle - Public/Private Fleets and Infrastructure Improvements	Trans	N	
95	Demand Responsive Transit - North Shore	Trans	N	
96	Tahoe Area Regional Transit Maintenance Facility	Trans	N	
97	Heavenly Ski Resort Gondola	Trans	N	

AIR QUALITY/TRANSPORTATION - SUPPLEMENTAL

98	Demand Responsive Transit - North Shore	Trans	N	The TBAP amendments do not alter any transit services, bikeways, or pedestrian facilities. No changes to existing policies are proposed.
99	Coordinated Transit System - South Shore	Trans	N	
100	Transit Passenger Facilities	Trans	N	
101	South Shore Transit Maintenance Facility - South Shore	Trans	N	
102	Transit Service - Fallen Leaf Lake	WQ, Trans	N	
103	Transit Institutional Improvements	Trans	N	
104	Transit Capital and Operations Funding Acquisition	Trans	N	
105	Transit/Fixed Guideway Easements - South Shore	Trans	N	
106	Visitor Capture Program	Trans	N	
107	Pedestrian and Bicycle Facilities-- South Shore	Trans, Rec	N	
108	Pedestrian and Bicycle Facilities-- North Shore	Trans, Rec	N	
109	Parking Inventories and Studies Standards	Trans	N	
110	Parking Management Areas	Trans	N	
111	Parking Fees	Trans	N	
112	Establishment of Parking Task Force	Trans	N	
113	Construct parking facilities	Trans	N	
114	Intersection improvements-- South Shore	Trans, Scenic	N	

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
115	Intersection improvements-- North Shore	Trans, Scenic	N	
116	Roadway Improvements - South Shore	Trans, Scenic	N	
117	Roadway Improvements - North Shore	Trans, Scenic	N	
118	Loop Road - South Shore	Trans, Scenic	N	
119	Montreal Road Extension	Trans	N	
120	Kingsbury Connector	Trans	N	
121	Commercial Air Service: Part 132 commercial air service	Trans	N	
122	Commercial Air Service: commercial air service that does not require Part 132 certifications	Trans	N	
123	Expansion of waterborne excursion service	WQ, Trans	N	
124	Re-instate the oxygenated fuel program	WQ, AQ	N	
125	Management Programs	Trans	N	
126	Around the Lake Transit	Trans	N	
VEGETATION - IN PLACE				
127	Vegetation Protection During Construction: <i>Code of Ordinances</i> Chapter 33	WQ, AQ, Veg, Scenic	N	The TBAP did not alter the provisions of Chapter 33, and no changes are proposed with the amendments.
128	Tree Removal: <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Scenic	N	The TBAP did not alter the provisions of Chapter 61, and no changes are proposed with the amendments.
129	Prescribed Burning: <i>Code of Ordinances</i> Chapter 61	WQ, AQ, Veg, Wildlife, Scenic	N	
130	Remedial Vegetation Management: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife	N	
131	Sensitive and Uncommon Plant Protection and Fire Hazard Reduction: <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Scenic	N	
132	Revegetation: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife, Scenic	N	

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
133	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	WQ, Veg	N	The TBAP, as amended, is consistent with Chapter 5 of the TRPA Code.
134	Handbook of Best Management Practices	WQ, Soils/SEZ, Veg, Fish	N	The Handbook of Best Management Practices will continue to be used to design and construct BMPs. No changes are proposed with the amendments.
135	Shorezone protection	WQ, Soils/SEZ, Veg	N	See responses to Compliance Measures 43 through 50.
136	Project Review	WQ, Veg	N	Projects on the rezoned parcels will be reviewed and inspected according to the MOU between the County and TRPA. The amendments do not alter the project review process.
137	Compliance inspections	Veg	N	
138	Development Standards in the Backshore	WQ, Soils/SEZ, Veg, Wildlife, Scenic	N	See responses to Compliance Measures 43 through 50.
139	Land Coverage Standards: <i>Code of Ordinances</i> Chapter 30	WQ, Veg, Wildlife, Fish, Scenic	N	See response to Compliance Measure 11. The amendments do not affect coverage standards.
140	Grass Lake, Research Natural Area	WQ, Veg, Wildlife, Fish, Scenic	N	Grass lake is not located within the plan area and would not be affected by the amendments.
141	Conservation Element, Vegetation Subelement: Goals and Policies	Veg, Wildlife, Fish	N	No changes to the conservation element are proposed.
142	Late Successional Old Growth (LSOG): <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Fish	N	No changes related to late successional old growth or SEZ vegetation are proposed.
143	Stream Environment Zone Vegetation: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife, Fish	N	
144	Tahoe Yellow Cress Conservation Strategy	Veg	N	No changes related to the Tahoe Yellow Cress strategy are proposed.
145	Control and/or Eliminate Noxious Weeds	Veg, Wildlife	N	No changes related to noxious weeds are proposed.

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
146	Freel Peak Cushion Plant Community Protection	Veg	N	The Freel Peak Cushion Plant community is not within the plan area and would not be affected by the amendments.
VEGETATION - SUPPLEMENTAL				
147	Deepwater Plant Protection	WQ, Veg	N	No changes related to deepwater plant protection are proposed.
WILDLIFE - IN PLACE				
148	Wildlife Resources: <i>Code of Ordinances</i> Chapter 62	Wildlife, Noise	N	No changes related to wildlife resources are proposed.
149	Stream Restoration Program	WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic	N	No changes to the stream restoration program are proposed.
150	BMP and revegetation practices	WQ, Veg, Wildlife, Fish, Scenic	N	No changes related to BMPs and revegetation practices are proposed.
151	OHV limitations	WQ, Soils/SEZ, AQ, Wildlife, Noise, Rec	N	No changes to OHV limitations are proposed.
152	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	Wildlife	N	The TBAP, as amended, is consistent with Chapter 5 of the TRPA Code.
153	Project Review	Wildlife	N	See response to Compliance Measures 136 and 137. The TBAP amendments will not alter the existing project review procedures.
FISHERIES - IN PLACE				
156	Fish Resources: <i>Code of Ordinances</i> Chapter 63	WQ, Fish	N	No changes related to fisheries are proposed.
157	Tree Removal: <i>Code of Ordinances</i> Chapter 61	Wildlife, Fish	N	The TBAP amendments do not change tree removal provisions of Chapter 61.
158	Shorezone BMPs	WQ, Fish	N	See response to Compliance Measures 43 through 50.
159	Filling and Dredging: <i>Code of Ordinances</i> Chapter 84	WQ, Fish	N	

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
160	Location standards for structures in the shorezone: <i>Code of Ordinances</i> Chapter 84	WQ, Fish	N	
161	Restrictions on SEZ encroachment and vegetation alteration	WQ, Soils/SEZ, Fish	N	No changes to SEZ restrictions are proposed.
162	SEZ Restoration Program	WQ, Soils/SEZ, Fish	N	No changes to SEZ restoration programs are proposed.
163	Stream restoration program	WQ, Soils/SEZ, Fish	N	No changes to stream or riparian restoration programs are proposed.
164	Riparian restoration	WQ, Soils/SEZ, Fish	N	
165	Livestock: <i>Code of Ordinances</i> Chapter 64	WQ, Soils/SEZ, Fish	N	No changes to TRPA Code Chapter 64 are proposed.
166	BMP and revegetation practices	WQ, Fish	N	See response to Compliance Measures 1 through 4. The TBAP amendments do not alter BMP and revegetation practices.
167	Fish habitat study	Fish	N	No changes are proposed.
168	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	Fish	N	See response to Compliance Measure 133.
169	Mitigation Fee Requirements: <i>Code of Ordinances</i> Chapter 86	Fish	N	No changes to mitigation fees are proposed.
170	Compliance inspection	Fish	N	No changes to compliance inspections are proposed.
171	Public Education Program	Wildlife, Fish	N	The TBAP does not include a public education component, but does address the City's education and outreach efforts regarding green building. No changes are proposed.
NOISE - IN PLACE				

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
172	Airport noise enforcement program	Wildlife, Fish	N	The Lake Tahoe airport is not within the plan area. No changes to noise enforcement are proposed.
173	Boat noise enforcement program	Wildlife, Fish, Rec	N	No changes to boat noise enforcement are proposed.
174	Motor vehicle/motorcycle noise enforcement program: <i>Code of Ordinances</i> Chapters 5 and 23	Wildlife, Fish	N	No changes to vehicle noise enforcement are proposed.
175	ORV restrictions	AQ, Wildlife, Noise, Rec	N	No changes to ORV and snowmobile restrictions are proposed.
176	Snowmobile Restrictions	WQ, Wildlife, Noise, Rec	N	
177	Land use planning and controls	Wildlife, Noise	N	See response to Compliance Measure 9. Although the proposed amendments may modestly increase the pace of development, they would not increase the total amount of development allowed in the plan area.
178	Vehicle trip reduction programs	Trans, Noise	N	The TBAP should reduce VMT via installation of pedestrian and bike paths and improving public transit. No changes to vehicle trip reduction programs are proposed.
179	Transportation corridor design criteria	Trans, Noise	N	Placer County, CalTrans, and Mobility 2035 standards will continue to apply, where applicable, and are not affected by the amendments.
180	Airport Master Plan South Lake Tahoe	Trans, Noise	N	The Lake Tahoe airport is not within the plan area. No changes to the master plan are proposed.
181	Loudspeaker restrictions	Wildlife, Noise	N	No changes are proposed.
182	Project Review	Noise	N	See response to Compliance Measures 136 and 137.
183	Complaint system: <i>Code of Ordinances</i> Chapters 5 and 68	Noise	N	Existing complaint systems are not being modified.

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
184	Transportation corridor compliance program	Trans, Noise	N	No changes are proposed.
185	Exemptions to noise limitations	Noise	N	No changes are proposed.
186	TRPA's Environmental Improvement Program (EIP)	Noise	N	No changes are proposed.
187	Personal watercraft noise controls	Wildlife, Noise	N	No changes are proposed.
NOISE - SUPPLEMENTAL				
188	Create an interagency noise enforcement MOU for the Tahoe Region.	Noise	N	An interagency noise enforcement MOU for the Tahoe Region is not being proposed as part of the TBAP amendments.
RECREATION - IN PLACE				
189	Allocation of Development: <i>Code of Ordinances</i> Chapter 50	Rec	N	See response to Compliance Measure 10.
190	Master Plan Guidelines: <i>Code of Ordinances</i> Chapter 14	Rec, Scenic	N	The TRPA, in coordination with Placer County, will continue to process Specific and Master Plan Plans pursuant to Chapter 14 of the TRPA Code of Ordinances. No changes are proposed.
191	Permissible recreation uses in the shorezone and lake zone: <i>Code of Ordinances</i> Chapter 81	WQ, Noise, Rec	N	See response to Compliance Measures 43 through 50.
192	Public Outdoor recreation facilities in sensitive lands	WQ, Rec, Scenic	N	The TBAP amendments are not altering provisions regarding public outdoor recreation in sensitive lands.
193	Hiking and riding facilities	Rec	N	The TBAP includes hiking and riding facilities reflected in the adopted Mobility 2035: Lake Tahoe Regional Transportation Plan and Lake Tahoe Region Bicycle and Pedestrian Plan. Therefore, the TBAP is expected to accelerate implementation of this compliance measure. No changes are proposed with the amendments.
194	Scenic quality of recreation facilities	Rec, Scenic	N	All proposals for new recreation facilities within the TBAP will have to meet Scenic Quality standards. No changes are proposed.

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
195	Density standards	Rec	N	The TBAP amendments will not alter existing density standards. No changes are proposed.
196	Bonus incentive program	Rec	N	The TBAP amendments will not alter existing bonus unit incentives.
197	Required Findings: <i>Code of Ordinances</i> Chapter 4	Rec	N	All applicable TRPA Code Of Ordinance findings will continue to have to be met with the future approval of projects within the TBAP. No changes are proposed.
198	Lake Tahoe Recreation Sign Guidelines	Rec, Scenic	N	The proposed amendments would update and streamline sign guidelines and make the TBAP consistent with the TRPA Code of Ordinances.
199	Annual user surveys	Rec	N	No changes to user surveys are proposed.
RECREATION - SUPPLEMENTAL				
200	Regional recreational plan	Rec	N	No changes to recreation plans are proposed.
201	Establish fair share resource capacity estimates	Rec	N	No changes to recreation capacity or economic modeling are proposed.
202	Reserve additional resource capacity	Rec	N	
203	Economic Modeling	Rec	N	
SCENIC - IN PLACE				
204	Project Review and Exempt Activities: <i>Code of Ordinances</i> Chapter 2	Scenic	N	The TBAP amendments do not alter the list of exempt activities. Nor does it affect project review requirements or review procedures.
205	Land Coverage Limitations: <i>Code of Ordinances</i> Chapter 30	WQ, Scenic	N	The TBAP incorporates the existing land coverage provisions in Chapter 30 of the TRPA Code as well as the provisions that allow for high capability lands in Town Centers and the Regional Center to be covered up to 70%. It also includes provisions to protect and restore SEZs, maximize opportunities to remove or mitigate excess land coverage, implement EIP projects (including area wide water quality and erosion control projects), and accelerate BMP implementation. No changes are proposed with the amendments.

