

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

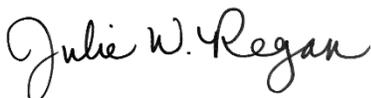
NOTICE IS HEREBY GIVEN that on **Wednesday, November 15, 2023**, commencing **no earlier than 9:00 a.m.**, at the **Tahoe Regional Planning Agency, 128 Market Street, Stateline, NV**, the **Governing Board** of the Tahoe Regional Planning Agency will conduct its **regular business meeting**.

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, November 15, 2023**, commencing at **8:45 a.m.**, at the **Tahoe Regional Planning Agency**, the **TRPA Operations & Governance Committee** will meet. The agenda will be as follows: **1)** Approval of Agenda; **2)** Approval of Minutes; **(Pages 7) 3)** Recommend approval of October Financials (action) **(Page 83)** (*Staff: Chris Keillor*); **4)** Upcoming Topics (*Staff: Chris Keillor*); **5)** Committee Member Comments; Chair – Aldean, Vice Chair – Laine, Aguilar, Diss, Hoenigman; **6)** Public Interest Comments

NOTICE IS FURTHER GIVEN that on **Wednesday, November 15, 2023**, commencing **at the conclusion of the Governing Board meeting no earlier than 11:30 a.m.**, at the **Tahoe Regional Planning Agency**, the **TRPA Regional Plan Implementation Committee** will meet. The agenda will be as follows: **1)** Approval of Agenda; **2)** Approval of Minutes; **(Page 51) 3)** Discussion and possible recommendation on the Phase 2 Housing Amendments, including proposed changes 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 changes to the Goals and Policies, Land Use and Housing Sections; that would only apply to projects applying for deed-restricted bonus units (action) **(Page 125)** (*Staff: Alyssa Bettinger*); **4)** Upcoming Topics (*Staff: John Hester*); **5)** Committee Member Comments Chair Hoenigman, Vice Chair – Diss, Aldean, Gustafson, Hill, Settelmeyer **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: PostOffice, Stateline, NV, North Tahoe Event Center, Kings Beach, CA, IVGID Office, Incline Village, NV, North Lake Tahoe Chamber/Resort Association, Tahoe City, CA, and Lake Tahoe South Shore Chamber of Commerce, Stateline, NV

TAHOE REGIONAL PLANNING AGENCY	
GOVERNING BOARD	
TRPA	November 15, 2023
128 Market Street, Stateline, NV	No earlier than 9:00 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 agendized 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.

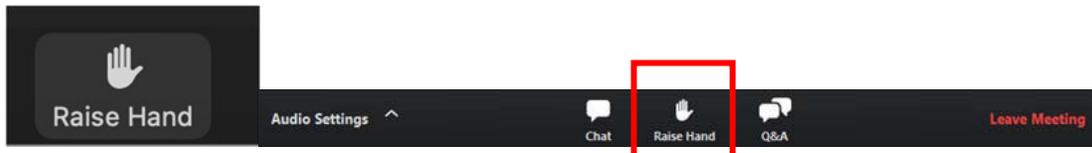
Zoom Webinar - Public Participation

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 21**
- V. TRPA CONSENT CALENDAR (see Consent Calendar agenda below for specific items)
- VI. PLANNING MATTERS
 - A. Aquatic Invasive Species (AIS) Annual Program Update **Informational Only** **Page 119**
(Staff: Dennis Zabaglo)
 - B. Destination Stewardship Plan: Update on the Lake Tahoe Destination Stewardship Plan and implementation activities **Informational Only** **Page 121**
(Staff: Devin Middlebrook)
- 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. Local Government & Housing Committee **Report**
 - B. Legal Committee **Report**
 - C. Operations & Governance Committee **Report**
 - D. Environmental Improvement, Transportation, & Public Outreach Committee **Report**
 - E. Forest Health and Wildfire Committee **Report**
 - F. Regional Plan Implementation 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. October Financials <i>(Staff: Chris Keillor)</i>	Action/Approval <u>Page 83</u>
2. Governing Board Revised Committee Charters and Membership Appointments <i>(Staff: Julie Regan)</i>	Action/Approval <u>Page 111</u>

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

Article III (g) Public Law 96-551 Tahoe Regional Planning Agency Governing Board Members: Chair, Cindy Gustafson, Placer County Supervisor Representative; Vice Chair, Hayley Williamson, Nevada At-Large Member; Francisco Aguilar, Nevada Secretary of State; Shelly Aldean, Carson City Supervisor Representative; Ashley Conrad-Saydah, California Governor’s Appointee; Jessica Diss, Nevada Governor’s Appointee; Belinda Faustinos, California Assembly Speaker’s Appointee; John Friedrich, City of South Lake Tahoe Councilmember; Meghan Hays, PresidentialAppointee; 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

October 25, 2023

Meeting Minutes

CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Ms. Aldean called the meeting to order at 9:40 a.m.

Members present: Ms. Aldean, Ms. Bowman (for Mr. Aguilar), Ms. Diss, Mr. Hoenigman, Ms. Laine

I. APPROVAL OF AGENDA

Agenda approved.

II. APPROVAL OF MINUTES

September 27, 2023 Operations and Governance Committee Minutes

Minutes approved, as amended.

III. [Recommend Approval of September Financials](#)

TRPA Finance Director, Mr. Keillor, presented the item. Mr. Keillor said there are no major insights or issues to present, just a couple of things that we're watching and tracking. We're one quarter end of the fiscal year with no major liens against the budget. Labor is on track, we're just now completing the annual salary review, and we do have a few vacancies that are in the process of being filled. Contract payments continue to lag, but they'll catch up, and the state funds are all in.

Planning fees is one thing that we are tracking. We're still above the 5-year average, but a little bit below last year. Grant revenues are almost zero, because we bill grants in arrears so we're in the process of billing all those grants right now. Next month, there'll be a big number in there for grant revenues. The only other big thing of note is that we just transferred the funds for a big debt payment due December 1, 2023.

The chart on slide 4 shows performance against budget. And as I said, most of the state funds are in. There's a little bit of state money sitting out there, most of that is TSAC funding which we bill on a cost basis. We are still working with California to get some extra money for salary reviews.

Planning fees for the first quarter are exactly 25% of the budget. That sounds like it's on track, but it is a little seasonal, so we're worried about that. The AIS fees are at 38% of the budget right now. We're in the process of settling up with all the boat ramps so that's normal. Shoreline fees are very low at 15%, but the buoy fees are actually due June 30, 2023, so what you really see this time of year is lagging payments from people who were late in updating their buoy.

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Mr. Keillor said he provides quarterly updates on mitigation fees. So far this year we've taken in about \$600,000 and made one disbursement of \$25,000 to the City of South Lake Tahoe. We will distribute another \$60,000 this week, so there is more to come. Mr. Keillor explained that this is not the balance, just the annual revenue and expenses that will wind up getting reported through our financial statements, due to the GASB change that requires us to recognize mitigation funds as revenue and expenses. Before that GASB change, we were just treating them as money held in trust.

Slide 6 shows cash flow with and without mitigation funds. You can see that they're almost on top of each other because we haven't really done much with mitigation funds so far this year. This is the peak of the year when we have a lot of cash. That's because all the state money comes in, and we will drive that down. Over the balance of the year, we will spend far more than we take in cash. The only positive cash of those would be the grant billings and the fees.

Committee Member Comments:

None.

Public Comment:

None.

Motion:

Ms. Laine made a motion to recommend the Governing Board accept the September 2023 Financial Statements.

Ayes: Ms. Aldean, Ms. Bowman (for Mr. Aguilar), Mr. Hoenigman, Ms. Laine, Ms. Diss

Motion carried.

IV.&V. [Possible recommendation for approval of the Inflation Adjustment to TRPA Application Filing Fee Schedule, Mobility Mitigation Fee, & Rental Car Mitigation Fee](#)

TRPA Finance Director, Mr. Keillor, presented the item. Mr. Keillor reminded the committee that the budget for the year did assume that there would be a 3.5% inflation adjustment to planning fees. When we started running the numbers using the August CPI that became 3.9%, so slightly higher. Mr. Keillor said there's a little bit of an anomaly in that two of the mitigation funds that we're talking about today are listed in the Rules of Procedure as having a different index. The Governing Board approved changing those Rules Procedure last month, but the 60-day implementation window is still open, so we have to use the old index for this change. As a result, those two are being inflated based on the San Francisco SSMA inflation rate, which is lower than 3.9%.

Going forward, everything will move over to the Western States to standardize. Mr. Keillor added that an open item is that all the other mitigation fees don't currently have a provision for inflation adjustment, so that's a topic for a future conversation.

Mr. Keillor handed the presentation over to Principal Planner, Ms. Borawski, to present the inflation adjustments and permitting fees. Ms. Borawski said this was her fifth time presenting the CPI adjustments, which feels like a time of reflection, and showed our commitment to consistency and

OPERATIONS AND GOVERNANCE COMMITTEE

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to achieving our goal for the Permitting & Compliance department to be able to fund itself. Right now, we're not able to do that with application fees.

In 2018 we implemented a big increase, but in the last 5 years we've just done the CPI adjustments. The proposed annual inflation adjustment to fees as called out in the TRPA Code and Rules of Procedure:

Application Fees	3.9%
Mobility Mitigation Fee	3.4%
Rental Car Mitigation Fee	\$0.25 day

Committee Member Comments:

Ms. Laine asked, when you say that you're not at full recovery, where are you?

Mr. Stockham said it varies year to year, and that he will be presenting in detail to the Governing Board later today, but the short fall is approximately 30% on average.

Ms. Borawski added that right now we're talking only about CPI adjustments, but Mr. Stockham will be talking about other fee adjustments in his Governing Board item later today. She added that the Rental Car Mitigation Fee will go into effect January 1, 2024, and the other fees will go into effect later in January.

Mr. Keillor said if we can get the planning department to be self-funding it will free up general funds, because right now we're subsidizing them with the general fund resources.

Ms. Aldean asked how many rental car agencies are in the basin.

Mr. Keillor estimated 3 or 4, but said there is a subtle change where it now says rental vehicles, which could include motorbikes etc.

Public Comment:

None.

Motion:

Ms. Laine made a motion to recommend approval of the attached resolution 2023-___ as shown on Attachment A, and Exhibit 1 to Attachment A, amending the TRPA fee schedule, including the Mobility Mitigation Fee

Ayes: Ms. Aldean, Ms. Bowman (for Mr. Aguilar), Mr. Hoenigman, Ms. Laine, Ms. Diss

Motion carried.

Ms. Laine made a motion to recommend approval of the attached resolution as amended in the Errata Sheet received earlier today – which states that there was an omission to the Rental Car Mitigation fee, in the now therefore be it resolved paragraph.

Ayes: Ms. Aldean, Ms. Bowman (for Mr. Aguilar), Mr. Hoenigman, Ms. Laine, Ms. Diss

Motion carried.

VI. [Recommend Approval of the 2023 Federal Transportation Improvement Program Amendment No. 4](#)

Ms. Aldean informed that the Governing Board had received a number of online comments requesting that this item be removed from the consent calendar and dealt with at Governing Board level. She asked that staff specifically address the two most prevalent concerns, firstly, the adequacy of public notification and opportunity to participate in the discussion of the trail, and concern about where people will be parking, and secondly, concern about how disruptive the construction would be.

Ms. Weber, TRPA Transportation Planner, presented the item. Ms. Weber explained the progression of a Federal Transportation Improvement Program (FTIP) project, which starts with the Regional Transportation Plan (RTP). The RTP identifies projects and programs necessary to improve Tahoe's transportation system. Once included in the RTP project list, a project can apply for federal funding.

When funding is awarded to a project, it must be programmed into the FTIP through an amendment. Today, there are three projects being amended into the 2023 FTIP. The FTIP serves as the short-term programming document that implements projects in the long-term regional transportation plan. These projects, ranging from preliminary planning to construction, have received federal funding, are regionally significant, or require federal action.

The 2023 FTIP must be financially constrained and covers a four-year period, from federal fiscal years 2023 through 2026. The FTIP is updated every two years, and the 2023 FTIP was adopted by the Governing Board last September.

As the Metropolitan Planning Organization (MPO), our responsibility is to program and maintain the funding in the document. Once a project is programmed, it allows for the allocation of funds and the implementation of the project. Throughout the four-year cycle, there might be revisions to existing projects or new projects that need to be added, requiring amendments to the FTIP. Amendments are major changes to the FTIP and can include updates greater than 50% of a project's cost, as well as adding or deleting projects. These amendments are processed on an as-needed basis and require adoption by the Governing Board, as well as state and federal approval.

Amendment 4 includes three projects, two in California and one in Nevada. The first project is the micro transit electric vehicle charging base station in the City of South Lake Tahoe, which was awarded \$275,000 through the TRPA Regional Grant Program and aims to install infrastructure for a charging base station at the City's D Street shop facility.

The second project is the Meeks Creek Bridge, funded through the State Highway Operation and Protection (SHOP) program, includes bridge replacement, creek channel restoration, address fish passage barriers and wildlife crossings, and construction of a bicycle and pedestrian facility. The total cost of this project is \$25 million.

The last project mentioned is the Washoe County led Nevada Stateline to Stateline

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bikeway (Crystal Bay to Incline Village). This project was also awarded funding through the TRPA grant program, and is included in the Active Transportation Plan, the Regional Transportation Plan, the SR 28 Corridor Management Plan, and is included in the adopted Washo County Transportation Plan. The project will include the construction of approximately 2.7 miles of shared-use paved trail, and transit improvements along Highway 28. The trail will start in the community of Crystal Bay and extend to Incline Village at the intersection of Highway 28 and 431. The project is in the early planning stages, with funding allocated for community outreach and public engagement to determine the appropriate alignment and necessary amenities for the final construction. The total estimated project cost is 16.2 million dollars. The project has entered the preliminary stages, allowing for public engagement and input to discuss and decide upon the appropriate alignment.

The amendment process requires public noticing and a public hearing. Key dates for public input included a public comment period from September 28th to October 4th, which was later extended to October 16th to accommodate a public hearing at the rescheduled Tahoe Transportation Commission Board Meeting. Noticing was provided through the TRPA website and email notifications, and no comments were received during the posting. During the public hearing held on October 16th, two comments were received regarding parking area plans, which were incorporated into the final amendment.

One comment inquired about the Meek Creek Bridge project's parking area plan, clarifying that the project focuses on the bridge construction and that the Meeks Creek restoration project will address parking area management. The second comment highlighted the need for a significant parking plan for the Stateline to Stateline Incline Village project, due to the anticipated increase in traffic for the planned bike path. The Tahoe Transportation Commission board meeting unanimously recommended approval of the amendment.

Ms. Weber outlined the final steps and approval timeline for the amendment to the Federal Transportation Improvement Program (FTIP). Formal amendments typically take about 60 days to become active, allowing for public feedback and state and federal review and approval. After the governing board's adoption of the amendment, it will be submitted to Caltrans and the Department of Transportation (DOT) for their review and approval. Subsequently, the state will submit it to the Federal Highway Administration for final approval and incorporation into the statewide transportation improvement programs. Final approval will activate the projects in the FTIP, enabling the authorization of funds and the commencement of work on the projects.