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
206	Height Standards: <i>Code of Ordinances</i> Chapter 37	Scenic	N	The TBAP Development and Design Standards include height standards that are consistent with Chapter 37 of the TRPA Code of Ordinances, as well as take advantage of the new height provisions in the Regional Plan and Chapter 13 of the TRPA Code of Ordinances. The maximum building height is currently measured in stories, which would change to feet (e.g., 56 feet instead of four stories). An additional 5-foot height (up to 61 feet) would be allowed only for Town Center Mixed-Use projects that include all of the following: fronting Highway 28, 50 or more hotel units, deed restricted achievable housing, public art, comply with TBAP Design Standards and Guidelines, and comply with TRPA scenic threshold standards. An additional 11 ft. height (up to 72 feet building max) for Mixed Use buildings meeting criteria above only for rooftop appurtenances such as chimneys, flues, vents, antennas, mechanical conveyances, roof-top amenities, and similar appurtenances.
207	Driveway and Parking Standards: <i>Code of Ordinances</i> Chapter 34	Trans, Scenic	N	No changes to driveway or parking standards are proposed.
208	Signs: <i>Code of Ordinances</i> Chapter 38	Scenic	N	The proposed amendments would update and streamline sign guidelines and make the TBAP consistent with the TRPA Code of Ordinances.
209	Historic Resources: <i>Code of Ordinances</i> Chapter 67	Scenic	N	See response to Compliance Measures 16 and 17. The TBAP amendments would not alter provisions related to the protection of historic resources.
210	Design Standards: <i>Code of Ordinances</i> Chapter 36	Scenic	N	No changes to design standards are proposed.
211	Shorezone Tolerance Districts and Development Standards: <i>Code of Ordinances</i> Chapter 83	Scenic	N	See responses to Compliance Measures 43 through 50.
212	Development Standards Lakeward of Highwater: <i>Code of Ordinances</i> Chapter 84	WQ, Scenic	N	

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
213	Grading Standards: <i>Code of Ordinances</i> Chapter 33	WQ, Scenic	N	No changes to grading or vegetation protection standards are proposed.
214	Vegetation Protection During Construction: <i>Code of Ordinances</i> Chapter 33	AQ, Veg, Scenic	N	
215	Revegetation: <i>Code of Ordinances</i> Chapter 61	Scenic	N	See responses to Compliance Measures 16 and 17. The amendments would not alter revegetation requirements.
216	Design Review Guidelines	Scenic	N	No changes to the design review guidelines are proposed.
217	Scenic Quality Improvement Program(SQIP)	Scenic	N	See response to Compliance Measure 194. The TBAP amendments would not alter the SQIP.
218	Project Review Information Packet	Scenic	N	See response to Compliance Measure 194. The TBAP amendments would not alter project review prrequirements.
219	Scenic Quality Ratings, Features Visible from Bike Paths and Outdoor Recreation Areas Open to the General Public	Trans, Scenic	N	See response to Compliance Measure 194. The TBAP amendments would not alter the scenic quality ratings or related requirements.
220	Nevada-side Utility Line Undergrounding Program	Scenic	N	The amendments would not affect the utility undergrounding program.
SCENIC - SUPPLEMENTAL				
221	Real Time Monitoring Program	Scenic	N	No changes to the real time monitoring program are being proposed with the TBAP amendments.
222	Integrate project identified in SQIP	Scenic	N	No changes to the SQIP or SQIP implementation are proposed.

Attachment H
Table of Amendments

Table A. Amendments to Policy Document

1. Scenic Resources	Policy to support for: TRPA Scenic Evaluation to direct private reinvestment into Town Centers
2. Vegetation	Policy to support for hardening, green waste, and defensible space incentive and/or rebate programs
3. Socio Economic	Policies to support for: High-speed broadband infrastructure capacity; Childcare facilities to meet the needs of the local workforce; Mechanisms to prevent ongoing blight
4. Land Use	Policies to support for: Reservation and conversion manual for the allocation and conversion of TRPA development rights; Funding sources for infrastructure such as sidewalks, curbs, and gutters; Parking management plans; Community-wide snow storage plan
5. Mixed Use	Policy to support to encourage mixed use, and residential components in business park, and light industrial space
6. Town Centers	Policies to support for: Active ground floor uses; Mobile vendors and food trucks in Town Centers; Retention and expansion of businesses from the North Tahoe-Truckee region; Relocate industrial and public utility land uses in the Town Centers to free up Town Center sites; Parking maximums and creative parking solutions
7. Community Design	Policy to support for Local public art in North Tahoe
8. Redevelopment	Policies to support for Adaptive reuse of vacant or underutilized retail and office space; Revitalize and create new high-quality lodging; Multipurpose and flexible gathering spaces in private and public parking areas; Expedite building permit processes; New business innovation space and flexible light industrial spaces
9. Housing	Policies to support for Streamline affordable, moderate, and achievable housing; Require that 50 percent of units converted from multifamily to condominiums be deed restricted to affordable, moderate or achievable housing; Monitor and track housing data in the region; Adaptive management of the short-term rental inventory to balance housing availability (each new lodging unit = decrease in STR cap); Allow local worker overnight camping in public and private parking lots; Build local worker housing above public and private public parking lots

Table B. Amendments to Implementing Regulations

(Zoning/Development Standards)

Town Center – Land Use Regulations Changes	
1. Allow small-scale uses “by-right”	No use permit for small projects that generate low VMT (projects “screen out” from TRPA VMT threshold); would require Design Review
2. Allow Food Trucks & Mobile Vendors	No Use Permit; no Design Review; would require permits from Environmental Health & cannot be parked in roadways
3. Prohibit Real Estate & Property Management Offices	Do not allow on ground floor highway frontage
4. Allow Small Scale Hotels/Motels/TAUs	Allow with no use permit if 20 units or less; would require Design Review
5. Prohibit NEW SF units	Allow existing SF units; new SF units only allowed if part of mixed-use project or if SF are deed restricted for affordable/workforce housing
6. Prohibit ADUs	Allow existing ADUs; new ADUs not allowed on highway ground floor frontage

<p>7. Allow MF, Multi-person, Employee Housing Units</p>	<p>Allow “by-right” if 100% of units are deed restricted for affordable/workforce housing; would require Design Review</p>
---	--

Table C. Amendments to Implementing Regulations

(Zoning/Development Standards)

Town Center – Development Standards Changes	
1. Clarified Streetscape/Roadway Requirements	Added references to County Code related to roadway standards
2. Clarified Frontage Improvements	Added language to provide consistency with County Code related to sidewalk, curb, gutter requirements
3. Shorezone Requirements	Added references to County Code “Lake Tahoe Shorezone Ordinance”
4. Building Length	Added language to provide consistency/clarity; decreased length for commercial buildings adjacent to residential zone districts
5. Building Height	Maintain allowed height of 56’; eliminated reference to number of “stories” allowed
6. Setbacks	Removed rear setbacks when adjacent to residential zones with substantial rear setbacks; addresses constraints of small town center lots

7. Ground Water/Snow Storage	Allow ground water interception for below-grade parking; require snow storage for projects
-------------------------------------	--

**Table D. Amendments to Implementing Regulations
(Zoning/Development Standards)**

Other Amendments	
1. Community Service Zone Districts	<ul style="list-style-type: none"> • Allow SF, MF, multi-person, employee housing and encourage deed restricted housing • Allow mobile vending uses • Modify/modernize development standards to encourage affordable housing
2. Recreation and Tourist Zone Districts	<ul style="list-style-type: none"> • Allow employee housing within 64-Acre Tract Zone District • Allow residential uses within Granlibakken Zone District if 100% deed restricted
3. West Shore Mixed-Use Zone Districts	<ul style="list-style-type: none"> • Allow mobile vending within Tahoma, Homewood, and Sunnyside Zone Districts
4. Parking	<ul style="list-style-type: none"> • Modernize/reduce parking requirements for residential uses • Eliminate parking requirements for projects that add under 1,000 SF in town centers • Allow parking management plans for projects in town centers to provide parking flexibility if project contributes to transit and mobility and commits to participating in community-wide parking management program
5. Tiny Homes	<ul style="list-style-type: none"> • Added Movable Tiny House uses and development standards
6. Signage	<ul style="list-style-type: none"> • Removed sign requirements and refer instead to TRPA requirements

7. Various Revisions	<ul style="list-style-type: none"> Modified areas of miscellaneous cleanup, typos, etc.
-----------------------------	--

Table E. Amendments to Implementing Regulations

(Zoning/Development Standards)

Housing Related Amendments	
Allow MF, Multi-Person, Employee Housing “by-right” where currently allowed with a use permit	No use permit required if in a residential district currently designated as preferable areas for workforce housing and if 100% deed restricted; may require Design Review
Modified/Modernized Development Standards within Residential Zone Districts	<ul style="list-style-type: none"> • Matched minimum lot size to existing density maximums • Reduced minimum lot width to match existing development patterns and encourage smaller scale development • Deleted minimum lot area per dwelling unit (excessive restrictions, rely instead on setbacks and coverage) • Allow for zero-foot setbacks to accommodate duplexes • Cleanup: Matched multiple family density with existing employee housing density in Fairway Tract Northeast

Table F. Public Comment Summary

1.	Changes Triggering Supplemental Analysis	CEQA Guidelines Sections 15162-15164 (i.e., the CEQA Guidelines sections governing the need for supplemental environmental review)
2.	Setbacks	What is changing, where reduced, and why
3.	Food Trucks	Where allowed, how permitted, and why
4.	Parking	Policy related to overnight camping in parking areas and why; parking standards/requirements and why
5.	School enrollment	Historical counts for Truckee Tahoe Unified School District
6.	TRPA Environmental Review	Preparation of IEC & Findings
7.	2017 TBAP EIR/EIS Mitigation Measures	Implementation Report, how mitigation measures are implemented
8.	Lake Clarity	Amendment package objective and Addendum findings
9.	Carrying Capacity	TBAP buildout, density, TRPA growth control limits
10.	Cumulative	Errata to CEQA Addendum – analysis & findings
11.	CEQA Piecemealing	TBAP amendments & independent utility
12.	Wildfire Risk	Attorney General guidance
13.	Traffic and VMT	CEQA analysis & findings

Attachment K
TBAP Implementation Report

ATTACHMENT K

2023 PLACER COUNTY AREA PLAN IMPLEMENTATION REPORT:

Efforts to implement the Tahoe Regional Planning Agency Regional Plan, the Placer County Tahoe Basin Area Plan, and to achieve Tahoe regional goals

Purpose

This report is intended to summarize achievements made in implementing the Tahoe Regional Planning Agency Regional Plan (TRPA) and Tahoe Basin Area Plan (TBAP), and in meeting Tahoe regional goals. Specifically, the report outlines the County's implementation efforts related to transportation and mobility, housing, Total Daily Maximum Load (TMDL), and the TBAP goals and policies, implementation plan, and mitigation measures identified in the TBAP environmental impact report.

Transportation and Mobility

Vehicle traffic has been one of the most impactful tourism effects experienced by visitors and residents in the Lake Tahoe region for decades. The County utilizes the Tahoe Basin Regional Transportation Plan, Placer County Resort Triangle Transportation Plan, North Lake Tahoe Tourism Master Plan, North Lake Tahoe Transportation Demand Management Plan and the Transient Occupancy Tax (TOT) Investments Policy as a guideline for planning and funding a variety of transportation, mobility, and recreational amenities that serve visitors and the local community. In addition, Placer has supported the formation of a Tourism Business Improvement District (TBID) which facilitates additional investments to transportation based on County and community priorities. Placer County continues to address transportation impacts on multiple fronts, addressing both day and overnight visitors, as well as community transportation and mobility needs. The County focuses on transportation and mobility inside and outside of the basin, particularly the connections in eastern Placer that span from Tahoe City and Kings Beach to ski resorts and areas outside the County including the Town of Truckee, recognizing that tourism and transportation impacts are regional and not just local. To minimize impacts from congestion, at least in part caused by visitors, the County dedicates significant TOT revenue and staff resources towards these efforts.

- **Class 1 Trails-** (FY 21-22, \$2.58 million and FY22-23 funding will go to the Board of Supervisors in Jan. 2023) Funding continues to be dedicated to trail planning and construction. For FY 22-23, \$3.9 million was dedicated to trail planning and construction throughout eastern Placer County, most of which was dedicated to the "Resort Triangle Trail" which will ultimately connect Tahoe City, Kings Beach, and Truckee on a class 1 paved trail.
- **Winter Trail Operations-** (\$97,000 in FY 21-22 and budgeted \$100,000 in FY 22-23)- This funds clearing snow from paved trails in the region which allows for recreation as well as multi-modal transportation options in the winter.