Committee Member Comments:

Ms. Aldean asked about the allocation of funds specifically for public outreach regarding the Stateline to Stateline trail project.

Ms. Weber said the project was awarded 1.1 million dollars, but the specific allocation for public outreach is not detailed.

Mr. Haven, Metropolitan Planning Organization Director, explained that a portion of the budget will be dedicated to public outreach, but the exact amount is yet to be determined. He added that Washoe County is very well aware of the public comments and community outreach is extremely important. He gave an update on the general timeline, indicating

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that the money will be awarded through the current action. Washoe County will then need to establish agreements with NDOT, which typically takes 6 to 9 months. The planning contract award could be 9 to 12 months away. The planning contract precedes any construction contracts and ensures public engagement in the project planning process.

Mr. Hoenigman said that members of the public had requested this item be removed from the consent calendar to be heard by the Governing Board. He said it seems like no decisions are being made right now on what will be built, it's just money for the planning phase of a project, not for the actual construction. He asked if they would be pulling the item from the consent calendar to allow for public comments or to leave it on the consent calendar.

Mr. Marshall said it was at the committee's discretion whether or not to pull the item, but the key decision is whether or not to recommend that the FTIP be amended.

Ms. Aldean reiterated that this was merely allocating money for the planning phase of the project, and she hoped that concerned members of the public saw there will be ample opportunity for public engagement.

Public Comment:

Steve Teshara, Transportation Activist, said he had heard the public comment at the Tahoe Transportation District (TTD) meeting last week and had reviewed the written comments. He emphasized that this is a planning document and urged the committee to move the item forward to the Governing Board with an affirmative recommendation without delay.

Elise Fett, 30 year resident of Crystal Bay and Incline Village, said she sees the dire need for the bike path every day, citing safety concerns for commuters and bike enthusiasts who currently have to share narrow highways. She advocates for a designated bike path with a separated walking path to ensure the safety of the community, particularly for those commuting to work.

Pamela Tsigdinos expressed concern about the lack of sufficient community discussion before allocating funds for the project. She highlighted the already congested area due to ongoing projects at the Waldorf Astoria and other hotels and transportation projects. She said she spent two hours in traffic to move 3 miles this past summer, and putting in place a plan for a trail in a very complicated area requires more community input before dollars are allocated. She said that too often dollars magically appear, and projects begin before people have adequate understanding or what is involved. She urged the TRPA board to consider the safety of residents today, who find they cannot get through that area given the current condition of the roads and projects already in the works, in an area is that a lifeline in the needs of evacuation or snow removal. She asked that this is considered as a bigger picture, not a one-off project, and that the item is removed from the consent calendar until there has been sufficient public discussion.

Ellie Waller agreed with Elise Fett that this does need to be a divided path and emphasized the importance of engaging local law enforcement, proper signage, and more comprehensive public engagement. She added that there will be additional pushback on another segment from the completed Incline piece to Spooner. There's more to this than just one segment, we need to look at the bigger picture and she appreciated the

opportunity for input from the public.

Kathy Julian expressed concern that the planning of this project is not simply allocating a small amount of money to public consultation. This construction of the project will be so complex and potentially dangerous, especially considering wildfire evacuation and traffic issues. She emphasized the need for more upfront discussions and not to rely solely on consultant-led community discussions.

Robert Lober, 34-year resident of North Lake Tahoe, said many people are assuming this would be run right along the highway and that may not be the case. He highlighted the possibility of the bike path serving as an alternative evacuation route, if made wide enough. He suggests considering the path's potential role in emergency evacuations.

Doug Flaherty, TahoeCleanAir.org, criticized the project as another destination project aimed at increasing tourism. He said it will do nothing but increase overcapacity and that the TRPA continues to fail to consider cumulative impacts safety, wildfire evacuation, and environmental issues. Overlooking the hazards that will come with increased destination projects will further complicate evacuation and panic during a wildfire at this chokepoint.

Committee Member Comments:

Ms. Regan, TRPA's Executive Director, thanked the members of the public for their comments. She said that state funding mechanism is such a long process, and the public doesn't often see all the steps. For example, the Lake Tahoe Restoration Act (LTRA) has funded scores of projects at the Lake. First, an authorization bill is passed through Congress, but the money then has to be appropriated. Out of the \$415 million authorized under the soon to expire LTRA, we have only seen under \$115 million in direct appropriations, so it's a two-step process. The transportation program follows that model and needs to program funds well in advance of any project being planned, designed, engineered, and implemented. She assured the public that there will be numerous opportunities for public engagement and addressed concerns about safety, law enforcement involvement, and corridor management plans. She also emphasized the TRPA's commitment to providing more information through webinars and other means to address public concerns and questions.

Ms. Laine said that it sounds like the people requesting to remove the item from the consent calendar maybe believe the item wouldn't be discussed by the TMPO.

Ms. Aldean clarified that removing the item from consent doesn't mean it won't be discussed; rather, it allows the concerned public to address the full board.

Motion:

Ms. Laine made a motion to recommend the adoption of the 2023 Federal Transportation Improvement Program Amendment Number 4 as presented and recommends the TMPO pull the item from the Consent Calendar to allow the public a chance to hear the item in its entirety.

Mr. Marshall clarified that the item is for an FTIP amendment that includes three items. So, we need to split out the Stateline to Stateline trail to be heard as a separate agenda item.

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Ayes: Ms. Aldean, Ms. Bowman (for Mr. Aguilar), Mr. Hoenigman, Ms. Laine, Ms. Diss

Motion carried.

VII. [Approval of Amendment No. 1 Tahoe Regional Planning Agency Transportation Planning Overall Work Program FY 23/24](#)

TRPA Transportation Planning Program Manager, Ms. Glickert presented this amendment to the Transportation Planning Overall Work Program (OWP). As the Tahoe Metropolitan Planning Organization, being a recipient of federal funds, we must formally amend the transportation planning overall work program from time to time throughout the fiscal year via resolution from the Governing Board. With preparation for the OWP starting so early, many revenue sources must be estimated and anticipated before June 30th. This is identified as carryover funding in the budget. Once the fiscal year closes out, they receive the final budget, and then must amend these changes back into the Overall Work Program

The proposed amendment (slide 2) involves changes to the budget for the fiscal year, including estimates for revenue sources and adjustments for salary and other costs.

Committee Member Comments:

Ms. Aldean asked about the increase of almost \$77,000 for salaries, and assumed it was for staffing and direct costs.

Ms. Glickert referred to the table on page 130 of the Governing Board packet which detailed the changes. She said they have a complicated grant fund and budget, and every work plan is broken into over 8 work elements. Each of those work elements are assigned several staff from TRPA. Each one of those work elements had to be amended, so it's embedded in the line items on those tables.

Ms. Aldean suggested adding a column to indicate where those increases have been embedded.

Ms. Glickert responded that the redline document identifies the increase or decrease in the change tables.

Public Comment:

Ellie Waller raised a question about the draft amendment attached to the work plan, specifically referring to page 39 where it mentions evaluating regional and community parking management. Ellie inquired if this budget addresses issues related to parking, including the proposed 250-space parking lot at the intersection of State Route 28 and US 50 in Meeks Bay. Is there overarching work being done through this work plan?

Michelle Glickert responded that this is not necessarily the item before them but explained that parking management is a crucial aspect of the regional planning vision, and they understand the need to not only build more, but to manage what they have. She said that Work Element 108 explores the use of technology and other resources to manage existing parking spaces effectively. She emphasized the need to manage current resources before considering new constructions, referring to the corridor management plan for State Route 28, which encompasses various elements like transit, parking management, and trails, all working together to address the region's needs.

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Motion:

Ms. Laine made a motion to recommend the adoption of the attached Resolution, approving Amendment Number 1 of the FY2024 TMPO Overall Work Program, as contained in Attachment A.

Ayes: Ms. Aldean, Ms. Bowman (for Mr. Aguilar), Mr. Hoenigman, Ms. Laine, Ms. Diss

Motion carried.

VIII. Quarterly Treasurer's Report

TRPA Finance Director, Mr. Keillor, presented the item. He said an annual briefing with investment advisor, Bruce Remington, is being arranged, initially planned for November but potentially rescheduled to January due to scheduling difficulties.

The Treasury is set to release a substantial amount of new debt issues to fund deficits and rebuild cash reserves. He said there are questions in the market about the capacity to buy all this debt up, especially since other outside buyers, such as China, face their own financial challenges. This has caused the yield curve to tilt upwards, which means the 10-year treasury yield recently surpassed 5%, and standard 30-year mortgages are now above 8%. While this results in short-term unrealized losses in the portfolio, these losses will be realized in the future, leading to increased earnings on investments. Mitigation funds and securities are the significant components affected.

Mr. Keillor said they have a huge amount in investment pools, specifically the LAIF account used for cash management, due to recent funds received from the states. These funds will be drawn down over the rest of the year to cover expenses.

Committee Member Comments:

None.

Public Comments:

None.

This item was information only.

IX. Briefing on the Procurement Policies Update

TRPA Finance Director, Mr. Keillor, presented the item, and requested feedback and input. The existing procurement policy has not been updated since 2008, and the proposed changes are inspired by federal procurement rules introduced by the Office of Management and Budget (OMB). The changes aim to streamline the procurement process, simplify the guidelines, and ensure compliance with updated federal regulations. Mr. Keillor said the two states have not updated their rules to match the OMB changes so what is being proposed may deviate from the procurement rules of Nevada and California. However, under OMB rules, entities can have more restrictive regulations if needed.

Mr. Keillor said there were three things that are doing differently. The first is a conceptual change.

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Currently they have a 70-page procurement manual with excruciating detail and duplicate rules. Mr. Keillor said they want to divide this manual into two documents:

- Policy Document - a high-level document, approved by the board, outlining the overarching rules and principles governing procurement.
- How-To Manual – a manual, for internal staff use, would provide detailed instructions on specific procedures, forms, advertising requirements, and other administrative aspects of the procurement process.

Mr. Keillor outlined three changes proposed in the updated procurement policy:

Dollar Levels for Different Types of Procurement: The policy will define specific dollar thresholds for different types of procurement. These thresholds will determine the procurement method to be used for contracts. The speaker plans to explain these thresholds in more detail shortly.

Implementation of a New Credit Card Program: A new purchasing card program will be introduced, allowing for small purchases. This program is designed to streamline the procurement process for smaller transactions.

Negotiated Procurement in Certain Situations: The policy will include a list of situations where a full competition with Request for Proposals (RFPs) doesn't make sense. Instead, a negotiated procurement approach will be used.

Mr. Keillor emphasized that most of the existing rules remain unchanged. The focus is on these new aspects, which will enhance the efficiency and flexibility of the procurement process. The next steps involve detailing the specific dollar thresholds and elaborating on the situations where negotiated procurement would be applied. Mr. Keillor highlighted the current role of the Executive Director, Ms. Regan, as the purchasing agent for TRPA, for context.

In the approval ratings for the current procurement policy, the first level is Micro Procurement, where you can just go buy it. The second is an Intermediate Level for small purchases, where you call around and get quotes, check websites, and try to get at least three competitive quotes before purchasing the items. For larger purchases, a formal Request for Proposals (RFP) Process is required. This involves issuing an RFP, inviting bids, and reaching out to potential vendors.

Mr. Keillor outlined the proposed changes to the procurement thresholds:

- Micro Procurement: Currently \$5,000, we would like to increase that to \$10,000. The state level is \$5,000 and the federal level is \$35,000.
- Intermediate Level (Informal Procurement): The proposal is to increase the limit from between \$5,000-\$25,000 to between \$10,000-\$50,000, making it easier to handle these contracts informally.
- Formal Request for Proposals (RFP) Process: Contracts above \$50,000. These contracts would follow the formal RFP process, similar to the current policy.

Mr. Keillor pointed out that this change would impact 37 contracts in the budget, making them eligible for informal handling under the proposed \$10,000 to \$50,000 range. The goal is to improve efficiency while still adhering to federal guidelines. The floor is open for questions or feedback from

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the committee members.

Mr. Keillor highlighted that these proposed changes are less than the OMB, but more than California and Nevada. He added that there are some exceptions, the biggest example is the partnership with Tahoe Resource Conservation District (TRCD) for the AIS prevention program. This is one of our largest contracts at over \$1 million, where specialized services are required (e.g., hiring and supervising seasonal staff for all the inspection stations). TRCD has established a long-term strategic relationship, making it efficient to negotiate contracts without going through the traditional RFP process.

Ms. Caringer, TRPA Deputy Director said she would refer to this type of agreement as an interagency agreement, where one government agency collaborates with another to carry out specific services or programs. The Forest Service has interagency agreements with TRPA and other partners, where they can give funding to implement EIP elements. It would help the EIP if we could do a similar type of contracting as our partners.

Ms. Aldean asked if this would be a Memorandum of Understanding or a contract.

Ms. Caringer said we need to determine what the best mechanism is. She sees it as an interagency agreement more of an MOU than a contract.

Mr. Keillor said it's currently a contract and would like to keep it that way. There are a number of other non-financial issues that need to be covered in terms of liabilities.

Ms. Aldean asked how legally binding an MOU is.

Mr. Marshall said an MOU can operate in multiple different ways including having a binding effect. Contractual obligations are more serious. He would lean towards a contract.

Ms. Aldean agreed that it should be a contract.

Mr. Keillor said this agreement (with TRCD) is currently a contract, and he would want to keep it as a contract because there are a number of other non-financial issues in terms of liabilities that need to be covered.

Committee Member Comments:

Ms. Laine said she is also struggling with this at El Dorado County where they have a billion-dollar annual budget, and lots of contracts coming before them all the time. She said there are ways to sidestep the formal RFP process, for example, sole source. She would want to make sure that if we put this into play, we came back and looked at it in 2-3 years to analyze how it's being used by staff and if it needs tighter controls. She understands how time-consuming this is for staff, and quite frankly, it's sometimes a pain, but it benefits the public in that it makes sure that we get the best prices with the monies that we have, so it's a delicate balance.

Mr. Keillor said this was a reasonable request. He added that they could do an RFP and spend three months processing through it. And at the end of the day, they are going to award the contract to TRCD.

Ms. Aldean asked when we went out for competitive bids, did we get any.

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Mr. Keillor said we only did this once about five years ago and got two bids, TRCD and one other.

Ms. Reagan, TRPA Executive Director said they started this program 15 years ago when there really wasn't the capacity to do this, except for the conservation district at the time. It's been 5 years since we did our only bid, at her urging, for the reasons that Member Laine is referencing. We have high visibility with this program, extensive federal dollars, boat inspection fees, a public private partnership, and we wanted to do our due diligence. We really had no other viable options except for the conservation district, so that's playing into this.

Mr. Zabaglo, Aquatic Invasive Species Program Manager, said that when they did the RFP five years ago, they only received one bid. After a round of questions from multiple entities that we publicly responded to, only one bid was received from TRPA.

Ms. Aldean said to be cautious, the policy should perhaps be that they put it out for a competitive bid every five years, because a new more competitive organization may emerge.

Mr. Keillor said that is the current policy, and they are asking for an exemption to not have to do that every five years.

Ms. Caringer added that they do work with TRCD on annual review and budget, so she thinks there are ways to keep them competitive without having to go through the full RFP process.

Ms. Aldean said the question is do we know if there is another organization that comes into view that may be more competitive, especially since aquatic invasive prevention and control is becoming more common. She doesn't know what the compromise is but thinks that every x number of years they need to revisit the RFP.

Mr. Keillor said rather than an RFP they could revisit the relationship at board level every five years.

Ms. Aldean said she's not questioning the relationship; she's questioning our knowledge of organizations that could provide a similar service.

Mr. Zabaglo said the only entity he is aware of is the State of Colorado who have a private entity working in some of their remote locations.

Mr. Keillor said another potential change they would propose is for when they team with other entities. In this case, if they have already submitted a grant request with all the partners laid out, we shouldn't then turn around and do an RFP for the partners that participated. On the other side of it, if we are not the lead, we would want to accept the other partners' procurement policies. For example, we've done an EIS contract with Placer County, who took the lead and issued the contract under their procurement rules. Our current policy says that we have to validate that their rules match ours.

Ms. Aldean asked when this is brought back in final form if staff could elaborate on the current policy requirements.

Mr. Keillor continued that in order for the AIS program to work, they need a contract with every single boat ramp. There's no point in doing an RFP because we're not selecting one, we're going to do a contract with every single one of them. So, these are the exceptions that I'd like to talk about.

OPERATIONS AND GOVERNANCE COMMITTEE

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This item was information only.

X. Upcoming Topics

Mr. Keillor informed them that they hope to have TRPA's investment advisor, Bruce Remington, present his annual update in November, and in December the Audit will be on the agenda.

XI. Committee Member Comments:

None.

XII. Public Comment:

None.

XIII. ADJOURNMENT

Ms. Laine made a motion to adjourn.

Ayes: [All]

Chair Ms. Aldean adjourned the meeting at 11:05 a.m.

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.

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

TRPA/Zoom

October 25, 2023

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Ms. Gustafson called the meeting to order at 11:14 a.m.

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

Members absent: Ms. Leumer

II. PLEDGE OF ALLEGIANCE

Ms. Faustinos led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Ms. Regan suggested moving Agenda Item No. X. Reports to after Item VIII.A Permitting Improvement Process. Agenda Item IX.A on the Census will follow the reports. This will allow the Board to finish their general business before they go into the Strategic Planning Workshop.

Mr. Marshall said Agenda Item No. VII.A Appeal has been continued by the Executive Director. They've reached what they feel is a conceptual settlement between the neighbor and the party with the pier permit. It will not come back to the Board if they can make the necessary amendments to the site plan that the parties have agreed to in concept.

TMPO Consent Calendar Item No. 1 for Amendment No. 4 to the Federal Transportation Improvement Program has received some comments and will be discussed at the time of the consent calendar.

Mr. Settelmeyer moved approval of the agenda.
Motion carried-voice vote.

IV. APPROVAL OF MINUTES

Ms. Aldean said she provided her non-substantive edits to Ms. Ambler and moved approval of the September 27, 2023, minutes as amended.

Mr. Bass abstained.
Motion carried-voice vote.

V. TRPA CONSENT CALENDAR

1. September Financials
2. Annual inflation adjustments to TRPA Planning and Mobility
3. Annual inflation adjustment to the Rental Car Mitigation Fee

Ms. Aldean said the Operations and Governance Committee recommended approval on items one, two, and three.

The fees for services are slightly down compared to the three year average. This includes Permitting and Compliance fees, Aquatic Invasive Species fees, and Shoreline fees. However, expenses are mostly below the projection as well.

The committee unanimously recommended that the Planning fees by 3.9 percent and the Mobility fees by 3.4 percent. Both adjustments will be effective as of January 22, 2024.

The adjustment for the Rental Car Mitigation fee is in the amount of .25 cents per day; it goes from \$5.75 to \$6.00 per day effective January 1, 2024. In addition, there was an errata to add some omitted language in the resolution.

Board Comments & Questions

None.

Public comments & Questions

None.

Ms. Aldean moved approval of the TRPA Consent Calendar.

Ayes: Ms. Aldean, Ms. Bowman, Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Mr. Bass, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine, Mr. Rice, Mr. Settlemeyer, Ms. Williamson

Absent: Ms. Leumer

Motion carried.

Mr. Settlemeyer moved to adjourn as the TRPA and convene as the TMPO.

Motion carried-voice vote.

VI. TAHOE METROPOLITAN PLANNING ORGANIZATION CONSENT CALENDAR

1. Amendment No. 4 to the 2023 Federal Transportation Improvement Program
2. Amendment No.1 of the FY 2023/24 Lake Tahoe Transportation Overall Work Program

Ms. Aldean said the Operations and Governance Committee recommended approval of items one and two. However, the Committee did recommend Item No. 3 in Consent Calendar Item No. 1, Amendment No. 4 to the 2023 Federal Transportation Improvement Program having to do with the non-motorized paved

trail from Crystal Bay to Incline Village be pulled for further discussion. She said it would be useful to pull this item so everyone understands that this funding will allow us to engage with the public on this project.

Mr. Marshall said because of the way they are agenzized, he recommended that they pull the full item for Consent Calendar Item No. 1 if that is the will of the Board and not separate out that one project. The Board can act on Item No. 2 as a Consent Calendar item.

Ms. Aldean made a motion to pull Consent Calendar Item No. 1 per the recommendation of the Operations and Governance Committee.

Motion carried-voice vote.

Ms. Aldean said the Operations and Governance Committee recommended approval of item number two. There were only minor changes. There was one decrease in funding and then an increase in salary compensation.

Board Comments & Questions

None.

Public Comments & Questions

None.

Ms. Williamson moved approval of Consent Calendar Item No. 2.

Ayes: Ms. Aldean, Ms. Bowman, Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Mr. Bass, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

Absent: Ms. Leumer

Motion carried.

1. Amendment No. 4 to the 2023 Federal Transportation Improvement Program

TRPA staff Mr. Haven said this item was heard at the Operations and Governance Committee and has received some public comment regarding one of the projects in the FTIP Amendment. The Federal Transportation Improvement Program is the accounting document for transportation funding. It's a near term document that when projects receive Federal and State funding to move forward, they need to be programmed in this tracking document. There were three projects included in this document. The third project that had public comment associated with it was the Incline to Crystal Bay Trail proposal. This project has been identified as a key part of the Tahoe Trail around the lake and has been in subsequent Regional Transportation Plans and the State Route 28 Corridor Management Plan. It was most recently included in the Washoe County Transportation Plan as part of their area planning and community planning process. The proposal today is to fund some of the planning elements of that project. This is not funding construction of a project but rather the public outreach, design, and some of the environmental work that is going to be needed to

advance and focus on this stretch. He believes that a lot of the public comments had to do with dialogue with the public. This funding provides the resources to do that.

Board Comments & Questions

None.

Public Comments & Questions

Ellie Waller said there were some good comments at the committee level. She hopes you will listen to that and/or engage those people who might have concerns about the upcoming planning stages of any projects on the Consent Calendar. There are concerns about parking, and overall safety issues on several of the projects.

Ms. Aldean made a motion to approve TMPO Consent Calendar Item No. 1.

Ayes: Ms. Aldean, Ms. Bowman, Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Mr. Bass, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

Absent: Ms. Leumer

Motion carried.

Ms. Laine moved to adjourn as the TMPO and reconvene as the TRPA.

Motion carried-voice vote.

VII. APPEAL

- A. Appeal of Single-Parcel Pier Rebuild Permit, 1713 Lakeshore Blvd, Washoe County, Nevada, Assessors' Parcel Number (APN) 130-331-14, TRPA File Number ERSP2022-1124; Appeal No. ADMIN2023-0016

Item continued.

VIII. PUBLIC HEARINGS

- A. Amendments to the fee schedule, necessary to implement the Permitting Improvement Project

Mr. Hester said they've undergone about a two year long process improvement project. Last month the Board approved most of the proposed items. One of the items staff was asked to come back with more information on was fees.

Mr. Stockham, Stockham Consulting provided the presentation.

Mr. Stockham said staff is moving forward with training and implementing the items approved at last month's meeting.

The fee part of this is nowhere near their focus area but is important that they look at this subset of fees and some adjustments. It's one of the six priority items ensuring adequate and dependable funding for the department and currently don't have that.

There was an Action Plan for the permitting improvement project and brought it forward at a more conceptual level and then a more detailed level before it came forward with the amendments. The Action Plan had several topics related to funding. Most importantly and what they are focusing on is process, efficiency, and consistency improvements, being able to do as good or better of a job with less expenditures. Even with those improvements it became clear that there were a handful of application categories that were not even close and no chance that staff would be able to create efficiencies enough to make those application fees cover the cost of reviews.

They have established the expense and monitoring reports, so they are tracking costs in more detail by project category. That information will become increasingly useful over time and can be used in the 2026 budget discussions to potentially refine project application fees further. They also had near-term recommendations for fee and staffing adjustments. The staffing adjustments were already made. It's been a crisis situation in the amount of applications piled up in the shorezone and along the shoreland and the Agency had to commit general fund revenues to keep on track with permitting deadlines and is diverting funds away from environmentally good stuff to help fund project reviews. Which are environmentally good, but the cost recovery goal is central for them.

There is still Phase 3 of this project with additional process improvements focusing on the application process. They did a lot of work on the Code of Ordinances foundation, the Rules of Procedure, and administrative processes building the foundation but now will look top to bottom to improve the application procedures. The application requires double checking to make sure they get what they need. A more thorough completeness review process so if there are deficiencies in an application it's identified in the first 30 days. Then there'll be some adjustments to the standard operating procedures for staff. There will be a lot more proactive communication coming from the staff reviewers during the process. Communication was an issue raised by project applicants early in the process and the value of having a good understanding of where things are and how long they'll take, etc. They now have the procedure manual that should be more efficient and consistent, but they are also going to try and take on an acceleration of project review timelines through this process.

What the Board approved last month included a category called minor applications where they are moving from 120 day review schedule to a 40 day review schedule. It will also help with some of the plan revisions. Everything else is still at 120 days whether it requires a public hearing at the Governing Board or not. Within the first 60 days of an application would be the deadline to identify any significant issues. Then if a project doesn't require public notification or public hearing, they are aiming to accelerate the review timeline for that category of projects from 120 to 80 days. The efficiencies that were approved last month will be directed towards these improved review procedures and a less lengthy timeline to get the regular average projects approved. The major projects such as shorezone and items requiring public hearings will stay at 120 days. That's what they are working towards and need to prepare for it because staff has too much backed up right now to meet those timelines today and is part of where this fee discussion comes in.

The budget deficit has averaged about 30 percent over the past three years and the deficit was closer to 50 percent last year. There's roughly \$2 million in revenue and \$3 million in expenses.

In 2005 was the last time a legitimate time and expense review was done for different categories of applications. Fees were adjusted in 2007 and 2008 based on that. At that point, those fees should have been about right. However, after the recession, there were no fee adjustments for about a decade then one 30 percent catch up. All of that should be about right for inflation and the processes that existed in 2005. Staff have been doing annual CPI adjustments ever since. What that didn't catch is the new shorezone ordinances. There's never been an application fee review for the new shorezone ordinances and it's those procedures that are overwhelmingly taking up more time than the application fees support. They are working on the first cut of that now and then reevaluate those numbers once they have more specific costs for each application category. The other issue is the shoreland projects like a lakefront home. Those were evaluated in 2005 but the type of development there was in 2005 is dramatically different than the projects that are coming in today. Some of these homes are \$20 million, extremely complex, and very sophisticated proposals for how to do the scenic review to demonstrate compliance. The fees that existed back then do not cover those review costs. All of that additional time that's being spent on the lakefront projects are interfering with reviews of the other 95 percent of projects in the region.

They put together a more detailed fiscal impact assessment, but these numbers are approximate only. Over 85 percent of the catch up budget is from those four shorezone applications. Most of the balance is from projects requiring noticing which is mostly a shoreland and shorezone process. There are some fee incentives they are looking at but are relatively minor in terms of the overall budget impact on TRPA.

If all of our proposals are approved, they estimate the positive fiscal impact to about \$200,000 per year, \$170,000 to \$220,000 was their estimate. That represents about 8 to 10 percent of the budget shortfall. If it was a 30 percent budget shortfall, maybe they are catching one quarter or one third of that with the fee adjustments. The goal is to balance the budget through the more efficient processes that were enabled through the amendments approved last month. A 20 percent efficiency goal is pretty significant in government. The team believes that there was a significant amount of time being spent that didn't need to be spent. They eliminated a lot of that through the amendments approved and will eliminate a lot more through efficiencies and clear review procedures.

When you look at the fiscal impact to TRPA, about half of the revenue gain comes from shoreland scenic reviews which are complex. Essentially reviewing improvements to lakefront homes is the biggest adjustment. Other big categories are buoys, pier expansions, and a number of lesser impacts.

Shoreland scenic reviews can be pretty straightforward but it's typically they are complex. These are very sensitive sites on the shoreland of Lake Tahoe and take time to review. Chapter 66 is a complex ordinance. You basically have to quantify every square foot of visible improvement that can be seen from the lake. There are scores for the color, texture, reflectivity and glare. It's a complex numeric system to go through for essentially each different material on what's proposed to be built. Then you get to a point of allowed visible mass and for a lakefront property, allowed visible mass is one of three primary development

limitations. If there's a home or property on the shores of Lake Tahoe, you are limited by the land coverage and height allowances. The most that he's seen are more limited by their visual mass than coverage. Often times, that's the limiting factor for how big the home could be on a lakefront. The ordinance allows some flexibility and allows mitigations to offset improvements. All of that is good but each step of the process adds complexity. The fee today of \$629 per application doesn't approach the depth of review and won't no matter how efficient staff gets, unless the shoreland ordinances are changed. This one change is about half of the fiscal impact.

Buoys are a smaller fee compared to shoreland scenic but is similar with the review process takes a lot more. Right now, there is a two tier fee system where the first one is about \$700 or \$800, then \$300 to \$400 for buoys over three. They are not straightforward. One of the bigger complexities is that you have to deal with locations and separations based on property line projections and it's not always clear which way the property lines project, the shoreline is not straight and perpendicular. The multiple buoy applications are relocation of buoy fields. For example, if you are relocating ten that's a pretty complex project with a lot of controversy. There's public noticing and often times disputes about where the buoys can be placed or blocking views. The current fee isn't covering the cost incurred to implement the current ordinance. The fiscal impact is about \$30,000.

A mooring lottery application is \$71 today and is not that complex but just the technology alone that TRPA has to pay for takes up that entire fee before you even get into staffing costs. What they are proposing for all of these better reflects the true costs of reviews. They are not trying to overcharge the lakefront properties to fund others. For the mooring lotteries, TRPA is responsible for verifying it's all good and that is not something that a government does for \$71.

Pier expansions are complex and probably harder than a new pier. The fee schedule today has them grouped together with pier modifications that don't expand anything and don't have to do any scenic review or anything like that. They are proposing to adjust that to be the same. It's a pier fee whether you are doing an expansion, a new single-use pier, or a multi-use pier. The review steps are all the same except that for pier expansions there are some additional issues you need to deal with. There's a measurable standard that is it a legal existing pier, so, it's a lot like a new pier. Again, about a \$30,000 impact.