- **Park and Ride Service**-(\$63,000 spent in FY21-22 and \$122,000 budgeted for FY22-23. This funds winter service to ski resorts as well as summer service at peak times. Program goals include reducing traffic congestion by concentrating person trips to a higher occupancy option which results in a reduction in vehicle miles traveled or “VMT” by encouraging use of public transit and improving the overall visitor experience to the region.
- **Micro transit Service**-(\$1.9 million in TOT spent in FY21-22 and \$2.5 million budgeted for the service in FY22-23) – On-demand shuttle service for Kings Beach, Tahoe Vista, Dollar Hill, Tahoe City and the West Shore to town-centers has been implemented. There is additional weekend service in the peak seasons between Olympic Valley and Tahoe City and from Northstar to Kings Beach. Program goals included linkages of local trips to regional services such as Tahoe Truckee Area Regional Transit (TART) and removal of barriers to the regional transit usage. This service has proven to be utilized by visitors and locals in lieu of personal vehicle trips. With shared rides, the services achieve a higher vehicle occupancy per trip and eliminate the need for individual parking in key economic areas.
- **Pedestrian Safety and Town Center Traffic Flow**– (\$140,000 for crossing guards in FY21-22 and \$250,000 budgeted for traffic mitigation and pedestrian safety in FY22-23)- Pedestrian crossing guards are placed at heavily trafficked crossing in Kings Beach and Tahoe City. The goals of this program include pedestrian safety and reduction in traffic congestion. Additional funding can be utilized for other traffic mitigation programs and signage.

In addition to the transportation initiative mentioned above, Placer County is committed to achieving a highly functional regional transit system, the Tahoe Truckee Area Regional Transit (TART), implemented for almost two decades. The Board of Supervisors adopted the TART Systems Plan, recently updated in 2016 as a guiding document to achieve regional transit services goals. The Department of Public Works is currently working on an update of the TART Systems Plan to incorporate changes in recent years, including micro transit.

Highlights of the operations include:

- \$12 Million Annual Operating Budget
- 14 Transit Buses
- 34 Employees
- 400,000+ Riders for the last Fiscal Year
- Operating Hours: 5:30 AM -12 AM Summer & Winter, 6:00 AM–10:00 PM fall and spring

TART has expanded significantly over the years. In the last five y, TART has accomplished the following:

- Initiation of SR 267 spring and fall Service
- Initiation of SR 267 year-round service to Truckee
- Expanded night service to include non-peak season service until 10:00 pm
- Initiation of winter early morning connections to Northstar

- Implementation of TART website (TahoeTruckeeTransit.com) upgrade offering interactive user experience
- Initiation of winter peak AM & PM winter 30-minute service Hwy 89 (Tahoe City – Olympic Valley)
- Initiation of winter peak AM & PM winter 30-minute service Hwy 267 (Crystal Bay – Northstar)
- Initiation of Park & Ride service in partnership with the Truckee North Tahoe Transportation Management Association (TNT-TMA); specifically State Route 89 and 267 connections from Truckee, Tahoe City Transit Center, and Tahoe Biltmore/Crystal Bay
- Partnership with Town of Truckee and Truckee Tahoe Airport District to initiate year-round night service connection to Northstar and Olympic Valley from Truckee
- “Free to the Rider” system implemented on TART

Housing and Town Center Redevelopment

One of eastern Placer’s primary challenges is how and where to house our local workforce. Much like the rest of the Tahoe Basin area, Placer County is facing increased challenges of housing affordability as well as housing availability for the workforce. Approximately 80 percent of Placer’s housing units are used as second homes or short-term rentals. The region has experienced declining availability in the existing housing supply alongside increasing housing costs due in large part to the purchase of housing for second home or short-term rental use in the Tahoe area. This affects the local workforce and results in negative impacts to the community, businesses, and tourism. Per United States Census data, the North Lake Tahoe Basin has seen a reduction of 2,000 full-time residents between 2000-2020. Many of them would like to move back to North Lake Tahoe: per the Mountain Housing Council 2021 Regional Housing Implementation Plan, 63 percent of those who work in the North Tahoe region and reside outside the region reported that they would prefer to live in the region. Nearly 48 percent of employees who work in the North Lake Tahoe region reported that it was hard to find a home with affordable rent while only 6 percent did not experience any problems finding or securing housing in 2021.

To address the lack of available and affordable housing, Placer County is working closely with the Tahoe Regional Planning Agency, the Tahoe Truckee Workforce Housing Agency, the Mountain Housing Council, and the business community to collaborate, research, and adopt innovative approaches to workforce housing.

Housing Programs:

In the past few years, the county has launched the following programs and initiatives which have proven to be successful in the region:

- **Workforce Housing Preservation - The program is to provide homebuying assistance for members of the local workforce to deed restrict existing homes for local workforce occupancy.**

The County has invested \$1,100,000 in the program since it started in 2021 and continues its effort to advance homeownership opportunities and preserve housing for the local workforce. Seven deed restrictions have been purchased under the program to date, retaining homeownership and rental opportunities exclusively for the workforce in the East County. Currently, 43 applicants have qualified for the program, and the County will continue to grow this qualified list as the program continues to be funded.

- **Lease to Locals - Funding for this program goes to incentivize homeowners to convert vacation homes to long-term rentals for members of the local workforce.**

The Lease to Locals Program pays homeowners to lease their homes to local workers and encourages long-term rentals utilizing existing housing stock. The Lease to Locals program has successfully encouraged 34 properties to house 79 people as of early Summer 2023. Property rents have averaged \$2,481 per month and provided much-needed rental opportunities for the East County workforce.

- **STR Program – This program aims to create a balance between short term rental opportunities in a diversity of lodging types to both support opportunities for residential lodging and encourage new or redeveloped lodging in town centers, and to address nuisances related to short term rental properties.**

On January 25, 2022: The Placer County Board of Supervisors introduced an ordinance to repeal and replace the existing short-term rental ordinance, Chapter 9, Article 9.42 of the Placer County Code, which expanded the eastern Placer STR program. The ordinance was adopted on February 8, 2022, and took effect on March 11, 2022. To preserve residential compatibility, the County has implemented several components to the STR program. The expanded program implemented a maximum cap on STR permits of 3,900 in order to maintain housing supply and attainable housing pricing for the workforce. The ordinance also requires a TOT certificate for all STR properties. To preserve multifamily developments for long-term rentals, the ordinance limits one STR per multifamily property. The County also initiated a Board-directed stakeholder working group to gauge the efficacy and impacts of the program. Additionally, the County has developed a code compliance team housed out of its Tahoe City office. The County sees the compliance/enforcement arm as a key component to address complaints and ultimately reduce the impacts of STRs and tourism, and views the compliance team as educators about the program and about being a good “guest” neighbor, data gatherers on what is/not working, and on-the-ground resources to identify new or adapted mitigations that should be implemented (both within the parameters of the STR ordinance and in the County initiatives as a whole).

Housing Projects:

Between now and 2040, eastern Placer County anticipates a demand for between 300 and 600 single family units and between 700 and 1,700 multifamily units¹, depending on a low growth or high growth scenario. One project the County has been working on for a few years, Dollar Creek Crossing, is currently undergoing environmental review and is expected to start the project entitlement process in the fall. The project would include up to 150 units of rental housing and for-sale housing targeted to meet regional housing needs. Additionally, the County is working with a private developer on the construction of up to 76 units of rental workforce housing on a County-owned parcel in Kings Beach. This housing project is part of a larger mixed-use redevelopment project, 39° North. The project is expected to start environmental review in the fall.

Town Center Reinvestment and Incentives for New and Renovated Lodging Amenities

No new lodging products have been constructed in the Placer County portion of the Tahoe Basin since the early 1960s. Placer County is working from several angles to spur reinvestment and promotion of mixed-use projects that include lodging in its Town Centers.

In March 2020, Placer County commissioned a study with Bay Area Economics (BAE) to determine why new and renovated lodging projects were not progressing in the North Lake Tahoe basin, and how to incentivize new or renovated lodging products. The study pointed to high costs of development, complex and prescriptive regulatory requirements, and a lack of high-quality lodging examples that would encourage new development. The BAE study determined that additional incentives were needed to help spur development consistent with community and County environmental and economic development goals and to achieve prescribed environmental standards by redeveloping the outdated built environment. Staff revised the existing North Lake Tahoe Economic Development Incentive Program to include a TOT rebate that could be utilized for newly constructed or renovated hotel/motel lodging products. The amendment to that program was adopted in 2020 and further refined in February 2021 after subsequent conversations with hotel developers in the area.

Additionally, to further the County's Town Center reinvestment goals, the County is working with a private developer on the construction of a mixed-use project, 39° North (aka Kings Beach Center), on a County-owned site in Kings Beach. The project involves a hotel component which would include up to 176 hotel keys/units, 38 townhomes, and 76 units of rental workforce housing. The project is expected to start environmental review in the fall.

Funding Tourism Mitigation

¹ Placer County Housing Strategy & Development Plan, BAE, 2018.

Placer County continues to be progressive and aggressive in identifying areas where the County can mitigate the impacts of tourism and improve the region's infrastructure, specifically with Transient Occupancy Tax (TOT) funding generated by our region's lodging and creative funding mechanisms that support these improvements and mitigation measures.

A critical step toward this funding is the newly created North Lake Tahoe Tourism Business Improvement District (NLTTBID) that was approved by our Board of Supervisors on March 9, 2021. The NLTTBID is a benefit assessment district that provides specific benefits to payors by creating a revenue stream to fund marketing, promotions, and special events; visitor services and visitor centers operations; business support and advocacy; economic development and transportation; and sustainability and mitigation of tourism impacts programs for certain North Lake Tahoe businesses. Under this program, lodging, restaurant, retail, activities and attractions are all assessed to create the revenue source. The NLTTBID is expected to generate approximately \$6 Million on an annual basis for stewardship and promotion of travel and tourism specific to North Lake Tahoe. The NLTTBID has freed up approximately \$4.1 million of County TOT funds each year that previously went towards funding North Lake Tahoe tourism and marketing promotions. Placer County has committed to use that \$4.1 million to fund housing and transportation initiatives throughout the North Lake Tahoe/East Placer region.

Additionally, Placer County continues to invest TOT dollars in transit/transportation and tourism mitigation projects. Our region continues to experience significant impacts related to trash and litter in our town centers and beaches. To mitigate this, Placer County increased the capacity of trash bins and the frequency of trash service in Kings Beach and Tahoe City through a partnership with Clean Tahoe. For example, enhanced litter and trash cleanup service was implemented the past two years, funded by TOT (\$150,000 in FY21-22 and \$150,000 in FY22-23).

Total Maximum Daily Load (TMDL)

Lake Tahoe was named an Outstanding National Resource Water (ONRW) by the Environmental Protection Agency (EPA). Since 1968, Lake Tahoe's water clarity trends have been monitored and are now demonstrating improvement from its historically declining condition. To continue this current trend, a TMDL was developed for Lake Tahoe, which recognizes the maximum load of specific pollutants that the lake can absorb while still functioning normally. The Lake Tahoe TMDL has an endpoint target of mean annual water clarity depth of 97.4 feet, which was the measured clarity during the period from 1967 to 1971. In 2011, Lahontan completed a TMDL analysis for Lake Tahoe and determined that an increased emphasis should be placed on controlling very fine sediment particles, which are less than 16 micrometers in diameter, from the urban areas surrounding Lake Tahoe. The Basin Plan Amendments (BPA) was then assumed by Lahontan, altering their existing water quality protection mandates to being aimed at controlling fine sediment in the Basin. In addition to the BPA, Lahontan adopted an updated NPDES

Permit, which requires the local jurisdictions to participate in the LCCP. The LCCP is a process to plan for, track, monitor and report on pollutants of concern.

Monitoring & Reporting Program Annual Report

A. Pollutant Load Reduction Report

On September 10, 2021, the County finalized and submitted its updated Pollutant Load Reduction Plan (PLRP) to Lahontan. Another update will be prepared and submitted by September 30, 2023. The PLRP outlines how the County intends to meet the five-year NPDES Permit requirements for reducing pollutant loading to Lake Tahoe. The NPDES Permit required the PLRP to describe the County's strategy to reduce its baseline fine sediment particle (FSP) pollutant load by 34%, baseline total nitrogen (TN) pollutant load by 19% and baseline total phosphorus (TP) pollutant load by 21% by September 30, 2026. The revised Baseline Load Report submitted to Lahontan in September shows the updated Baseline Pollutant and Allowable Loads for Placer County. Based upon the County's Baseline Pollutant Load Calculations, and the above-mentioned Permit requirements, the County is required to obtain 898 load reduction "credits" by September 30, 2026. A "credit" is defined as approximately 200 pounds of fine sediment particles less than 16 µm in diameter.

Table 1 – Baseline Pollutant Loads

Jurisdiction	Baseline FSP (# of particles)	FSP Allowable Load	Baseline TN (lbs/yr)	TN Allowable Load	Baseline TP (lbs/yr)	TP Allowable Load
Placer County	2.64X E19	1.74X E19	8860	7177	2280	1801

The County's strategy to demonstrate compliance with this requirement is to register drainage area catchments through the LCCP. This is done through modeling the catchment in the Pollutant Load Reduction Model (PLRM) Version 2.1. Once the analysis is completed in the PLRM, the results are then submitted through the Lake Tahoe INFO (LTInfo) platform for registration. Placer County has a total of 567 credits, which includes 321 credits for registered BMP catchments within Kings Beach, Lake Tahoe Park, Lake Forest Highlands, and West Sunnyside Project areas. Additionally, 246 credits have been secured for the road registration for the Dollar Point to Tahoe Vista portion of the County.

The Dollar Point to Tahoe Vista road registration was submitted for a 5-year registration in 2017. It was updated and registration resubmitted and accepted in 2022. Additionally, the road condition score included in the submitted registration was a 3.0 compared to the 3.5 which was originally registered. The change in road condition score was a result of further monitoring and to provide a factor of safety for future years while still being able to meet the credit requirement for the permit term.

Table 2 – County’s Registered Catchments

Catchment Area	Credit Potential	WY22	Registration Type	Registration Establishment Date
Kings Beach	174	174	Treatment BMP	Oct 1, 2015
Lake Tahoe Park	34	34	Treatment BMP	Oct 1, 2015
Lake Forest Highlands	30	30	Treatment BMP	Oct 1, 2015
West Sunnyside	83	83	Treatment BMP	Oct 1, 2015
Dollar Point – Tahoe Vista	283	246	Road Operations	Oct 1, 2022

The LCCP requires that the condition of all treatment BMPs be shown to meet a 2.5 or higher BMP RAM score during the spring/summer period for the Urban Implementer to declare all expected credits in a given water year. As shown in Table 2, all key, essential, and supporting BMPs in the registrations were inspected and maintained according to their respective registration memos.

Tables 3 and 4 show the 2022 BMP RAM scores for registered treatment BMPs and Road RAM scores for registered roads in the County, respectively.

Table 3 – County’s Registered Treatment BMP RAM Scores

BMP ID	BMP Type	BMP RAM	Latest Date	Score	Registered Catchment	Water Quality Importance
DSP_DB01	Dry Basin	4.3	07/12/22		King's Beach	Essential
DSP_IB01	Infiltration Basin	5.0	07/21/22		King's Beach	Supporting
DSP_IB02	Infiltration Basin	5.0	07/21/22		King's Beach	Key
KB1_DB01	Dry Basin	4.5	07/20/22		King's Beach	Supporting
KB1_DB02	Dry Basin	4.5	07/21/22		King's Beach	Supporting
KB1_DB03	Dry Basin	3.1	06/21/22		King's Beach	Supporting
KB1_DB05	Dry Basin	4.7	07/07/22		King's Beach	Essential
KB3_CF01	Cartridge Filter	5.0	09/26/22		King's Beach	Essential
KB3_CF02	Cartridge Filter	5.0	09/26/22		King's Beach	Essential
KB3_WB02	Wet Basin	3.5	07/20/22		King's Beach	Essential

KB3_WB01	Wet Basin	4.6	07/20/22	King's Beach	Supporting
KBCC_DB01	Dry Basin	4.8	07/14/22	King's Beach	Key
KBCC_WB01	Wet Basin	2.7	07/14/22	King's Beach	Supporting
UCT_DB01	Dry Basin	3.2	06/16/22	King's Beach	Supporting
UCT_IB01	Infiltration Basin	5.0	07/21/22	King's Beach	Supporting
LF2_DB01	Dry Basin	3.1	06/22/22	Lake Forest Highlands	Essential
LTP_DB01	Dry Basin	3.2	06/07/22	Lake Tahoe Park	Essential
WS1_DB01	Dry Basin	3.2	06/01/22	West Sunnyside	Essential

Table 4 – County’s Registered Road RAM Scores

Road Class	Expected Condition Score	Average of all Observed Scores	Season	Number of Assessments Required	Number of Assessments Conducted	Achieving Expected Conditions
Placer Roads	3.0	3.6	WY2022	80	84	Yes
	3.0	3.9	Fall/Winter	20	21	
	3.0	3.8	Fall/Winter	20	21	
	3.0	3.4	Fall/Winter	20	21	
	3.0	3.3	Summer	20	21	

As an active partner in the Tahoe TMDL, County staff continues to participate in the LCCP and the associated Tools Improvement Project. The current PLRM 2.1 version was used to register the Kings Beach, Lake Tahoe Park, Lake Forest Highlands, and West Sunnyside treatment BMP registrations and the Dollar Point to Tahoe Vista road registration.

The County also plans to implement the TMDL tools as designed for road maintenance monitoring and will continue to play a critical role in understanding and quantifying the benefits from these winter maintenance practices. With collaboration and assistance with partner agencies such as Caltrans and El Dorado County, the County continues to review TMDL strategies that both make sense and are cost effective.

Tahoe Basin Area Plan Implementation

As outlined in this report, there have been many achievements in implementing the Tahoe Basin Area Plan’s policies related to transportation, mobility, housing, and TMDL efforts that are currently underway.

As such, a Local Government Coordination Report (Report) was developed by TRPA staff to inform the TRPA Governing Board on progress being made toward the development, adoption, and implementation of the TBAP and associated permit delegation Memoranda of Understanding (MOU). Specifically, the Report was prepared, pursuant to TRPA Code, Section 13.8: *Monitoring, Certification, and Enforcement of Area Plans*, to provide the Governing Board a recommendation to either certify, certify with conditions or revoke all or part of the a permit delegation MOU based on audit results. Based on those results the TBAP was recertified by the TRPA Governing Board in December of 2022.

The recertification was determined based on the following. TRPA as a regional agency guides and oversees the implementation of its adopted Regional Plan, Local jurisdiction through adopted Area Plans play a key role in meeting local community needs while accomplishing the broader goals for the Tahoe Region. The Regional Plan specifies TRPA will periodically review the implementation of adopted Area Plans and associated permit delegation MOUs for continuing conformation with the Regional Plan. As such, and as outlined in the Report, during 2021, 233 project applications were submitted to TRPA and 148 project applications were submitted to Placer County within the Placer County Tahoe Basin Area Plan. During the review of the project issued by Placer County on behalf of TRPA, TRPA found that the audit of those projects were in compliance with the MOU, and determined that the pursuant to TRPA Code, Section 13.8.4: *Effect of Annual Review; Annual Report*, that the Governing Board recertify Placer County's MOU.

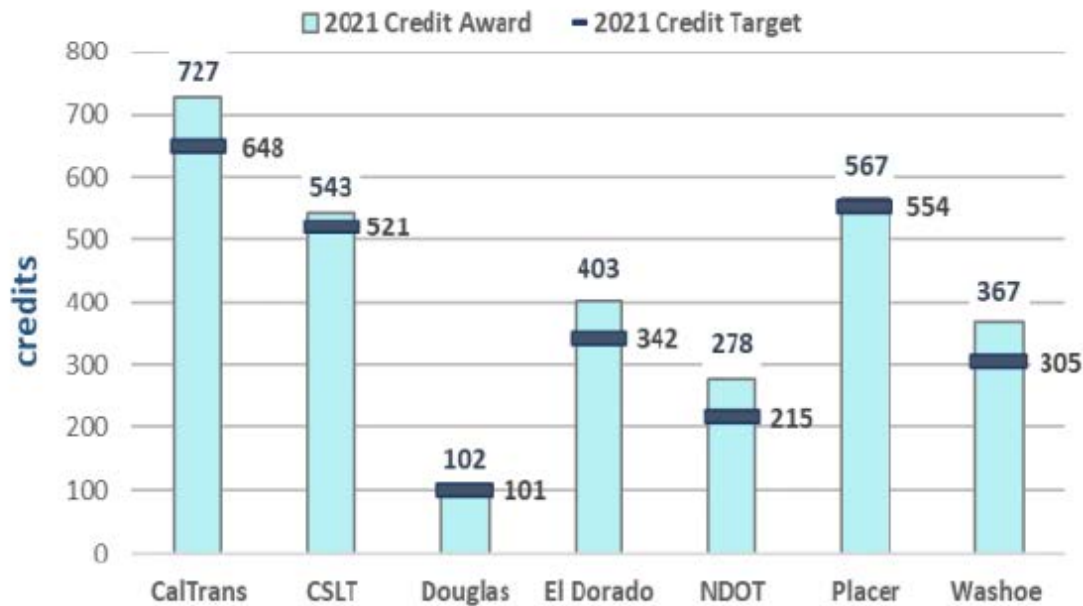
In addition to the 148 project applications submitted to Placer County, the Report highlighted the following Area Plan projects:

- The Tahoe City Lodge Project, a redevelopment project in Tahoe City, has been approved and the original building demolished in 2021. The applicant delayed construction in 2021/2022 due to material and labor costs. An extension of time for the project was approved in October 2022. In July of 2023, construction has commenced with the installation of foundations, vesting the permit.
- 39 North (formerly the Kings Beach Center Project), proposes the redevelopment of two non-contiguous project sites in Kings Beach, totaling 5.15 acres. The proposed project includes a 153 key hotel, 36 market-rate townhomes, 10,500 square feet of retail and restaurant space and a 74-unit deed restricted achievable multi-family development. The project description is being refined in anticipation of a Notice of Preparation and scoping for a joint EIR/EIS in 2023.
- The Boatworks Redevelopment project is a joint EIR/EIS mixed-use project in Tahoe City. The project proposal includes 80 to 85 hotel units, 31 residential condominiums, conference facilities, full-service spa, swimming pool/hot tubs, fitness center, food and beverage outlets and retail space. The project description is being refined in antiicipation of a Notice of Preparation and scoping in 2023.
- Planning for the proposed Dollar Creek Crossing Affordable Housing Project, a multi-family affordable housing project, is underway with an application submittal anticipated in winter 2023.

- Lake View Development is a mid-size mixed use project including 10 market rate multi-family units, 10 tourist accommodation units and 1,455 square feet of professional office in Kings Beach. The project is undergoing a joint review with Placer County and TRPA.
- Tahoe Basin Area Plan Updates to accelerate the production and supply of affordable-achievable housing in the North Tahoe-Placer area were adopted in February 2021.
- Current Tahoe Basin Area Plan updates are under review with the intent of providing more development incentives and flexibility to encourage economic redevelopment and housing in the North Tahoe-Placer area.
- Several Placer County Department of Public Works projects that support Area Plan implementation were either started or completed in 2020/2021, including:
 - SR 28/Hwy 267 Roundabout project/Griff creek watershed restoration (in design)
 - SR 89 / Fanny Bridge Revitalization (second phase with roundabout at the “wye”, Fanny bridge replacement and complete streets improvements) (ready for construction)
 - TART Connect Micor-shuttle service pilot program was successful and extended for another year.
 - Free TRAT services pilot program was successful and extended for another year.
 - Resort Triangle Transportation adopted by Board of Supervisors as an ordinance to expand parking waiver and exemption opportunities with project contribution to transit, shared parking, etc.. Implementation of Adaptive Corridor Management and Parking Management continues.
 - Dollar Creek Shared Use Trail (completed)
 - North Tahoe Bike Trail segments 1 and 3 (in design)
 - West Shore Pedestrian Improvements (completed)
 - Lakeside Trail – Commons Beach to Fanny Bridge (in design)
 - Kings Beach Water Quality Project – Secline Beach Project (in construction)

With regards to TMDL Load Reduction and Four-year Recertification, the Lake Tahoe TMDL Program 2022 Performance Report summarized TMDL Program accomplishments through 2021 and found that all local jurisdictions were meeting or exceeding the credit targets for 2021 further supporting the TRPA’s Governing Boards action to recertify the TBAP. This recertification was based on the Lake Tahoe TMDL Program that is administered by the California Lahontan Regional Water Quality Control Board (Water Board) and Nevada Division of Environmental Protection (NDEP), together with Total Maximum Daily Load (TMDL) Management Agencies. The program is a long term process that guides efforts to restore Lake Tahoe’s clarity to depths of nearly 100 feet. To meet this goal, the program aims to reduce fine sediment particles by 65 percent; total nitrogen loads by 10 percent; and total phosphorous loads by 35 percent. To ensure Area Plans are in conformance with the Lake Tahoe TMDL, TRPA Code, Section 13.8.5: *Four-Year Recertification*, requires TRPA use catchment data and all reports to inform the four-year Area Plan recertification. Specifically, Placer County exceeded the 2021 Credit Target of 554 by 13 credits, with a credit award of 567.

2021 CREDIT TARGETS AND AWARDS



Source: Lake Tahoe TMDL Program 2022 Performance Report

The Report also addressed Housing, and acknowledged that in 2020, TRPA formed the Tahoe Living: Housing and Community Revitalization Working Group. This committee, made up of members from local agencies and organizations, housing developers and community members, has and continues to develop policy recommendations to address critical housing issues and further the availability of affordable, moderate-income, and local achievable workforce housing.