The project's requiring noticing is a little bit different category because there is no supplemental fee for notification requirements. You do a supplemental fee for public hearings which is generally correct. But notifications add a lot of time to the review. This is important because of the amendments that were approved last month. They'll be using this process increasingly in the shoreland and offsets some of the increases that they talked about earlier. For many of these moving to a 1.25 multiplier is a fee decrease. Previously, they would be at 1.4 or 1.8 but they are recommending 125 percent multiplier for these. If they just run the numbers on historic cases, it's about a \$20,000 impact. There'll be some additional ones but feel that will balance out the differences in the review complexity.

Because most of this affects the shoreland and shorezone, if you add up all the fees today and all the fees proposed and the difference. The changes are relatively minor for most of these cases. For example, a single-family lakefront tear down, rebuild home fee would go

from a little under \$8,000 to slightly over \$9,000. The fee for a new multiple-use pier, which is the policy preferred alternative goes down because of the streamlined processing that offsets any increase. A new pier is kind of a negligible increase of \$669. Pier expansions would almost triple, which reflects the legitimate costs to review. An option being proposed is to phase in the larger increases and is not unusual. Even those this is a larger increase they didn't propose that because a \$6,000 increase is a tiny fraction of the costs for these projects. Given that these are lakefront homes and new piers that add millions of dollars to property values, then a onetime cost of \$6,000 didn't seem huge. Another one that goes up quite a bit is the relocation of buoy fields.

Outside of the shoreland and shorezone there are some changes and the overall impact to TRPA isn't that much. Basically, recalibrating tourist accommodation units to reflect multi-family which are less complex. That is more recalibration than a major fiscal short fall. Qualified Exempts have no fees today. This is work that staff does for application reviews and actions that have no associated fee. They are recommending fairly small fees as a cost recovery. All of the QE's would be at a little over \$200 level. Deed restrictions, \$200, repeat permit approval, \$200. Relatively small impacts to TRPA for all of these.

Special planning area is kind of the reverse of what they are talking about for noticing. These are more incentive based recommendations where there are current fees that are serving as a disincentive to the type of development that the policies promote. Special planning areas charge more to apply and redevelopment priority areas than everywhere else. If those are really priority areas, let's stop charging them more. It's a relic of a different time when the redevelopment plans were complex, and no one was really doing any of it. They are recommending that the fee is based on the type of project, not where it's located. Day care is a critical community need. They've been averaging about one per year new and one per year expansion. Reducing those fees which probably be a fee subsidy, it's unlikely that \$800 will cover the cost review. The special planning area is a little hard to gauge because our budget numbers don't get to that level of nuance. That could be up to a \$20,000 decrease with daycare a pretty small decrease.

They'll feel the balance of these if they can implement some of these efficiency improvements should be in the ballpark. They were evaluated less than two decades ago and are being evaluated again. The shorezone and shoreland applications are eating up staff's time.

The Board could choose to implement this all immediately. It's roughly \$200,000 per year overall fiscal impact, maybe up to ten percent of the department budget. For example, if they choose to do a three phase increase for some of the bigger fees, the fiscal impact is you get one less year of that revenue but it would soften the impact of that change on those property owners. Staff is recommending that it be immediate because in the scheme of what's being built in these areas, the increases didn't seem that huge.

Presentation: <https://www.trpa.gov/wp-content/uploads/Agenda-Item-No.-VIII.A-Permitting-Improvement-Fee-Schedule-Amendments.pdf>

Board Comments & Questions

Ms. Conrad-Saydah asked if all of this then get us to the 30 percent deficit.

Mr. Stockham said no it does not. If everything gets approved, they're estimating that it's eight to ten percent of the project. It's maybe one third or one quarter of the deficit. They're doing their best to get the rest through efficiencies and improved processes.

Ms. Conrad-Saydah said for the shorezone projects, is there a way to classify them as a "category 5." You are setting up a cost recovery account and staff is billing their hours to that cost recovery account in order to finish the permitting process for those. The complexity of those projects requires you to do much more work than on standard projects. You can show that a standard project is "x" and for standard projects here is what you get. She gets that the multiplier is for hearings and Governing Board, but that multiplier doesn't seem like enough to cover the hours. Thinking about the staff time over 120 days, it doesn't seem like the permit covers the true staff time in those 120 days. Specifically, for the shorezone project if there is a category of cost recovery that's more representative of what the staff are putting in.

Mr. Stockham said TRPA for some projects uses deposit accounts where you bill for the time. It's a very cumbersome process and adds a lot of time and expense. They tried to reduce the use of those deposit accounts. He learned that staff rarely uses them for regular type projects like this because just the process alone jacks up the cost quite a bit. These numbers are their best estimate for what cost recovery would be. They think it should be sufficient but is why they have this new time and expense study. Over the next 18 months they'll validate that and quantify it and come back with numbers. He anticipates when that report is done some numbers may need to be adjusted up and some down. Those numbers will be based on staff entering their time into the system for every step of the process. Right now, it's more of a best judgement type estimate.

Mr. Keillor said they don't currently accumulate labor hours by project. The number of individual projects that a planner works on during the course of a pay period is an unreasonable thing to do.

Ms. Conrad-Saydah said she's had to bill by project and there were codes in the system where they logged their hours. It represented what the actual rate was for their time. She doesn't like the messaging of them having a deficiency and still permitting these enormous projects. She agreed with incentivizing in redevelopment areas and protecting preschools and thinking about the moves they've made. But she wants to see especially with these enormous projects that we are not using taxpayer dollars and operating at a deficiency to accommodate them. She wants to hold us to that and report back on this. Its' also not requiring staff to bend over backwards to try to meet that deficit. As we message these increases, it would be great to message it in a way to say here are all the improvements that were approved to make this a faster, more efficient process. Because of inflation and COLA, these are the fee adjustments so people can see that they are getting something for their money. Regarding the multiplier for the board hearings and additional work, do those sufficiently stand in for complexity of projects. You were recognizing that projects vary tremendously in complexity and is that multiplier enough to sweep in all the complexities.

Mr. Stockham said on average, they feel it's about right. Sometimes things sail through and sometimes it gets bogged down in endless controversy, it's never quite perfect. Yes, they feel it's sufficient and also is what the Board approved in terms of the balance of the 30 percent, what they approved, might have caught one third of that just by eliminating things that were being done with no added value. This was the balance they felt was reasonably

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close to getting fees to a cost recovery point and getting procedures to be properly efficient but not overly rushed. But it is an educated guess and needs to be recalibrated once they have these numbers come back in a couple of years.

Ms. Conrad-Saydah suggested clear messaging on the website will also help the public understand these and see how the improvements are coming into place.

Mr. Stockham said her point on the complexity varies. The biggest ticket item was the shoreland scenic review and those vary a lot. They don't like getting too complex with fees because added complexity can feed on itself but did recommend a two tier fee system for those. A \$1,000/\$2,000 because the new lakefront home that's 10,000 square feet is not the same as replacing a few windows and siding, etc.

Mr. Settelmeyer said regarding the special planning areas, is that a reduction and if so, why?

Mr. Stockham said it is a reduction. Somewhere around 1989, the fee system was established. At that time the redevelopment plans were extremely complex and time intensive to administer and there wasn't really policy support for redevelopment. The TRPA policy was more stop development and that shifted to redevelopment and now we have area plans which are much more concise. There's also a focused effort to direct new activity and development to town centers but they are charging them 25 percent extra. It's a fee that works against the type of projects and the location of projects that they are trying to incentivize. They want to charge a flat fee; the same development would pay the same type of fee regardless of where it's located.

Mr. Settelmeyer said it's like the day care where we are trying to incentivize these types of things. He understands the concepts of avoidance too because if you don't want to have your rates increased don't expand your buoy or pier. In looking at the prices, he calls this Hatfield and McCoy's, and you call it "endless controversy." What percentage of time is eaten up not by the mechanics of the permits? But by the discussion, which can be good or frivolous by individuals pertaining to that which he looks at sometimes as not a cost of the applicant, that is a cost that society has brought to that applicant because of the litigious nature of our society or the desire of individuals to not see change. He doesn't necessarily want to promote or punish people because we have a lot of citizens against virtually everything. In that respect, what percentage of time is eaten up in the Hatfield and McCoy's type discussions on permits?

Mr. Stockham said there is a component of public noticing that even if no one responds it's still work that is required. TRPA staff writes a project summary after the preliminary review. They stuff envelopes that have been provided by an applicant, mail them out. Some of the questions are just inquiries about the project and others evolve into disagreements into interpretations and things like that.

Ms. Good said it does vary and there's no one project type that spurs more public comment than another as far as projects go in the shorezone. On the low end, 20 percent of time has gone into just the bare minimum of handling the notices and answering questions that come out of that. And then it could be much more than that depending on what comes about from either neighbor or general public comment.

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Mr. Settelmeyer said he fully supports the concept of public notice and input but sometimes he's seen the Hatfield and McCoy situations especially when it comes to pier expansions. That's his opinion and anecdotal.

Mr. Stockham said staff will listen to an issue and make a call and a lot of that debate happens through the appeal process. An appeal fee is \$1,165 and may cover some of it. That is another thing to look at is the charges for appeals. Sometimes disagreements aren't always solvable. Staff has to issue a determination based on the requirements.

Mr. Settelmeyer asked if we have serial appellants that appeal more often than others.

Mr. Marshall said it depends on the type of project. Generally, with shorezone projects there are no serial appellants. It's usually focused on a particular area. Cell towers are probably a different story.

Ms. Aldean referred to page 251 of the packet, Buoys and Loading Platforms, at the bottom of the page having to do with mooring lottery eligibility reviews. At \$350, it's fairly minor but if you have participated in a lottery and staff has all of the information in an initial application and then you participate in a subsequent lottery, would someone get double charged?

Ms. Good said yes, they would get charged. One of the biggest amounts of time behind the lottery eligibility reviews goes into the project area review. Project areas, especially in the shorezone, change quite frequently and that does impact eligibility. Having to reassess every project area as they undergo these eligibility reviews, it would be difficult to parse those out that haven't changed. That is why they continue to charge on an annual basis if people come in for subsequent lotteries.

Ms. Aldean said with respect to pier expansions, the Legal Committee just considered an appeal which hopefully be resolved at staff level. But reviewing our Code of Ordinances she had a difficult time distinguishing between expansions and modifications and yet pier expansions are going to be charged the same fee as a new pier. She requested that staff look at the definitions in the code and try to draw a brighter line between modifications and expansions because it's probably confusing the public as well.

Mr. Marshall said they attempted to do that with this code package to draw that line and ran into a situation on a particular appeal last month on the Thompson appeal. Through that appeal they are looking at those definitions.

Mr. Bass asked if they are able to split these based on square footage of the building.

Mr. Stockham said fees are a broad term. In terms of application fees, there is a minimum and there's a per square foot fee. Single-family fees are per square foot. Multi-family there is a flat rate plus a per unit fee. But they are generally calibrated to the size and scale of the building. You may see coming back through some of these housing efforts that not all of our regulations work that way. There are some mitigation fees that are per unit. There are development rights that are per unit and the Agency is looking at recalibrating those for equity.

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Mr. Bass is more curious if we could create a different fee schedule for any home above 3,500 square feet, where homes below 2,000 square feet would be lower. Is that legal to be able to have those different fee structures based on the size of the house.

Mr. Marshall said you should distinguish between an application fee which we are talking about now and an impact fee. What he believes Mr. Bass is talking about is a disincentive fee that more recognize perhaps larger homes in particular neighborhoods have an impact that we want to mitigate. Then there's the next step which is a fee that's based on a policy objective which is a fee that generally TRPA doesn't charge that additional fee that might be for social purposes that a local government might want to implement. That's where we deviate from a mitigation or impact fee versus another fee source.

Mr. Bass said regarding the tourist accommodation unit, have we looked at creating a permanent as well as a fee for overnight short term rentals and the fact that we are still in a deficit, 3,000 to 4,000 short term overnight rentals. If we collected \$1,000 from each of them every year, we would probably be out of our deficit. Also, it would uphold our TAU theory that we have an actual cap on what our overnight accommodations are and might help us out of this deficit.

Mr. Marshall said in general we don't charge use fees, like a business license.

Mr. Bass said you would apply a TAU to a property for any overnight short term rental. We'd probably have to pay the fees for the conversion from existing use to a TAU and then also have to have a valid TAU.

Mr. Marshall said he would recommend that the Board take that on directly if they want to. It's more of a question of do you need a TAU to operate a vacation rental. Our current definition is it's part of the residential use. Then things can flow after that if a primary policy decision is made. Right now, sometime before 2011 the Board adopted language in our residential definition that included vacation rental as part of that residential use. If the Board wants to make a change, that would be the place to entertain that issue.

Mr. Bass suggested we should look into that at a later date. Under residential, it states that all application fees listed under numbers 1-4 are waived if they are affordable, moderate, or achievable. What are the other fees that are attached to those types of projects and could we look at lowering those as well.

Mr. Hester said again this is just the application fee. The other fees such as the mobility mitigation fee, water quality, coverage, etc. are being looked at in Phase 3 of the housing work that starts in January. He'll cover some of that in the Strategic Planning Workshop this afternoon.

Mr. Hoenigman had the same question as Ms. Conrad-Saydah as to why we are not recovering the whole fee. With the process improvements hopefully making us more efficient and this new revenue we can get closer and as long as we continue to evaluate it and change fees as needed, he's satisfied.

Public Comments & Questions

Patrick Taylor said it seems to him that a pier application fee of \$6,000 is ridiculously low. With what it costs to put in a pier you could make up for some of your deficit with these pier applications. A \$6,000 application fee is a drop in the bucket. You should review those costs because staff are probably spending a lot of time on those.

Pamela Tsigdinos suggested increasing fees on short term rentals to solve multiple problems. It would give a reason for someone to reconsider whether their property should be short or long term rental. It would also make a huge dent in the fact that there is a housing shortage and there should not be an easy route for investors to make easy money by paying a small fee when they are having many more long term negative impacts by way too many short term rentals across the Tahoe Basin. She encouraged the Board if there's an opportunity to revisit the policy that changes a short term rental from a residential use to a TAU.

Ellie Waller echoed Ms. Tsigdinos comments. She's looking forward to a more robust discussion on impacts that are not currently in the analysis purview of anybody. We have area plans coming forward with no vacation home rental or short term rental rules. It has been put in a parking lot somewhere to be discussed but it needs to rise to the level of importance because it affects everything that we are doing. Like previous discussions at the committees about trails, bike paths, or anything that has to do with tourism and the public and the impacts that are not being embraced. Our grocery stores being overcrowded all the time is part of that impact as well as the parking strategies that are coming forward with zero parking requirements. That needs to be applied to vacation home rentals, as well as how many cars they can bring. Enforcement is an issue in all of this. We need a robust discussion at the public level on these vacation home rental impacts.

Mr. Stockham said throughout this process they've bumped into this issue of what's the scope of what we are doing, and they've tried to stay laser focused on improving the process. There have been good ideas on policy based changes, incentives, etc. but their recommendations are focused on that cost recovery component. They see that as more of a policy matter for the board and in their scope of review they were not trying to influence outcomes through fees, rather it was a cost recovery evaluation.