Policy Document - Implementation Plan

In compliance with the TBAP goals and policies, several agencies have accomplished substantial progress or completion of the projects shown in the table below. The table reflects a status update on agencies' projects that are included in the TBAP Implementation Plan. (Updated as of 9/7/23).

Based on responses from lead or coordinating agencies, the following status updates were provided. Projects not shown in the table are pending a status update from the lead agency.,

Project status based on responses from agencies:

Completed: 21
In progress: 11

Not started: 9
Abandoned: 2

Completed Projects

Conservation Projects – Water Quality, Soil Conservation and Stream Environment Zones		
Project Name	Project Description	Lead Agency
West Sunnyside Water Quality Improvement Project, Phase I & II	The West Sunnyside area includes steep hillside terrain and a lack of improved drainage conveyance facilities. The project has re-evaluated and investigated effective ways to maximize source control, decrease potential for erosive surface flows, and infiltrate/treat stormwater runoff. The project includes rock-lined channels, piped drainage systems, asphalt dike, concrete curb and gutter, and vegetation. Drainage treatment facilities include sediment traps and detention basins. Phase 1 of the West Sunnyside project includes a large treatment basin for detaining storm water from the Talmont Subdivision. The second phase will include source control effort directly in the Talmont Subdivision to reduce erosion and storm water volume. Construction for Phase 1 is complete and Phase 2 is scheduled to be constructed in 2015 pending available funding.	Placer County
Griff Creek Watershed Water Quality Project	Due to development in the urbanized area of Kings Beach, the once braided stream channel system with natural flood control zones has been forced into a single channel that has resulted in significant bank erosion and incised channels. In addition, the watershed currently has no urban water treatment facilities and the untreated urban runoff is contributing to nutrient sediment and deposition into the creek's outlet, Lake Tahoe.	Placer County
Homewood Erosion Control Project	This project involves treatment of stormwater and slope stabilization through revegetation, rock slope protection, retaining walls, curb and gutter, and sediment basins. Catchment and treatment of sediment is needed. The project began in 2006 with an expected completion date of 2017. The project is located at San Souci Terrace and Sacramento Avenue between Fawn Street and Tahoe Ski Bowl.	Placer County
Soil Erosion Control Planning-Water Fund	This project is funded by a grant from the CTC. The original project was for erosion control measures at the North Tahoe Regional Park. Due to certain aspects of the original scope, the project was changed to identifying high priority areas needing erosion control measures. Three areas were identified: Camelian Woods Tanks Road, Kingswood West Tank Site, and the Dollar Cove area there the District's Dollar Main sere lift station is located.	NTPUD
Conservation Projects - Scenic Routes		
Wayfinding Sign Program	Implement the Placer County Wayfinding Signage Plan to improve the visitor experience and reduce auto trips.	Placer County
Conservation Projects – Vegetation and Wildfire Hazards		
North Tahoe Public Utility District Hazardous Fuels Treatment at North Tahoe Regional Park	The NTPUD has developed a forest management plan and implements and carries out fuel reduction on forested areas on District-owned properties.	NTPUD
Transportation Projects		
Dollar Creek Shared Use Trail	This project will result in the construction of a paved 10-foot wide and 2.2 mile long shared-use trail through the Dollar and Firestone properties extending the existing TCPUD multi-use trail (that currently terminates near the intersection of Dollar Drive and SR 28) north to the end of Fulton Crescent Drive. This project is the southern segment of an approximately 8-mile long North Tahoe Bike Trail corridor identified by TRPA to link Tahoe City to Kings Beach. Other connections off of this facility have also been proposed to extend northward to Northstar and Truckee.	Placer County
Homewood Bike Trail Project	TCPUD has proposed improvements for the construction of 4,175 linear feet of Class I trail along the west side of SR 89 from Fawn Street to Cherry Street, with a short 885 linear-foot Class 3 connection between Silver Street and Trout Street along Sans Souci Terrace. The Class I bike trail will be a paved eight-foot wide path with two-foot compacted shoulders. This section requires a new bike and pedestrian bridge over Madden Creek and includes a portion of trail along the frontage of the Homewood Mountain Resort parking lot. The Class III connection along Sans Souci Terrace is a shared motor vehicle/bicycle route that will be indicated with a bike route sign. TCPUD is also leading the effort to fill the "Homewood Hole," a 0.9-mile gap in the west shore between Cherry Street and Fawn Street. Portions directly adjacent to the state highway are planned for construction as part of the Lakeside erosion project, while another portion is planned for construction as part of development of the Homewood Master Resort.	TCPUD

Kings Beach Commercial Core Improvement Project	In addition to the SR 28 improvements noted above, the Kings Beach Commercial Core Improvement Project will result in the construction of sidewalks along SR 28 between SR 267 and Beaver Street, as well as along portions of Brook Avenue, Steelhead Avenue, Minnow Avenue, Fox Street, Coon Street, Deer Street, Secline Street, and Chipmunk Street.	Placer County
Recreation Projects (Also See Trail Projects in the Transportation Section)		
Tahoe Vista Recreation Area (TVRA) Phase 2	The North Tahoe Public Utility District acquired a 3.6 acre parcel with financial assistance from the California Tahoe Conservancy for completion of Phase 2 of the project. Phase 2 will include the addition of parking (24 vehicle with trailer pull-through spaces and 41 vehicle spaces, 65 total), bicycle trails, a bus pullout and transportation shelter, infrastructure for future 2,200 square foot concession space and restrooms, and landscaping. TVRA cannot be fully utilized by the limited parking that was permitted and constructed on the lakeside of the project. The project was approved with the understanding that project support parking would be built on the westerly side of National Avenue to serve the parking needs of the boat launch facility.	NTPUD
Public Service and Facilities Projects		
Zone I Water Storage Tank Project	This is a project in Kings Beach to install a new 1.3 million gallon water tank in Zone I to help meet storage deficiency in Zone 1, and install a booster pump station to boost potable water from Zone I to the Zone 2 water tank.	NTPUD
Carnelian & Dollar Sewer Pump Station Design - Phase I	This project is for a rehabilitation design of the Carnelian and Dollar Main Sewer Pump Stations. Due to the direct relationship between the two stations, they need to be designed together, though construction will be done separately.	NTPUD
Brockway ECP Sewer/Water Improvements	Relocations of some utilities is required due to the improvements proposed as part of the Brockway Erosion Control Project. Additionally, replacement of some District facilities due to their age and close proximity to the proposed improvements is also necessary.	NTPUD
Base Facilities Site Design	This project is necessary to replace outdated buildings and involves the design of an office building to house District operations, recreation, engineering, and administrative staff.	NTPUD
Dollar Pump Station Rehabilitation	This project involves the replacement of an intertie valve between the Dollar Main and Dollar Addition wet wells, demolition of HVAC appurtenances, installation of VFD, demolition of Q-cells and appurtenances, removal and replacement of the #3 pump discharge valve, installation of pressure transducers, grouting floor voids, stabilizing the retaining wall, and SCADA integration.	NTPUD
Kings Beach Watershed Improvement	This project involves the replacement of water and sewer mains as part of the Kings Beach Commercial Core Improvements and Watershed Improvement Projects.	NTPUD
New Kings Beach Water Storage - Zone 1	This project will increase storage in the system, and increase system redundancy and operating efficiencies. It involves installing a new 1.3 million gallon water tank in Zone 1 to help meet storage deficiency in Zone 1, and install a booster pump station to boost potable water from the Zone 1 to the Zone 2 water tank.	NTPUD
Rim Drive Emergency Water Main Replacement Project	This project will complete the emergency water main replacement project that was done in 2011 by replacing the lower portion of Rim Drive. On-going replacement of water mains increases system reliability and reduces leakage.	NTPUD
Dolly Varden Water Main Replacement Project	This project will allow the District to abandon the mid-block water main between Cutthroat and Dolly Varden, and involves the replacement of water mains in Dolly Varden Avenue from Chipmunk to SR 267. The ongoing replacement of water mains increases system reliability and reduces leakage.	NTPUD
Carnelian to Watson Creek Water Main Replacement	This area has deficient water pressure to support current needs and fire suppression. The project involves the replacement of approximately 2,400 linear feet of undersized water mains and the installation of fire hydrants along the south side of SR 28 from Carnelian Bay to Watson Creek.	NTPUD
Tahoe Vista Recreation Area Phase 2	This is the second phase of Tahoe Vista Recreation Area Improvements. The project involves design and construction for the north-side parking area.	NTPUD

In Progress Projects

Conservation Projects – Water Quality, Soil Conservation and Stream Environment Zones		
Project Name	Project Description	Lead Agency
Pollution Control Management Measures	<p>New High Efficiency Street Sweepers (5.77%)</p> <p>Additional projects and measures will be identified in future Pollutant Load Reduction</p>	Placer County

	Plans based on TMDL science and methodology. Details for each TMDL Project are described below. (Something seems to be missing here, there is nothing described below).	
Kings Beach Water Quality and SEZ Improvement Project	The Kings Beach Residential area includes a highly urbanized area with a lack of adequate drainage conveyance and stormwater treatment facilities. This project proposes to improve the quality of stormwater discharging into Lake Tahoe from the Kings Beach community by stabilizing exposed soils with vegetation and/or mulch; improving the existing drainage system with new curbs, gutters, earthen berms and underground pipes; and treating runoff with a variety of methods including fill removal, sediment traps and vaults, swales, infiltration and/or detention basins, and media filters.	Placer County
Tahoe Vista-Tamarack Erosion Control Project	This project involves water quality improvements and treatment of public right-of-way runoff. The project began in 2013 and expected completion is 2016.	Placer County
Tahoe City PUD Access Road BMP and Paving	Many TCPUD water supply and sewage transport facilities are accessed by dirt and gravel access roads. These roads are not surfaced and have no storm water treatment or BMPs. In addition, snow must be removed from these roads in winter. The project proposes to pave these access roads and install BMPs for the roadways.	TCPUD
Tahoe City PUD BMP Retrofits for District-Owned Facilities	The purpose of this program is to retrofit and update existing District-owned facilities through the installation of BMPs for the protection and/or restoration of water quality and attainment of minimum discharge standards. BMP implementation on district owned properties include: paving legally established roads, driveways, and parking areas; installation of drainage conveyances; treatment of surface runoff from land covered; vegetate denuded areas; restriction of vehicular access; and improved delineation of dedicated walkways or circulation paths within district-owned parks.	TCPUD
Transportation Projects		

<p>SR 89 / Fanny Bridge Community Revitalization Project</p>	<p>This project is a roadway modification and community revitalization plan, approved in May 2015 and developed by the Tahoe Transportation District (TTD) and Placer County for the Fanny Bridge area in Tahoe City. It addresses existing traffic congestion and poor bicycle/pedestrian conditions with a new State highway alignment and bridge over the Truckee River to the south of the existing Fanny Bridge, along with significant pedestrian and bicycle improvements. Construction is scheduled to begin in 2016.</p> <p>The project was approved with the Alternative 1, Option 2 design. New roundabouts are planned at the Tahoe City wye and at both ends of the new roadway segment. Bike Lane and sidewalk connections will be completed between the east and wye roundabout, the west and wye roundabout and the east end of the project area on Highway 28. Multi-use trail improvements will connect the east and west roundabouts and pass under the new bridge on both sides of the Truckee River.</p> <p>It is the joint desire of TRPA, The Tahoe Metropolitan Planning Organization, Tahoe Transportation District (TTD) and Placer County to revitalize the Fanny Bridge and Tahoe City River District Special Planning Area into a pedestrian and bicycle friendly zone. After completion of construction of the SR 89 / Fanny Bridge Community Revitalization Project, the County shall consider special outdoor events and roadway closures of the old SR 89 / Fanny Bridge area thru temporary outdoor event permits, special event encroachment permits, and selected closures determined by Placer County. Potential impacts to local businesses and traffic impacts associated with special events shall be considered and accommodated where feasible on a case by case basis.</p> <p>In order to monitor activity in the SR 89 / Fanny Bridge area, volume count stations will be installed with the SR 89/Fanny Bridge Community Revitalization Project. The County will make collected data from count stations available to local jurisdictional partners upon request. Initial peak and non-peak hour volume data will be obtained after completion of the SR 89 / Fanny Bridge Revitalization Project to establish a volume and mode baseline. Additional monitoring of bicycle and pedestrian activity, sales tax receipts, and other data will be coordinated with TRPA and TTD. Future volume monitoring will be performed consistent with the County roadway monitoring practices and the</p>	<p>TTD</p>
---	--	------------

	Region's Lake Tahoe Bicycle and Pedestrian Monitoring Protocol.	
<i>Tahoe City Mobility Plan</i>	The Tahoe City Mobility Plan is intended to further design for future connectivity and advance solutions for community cohesion in downtown Tahoe City. The Plan addresses pedestrian and bicycle corridor gaps in Tahoe City, including the "missing link" in the shared use path between Commons Beach and the wye. The Plan also provides complete street strategies to improve parking and circulation along SR 28 near Grove Street, and to establish a vibrant pedestrian-oriented downtown with safe crossings along SR 28 to Lake Tahoe, Commons Beach and the Truckee River.	Placer County
<i>Regional Transit Improvements</i>	Placer County is engaged with local stakeholders in developing the North Tahoe Resort Triangle Transit Vision. The Vision Plan would increase transit service by 70% for Placer County's Tahoe Area Regional Transit service by adding over 18,000 vehicle revenue hours of transit service.	TART
<i>Bus Stop Improvements: West Slope and Tahoe</i>	This project involves the addition or retrofit of public bus shelters for Placer County Transit (West Slope) and Tahoe Area Regional Transit (TART). This project represents an ongoing effort to replace or add shelters to enhance transit ridership throughout the County.	TART
<i>The North Tahoe Bike Trail</i>	This project is a northern extension of the Dollar Creek Shared Use Trail and will result in the completion of the eight-mile long multi-purpose	Placer County

	trail corridor identified by TRPA to link Tahoe City to Kings Beach.	
Public Service and Facilities Projects		
Satellite Station Bypass & Valve Replacements - Phase I	This project is the result of field work and condition assessments of all the satellite pump stations. It involves the installation of several check valves and gate valves at all satellite stations and install bypass valve galleries at high-flow satellite stations.	NTPUD

Not Started Projects

Conservation Projects – Water Quality, Soil Conservation and Stream Environment Zones		
Project Name	Project Description	Lead Agency
Tahoe City Golf Course Restoration	Wetland restoration on portions of the Tahoe City Golf Course is being evaluated and planned. Projects could be completed by public agencies and/or in partnership with Town Center redevelopment projects.	Placer County
Flick Point Erosion Control Project II	This project began in 2014 and involves water quality improvements and treatment of public right-of-way runoff.	Placer County
North Tahoe Public Utility District Erosion Control Projects	This is a combination of a variety of small erosion control projects: one at the District's Dollar Hill D-6 sewer pump station/water lake intake which is on the shore of Lake Tahoe; another at the Dollar Hill D-4 sewer pump station with a road that runs right to Lake Tahoe; and erosion control on the access roads for the two water tanks in Carnelian Bay, Kingswood West Water Tank Access Road. These projects began in 2011.	NTPUD
Tahoe City Snow Disposal Area Siting	The purpose of this project is to evaluate snow removal and disposal for the community, including community planning for snow management, disposal site selection, disposal site characteristics, and disposal site preparation in order to minimize the potential for negative environmental effects.	TCPUD
Transportation Projects		
Lake Forest Bike Trail Improvement	TCPUD is working to construct two short Class I trails in the Lake Forest area connecting the North Shore Trail with Skylandia Park.	TCPUD
National Avenue Bike Path	The National Avenue Bike Path will ultimately consist of a Class I facility along National Avenue from SR 89 to Donner Road. An initial segment	NTPUD

	adjacent to the Tahoe Vista Recreational Area parking area was constructed in 2012.	
Chipmunk to Secline Bike Path	A shared use path is planned along the south (Lake) side of SR 28 between Chipmunk Street and Secline Street, connecting bike lanes on the discontinuous segments of Brockway Vista Road with a separated facility through the State Beach area.	Placer County
Recreation Projects (Also See Trail Projects in the Transportation Section)		
Lake Forest Beach Public Access Improvements	This project began in 2011 and involves the extension of water lines to provide for water service, fire protection, and permanent restrooms at Lake Forest Beach.	TCPUD
Skylandia Park Public Access Improvements	This project involves the reconstruction of water lines to provide for fire protection and the construction of a picnic pavilion with ADA access.	TCPUD

Abandoned Projects

Conservation Projects – Water Quality, Soil Conservation and Stream Environment Zones		
Project Name	Project Description	Lead Agency
Recreation Projects (Also See Trail Projects in the Transportation Section)		
64 Acres Recreational Access Improvements	This project includes construction of permanent restroom facilities, construction of additional public parking, and installation of barriers to protect vegetation and reduce compaction of natural areas.	TCPUD
Public Service and Facilities Projects		
CIP Sewer Projects Slurry Seal	Slurry seal of pavement to be done one year after CIP project completion as required by Placer County and Caltrans Encroachment Permits. This project fulfills requirements of Placer County and Caltrans linear projects.	NTPUD

Tahoe Basin Area Plan EIR/EIS & Mitigation

The Tahoe Basin Area Plan EIR/EIS is a programmatic environmental document that provides a regional scale analysis resulting in a framework for mitigation measures associated with future land use implementation. Subsequent private and public projects associated with both land development and infrastructure will be required to perform site-specific environmental review documents as they move through the planning, review, and decision-making process. Since certification of the EIR/EIS in 2017, staff have applied the TBAP EIR/EIS mitigation measures to land development/redevelopment projects that have been approved. However, while there are a number of projects that have been under review since 2017, there are only a limited number of small-scale projects that have been approved since 2017.

Attachment M
Response to Comments

This document provides responses to comments raised during the October 16, 2023 Board meeting on the Tahoe Basin Area Plan (TBAP) amendments. The responses are categorized by topic areas for ease of reference.

The common remark from many commenters is that the TBAP amendments would increase density and therefore impact traffic congestion, wildfire evacuation, and lake clarity, among other things. However, the changes that are being proposed with the TBAP amendments do not add uses and do not increase density. Instead, what are being proposed are minor changes to the Area Plan that have been brought forward to encourage new workforce housing and to facilitate and encourage small-scale lodging and mixed-use development to fill vacant store fronts. These changes are intended to encourage lodging in Town Centers that could, in turn, reduce the number of STRs in neighborhoods. Also, with the redevelopment of derelict or vacant properties, County-required Low Impact Development projects would actually improve lake water quality. Additionally, the Placer County Sheriff's Office provided clarity on handling of wildfire evacuation responses, which assists in showing that these amendments do not negatively impact evacuation impacts. Responses on specific areas are explained further below.

COMMENTS ABOUT CEQA / ENVIRONMENTAL CONCERNS

1. TRPA Environmental Review, IEC and Findings

TRPA requires an Initial Environmental Checklist (IEC) that complies with federal environmental regulations. This was prepared for the TBAP addendum and errata and TRPA staff are currently reviewing it. The IEC is not required for Placer County Board of Supervisors approval, but will be available for public review with other meeting materials for the TRPA Advisory Planning Commission on December 13, 2023.

2. Implementation of Mitigation Measures

The Tahoe Basin Area Plan Environmental Impact Report (EIR/S) requires projects to implement and complete mitigation measures related to topics including but not limited to transportation, mobility, housing, and total maximum daily load/lake clarity. Limited projects have come forward since adoption of the TBAP in 2017; therefore, there haven't been as many opportunities for mitigation measure implementation as anticipated. To date, 21 implementation projects have been completed, 11 are in progress, nine haven't started, and two have been abandoned. Nonetheless, the current status of implementation of the mitigation measures are described in Attachment K to the staff report.

3. Changed Circumstances / New Information

Commenters expressed concern that circumstances have changed since the 2017 TBAP Environmental Impact Report / Environmental Impact Statement (EIR/S) which would require a subsequent EIR instead of the Addendum to the EIR (Staff Report, Attachment D) prepared for the project. CEQA Guidelines sections 15162 through 15164 provide the framework for when supplemental environmental review is needed after an environmental impact report is certified by

a public agency. Section 15162 states clearly that “no subsequent EIR shall be prepared ... unless the lead agency determines, on the basis of substantial evidence in light of the whole record” that one of three triggers have occurred (changed project, changed circumstances or new information of substantial importance). All three triggers have an underlying requirement that changes must be substantial or major to be considered for supplemental review. In addition, changes by themselves, do not result in a subsequent EIR unless those changes result in new significant environmental effects or substantial increases in already-significant environmental effects.

Changed Project

CEQA Guidelines section 15162(a)(1) states that a project change occurs when “substantial changes are proposed in the project which will require major revisions of the previous EIR” Considering subsequent review in the context of a changed project, the question is whether the proposed project modification would be expected to have a more severe or more significant impact than previously analyzed. The supplemental review is specifically looking at the increment of impact resulting from the amendments themselves, not the impact from the Area Plan as a whole, because the Area Plan’s impact was already analyzed in the 2017 TBAP EIR/S.

Changed Circumstances

CEQA Guidelines section 15162(a)(2) states that changed circumstances occur when “substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR....” In the case of changed circumstances, it is critical that any changed circumstances must create new or more severe significant impacts than those considered in the original CEQA document. In addition, the phrase “significant effect on the environment” in sections 15162 through 15164 is specifically defined in a manner that does not include the environment’s effect on the project. (*California Building Industry Assn. v. Bay Area Air Quality Management Dist.* (2015) 62 Cal.4th 369, 377–378 [“ ... it is the project’s impact on the environment—and not the environment’s impact on the project—that compels an evaluation of how future residents or users could be affected by exacerbated conditions.”].) As a result, local agencies are not asked to analyze the impact of existing environmental conditions on a project’s future users or residents, nor are they asked to analyze future unidentified environmental impacts on the project.

New Information

CEQA Guidelines section 15162(a)(3) states that new information is “information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete” When the Guidelines refer to new information, they specifically refer to new factual information, not regulatory changes or agency guidance. (*Save Lafayette v. City of Lafayette* (2022) 85 Cal.App.5th 842, 856 [“Courts analyzing whether new information necessitates an SEIR look to the physical characteristics of a site and the actual environmental effects of a project, not to mere regulatory changes”].) The key consideration is also whether the new information was not known, and could not have been known at the time of the prior EIR (here the 2017 TBAP EIR/S). Information that was known at any level, or could have been known at the time of the certification of the original EIR does not trigger the need for a Subsequent EIR.

Analysis

With the CEQA analysis the County has determined that none of the conditions for subsequent review under the CEQA Guidelines have been triggered, and an addendum is the appropriate

document to cover these minor changes. What this means is the amendments would not result in any new, substantially more severe significant effects than were identified in the Area Plan EIR/S. The framework identified here is explained with respect to specific issues in the sections below.

The changes to the Area Plan policies and regulations proposed with these amendments further support implementation of the land use pattern envisioned in the TBAP and analyzed in the Area Plan EIR/S, so they would not result in new or more severe impacts than what was analyzed in the Area Plan EIR/S.

As noted in the addendum for the amendments, no changes are proposed to the regional growth control system. In other words, the Area Plan and the Area Plan EIR/S have the backstop of TRPA's Regional Plan. The amendments will not increase the overall development potential in the Area Plan because the total number of residential units, tourist accommodation units, and commercial floor area is capped by TRPA's growth control system from TRPA's Regional Plan. County approvals will continue to be bound by the TRPA carrying capacity set by the TRPA Regional Plan.

Because the overall growth potential would not be changed, any increase in development in Town Centers, for example due to affordable housing incentives, would be offset with a corresponding decrease in development potential outside of Town Centers.

It's also important to note that the TBAP amendments would not approve any specific project, and future projects within the plan area would be reviewed pursuant to CEQA and TRPA requirements through project-specific environmental review.

The amendments still require that certain projects, such as projects that don't screen out for VMT, obtain project-specific permits to ensure there is no incompatibility with other land uses. Projects such as hotels/mixed use projects would still require use permits as well as project-specific environmental review (including consideration of evacuation plans/VMT analyses/TRPA scenic standards thresholds).

For the reasons set forth in the Addendum to the 2017 TBAP EIR/S and in this document, there are no changed circumstances or new information that would require subsequent environmental review pursuant to CEQA Guidelines section 15162.

4. Wildfire

Wildfire risks were identified and analyzed in the 2017 TBAP EIR/S, and therefore are not new information that would require subsequent analysis. (See 2017 TBAP EIR/S, Impacts 18-3 and 18-4). The 2017 TBAP EIR/S noted that projects would be required to comply with regional plan policies, local and state regulations for fire protection, as well as area plan policies for fuels reduction, fire resistant materials and defensible space. In addition, Mitigation Measure 18-3 was adopted requiring future projects to implement a traffic control plan in coordination with affected agencies that includes measures for notifying emergency service providers and providing adequate circulation. The 2017 TBAP EIR/S determined that based on the foregoing, the impact of wildfires was less than significant. The Addendum to the 2017 TBAP EIR/S (Staff Report, Attachment D) reviewed the earlier EIR with respect to the TBAP amendments, and determined the impacts would be the same as those previously analyzed in the 2017 TBAP EIR/S.

The 2022 document from the Attorney General titled “Best Practices for Analyzing and Mitigating Wildfire Impacts of Development Projects under the California Environmental Quality Act” is a guidance document, and therefore does not constitute new *factual* information under CEQA Guidelines section 15162. (See *Save Lafayette*, above.) Nonetheless, the guidance compiles readily available information to assist local governments with their consideration of projects in the context of wildfire and has been reviewed by the County.