Kathie Julian said the concept of having reduced fees or fees that are intended to encourage higher density development in downtown areas need to be better clarified if it's helping workforce housing, yes, but if it's a reduce fee for a \$2 to \$5 million dollar condominiums that could very likely become a short term rental then she would not support any kind of subsidy to encourage that kind of higher density in downtown areas unless it's for workforce housing.

Board Comments & Questions

Ms. Gustafson thanked staff for trying to recover costs, it's a great step forward and will support it but does share Ms. Conrad-Saydah's concerns that we track it and look at where time is being spent and continue to update it. It's always better to adjust these as we go rather than playing catch up.

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Mr. Settelmeyer asked if this also includes the cost of living adjustment, they discussed last month.

Mr. Stockham said that was already voted on. If you vote on this, it will recalibrate the fees to the numbers in the staff report. It's actually a slightly lesser increase from the adjusted rate that they approved this morning.

Mr. Settelmeyer said he doesn't generally enjoy the concept of voting for fee increases but he can see how this can be beneficial to get us to more parity, but we are still operating at a deficit. That does concern him that we are lowering fees for some through this program but is based upon the idea that without the reviews it will save staff a fair amount of time.

Mr. Bass said for example, on piers is there is cap of cost recovery that we can go to or for certain things can we bring up to \$12,000 or \$15,000.

Mr. Marshall said if they are adopting an application fee then they need to stay generally within how much it costs to review that application, that's the purpose of the fee. It becomes arbitrary seek to in the application fee context charge an additional amount of money for some other purpose. They can do that in different ways but not with the application fee.

Ms. Conrad-Saydah made a motion to adopt Resolution 2023-__ (Attachment A), amending the Fee Schedule.

Ayes: Ms. Aldean, Ms. Bowman, Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Mr. Bass, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

Absent: Ms. Leumer

Motion carried.

IX. PLANNING MATTERS

A. Presentation on 2020 U.S. Census demographics for the Tahoe Region and Other Available Data

Ms. Regan said she's been meeting with members of the community throughout this year and had great turnout and constructive dialogue. One of the takeaways was the disconnect with what people are feeling locally in terms of the impacts and the overuse of our resources and traffic versus the data. People are convinced that this is the worst traffic they've seen living in Tahoe for 30 years. Some of the trails that never had people are now flooded with people, but it doesn't square up with the traffic counts. But there are changes in behavior that are affecting people's daily lives.

What we've heard about Destination Stewardship around recreation is that we do have issues. These issues have become engrained in us with seeing trash on the beach on July 4th, illegal campfires, invasive species introductions, dog waste, people not understanding pack it in pack it out. They are working with their partners to address that through Destination Stewardship and a lot of other issues. It has hit a real fever pitch in the media which also compounds this feeling among our local residents.

What is underlying some of that is that trend of outdoor recreation and are seeing it across the country. In the course of three years, 7 million more Americans are participating in the great outdoors. This is probably an undercount as well. The national parks experience that with the anniversary campaigns and having to shut down certain areas in national parks from overuse. The love affair with the great outdoors is here to stay. During Covid many places shut down because it required air travel, Tahoe ramped up because people could drive here. That trend is here to stay and that is different than what the old economy used to be based on which was gaming related. A lot of the pattern shifts that we see of on road shoulder parking and clustering in certain trailheads have changed.

Gaming has always been what brings people to Tahoe, but gaming has declined. When they launched the Destination Stewardship, looking back to the late 1990s and early 2000s Governor Schwarzenegger treaties for Native American gaming throughout California. When you look at what happened with Native American gaming, it happened the same in Reno. Tahoe and Reno used to be the place people could go to gamble, now, they can go anywhere else in California. We were hemorrhaging jobs before the recession and then it compounded. They were already seeing school closures and permanent populations declining and a change in our entire makeup of our \$5 billion economy. It shifted to outdoor recreation even before these most recent trends, but we didn't add a lot of infrastructure to accommodate. It's no surprise that we are now having challenges and we haven't done a lot more in terms of satellite parking and other parking improvements. All of these things are coming to a head and that's part of the interest in what you'll hear from this presentation.

The other thing that has changed particularly in the past five years with every single year being warmer than the last is that the traffic increases over Highway 50 Echo Summit when there are 100 degree days in the Sacramento Valley.

TRPA staff Mr. Kasman provided the presentation.

Mr. Kasman said the 2020 Census data gives us an overview of some of the changes that have occurred in the last ten years and even further back. The population of the region peaked in the 2000 Census with over 62,000 residents. Since that time, the region lost one out of every nine residents and they haven't returned. Looking at the difference between the 2000 and the 2010 Census and then from 2010 to 2020, regional population has not returned.

Slide 3 shows that most of the growth was on the Nevada side with the population growing seven percent between 2010 and 2020. While the populations on the California side dropped two percent. The overall state of California grew six percent, and the overall state of Nevada grew 15 percent. They also saw a 15 percent growth in Reno and 12 percent growth in Sacramento. The fact that the population is declining on the California side runs counter to everything that is happening surrounding us. On the Nevada side was about half of what we are seeing in the rest of the state. They've heard from public comment that populations particularly on the Nevada side, Incline Village was up eight percent over that ten year period, a little less than one percent growth per year and about 700 residents' difference between 2010 and 2020. South Lake Tahoe dropped two percent for about 400 people. A lot of that population that dropped along the West Shore was a shift in the Census percentages in terms of vacant homes. As more homes become vacant for seasonal use, second homes, or short term rentals, that population was lost to renters and owner occupied housing.

The median age in the 2020 Census for Tahoe was 44 and they actually have more residents over age 50 than they have under age 35. When the population peaked in that 2000 timeframe, 40 percent of our population was under 30 and now it's about one third of the population. What they've seen is the population under 55 lost about 15,000 residents and gained 8,000 residents in the population over 55. Not only are we seeing this shift, but we've also seen a significant loss of population of the lower age classes and gained more population of the older classes.

This trend has been happening since the 2000 Census, high earning households in the region have doubled since 2000 and while that sounds great, underlying this is the loss of those households at the lower end. There is a 35 percent drop in households making less than \$75,000 per year and a 44 percent increase in households above \$75,000. This is why we are having those impacts on our housing, hospitality jobs, and filling those positions at the lower income levels.

We've lost 20 percent of our jobs from the early 2000s to today. Meanwhile the number of businesses in the region has slowly been trending upward over the last ten years. But they are not hiring as many employees. That loss in jobs, particularly in the early 2000s, was from the casino employees. Casinos are down 80 percent on the South Shore in terms of employment, going from over 10,000 employees in 1990 to about 2,100 employees today. Since 2019, casino employment is down 1,500 or a 40 percent drop.

Board Comments & Questions

Mr. Settelmeyer asked if they saw a trend in the changes in the types of employment. For example, in agriculture they get new equipment and therefore requiring fewer people. Most of the restaurateurs say they can't find employees and have given raises to current employees and reduced their staff by an average of 15 to 20 percent. Is there a trend in the number of employees versus establishments.

Mr. Kasman said he doesn't have that information today but can look into that. Most of the businesses in Tahoe are fairly discreet around hospitality and visitor serving businesses.

(presentation continued)

Mr. Kasman said the population peaked in 2000 and is way down. Jobs peaked at about the same time frame and are way down. But we all experienced something different.

That steady increase through the 2000s and the peak of gaming can be seen in the entry/exit volumes in slide 7. Then you see the recession in the middle of the chart and then the recovery. That recovery is framed here as the rise of outdoor recreation. Even those high levels never really got back to those peak periods. Over the past 15 years we've enjoyed this relatively low period of visitation and activity in the basin that we've become accustomed to. Those prior periods do show much higher activity. In 2019, it was starting to get back to those levels and then Covid hit. What we see is the drop with Covid and in 2021 it did

recover but not quite as far as they'd seen in 2019 in terms of vehicles coming in and out of the basin.

Board Comments & Questions

Ms. Gustafson asked if this takes into account the employees that have moved out of the region who are now commuting in.

Mr. Kasman said this is all vehicle traffic.

Ms. Gustafson said all vehicle travel coming in. She's looked at the numbers for the North Shore which has not done as well. They haven't come back to these levels but also have a lot of employees commuting in from Reno and Verdi.

Ms. Kasman said that is a factor. This data comes from Caltrans and NDOT. The NDOT data is available for 2022 which showed a 13 percent drop in entry/exits on the Nevada side from 2021 to 2022. They are continuing to see the data trending downward. Generally, what they are seeing is that the Covid peak happened but are starting to see the data recede a little bit in a number of these areas.

(presentation continued)

They monitor travel times in the basin through 12 segments. They look at how long it takes to drive a certain segment and how much congestion there is in the segment. They looked at both median time and what is the midpoint as many trips take longer and many trips take shorter than the evaluated time period. They also look at peak evaluating what is the highest levels of travel time in those segments. What they've seen is localized impacts from weather and construction in winter and summer and the variance between seasons. Overall, in the last five or six years they have not seen a significant difference.

Slide 9: If you combine all 12 segments, it's roughly 104 miles of roadway in the region and takes roughly 2.5 hours to drive at median. When you look at the peak times it's about 30 minutes longer across 12 segments. For any given segment in the basin, the peak times are roughly three to four minutes longer than at the median times. Generally, they are not seeing significant difference in terms of congestion or experience on the roadways. Acknowledging that there are impacts from construction and weather.

They also looked at paid overnight visitation. It looks at hotel rooms rented, vacation home rentals, and transient occupancy taxes paying businesses throughout the region. Down from 2019 and not a significant difference between 2021 and 2022. Is there something that people are experiencing that we are not picking up and so far, they are not seeing that.

Another item looked at was school enrollment for K – 12 in the region. This data continues to trend down. They're seeing the same pattern as before with the early 2000s they had significantly higher volumes of enrollment and that dropped about the same time that the casinos were losing their employees. Total enrollment is down 22 percent today from that peak in the early 2000s and the Nevada side is down 46 percent.

They looked at the average daily water use from the Tahoe Water Suppliers Association and the South Tahoe Public Utility District. It's significantly down from the 2000s and overall, in the last six years, there's been no significant change. There was about an 11 percent increase from 2020 to 2021 and then an eight percent drop from 2021 to 2022. Overall, they are not seeing a significant pattern in terms of the last five or six years.

If it's not visitor or resident population and they can't see in any of the data that there are more people here, why do people feel that there are more people here. Some possibilities are second home use and Covid affects from remote work. Day use visitation and more people coming in from those populations from outside the region. People recreating in different places and different times. Changing travel behavior in terms of commute or roadside parking, or other factors.

Fifty percent of the housing stock in the basin is considered vacant homes according to the Census. These vacant homes are going to include second homes, seasonal rentals, and short term rentals. There are roughly 50,000 residential units in the region, there are 25,000 vacant homes of which 4,000 to 5,000 are short term rentals. The big population of that is these second homes and seasonal rentals. Even a one or two percent change in the number of people using their second homes would have significant differences in terms of how many people might be here. A one percent change would be 400 or 500 people in the basin. They saw with the population chart most of those communities that lost population between 2010 and 2020 saw these percentages increase even though the overall percentage in the region didn't change a whole lot between 2010 and 2020.

Looking at traffic counts from NDOT and seeing a fairly significant pattern change in terms of traffic and vehicles going north on Highway 28 and seeing a 50 percent increase in the number of vehicles traveling north and paired with a 30 percent drop in the number of vehicles that are passing through the casino core in Stateline on the South Shore. That's about 9,000 trips going north and 30,000 trips going south. It's not a 1:1 change but those changes in patterns have very significant affects and localized affects in some of these communities as you go north on Highway 28 around the lake into Incline Village and Sand Harbor areas that we are hearing about these pinch points.

They reached out to Nevada State Parks and got some data from Sand Harbor. When they look at the visits to Sand Harbor there is a fairly significant peak in 2020. In 2021, it was on track to surpass 2020 until the Caldor Fire and the closures related to that put the visits below the 2020 numbers. Again, they see that continuing to drop off going into 2022. Particularly in that nonpeak season. Values seem to be fairly consistent for Sand Harbor, it's the off peak that really dropped off.

Slide 17-Sand Harbor Fall Weekend Trips. This data was Fall weekends and trips that are ending at Sand Harbor. They are seeing an increase in overall trips that are ending in this area but a 52 percent increase in trips ending before noon. They are seeing a pattern change where people arrive earlier and try to avoid the crowds and get into parking lots before they fill up. They saw a similar phenomenon last winter at the ski resorts where reports of parking lots that used to fill at 10:00 or 11:00 am, were filling up at 9:00 am. Again, it's not so much that the capacity has changed but that people arrive earlier and feels busier. That's a factor in this perception and what people are sensing.

There's been a 33 percent in occupied rooms at the casinos from the 2000s. Almost a 50 percent drop in casino revenue and an 80 percent drop in casino employment.

Slide 19 shows trips going through the casino core on both the South and North Shores relative to entry trips into the basin. In the 1980s and 1990s they were seeing for everyone hundred vehicles that would come into the basin, there were 120 trips through the casino

cores. Today, it's half that. For everyone hundred vehicles coming in, they are seeing 60 vehicles go through the casino core. But they are seeing roughly the same number of vehicles coming in. It's the dispersal throughout the region where those trips are going elsewhere. They are not going to the casino cores. It's how do they manage those volumes more so than increasing capacity or dealing with more people necessarily.

They see this on the West Shore as well. There was a 13 percent increase in trips through Fallen Leaf, Emerald Bay, and Tahoma on Fall weekends but a 21 percent increase in those trips occurring before noon. People arrive earlier and those trips happen earlier in the day.

The regional population is unchanged and way down from the peak. The jobs are down 20 percent mostly from casino employment on the South Shore. The entry and exit volumes are below peak numbers and have not significantly changed. They did see those peaks during Covid. What they are seeing is that a lot of those impacts appear to be subsiding. They'll continue to look at this data as more information comes out and are continuing to work with the Tahoe Science Council on others on some of these questions related to Destination Stewardship and collecting more data. And particularly the second home use and day visitor use so that they have better ideas of some of these patterns as they are changing and looking at ways that they can better quantify those changes and understand the travel patterns to better management that information. It doesn't appear that it is more people but it's people going to different places and doing different things and likely a combination of these factors. Change in recreation travel overall, more so than capacity.

All this information can be found at the following:

Demographics Data: <https://data-trpa.opendata.arcgis.com/pages/demographics>

2020 Census Report: <https://monitoring.laketahoeinfo.org/socioecon>

Tahoe Roadway Congestion Report:

<https://monitoring.laketahoeinfo.org/MonitoringProgram/Detail/77>

Presentation: <https://www.trpa.gov/wp-content/uploads/Agenda-Item-IX.-A.-Presentation-on-2020-U.S.-Census-Demographics-for-the-Tahoe-Region-and-Other-Available-Data.pdf>

Board Comments & Questions

Mr. Bass said with the decline in employees in the Stateline corridor, have they looked at quantifying the data with those trips that are not going to be made into that corridor daily just on the employment numbers coming down? How is that data gathered? Is there a counter at Stateline showing those road trips per day?

Mr. Kasman said the employment data comes from the Nevada Gaming Bureau. There are annual reports that include the number of employees at various locations in Nevada. Both Caltrans and NDOT have permanent count stations that count vehicles in each direction and report on average daily vehicle counts. Some of the counters are continuous or real time. Generally, they are looking at the average daily vehicle travel through those areas and comparing those over multiple years.