Wildfire risk is also not a changed circumstance. The risk of fire in the Tahoe Basin was a concern in the 2017 TBAP EIR/S, and wildfire and anthropogenic climate change were issues analyzed within the document. In addition, prior Placer County EIRs acknowledged the potential for wildfires to cross the Sierra Nevada crest and the realistic threat of such an event was known when the TBAP EIR/S was prepared.

The proposed amendments would encourage affordable housing in Town Centers and incentivize compact redevelopment in Town Centers, which is consistent with policies and programs that were analyzed in the TBAP EIR/S. In the case of the TBAP and these proposed TBAP amendments, there would be no expectation that environmental climate conditions would be exacerbated by the project. In fact, there is an expectation that the project would reduce trips by focusing development in walkable town centers, which would have a corresponding beneficial effect on VMT, and thereby greenhouse gas emissions.

5. Evacuation

The 2017 TBAP EIR/S includes a master response related to evacuation and a hazard policy that addresses evacuation. Further, the TBAP EIR/S added a new policy to the TBAP noting that all new development projects within the Plan Area shall prepare and implement an emergency preparedness and evacuation plan (EPEP). Mitigation Measure 18-3 was adopted requiring that future projects implement a traffic control plan in coordination with affected agencies for purposes of notification and evacuation. The Addendum to the EIR (Staff Report, Attachment D) also determined the impacts would be the same as those previously analyzed in the 2017 TBAP EIR/S. Accordingly, there are no changes that would require subsequent environmental review.

Commenters have identified concerns that there is no comprehensive evacuation plan and that the amendments would increase population and therefore negatively impact evacuation. As noted in the TBAP, concern about wildfire and emergency evacuation is an acknowledged and legitimate concern, but the suggestion that the Area Plan and these amendments would exacerbate existing conditions with respect to emergency evacuation is not accurate. The amendments will not increase the overall development potential in the Area Plan 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; so County approvals are still bound by the TRPA carrying capacity set by the TRPA Regional Plan. The full buildout of the area was studied in the TBAP EIR/S. Accordingly, the proposed amendments would not result in uses or activities that would increase the risk of wildfire. Development under the TBAP would continue to require compliance with Regional Plan policies, local and state regs related to fire protection.

Emergency Response

Placer County maintains emergency evacuation plans as well as a notification system to alert the community in the event of an emergency or need for evacuation. Additionally, Eastside Unified

Command comprises a multi-agency emergency response approach that will direct all emergency event-specific evacuation procedures. Those evacuation procedures are not dependent on, nor are they confined by traffic circulation data because traffic control in an evacuation situation would not operate pursuant to normal traffic patterns. Specifically, traffic counts within the Kings Beach roundabouts are not indicative of the ability to evacuate the area in the event of a wildfire. The Placer County Sheriff's Office has provided the following written response to the concern for east Placer evacuation:

"My name is Lieutenant Ty Conners, and I serve as part of the Law Branch within the Placer County Emergency Management team. A growing concern has emerged regarding evacuations in the Tahoe Basin. Our office has undertaken various initiatives to address this issue, including providing information at the Tahoe Board of Supervisors meeting, hosting a public townhall in Kings Beach, engaging in social media outreach, and organizing community events. Additionally, we have conducted Eastside Unified Command Training involving all our mutual aid partners in the Tahoe Basin and neighboring counties. I have been tasked with documenting the evacuation plans for the Tahoe Basin and how we will manage mass evacuations and limited evacuation routes that could be severely impacted by high volumes of traffic.

Regarding the jurisdictional authority for evacuation, in accordance with California Penal Code 409.5(a), state, county, and city peace officers, along with other designated officials, are granted the authority to close public and private lands and order evacuations. This information is part of the 2015 update to the Placer Operational Area Eastside Emergency Evacuation Plan.

To illustrate the process of creating a mass evacuation plan, let's consider a fire as an example. A Unified Command involving both Law and Fire agencies would be established at the onset of the fire incident. Once fire behavior has been determined (including direction, rate of spread, and conditions), the fire department will advise which areas should receive the following notifications:

- Evacuation order
- Evacuation warning
- Shelter in place

The Placer County Sheriff's Office will then create a zone map, and public notifications will begin through Placer Alert. The creation of the zones (Order or Warning) is determined based on fire behavior, with the fire dictating the size, shape, and affected areas of the zones. This systematic approach aims to minimize the displacement of homeowners under an evacuation order, consequently reducing evacuation traffic on the roadways and facilitating smoother evacuation routes.

Evacuation routes will be established, once again based on fire behavior and the safest routes out of the affected area. During this process, incident command will coordinate with all mutual aid resources, such as the California Highway Patrol, Placer County Road Department, and Cal Trans, to implement the evacuation plan. Methods employed to manage traffic flow and direction include traffic control

points and contraflow, where vehicles traveling on a main road in one direction must use lanes typically designated for oncoming traffic.

Additionally, it is recommended to reduce traffic congestion by not waiting for an evacuation order if homeowners are concerned about the conditions. Having a plan, denoted as "READY, SET, GO," is advisable. Whenever possible, individuals should use a single vehicle to transport as many people as they can to minimize the number of single-driver vehicles on the road during an evacuation.

Furthermore, it has been noted in various meetings that there is a need for traffic studies, especially regarding construction and overall traffic congestion around the lake. Traffic congestion often arises because everyone adheres to basic vehicle code laws, such as stop signs, staying in one lane of traffic, and obeying traffic lights and construction site traffic control. However, all these considerations change during an emergency evacuation. Law enforcement's objective is to efficiently evacuate the maximum number of people from an area as swiftly as possible. Incident Command would halt all roadway construction, station law enforcement personnel at chokepoints and intersections to ensure traffic flow, and if necessary, implement contraflow methods to increase the number of lanes for outgoing traffic.

These evacuation methods have been tested in Placer County during incidents such as the Mosquito Fire and River Fire. The Placer County Sheriff's Office collaborates with allied agencies and is confident in the effectiveness of our methods. Regardless of the time of year when tourist traffic may be heightened, our methods and evacuation plans will remain consistent. Incident Command will call for sufficient resources to complete the mission effectively."

As a result, there is no new information with respect to evacuations that would require subsequent environmental review beyond the analysis provided in the 2017 TBAP EIR/S and Addendum.

6. Carrying Capacity / Density / Build-out

The key CEQA consideration relative to these amendments is that development will still be bound by coverage and density requirements, which are not changing. The Tahoe Basin Area Plan and its associated EIR/S looked at the allowed density and analyzed, at a program level, the impacts of projects developing under that framework.

With the exception of one cleanup in the Fairway Tract Northeast zone district in which the existing density was incorrect, the TBAP amendments are not increasing density. All remaining residential and mixed-use zone districts use the existing dwelling units per acre. The amendments would further encourage affordable housing in Town Centers and incentivize compact redevelopment in Town Centers, which is consistent with policies and programs that were analyzed in the TBAP EIR/S.

The amendments will not increase the overall development potential in the Area Plan because the total quantity of residential units, tourist accommodation units, and commercial floor area (collectively referred to as TRPA development rights) are capped by TRPA's growth control system from TRPA's Regional Plan. The TRPA Regional Plan established growth limits by setting

a maximum buildout amount of residential units, commercial square feet, and tourist accommodation units in its regional plan. To date, 3,525 residential units, 731,397 square feet of commercial floor area, and 1,340 tourist accommodation units remain for the basin. Because the overall growth potential would not be changed, any increase in development in Town Centers, for example due to affordable housing incentives, would be offset with a corresponding decrease in development potential outside of Town Centers.

The 2012 TRPA Regional Plan Update EIS cumulative analysis evaluated the effects of total build-out of the Tahoe Region, including the TBAP plan area. Because the TBAP must be consistent with the Regional Plan, including the growth limits established in the Regional Plan, the RPU EIS cumulative analysis provided a cumulative analysis of full build-out of the TBAP. The Area Plan EIR/S cumulative analysis supplemented the RPU EIS cumulative analysis by evaluating complete build-out of the Tahoe Region in combination with build-out of reasonably foreseeable land use plans and projects within the Tahoe Basin and in surrounding areas outside of the Tahoe Basin.

The Errata to the Addendum (Staff Report, Attachment E) describes the land use changes that have occurred since the TBAP EIR/S was completed. Because the 2012 TRPA Regional Plan Update EIS and Area Plan EIR/S already analyzed the cumulative effects of complete build-out of the Tahoe Basin and TBAP plan area consistent with the policies and regulations in both the Regional Plan and TBAP, and because the proposed Area Plan amendments would not alter the growth limits or other assumptions incorporated into these cumulative analyses; the existing analysis in the Area Plan EIR/S already accounts for the cumulative effect of new land use changes in the basin since adoption of the Area Plan EIR/S even though the specific projects were not identified in the Area Plan EIR/S. For this reason, there are not changed conditions within the Tahoe Basin that would cause the proposed Area Plan amendments to result in a new or more severe contribution to a significant cumulative impact than was previously disclosed in the Area Plan EIR/S. Land use changes outside the basin are expected to result in 655 fewer DUs and 7 acres less commercial area in areas outside of the Tahoe Basin than were evaluated in the Area Plan EIR/S. Thus, the Area Plan EIR/S provides a conservative analysis of the cumulative effects of future development in areas outside of plan area, and the cumulative effects of the proposed Area Plan amendments would be less than those disclosed in the Area Plan EIR/S.

7. Cumulative Impacts

Commenters raised concerns that the proposed amendments did not take cumulative impacts into consideration. The CEQA Guidelines and case law are clear that there is no intent to require continual re-analysis or updating of CEQA documents. One of the basic tenets of CEQA is that a lead agency can (and should) rely on past certified or adopted analyses and only update those analyses when there are issues that have not been addressed.

The 2017 TBAP EIR/S analyzes the Area Plan which anticipated future projects, up to and including *full* buildout of the Tahoe Basin Plan Area. So, anything short of full buildout of the Plan Area has been taken into account in the Area Plan's cumulative scenario. Because the proposed Area Plan amendments would not alter the growth limits or other assumptions incorporated into these cumulative analyses; the existing analysis in the Area Plan EIR/S already accounts for the cumulative effect of projects developing in the Basin (e.g., Tahoe Cedars Subdivision, Boatworks

at Tahoe, 39 Degrees North, and Dollar Creek Crossing) even though the specific projects were not identified in the Area Plan EIR/S.

Concerns were also raised over whether there were projects outside of the Basin that should have been included in the cumulative that were not. The Village at Palisades and Martis Valley West projects both have big development potential and were previously considered in the TBAP EIR/S cumulative analysis. As mentioned in the erratum (Staff Report, Attachment E), the County's rezone program to meet the County's Regional Housing Needs Assessment is considering possible rezoning of two candidate sites outside of the basin, but in proximity to the TBAP plan area. These two candidate sites could lead to an increase of 96 dwelling units outside the plan area that were not contemplated in the Area Plan EIR/S cumulative analysis.

As noted above, land use changes outside the basin are expected to result in 655 fewer DUs and 7 acres less commercial area in areas outside of the Tahoe Basin than were evaluated in the Area Plan EIR/S. Palisades is not proposing more development with its reapplication; therefore, its contribution to cumulative impacts is not changing. The Martis Valley West project included 760 dwelling units. That project was litigated, the court invalidated approvals, and the County rescinded those approvals. Placer County has not received a new application for the project. Regardless of whether the Martis Valley West developer comes forward with a new application, the up to 96 additional dwelling units would not be considered a significant change in the cumulative scenario since it would result in 655 less DUEs, and would not result in a new or more severe contribution to cumulative impact than was evaluated in the Area Plan EIR/S.

8. Lake Clarity

Commenters raised concerns over the analysis of lake clarity. Water quality is a resource category that Placer County has historically and currently analyzes in all CEQA documents. Microplastics are one type of pollutant that can affect water quality. The data related to the presence of microplastics in Lake Tahoe does not equate to new information or a changed condition under CEQA.

Lake clarity is addressed in the Tahoe Basin Area Plan EIR/S and the TBAP amendments addendum in the hydrology and water quality sections and was an objective of the Tahoe Basin Area Plan originally. The Area Plan EIR/S found that the TBAP would not alter the existing TRPA regulations related to discharge to surface and groundwater or water quality protection. It determined that the density and coverage limits within Town Centers were previously analyzed by the TRPA RPU EIS and were determined to have a less-than-significant effect on water quality. Additionally, redevelopment of Town Centers consistent with TRPA BMP requirements would result in a decrease in the pollutant load carried in stormwater runoff and an overall decrease in volume of stormwater runoff. Therefore, the TBAP was found to have a beneficial impact on water quality. The amendments include policies that would further support implementation of the land use patterns identified in the TBAP while maintaining regional water quality and would not result in any new or more severe impacts to hydrology and water quality.