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Mr. Bass said in the 1980s, 1990s, and early 2000s, the casinos had quite a bus system between the Bay Area and Lake Tahoe. Have they looked at the numbers that we have now coming in by bus compared to what they had then?

Mr. Kasman said he doesn't know that they have good data in terms of those passenger numbers. They do have numbers for the transit ridership but are not sure about private company data.

Mr. Bass said that would be interesting to see that data.

Mr. Settelmeyer said it would be interesting to see if the Tahoe Transportation District had any updated information. In the past five to ten years, they were getting people's cell phone data from this region which indicated where someone came from. He always thought that most people drove here. The information showed that the majority of the visitors were coming through Reno-Tahoe International Airport. It would be interesting to know that with Covid if that information changed.

Mr. Hasty, Tahoe Transportation District said no, there is not an update from the 2017 report on cell phone data.

Mr. Settelmeyer asked he if could send that information to Mr. Bass.

Mr. Kasman said not included in this presentation was passenger volumes through the Reno-Tahoe International Airport. There was a significant dip during Covid but the 2023 number YTD show levels that would put them at the highest volumes in the past 10 to 15 years in terms of passenger volume. That's still down from the early 2000 peaks but it appears that this year is on track to surpass 2019 for passenger volumes. They are evaluating a number of different data sources that would shed light. A lot of the cell phone data that was being used is migrating to new sources using more GPS and connected vehicle and app data as opposed to direct cell phone pings. That data is changing a little bit but are evaluating what they can from that information.

Ms. Aldean said with the opening of the Tahoe Blue Event Center that some of these trends may be reduced to a less than significant level. People may not be going to the casinos to gamble but may go to the event center for an event. How frequently do we update the information with respect to travel statistics?

Mr. Kasman said generally it depends on the source of information. The traffic counts are released annually by Caltrans and NDOT and there's generally a delay in that information coming out. They only have the 2021 data from California and some 2022 data from Nevada. They are evaluating some of these more real time sources, but it becomes more difficult to make historical comparisons when using different data sources.

Ms. Aldean said with the decline in casino revenues and visitation to the casinos on the South Shore that the visitation traffic has redistributed itself to other areas around the lake. With the advent of the Event Center, you may end up redistributing some of those trips because there is a venue that will attract people coming into the basin. It would be interesting to get some statistics from the Event Center in terms of total people participating in events at that venue and how they are arriving. Maybe they could poll people about their

mode of transportation to get there. If it's successful it may change the dynamic considerably.

Mr. Kasman said one of their conditions of approval requires that they contribute these traffic analyses and data collection to help support that analysis of information about their impacts.

Ms. Aldean said the effects on other areas within the basin may benefit in terms of relieving congestion and may not be a detrimental effect. Yes, it may be drawing in some additional people, but if those people are being redistributed then it lessens the impact on other areas around the basin.

Mr. Bass said if we are at a 15 year high at the Reno-Tahoe Airport, it would be good to have the South Tahoe Airport Express and how many people were coming here in that 20 years compared to now because they've cut their services drastically. In the past, there used to be an hourly service from Reno Airport.

Ms. Diss asked if they looked at data for the Lake Tahoe Airport and private flights, and rental car data.

Mr. Kasman said they haven't evaluated either of those data sources. The traffic count stations throughout the region would pick up all vehicles whether they are rental cars, private autos, buses, etc. Those trips would be counted within the overall measures of vehicles coming in and out of the basin, but they didn't look specifically at rental car data or the Lake Tahoe Airport.

Ms. Diss said she is wondering more because of Mr. Bass' question about whether there's been a reduction in the use of buses to get people to town and if people are coming to town other ways. We know that occupancy rates are lower but with second homes and the short term rentals, are people flying in to either Lake Tahoe or Truckee and then renting a car to drive to the basin?

Ms. Hill thanked staff for the data. It shows her constituents in Incline Village and Crystal Bay in what they have been experiencing is happening in a big way on the North Shore. She is working with NDOT as well as Director Settlemeyer and Secretary of State Aguilar to see what they can do to invest in that corridor. Another reason why study for that pedestrian multi-use path from Crystal Bay to Incline Village be helpful in relieving a lot of that congestion.

Ms. Gustafson said traffic engineers use a number of trips per day for a resident or household versus a visitor. Often, there is a lot of anger towards visitors, but they drive less and carpool more than residents. With the loss of full time residents on the North Shore they've heard a lot of this friction.

Mr. Segan said for planning projects that have counts that are general types so it would be a single-family residential neighborhood would have a count point at the entry and exit. They'll be aggregated over a suite of those counts. Generally, it's about ten trips per day per residential unit. Trips for hotel/motel and resort style development vary far more. Resorts have far fewer trips per day to around three trips per day in and out of a resort. Then hotel/motel are closer to residential development.

Ms. Gustafson said they'd seen that shift away, especially on the North Shore where they've lost a greater population in residents. As those homes are re-occupied with vacation homeowners and how they use those trips.

B. Strategic Planning Workshop: Aligning Board Committees with Priorities and Other Operational Improvements

Goals of Planning Retreat

- Build familiarity on the history, challenges, and strategies of the three current Strategic Priorities.
- Discuss information needs and ways to accelerate action on the Strategic Priorities.
- Review and discuss proposals for improved operations and committee structure.

Key Themes

TRPA staff presented on the history, status, and future directions for three strategic areas: Transportation (Keep Tahoe Moving), Healthy Tahoe Systems (Restoration and Resilience) and Housing (Tahoe Living).

Strategic Priority: Keep Tahoe Moving

- The Governing Board may consider convening a joint session with the board of the Tahoe Transportation District. TRPA is the Metropolitan Planning Organization (MPO) and TTD is the regional transportation authority.
- Transportation and land use are inextricably linked. Roadways and transportation infrastructure are fixed elements that take up much of a landscape and constrain land use options. Smart land use policy is a part of effective transportation planning.
- The reports on demographics and visitation demonstrate that overall trips to and from the basin remains relatively constant, even slightly below pre-pandemic levels, but that the destinations change. The casino core in Stateline is no longer the primary destination for visitors.
- Effective transportation planning and projects requires infrastructure and functioning transit systems outside of the Tahoe Basin, as these are necessary for connecting regional trips for visitors and residents.
- It is important that all transportation decisions do not result in making Tahoe inaccessible for those with fewer resources.
- Railroads and rail transit remain an opportunity to create regional linkages. Some rights-of-way remain where transit can be expanded. Truckee's train station also includes a hub for buses and on-road transit. To realize rail options, plans for rail infrastructure need to be included in regional and local transportation plans.
- A gondola could run the length of the business corridor from Stateline NV through South Lake Tahoe CA along Highway 50. This fixed guideway could provide transportation for locals and visitors.
- Funding:
 - The estimated total cost of building out the Regional Transportation Plan is approximately \$25B.
 - In 2023, partners were able to secure \$23M. This means in 2023 partners have exceeded the \$20M/year goal for 20 years known as 7-7-7.
 - Other transportation improvements which are priorities for local and regional

partners will require additional sources of funding.

- An early step to increase ridership may be to subsidize first/last mile solutions such as rideshares and micro transit.
- It is difficult to achieve effective regional transportation! All elements, planning, permitting, funding, construction, and operation require strong partnerships and clear messaging among partners.

Strategic Priority: Restoration and Resilience

- Current programs associated with this strategic priority include permitting streamlining (Cutting the Green Tape), updates to EIP thresholds, and incorporating climate change goals into codes and standards.
- California will be considering a climate bond in 2024. If passed, this will bring substantial resources for resilience programs and projects.
- Education and outreach about natural resource management and healthy Tahoe Systems remain challenging and remain a priority. This should continue to be a focus on this strategic area and associated committees.
- One challenge for landscape restoration and forest management throughout the country is a limited availability of workforce and equipment. This needs to be considered as programs are designed and developed.
- Cutting the Green Tape – or reducing bureaucratic hurdles to restoration and resilience programs are of critical importance and should continue to receive attention by board and staff.
- Tahoe should explore options related to using geothermal energy and infrastructure to melt and control snow. Geothermal infrastructure could run the length of the US 50 corridor, assisting with snowmelt and removal with far fewer carbon emissions.
- Evaluations continue to bear out that investments in health Tahoe systems under the EIP programs provides a positive financial return on investment through increased revenue from visitation, recreation and tourism.

Strategic Priority: Tahoe Living

- “Tahoe Living”, and housing policy and programs, are about building and sustaining healthy communities.
- The hard-to-reach, marginalized and low income populations in the region need to remain a focus of policy and programs.
- Housing discussions can often evoke strong responses from residents. Multi-family housing construction are often opposed by those concerned with over-development.

Board members commented that:

- There are very few locations remaining in the basin that are suitable and/or allow for multi-family projects.
- Multi-family projects under current consideration are in commercial cores.
- The Tahoe Region is approaching its overall cap for residential and commercial land use.
- Short Term Rentals or Vacation Home Rentals deserve another look by local jurisdictions and regional planning authorities.

Amendments to Board Structure and Operations

- There is support for Transportation issues to be separated out and considered in a new Board subcommittee. Currently it is housed within EIP and environmental programs, and has been the focal point of this subcommittee in recent years.
- An alternative was provided to the proposal of including Local Government subcommittee into the Regional Planning Committee: That Local Government group meet on an ad hoc, as-needed basis.
- There is support for including fire and fuels programs and policy within the EIP Subcommittee.
- Adjustments for board and committee operation to be tested include:
 - Soliciting questions from board members in advance of hearings so that staff may be prepared to answer, or even communicate in advance of hearings.
 - The board can utilize round-robin discussions, where each member is given a chance to briefly comment before discussion begins.
 - Agendas for upcoming board hearings will be listed on the board calendar.

Public Comments & Questions

Elise Fett said she was impressed with how Ms. Regan was so efficient at everything she reported on. One thing she mentioned was the New Zealand Mudsnails and the rapid response to these. She received a response to her email asking if the ultraviolet light boat had been used on the snails and Mr. Cowen said it had not, that things were being studied. The UV light boat is there and is a wonderful tool. There is already research out there that they will kill the snails and she'd be happy to provide that research. Please use this wonderful tool not just for invasive weeds but for these snails and will also work on the mussels. Please support the increase of the size of the UV light boats to show that it can do more than what the pilot boats which is reduce the costs per acre by half if we can move beyond these pilot boats and do a more efficient large boat now that it shows that it works.

The people that are fearful of the bike path at Crystal Bay are fearful because they saw what happened on the East Shore. We don't want a mixed-use trail and parking lots. What they need is a commuter trail for the entire basin in order to get through this transportation issue and start using bikes. Bike paths that are designated as bike paths. We cannot mix E-bikes with dogs and walkers. Please designate bike paths only. She was happy to hear Ms. Regan say that you've already stated you are using it for emergency vehicles. That has been her point here that these trails can be used not just for emergency vehicles but design them to be used for emergency evacuation particularly from Incline Village and Crystal Bay where the roads are tight.

With respect to the traffic from the 50 percent increase, she sees it every morning with a continuous stream of cars. Teachers, firemen, snow removal people, etc. These people need to be living here. The fastest way to get this going is to have Washoe and Douglas Counties allow the accessory dwelling units on less than an acre as done in California. We also need to simplify the red tape. There are over 300 people in this town that would create a legal long term in-law unit and could be used asap if they didn't have to get a development right. Please consider only requiring one hundred square feet of commercial area instead of 300 square feet of commercial area to get a development right for an in-law unit.

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She agreed with incentives for renting long term. The short term rental companies are doing a great job of advertising, and they need to see those advertisements mailed out to homeowners asking them to do long term.

Ellie Waller said she is the vocal minority. It started with the Pathway 2007 that led to the Regional Plan Update in 2012. She was involved in the North Tahoe Area Plan. These strategic measures, in her opinion, means there is a lot more public comments being provided so you are changing your processes. The processes have been broken for a while. She didn't see the Tahoe Basin Area Plan raised as something that is going on with the other housing. Her opinion is that some of the things that Placer County is doing have to do with TRPA. The Bi-State Consultation should be brought forward again, it hasn't met in public for public comment to talk about the transportation issues. The Tahoe Living Plan does have some contentiousness. Workforce housing work sites, the Tahoe City Public Utility District purchased a perfect location next to the Transit Center where Placer County could have come forward. The same thing could be said for the Lakeside Casino that Barton Hospital is moving into. There's not enough in kind affordable being paid for by the bigger employers. She agreed with Commissioner Rice that the Legal Committee does need to be separate. If a committee is run concurrently, that cuts out a public comment in person versus in writing and that needs to be thrown out. Trails for evacuation will be a safety nightmare on top of an infrastructure nightmare. She'll provide additional written comments.

Doug Flaherty said as usual the presentation regarding Census residents versus visitors was discussed in an outdated manner. The entry and exit information was woefully incomplete. It was shaped to further the agenda that the people here in the basin are not seeing an increase in huge overcrowding and over capacity of the basin in regard to roadway and population. If you are going to use this type of data, you'll continue to gain mistrust of the public. You can tell us that what we are seeing isn't true all you want. You completely disregarded the discussion on the East Shore Trail. The traffic that comes of Highway 267, the inundation that this international destination project has caused the impacts here in Incline. It's real, you didn't talk about that. You side stepped the airport issue with the number of increased flights coming in. You don't know how many visitors there are in the basin and puts the public in a position where they have no choice but to go before a judge to say this is inadequate, it's not substantial, there is no justification for what TRPA is saying. Do a supplemental environmental impact statement to the 2012 plan. You want all the public information that we are providing you to go away, just do a supplemental EIS to the Regional Plan. You put the public in a position where they have no choice but to litigate. You know if you do a supplemental EIS to the 2012 Regional Plan, most of what you are suggesting is not going to fly. They need a cumulative impact analysis of all major projects since the 2012 Regional Plan.

Ann Nichols, North Tahoe Preservation Alliance said buried in the Consent Calendar was an item on the Crystal Bay Trail. If you were more transparent about it because they've heard about this for years about how it will go through the neighborhoods in upper Crystal Bay. No electric bikes are a good idea or have different trails. No one is against the trail, but we need to know what is planned and if you already have money, there's usually a plan and the fix is in. She'd wished you'd be more transparent about it. Ms. Gustafson said she hears all the same things from the same people, she's on so many committees that you hear the same things. The public wants skepticism and analysis from the Governing Board, please don't limit Board discussion, it doesn't seem like there is enough real discussion anyway and your minds are already made up. Trying to limit everything more and more is not the solution.

X. REPORTS

A. Executive Director Status Report

Ms. Regan said for 30 years Lake Tahoe Wildlife Care was in a home in El Dorado County and then the community came together to raise funds to support a 25 acre facility off of Pioneer Trail. Their staff recently provided some staff tours for us.

Mr. Middlebrook did a TEDx talk on outdoor recreation at the Lake Tahoe Community College.

Many staff members recently attended the Tahoe Science Conference at the Lake Tahoe Community College. It's been eight years since the science consortium hosted a conference.

The American Planning Association held their meeting at the Tahoe Blue Event Center where she and Director Settlemeyer both made presentations to the group. TRPA Planner Ms. Avance has been involved with that group for many years.