9. Piecemealing

Commenters have raised concerns about decisions by the County to bring forward some TBAP amendments, while deciding to bring forward other amendments later, if at all. For instance,

possible future amendments include the amendments related to height/length that were removed out earlier in the process.

Piecemealing under CEQA occurs when portions of a singular project are brought forward at different times in an attempt to circumvent the CEQA analysis of the project as a whole. In general, no piecemealing occurs when projects serve different purposes and can be implemented independently. These minor amendments in no way trigger subsequent amendments. While subsequent amendments may occur, they are not a reasonably foreseeable consequence of these minor amendments. These minor amendments have their own independent utility irrespective of any future proposal to increase building height/length. In short, these minor amendments can stand on their own.

The amendments represent code changes and are not connected to any specific project, nor do they include any portion of a project. The amendments have independent utility as a regulatory document. They are not dependent on each other to move forward, they don't need to be analyzed together, and staff are not obligated to consider them together.

10. Vehicle Miles Traveled

The Addendum to the 2017 TBAP EIR/S (Staff Report, Attachment D) evaluated vehicle miles travelled (VMT) at pages 11-12 and determined that the amendments would not result in new or more severe environmental impacts. The TBAP amendments would encourage more concentrated development within the Town Centers with less development outside of the Town Centers. This land use pattern would result in residences in close proximity to commercial uses which would be expected to reduce the number and length of vehicle trips and corresponding VMT. VMT is calculated using standard trip generation rates set by the transportation industry.

Because the proposed amendments would not increase development potential but would promote compact land use patterns analyzed in the Area Plan EIR/S, the proposed amendments would be consistent with the prior analysis in the Area Plan EIR/S.

The TBAP EIR/S looked at full buildout of the Area Plan and noted that VMT in the cumulative setting would actually be reduced by focusing development in the walkable town centers. The proposed TBAP amendments would not alter the development potential within the Plan Area and would therefore not increase the potential for new development that would generate VMT.

Approval of projects through a Minor Use Permit (MUP) would only be allowed if the proposed use meets the TRPA VMT screening criteria (i.e., it must be clear that the VMT impacts are negligible and screenable). As a result, VMT is not increased by the amendments to a level that requires further environmental review.

COMMENTS ABOUT TBAP AMENDMENT LANGUAGE

11. Setbacks: Residential & Town Centers

The BAE study (Staff Report, Attachment G) acknowledged that improvements are needed to facilitate development, scale back requirements and better understand and alleviate constraints and challenges in the development process, including zoning and building requirements. As such,

the TBAP amendments considered the Development Standards of the Residential zone districts and those of the Town Centers have been identified as barriers for the development and/or redevelopment of these parcels. The TBAP amendments propose changes to the setback requirements of the Town Centers and Residential zone districts, as outlined below.

Town Centers

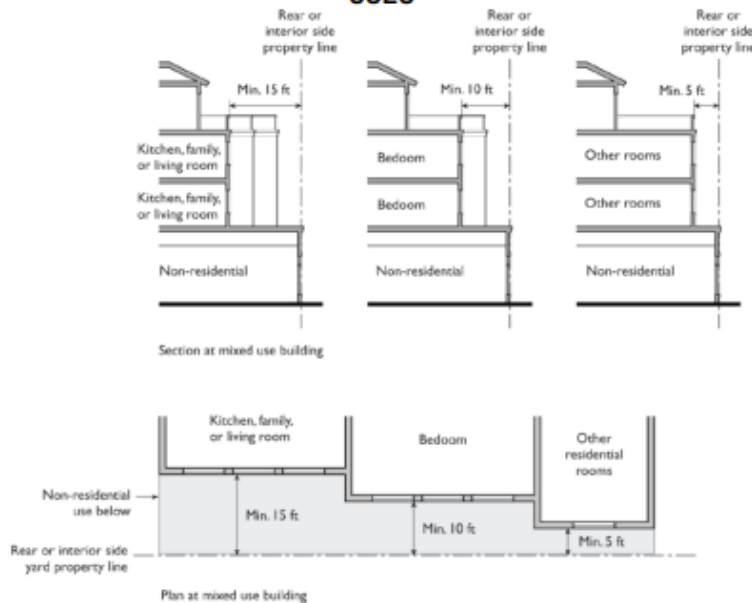
Rear Setback Modification

The amendments allow for a zero-foot (0') rear setback measured from the property line for those parcels in the Kings Beach – North Tahoe East Mixed-Use Subdistricts. The amendments align with the zero-foot (0') rear setback of for the Greater Tahoe City Mixed-Use Town Center Mixed Use - Town Center (MU-TC) and Mixed-Use - Neighborhood (MU-N) zone districts. The amendment took into consideration the existing parcel configurations, i.e. widths and lengths of existing parcels and existing development. The application of all the required development standards created hardships for already small and constrained parcels. For parcels adjacent to the zoning districts of the Town Center, the existing rear yard setback would remain and would provide a separation between the Town Center parcels and those adjoining the Town Center parcels, i.e. residential parcels will be required to provide a 10-foot rear yard setback measured from the property line.

Interior Side Setbacks.

The amendments eliminate the required "10-foot landscaped setback required adjacent to residential uses" in the MU-TC, MU-N and MUN-DH and MUN-LFG zone districts of the Village Center Subdistricts of the Greater Tahoe City Mixed-Use Subdistricts and Mixed-Use Mountainside Town Center (MU-MTC), Mixed-Use Lakeside Town Center (MU-LTC), Mixed-Use Residential (MU-R), Mixed-Use Tourist (MU-TOR) and Mixed-Use Waterfront Recreation (MU-WREC) of the North Tahoe East Mixed-Use Subdistricts. Specifically, the TBAP currently has a requirement for interior yards to provide light and air for residential units. The minimum setbacks were applied to any building wall facing an interior side or rear yard and when the site is adjacent to a residential subdistrict. Specifically, the side setback requires structures to not interrupt a line of a 1:1 slope extending upward from 25 feet above existing grade of the setback line adjacent to the residential district. Additionally, the standards of all interior yards required setbacks applied to that portion of the building wall containing residential windows and extending three feet on either side of any window shall comply with the following: (1) For any wall containing a living room, family room, or kitchen windows, a setback of at least 15 feet shall be provided; (2) For any wall containing sleeping room windows, a setback of at least 10 feet shall be provided. And (3) for all other walls containing windows, a setback of at least five feet shall be provided. Please refer to Figure 2.04(B)(3) below, from the TBAP, for the application of the required setbacks based on adjoining uses.

FIGURE 2.04(B)(3): REQUIRED SIDE AND REAR YARDS FOR RESIDENTIAL USES



The requirements of these setbacks created hardships for development, redevelopment and/or additions to existing buildings, in that, it was difficult to identify the uses of each floor in the adjacent structure and therefore difficult to determine what setback to apply. Additionally, uses could change over time resulting in non-conformities to the required interior side setback of the built environment. The TBAP amendments would allow for greater flexibility for development and reduce challenges known in the Town Centers.

Residentially Zoned Parcels

Front Setback.

The amendments clarify the required front setbacks by providing an additional footnote to alert the reader that when applying the front setback there may be other requirements relative to the planned streetscape and roadway improvements. The TBAP requires that when a road and/or road segment is identified in Table 3.06.A, "Future Streetscape and Roadway Design Characteristics," the front setback shall be considered from the ultimate road right-of-way width listed in Table 3.06.A. Placer County Department of Public Works maintains a Countywide Highway Deficiency Manual to plan for ultimate right-of-way and pavement widths, as well as sidewalk and bicycle land improvements, for specific County maintained roadways. Table 3.06.A provides planned design characteristics for specific streetscape and roadways to guide future development improvements. This amendment would ensure that the reader is made aware of the planned design characteristics for specific streetscapes and roadways and if applicable to the development of the subject parcel.

Street Side Setbacks

The TBAP amendments would allow for a street side setback of 10-feet measured from the property line and in accordance with the applicability limitations of the definition of "street-side setback" in the Placer County Zoning Ordinance. With the application of all the required setbacks for residential parcels, i.e. front, side and rear, it was acknowledged that corner lots or parcels

that abut two road frontages, including access easements, would be required to provide for two front setbacks. The TBAP amendments recognize the existing narrow parcels and the constraints of the application of two front setbacks to the parcel. As such, by applying a street side setback - a lesser setback than the required front setback, will reduce the need for a variance (a timely and costly entitlement process) to request deviation from the requirements of the required setbacks. This would address the concerns presented with constrained parcels and challenges with compliance with the required development standards.

12. Food Trucks

The TBAP amendments would bring the TBAP into conformance with California law regarding sidewalk vendors. On September 17, 2018, the Governor signed Senate Bill 976 (the "Safe Sidewalk Vending Act"), which establishes requirements for local regulation of sidewalk vending. The law became effective January 1, 2019. The purpose of SB 946 is to legalize and decriminalize sidewalk vending across the state. SB 946 defines "sidewalk vendor" as a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack or other nonmotorized conveyance, or from one's person, on a public sidewalk or other pedestrian path. A sidewalk vendor can be "a roaming sidewalk vendor," which is defined as moving from place to place and stopping only to complete a transaction, or "a stationary vendor," which is defined as vending from a fixed location. SB 946 applies only to public sidewalks and paths, not private property. The law allows local authorities to adopt regulations governing sidewalk vending or amend existing regulations. If the local authority wishes to regulate sidewalk vending, then those regulations need to be consistent with SB 946. A local authority may adopt additional requirements regulating the time, place, and manner of sidewalk vending if the requirements are directly related to objective health, safety, or welfare concerns, including a sidewalk vending permit or valid business license, as well as a valid California Department of Tax and Fee Administration seller's permit. Placer County has not adopted additional sidewalk vending laws and current County Code is not compliant with SB 946.

Additionally, the TBAP amendments would also allow food trucks in town and village centers to support the entrepreneurial economy. Food trucks allow food businesses to start a business with much lower overhead and grow their business over time. In fact, the Truckee-Tahoe region has seen several brick and mortar restaurants that started as food trucks. All food trucks would require a business license and environmental health approvals, and could be conditioned to require them to park in specific places and during certain hours, provide and manage waste receptacles, etc.

13. Parking

The TBAP amendments would adopt the two-year pilot parking exemption program for the North Lake Tahoe Town Centers approved by the Board on February 9, 2021. Several potential applicants have expressed interest in the project, but no projects have moved forward in that timeframe. The purpose was to support exemptions to parking requirements to spur redevelopment in the Town Centers and support strategies identified in the Resort Triangle Transportation Plan (RTTP), which was approved by the Board in October 2020, and which outlines strategies to increase mobility and reduce VMT in the Tahoe region.

The TBAP amendments would make parking requirements for multi-family development more consistent with those of single-family development and reduce requirements for both to incentivize

production of workforce housing. A surface parking space can cost \$20,000 to \$30,000 per space which developers have told staff adds to the cost of a housing project and significantly reduces the feasibility of the project. The following changes are included in the amendments.

	Today's TBAP	Proposed TBAP amendments
Multi-Family Dwelling	1 space per bedroom for first two bedrooms and .5 per additional bedroom	1 space for first two bedrooms and .5 per additional bedroom
Single-Family Dwelling	2 per unit	1 for first two bedrooms; three or more bedrooms 2 per unit

Additionally, the amendments comply with state law, Government Code Section 65863.2, which mandates no minimum automobile parking will be required for a residential, commercial, or other development project (excluding any portion designated for use as a tourist accommodation unit) if the project is located within one-half mile of public transit unless the County makes written findings that not imposing or enforcing minimum automobile parking requirements on the development would have a substantially negative impact. The Tahoe Basin doesn't currently meet the definition of high-quality transit stop as specified in the code so this would not be applicable unless the region moves to 15-minute transit headways.

The TBAP amendments include a policy to explore opportunities to allow local worker overnight camping in public and private parking lots. This concept was proposed from the Mountain Housing Council as a potential interim solution to create a safe overnight parking framework for local workers. Some of the region's parking lots are already being used for overnight parking/camping by local workers but in an unregulated manner with no permitting, requirements, site improvements, or enforcement. The policy itself would not allow overnight parking. Staff would have to develop a program in coordination with other departments, including the Department of Public Works, Environmental Health, and the Sheriff's Office. The proposed program would then need to be adopted by the Board of Supervisors. Similar programs have been implemented in other mountain towns, such as the town of Telluride. Any program would need to consider and include requirements related to registration or permitting, noise and storage, proximity to restrooms, designated parking lot(s), etc. The policy simply allows staff to explore the concept.

14. School Enrollment

One commenter indicated that the area's population has increased, as evidenced by increased school enrollment in the Tahoe Truckee Unified School District, which therefore shows an increase in population within the Tahoe basin. However, the area's school enrollment data included below demonstrates there is no substantial change from 2016 to the current school year.

2016 – 2017: 3,941
 2017 – 2018: 3,921
 2018 – 2019: 3,955
 2019 – 2020: 3,981

2020 – 2021: 3,945
2021 – 2022: 3,953
2022 – 2023: 3,960
2023 – 2024: 3,923