The 2023 Business Expo sponsored by the Tahoe Chamber was held at the Tahoe Blue Event Center on October 26th.

Mr. Haven Association of Metropolitan Planning Organization's Board member and Mr. Murray attended the AMPO conference in Ohio where Mr. Murray also made a presentation to the group.

Ms. Navarro attended the Mountain Planners Conference where the theme was managing conflict in mountain towns.

When the New Zealand Mudsnails were discovered in Lake Tahoe some of our team members were at an AIS conference where Mr. Boos is an incoming President of one these associations around invasive species.

Yesterday, two cabinet secretaries from California; Secretary Crowfoot of the Natural Resources Agency and Secretary Omishakin with CalSTA which is the transportation agency that Caltrans rolls up to. They've never had a Department of Transportation Secretary from California do a tour of the basin. Also attending was the number two person at CalSTA, a Deputy from Caltrans and other key staff from Natural Resources. They were able to see on the ground the challenges that we are struggling with in transportation. They also got some great coverage from the Transportation Equity Study to fold those equity policies into the update Regional Transportation Plan that will be coming out next year.

Over the past year there have been some shifts internally starting with her shift to be the Executive Director and the other shifts that followed. She's proud of the team, it feels like we've released a ton of creativity and energy. There's been promotions and moving people around the Agency. Having met with all the staff and trying to fit everyone to maximize their strengths. They went through a process called Strengths Finder that aligns strengths with team members and the organization. The latest round of shifts is Mr. Smith who was promoted to Assistant Planner and is still overseeing the Front Desk operation. We have now hired the Front Desk full time Public Service Specialist, Ms. Horowitz. This was a new

position that the Board approved in the budget and wants to make a big push especially since we are improving efficiencies and showing values for those increased fees that we are here to help. Ms. Brown will be starting as a planner working on the California Transformational Grant around housing.

At the December 13 Governing Board meeting we will have our holiday luncheon and open house for our front lobby.

In November, the Regional Plan Implementation Committee and the Advisory Planning Commission will meet to discuss the Phase 2 Housing Amendments. Following that it will go to the Governing Board in December. Also, in November there will be a presentation on the Aquatic Invasive Species Program.

1) Tahoe In Brief – Governing Board Monthly Report

B. General Counsel Status Report

Mr. Marshall said the Legal Committee met in closed session to discuss the Harrosh litigation. The States of Attorney General's offices of California and Nevada participated in briefings regarding whether or not they are mandatory parties in that litigation to protect their interest. They both filed a brief that no they are not necessary parties and TRPA can adequately represent their interest in this particular lawsuit over this particular interpretation of the Compact.

They were not successful in the recruitment of Associate Attorney and will discuss options internally before moving forward.

XI. GOVERNING BOARD MEMBER REPORTS

Ms. Gustafson said Placer County held their Board of Supervisors meeting last Monday and heard quite a bit of testimony on the Tahoe Basin Area Plan Amendments which will go back to their Board next Tuesday. Even with Mr. Hester's points of clarification, there remains a lot of confusion about the two simultaneous processes that are different in scope in nature but yet people are confounding together.

Mr. Bass asked for the reconsideration of the residential use for short term rentals to be brought back to the Board at a later date.

XII. COMMITTEE REPORTS

A. Local Government & Housing Committee

No report.

B. Legal Committee

No report.

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C. Operations & Governance Committee

No report.

D. Environmental Improvement, Transportation, & Public Outreach Committee

No report.

E. Forest Health and Wildfire Committee

No report.

F. Regional Plan Implementation Committee

No report.

XIII. PUBLIC INTEREST COMMENTS

Ellie Waller is looking forward to the ACR5 presentation being brought to the public that went to legislation. The 7-7-7 plan needs to be revisited. She doesn't believe all local jurisdictions should equally be ponying up \$7 million. Carson City as an example doesn't have the same input that the rest of local jurisdictions would necessarily have. She doesn't like the plan. The process for hearing consent calendar items to be removed has never been discussed, the public doesn't know when to request it. It was mentioned that TTD and TRPA should have a retreat together. Please make sure that the public is invited. Cell phone data is not as accurate as it could be. She's had a "714" Orange County phone number forever and can be tracked all over because she attends many meetings, for example. Preapplication for multi-family needs to be vetted with the public as well. The 1960's land use, we need to be real, we don't have a blank slate. Everyone agrees that we have limited real estate. But areas need to have fair share affordable housing everywhere and not just where land might be available. For example, how do you get around Kings Beach, it doesn't need and shouldn't have any more in her opinion. The same for Tahoe Vista. The South Shore has a whole other complexity with Heavenly Village being very different than the City of South Lake Tahoe. There are a lot more issues to be discussed and solutions to be found that seem to be more fair.

Denise Davis, Incline Village resident said in regard to the statistics presented in the Census presentation, while speaking with Sand Harbor staff this last summer she was told park visitors entering via the East Shore Express are not included in visitor counts because they do not pay an entrance fee. You may want to investigate the Sand Harbor numbers. At the April 2023, Tahoe Transportation District Board meeting, East Shore Express ridership of 29,161 was reported for 2022. The East Shore Express runs only between a parking lot in Incline and Sand Harbor. When the gates at Sand Harbor close usually early in the day there are only two ways to enter the park; ride the East Shore Express or walk in from the East Shore Trail. Parking for the trail is also in Incline. Your presentation showed increased traffic at the North Shore. Incline is the parking lot for two areas drawing visitors. When designated parking is full, visitors park on the neighborhood streets. This is not grumpy old folks reminiscing about the past, this is the reality that residents deal with daily. Quite a bit of the public comment is done in hopes of avoiding repeating mistakes made in the past. Many of them don't feel

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heard but do feel minimized and disregarded. Not everyone can devote a full day to a TRPA Board meeting. The public who attend meetings regularly pass along information to their community and share community comments with the Board. Less contempt towards them and more cooperation with them would prove to be beneficial for all.

Elise Fett said regarding the comment made about bus service and the first mile, last mile. The mini transportation system of TART Connect on the North Shore has been a huge help to the North Shore communities to reduce the traffic and parking issues. It supports the increase with the in-law units for the long term renters that they can use TART Connect and the bus system. The other item brought up was E-bike rentals. The local bike stores offer them but they need the safe bike paths designated for bikes only and they need to be wider to accommodate the wider handles of E-bikes. It could also be for E-scooters as well. It's not safe for people with dogs to be on these bike paths. They need separate trails and should not be encouraged to be in that same area; therefore, they don't need parking lots. These bikes will go from these stores, the commuters and kids who own bikes that are trying to connect from Kings Beach to Incline Village need this bike path. Ms. Caringer mentioned environmental acceleration and she agreed that we need to increase the pace and scale. Please increase the scale of the UV light boat. Cut the green tape and let the UV light boat in to take care of these New Zealand Mudsnails. Mr. Hoenigman mentioned the dollars needed for these projects; she couldn't agree more. She's in the business and these numbers seem absurd. On the other hand, she agrees that costs are going up and some of the numbers she sees for her projects have gone half again as much. We have an amazing resource of incredible people in this basin who have knowledge and financial resources that we need to tap into. They just need to know that we need their help.

Doug Flaherty, TahoeCleanAir.org said the East Shore Path Bike Trail was activated in 2019. Once again, this would have been these types of data that are being collected are not up to date. The East Shore Trail doesn't have any turn stiles, there are no firm counts on usage. If you took one hour in the summer to stand by Tunnel Creek, you'd see hundreds and hundreds of people an hour; bikes, tourists, residents. You don't know what the usage is or that visitor count but you've avoided that once again because it adds to the cumulative over capacity of Lake Tahoe. You don't have real visitor counts. It's a huge impact to this community and you are ignoring it when you make decisions. You continue to avoid and endangering the public around Lake Tahoe to encourage increased height, density, and coverage, lower setbacks, and so forth. You need to do the best practices for wildfire evacuation, determination, evaluation, by doing a roadway by roadway evacuation assessment before you continue with these projects. What's it going to look like in five years, are you just going to keep going up, keep condensing, keep changing TRPA's code of procedures to get what you want. The lake is in terrible shape, TRPA has failed since 2012. You are not following your mission statement, but you keep moving ahead ignoring the public and their data.

Ann Nichols, North Tahoe Preservation Alliance said regarding the 7-7-7 plan, the public expected to pay for transit. Placer County has done an excellent review of the first few years of TART and TART Connect. If you could look at that it would be an eye opener. She sees most of the TART Connect buses empty. The kids in Incline are calling TART Connect to go to Starbucks to get a coffee. Why are we promoting more traffic. These TART Connect buses in an evacuation will be stopped too. This is not the solution. The large employers should

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provide transit. Most of the increase in transit for TART Connect is around the ski areas in the winter. They need to do this themselves; they sell millions of passes. They need to build housing on their own sites. Even the Incline Village General Improvement District should build housing for their people. It shouldn't be up to the public when the failure has been TRPA just approving large developments, no particular housing, and large single-family homes. TART Connect is not the panacea, it's \$17.00 per ride.

XIV. ADJOURNMENT

Ms. Aldean moved to adjourn.
Motion carried.

Ms. Gustafson adjourned the meeting at 4:56 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 PLAN IMPLEMENTATION COMMITTEE

TRPA/Zoom

September 27, 2023

Meeting Minutes

CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Hoenigman called the meeting to order at 3:41 p.m.

Members present: Ms. Aldean, Ms. Diss, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Mr. Settlemeyer

I. APPROVAL OF AGENDA

Mr. Hester stated that there are no changes to the agenda.
Mr. Hoenigman deemed the agenda approved as posted.

II. APPROVAL OF MINUTES

Ms. Aldean said she'll provide Ms. Ambler with her edits and moved approval of the August 23, 2023, minutes as amended.

Motion carried-voice vote.

III. Informational Update and possible direction to staff on the Phase 2 Housing Amendments, including proposed changes to Code of Ordinances 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 changes to the Goals and Policies, Land Use and Housing Sections; that would only apply to projects applying for deed-restricted bonus units

Mr. Hoenigman said the committee has received written public comments on this item.

Mr. Hester said in July 2022, staff held a workshop with the committee to solicit feedback on what they wanted staff to work on which came from recommendations from the Tahoe Living Working Group. They heard from the committee that this is a big problem, and they need to go bold. They also told staff that they don't want to do things that sound like good policy, that wanted it to have some basis in what the market can actually do. One of the things staff did was to hire Cascadia Partners who work with developers for affordable housing. Cascadia provided them with a scale that took them from where they are now to certain sets of policies that would reduce the prices by certain amounts. They were able to get a set of recommendations that got them into 120 to 180 percent Area Median Income (AMI) range and that includes changes to some of TRPA's policies as well as changes related

to parking which they have the authority to address but never have. Where they are today is that they put together a package that is in the 120 to 180 percent range. There are some options within that range that go with a little less parking, etc. This is where we want to finalize that set of recommendations to then go to the final hearings at the Advisory Planning Commission, back to the Regional Plan Implementation Committee, and then the Governing Board.

Ms. Bettinger provided the presentation.

Ms. Bettinger said like many communities across the country, Tahoe is suffering from a crisis of affordability. The median home size in the past 50 years has more than doubled and along with it so has the price. Many can no longer afford to live in the region. When people cannot live here, we not only lose our community, but we get further from meeting the goals that are outlined in the Regional Plan.

For the last couple of years, TRPA has been looking at our role in the housing crisis and how we could reshape certain policies that get us closer to meeting our thresholds and the goals of the Regional Plan. These include more concentrated development close to town centers, implementing stormwater treatment systems built along with the housing that better meet the water quality standards. Higher density along the transit corridors helps achieve transportation, specifically transit goals, housing that is smaller, denser, and more affordable.

In 2020, they kicked off the Tahoe Living and Community Revitalization Strategic Initiative. Staff have worked closely with the Tahoe Living Working Group to develop these policy changes. Phase 1 was focused on making changes to allow accessory dwelling units on smaller lots within the basin as well as encouraging older motels to convert to long term residential housing. Phase 2 will be discussed today which is focused on making it more financially feasible to build bonus units in the basin. It also helps local jurisdictions be more competitive for grants and for the California jurisdictions to achieve their Regional Housing Needs Allocations (RHNA) requirements. Phase 3, which will begin in 2024, will use our recent grant to take a larger look at how some of our long standing policies like our development rights system, permitting, and fees to make them more equitable.

TRPA sets a cap on the amount of development that can happen which were approved under the 1987 and 2012 Regional Plan. Those caps are not changing with this proposal. They are specifically looking at how they can make our existing pool of bonus units more financially feasible. Three important numbers to keep in mind; that 50,000 is the total amount of residential units that were allowed under the Regional Plan. The majority of that has already been built out. There are about 3,500 residential units remaining to be distributed and within that 3,500 number about one quarter of those, 946 are bonus units. Bonus units are residential units that are distributed to projects that are deed restricting the unit to affordable, moderate, or achievable housing.

Development standards influence what gets built on the ground. One of the ways that they can get more concentrated development in and near the town centers that is beneficial for the environment and communities is through changes to the development standards. When they talk about development standards it's coverage, height, and density that are set at the TRPA level as well as parking and setbacks that they defer to the local jurisdictions to set.

We are not unique in looking at whether we can make changes to these development standards to increase the affordability of housing. This is happening across a lot of mountain towns across the west as well as at the state level. If we allow higher density for example, how much do those changes influence the cost to build? As Mr. Hester mentioned in the past year or so, since they did the housing workshop with the Governing Board, they've done another analysis with Cascadia Partners to help answer those questions. They found that making changes to development standards specifically height, density, coverage, and parking can reduce rents by nearly 40 percent. By making these changes they can produce housing units at a lesser cost without the huge subsidies that are required today and have seen often in previous months.

In addition to the Cascadia analysis, they've been meeting with a variety of local groups and attending a lot of community events this summer where they've received a lot of good ideas for solutions. They've used the Cascadia analysis as a baseline, but the proposal has evolved and been shaped by the engagement that they've had along the way.

The proposal would only apply to deed restricted units. TRPA currently has three deed restriction levels. The affordable and moderate are income based and need to be below 80 or 120 percent of the AMI. They also have higher deed restriction level called the achievable level. This is new since 2018 and is targeting that local worker requirement so there isn't an income limit with the achievable deed restriction. It needs at least one occupant within the unit working at least 30 hours per week for an employer within the Tahoe Basin. There are 946 bonus units left in our pool under the 2012 Regional Plan. This is not changing with this proposal; these units will likely be developed regardless of whether they make these changes or not. They are hoping to get these units out the door quicker and concentrated in and near the town centers.

The proposal would apply in two distinct locations throughout the basin. The first is within the town centers. The town centers are within walking distance to shops, grocery stores, bike infrastructure, transit. There is a lot of commercial right now within the town centers. They want to incentivize residential growth in the town centers for people to live and not drive a car everywhere.

Within these town center locations, they are proposing to allow an additional nine feet of height. Currently, 56 feet is allowed which is about four stories. The proposal would take it to 65 feet or five stories. This is specifically for deed restricted housing. They currently allow up to 70 percent coverage and are proposing to allow coverage over 70 percent in the town centers when water quality standards can be met through stormwater infrastructure. The proposal includes removing density maximums from deed restricted units. This is to encourage smaller units. The density standards now are relatively low for urban areas, and they contribute and result in these large units. They are proposing to remove the density maximum and leave it to the overall building footprint to dictate how many units can be built. Lastly, they are proposing to cap the amount of parking that local jurisdictions can require to no more than .75 spaces per unit. This doesn't mean that the developer can't provide more, it means that the local jurisdiction can't require more. Right now, the local jurisdictions require between one or two give or take spaces per unit and that would be reduced to .75 spaces per unit on average.

Height can be a little abstract when you talk about it in terms of feet. Some of the buildings that are higher than 56 feet are Heavenly Village, the Hilton Vacation Club at Ski Run Boulevard, South Lake Tahoe, and the Pepper Tree Inn, Tahoe City.

Committee Comments & Questions

Ms. Aldean referred to page 266 of the packet states that the total number of remaining bonus units is 862 and Ms. Bettinger stated in the presentation that it was 946.

Ms. Bettinger said the number is influx because it's coming out of the pool of bonus units where projects are coming in and trying to reserve bonus units. The 946 number is currently the amount of bonus units that haven't been fully reserved.

(presentation continued)

Ms. Bettinger said the proposal would also apply to areas that are zoned for multi-family. These are shown in lighter orange on slides 15 and 16. These areas are directly adjacent to the town centers where they already allow for multi-family. Because of the development standards, among other factors, it makes it hard to build more than one unit in these areas.

Within these areas they are proposing more flexibility with roof pitch. Chapter 37 has specific requirements that dictate height based on roof pitch and slope of the parcel. These amendments would be more flexible with a shallower roof pitch. This leads to more energy efficient buildings and more livable space. They're not necessarily increasing the amount of height that you can get but they are allowing a shallower roof pitch. Deed restricted projects would be exempt from the density maximums that they currently have in an effort to encourage smaller units. The proposal also includes transition areas between town centers and multi-family areas by looking at parcels that are directly adjacent to town centers and allowing a bit more height on those specific parcels to avoid having an abrupt transition between town centers with height up to 65 feet down to 36 feet. The transition areas are new.

This proposal would apply to both accessory dwelling units and mixed-use developments. Mixed-use projects that have commercial on the ground floor and then 100 percent deed restricted units above could qualify for the coverage, height, density, and parking incentives. If accessory dwelling units are deed restricted could qualify for the additional coverage incentives.

Since 2012, TRPA has been delegating certain authority to the local jurisdiction partners through the area plans. Height, density, and parking are standards that are listed in area plans. Because of the regional need for housing, they are proposing that these changes would supersede standards in local area plans. These would go into effect within 60 days of approval by the Governing Board. This is only for deed restricted units and not all development. Local jurisdictions would not need to go through an area plan amendment process for these changes. If a local jurisdiction wanted to opt out through an area plan amendment, they can do so but they would need to demonstrate that any changes to coverage, height, density, and parking would facilitate the construction of housing. There are a number of ways they could do this, but one option could be providing a direct subsidy to housing if they were reducing the allowable height from 65 feet for example.

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In the recent past there's been an opportunity for public input with a public webinar last Tuesday as well as releasing a flash vote survey with a third party to receive input on these housing amendments. They've been asking whether people are okay with taller and denser buildings in and near town centers if it meant that more affordable housing options were available. Both the public webinar and the flash vote survey showed that people are split. That shows that some think that we need to do much more and some think that we need to do much less. This proposal is to find a balance between those two. The results of the flash vote survey are available on the TRPA website. They also received over 100 questions and comments from the webinar last week and the answers to those questions can also be found on the website.

Today, staff is asking for input from the committee before they start the final hearing process around November with the Advisory Planning Commission and the Regional Planning Implementation Committee before going to the December Governing Board meeting. October 8 is the anticipated release date for the Initial Environmental Checklist. That IEC is based on the proposal that is being presented today and anytime that proposal changes that analysis will change.

Presentation: <https://www.trpa.gov/wp-content/uploads/Regional-Plan-Implementation-Committee-Item-3-Phase-2-Housing-Amendments-2.pdf>

Committee Comments & Questions

Mr. Hoenigman said this has been a long process with a lot of public input gathered. Staff has come up with something exciting that hopefully allows us to solve the problem.

Mr. Hester said they were pleasantly surprised with the poll outcome of approximately 50 percent in support, 30 percent against.

Mr. Hoenigman said it's known from studies that sometimes those who speak at the public meetings are often not completely representative of the general sentiment in the public and is good to see some polling done.

Ms. Aldean said the idea of increased height by right concerns her only in that height, especially at six stories can have a shadowing effect on adjacent properties. Now, many urban areas require a shadow analysis. New buildings could cast shade on adjacent buildings, have an impact on the quality of the life, and interfere with the line of sight to commercial properties that rely on people passing by.

Ms. Bettinger said yes, they can take that into consideration for a shadow analysis requirement. It's important to consider that any time you are putting additional requirements on projects has pros and cons.

Ms. Aldean said on the other hand she has sympathy for the people who may be negatively impacted by a tall building in a relatively confined area. Do we know where these opportunities are within these various communities? She doesn't want this to be more difficult for the developers but also doesn't want it to become a detriment to the people who have already invested in properties and businesses.

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Mr. Hester referred to page 280 of the packet, there is a note on the bottom. When you get to four stories, the building has to start being set back.

Ms. Aldean said it can still cause shade. The buildings in back of a building, regardless of whether you step it back addresses the zero lot line set back.

Mr. Hester said this is when you get to height. It's to prevent a tall building from casting a shadow. At four stories it sets back so there is no additional shade.

Ms. Aldean asked if that is on the buildings behind the building.

Mr. Hoenigman said that's how they generally do it. Right now, if it steps back at that level, it shouldn't cast any more shadow than an existing building.

Mr. Hester said that is exactly what that note A at the bottom of the page is for is because they were concerned about that same thing.

Ms. Aldean asked if there is an example of that in the presentation.

Ms. Bettinger said yes, the Heavenly Village building on slide 14.

Ms. Aldean said there's a step down on the right hand side. If there were a business behind that building, it's not only interfering with the line of sight to that business but it's also casting some sort of shadow.

Mr. Hester said currently a four story building is allowed you'd get the same.

Ms. Aldean asked what about interfering with the line of sight. Without a map, she doesn't know where these eligible parcels are. Conceivably there could be a parcel that's in the middle of a commercial district and someone builds a six story affordable housing project and it's between the road and the commercial establishment behind the building. She doesn't have an issue with density and parking as she does with height being a matter of right. It really depends on location.

Mr. Hester said if you were on a street or sidewalk and want to see a building that's back behind the new building whether it's four stories or six stories with a setback, he doesn't think you are going to see that building.

Mr. Settlemeyer said for example, if your house could currently see the lake but someone builds an extra story then you might not be able to.

Mr. Hester said you are currently allowed four stories. He's not sure that going from four to six is going to block a single-family home lake view in a town center.

Ms. Aldean said for example, if you had a lot in the middle of town and the developer decides to build a six story affordable housing project on it and whether it's four or six stories, it could interfere with lines of sight to existing buildings, businesses, or homes. She doesn't want to lose control of the review process by saying someone could build a six story building regardless of the impacts to surrounding properties.

Mr. Hester said scenic standards would still have to be met.

Ms. Aldean said scenic with respect to Lake Tahoe.

Mr. Hester said there are also points where you also have to be able to see the ridgeline.

Ms. Aldean asked if it were correct that it wouldn't exceed the height of the ridgeline or tree canopy.

Mr. Hester said probably not. Anywhere that's a scenic spot in the scenic system for example, where the Board walked during the tour in Placer County there was a proposal to go higher with this kind of height and they checked that you could still see the ridgeline.

Ms. Bettinger said they are proposing to go from four to five, not six for deed restriction. There are quite a few findings in the Code of Ordinances Chapter 37 that would still apply. Any developments over four units would go to the Hearings Officer as well as whatever discretionary process it goes through with the local jurisdiction. There are safeguards in place that will prevent us from getting buildings that won't fit into the community character.

Ms. Aldean said the parking standards are being reduced to .75 but the developer can opt to have more parking. The issue of evacuation keeps coming up and if people don't have cars and public transportation isn't running, how would those people get out?

Mr. Hester said they talked to some of the law enforcement and what they do is mobilize a fleet of school or shuttle buses, for example for people that don't have cars. This type of development along transit ways and evacuation routes with higher density is what they recommend as the most fire safe development. California also has some guidance that they put out for the California Environmental Quality Act that states that. Another point is that with 950 units and reducing it to .75 from 1.5 is only 700 parking spaces around the basin. From working in other jurisdictions where they have reciprocal parking agreements, there will be space for cars, but it won't be required to be part of this new development. For example, there might be a reciprocal agreement if you are in a development with a grocery store next door.

Ms. Aldean said there is a reference that a developer will have to develop a parking management program.

Mr. Hester said they are recommending that the local governments do that.

Ms. Aldean asked if that would be on behalf of the developer.

Mr. Hester said just in general.

Ms. Aldean asked if that would be in connection with a specific project. If you are bringing in a lot of additional residents and those residents have cars and only affording .75 spaces per unit, is that the responsibility of local government to be developing a parking management plan for a specific project?

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Mr. Hester said they aren't saying they have to do that; they are suggesting that the local governments may want to develop parking management plans within the town centers anyway. But a developer can build more than .75 spaces per unit.

Ms. Aldean said if it's a matter of economy, they don't want to add to their financial burden in developing a parking management plan that identifies alternate parking for people who may be occupying a unit in their building. It's not something they would do voluntarily and then that burden falls on someone else even though they've created the problem. They have solved a problem with respect to providing affordable housing, but they may have created a problem because there is insufficient parking to meet the needs of the tenants.

Mr. Hester said he's worked where they actually removed parking requirements. The developers will put in what they need to make their project financially viable.

Ms. Gustafson said for most of them in local governments they understand that the only way they are going to get the much highly valued local workers back here is to develop situations to help developers do this. Even at these heights, she feels that there is going to be public subsidy, public involvement, and public mitigations that are coming forward to try to make this work. Placer County is looking at parking management and a pilot program in the Kings Beach grid area where they have seen a lot of overflow from our state recreation beaches and people avoiding paying for that and parking in the grid. They are aware that they are going to have to be part and parcel making these projects work because the highest and best value for anyone's property is single-family residential condominiums with no deed restrictions. They are going to have to put a combination of factors together to make a work. She does share Ms. Aldean's concern about how that's going to work right now, she's less concerned with that because she's been working on it with staff. The local jurisdiction is going to have to step in and deal with those problems that may occur if they are under parked and that can't be on the developer, or it won't happen.

Mr. Hester said they are not proposing that developers do parking management.

Ms. Gustafson said or even providing additional public parking in areas where people can have a parking pass overnight because they do see that most people at least in North Shore no matter how much they've invested in transit, they don't have the type of shopping or facilities that people don't need to have a car to get to Costco or Home Depot, etc. Many of the people that are in the lower income brackets are going to need some sort of transport out of the region for shopping or medical appointments. How are other local governments looking at this and is it something that they should put more on the local governments to ensure participation in these sorts of programs because they don't want every developer doing their own thing with parking management or transit service. Each developer having their own shuttle van is not going to solve the VMT issues.

Mr. Hester said they are not recommending developers do parking management or provide transit.

Ms. Gustafson asked should that be part of what local governments have to do to get these incentives.

Mr. Hester said there's the items that TRPA can do and what they can do working with local governments and still only get to 170 to 155 percent. Maybe local governments do provide parking lots or garages or build stormwater infrastructure. Maybe the California Tahoe Conservancy would provide the land. Maybe the local governments provide subsidies to the housing builder or income subsidies to the renters. There is a whole plethora of financial assistance that is going to be needed to get the developer to provide housing below that 155 to 170 percent level. This is about as far as TRPA can go in changing their regulations. But agreed that there is more that has to happen to go to the lower income levels.

Ms. Aldean said you could enter into an agreement with local government that if we make these code amendments which are dramatic changes to the Code of Ordinances that this is what we expect from local government. It needs to be obligatory that they partner with us. If they want to see this affordable housing built, then they need to accommodate some of the needs that are going to be created by some of the changes that we make in code. Maybe it's done with a Memorandum of Understanding with local government.

Ms. Gustafson agreed having an MOU with the local government. It's our obligation to maintain the community's health and wellbeing with looking at those factors.

Mr. Hester said this is Phase 2 of the entire housing program designed to look at height, density, coverage, and parking.

Mr. Hoenigman said he was looking at pushing the requirement back down to zero as long as the developer can show how they are going to park the expected need. If they are building a building for J-1's those people don't typically have cars. We know that four percent of our population at the lake doesn't have a car now. These represent about 25 percent of the new units, so it's a greater percentage than that. There are a lot of people who exist here without cars. The two things that drive the price of units are the density and the amount of parking. As a developer, what you are selling is not a house, you are selling square footage, and you have to maximize that and if you can only put a couple of units in a place then they are all huge. We're getting rid of that.

The next greatest driver of density is parking. It's geometrically to fit parking on a sloping strange, shaped lot or almost any lot. It takes up more space than a unit. We don't have a parking shortage in the basin, we have five to six as times as many spaces as we have cars. We have a resource that's being underutilized that is a lot of coverage and a lot of runoff already that we can reuse. His feeling is to allow it to go as low as possible, say zero, as long as the person can show that they are dealing with the cars. They are doing that on a project in San Diego where it's not possible to park that many cars on the property and still have retail and everything else that is required. So, they are leasing it from a garage that's underutilized. It's not going to be many cases where it's possible, but if they want to get down to achievable housing to the lowest levels, they are going to have an intersection of a place in the basin that already has stormwater management systems. That can park cars close by because there is an underutilized lot at a grocery store and that has a place for excess snow coverage. There will be a couple of those places where they could get some of these buildings at very low affordability levels with no subsidy. He doesn't think we should preclude that; it won't be the majority of projects but would hate for us to cancel something that could work when it's not a problem.

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Ms. Aldean said .75 parking space per unit is a pretty low bar to cross. This is going to add to the cost of the development. If the city or county isn't acquiring the parking lot or parking adjacent to the affordable housing development, then someone has to front that cost and will add to the developer's expense. If they are capable of doing that or persuade local government to make those arrangements to provide the parking necessary to meet that .75 parking space per unit. She doesn't feel it's realistic to assume that everyone occupying these buildings is not going to have a car.

Mr. Hoenigman said they will usually get their parking somewhere. We also need to decouple the parking from the unit. If you want parking, then you pay for it. The developer does a master lease for a set of parking spaces at another facility and charge tenants who want to use them.

Ms. Aldean said then it makes it less affordable.

Mr. Hoenigman said yes, but if you don't need a car, you don't have to pay. You can't provide the most affordable housing and have two parking spaces. This is giving us the option to try to reach that lowest level of affordability without subsidy. It won't be that many projects or units that will qualify for this and be able to make it work. Most of the units and people are going to want to have a car per unit.

Ms. Aldean said then you are foreclosing the right for them to occupy that building.

Mr. Settelmeyer said the general average for commercial space is usually one parking space for 200 feet or one for 500 feet, the number varies across the board. How many times in Tahoe are there situations where people take residential housing and convert them to commercial? In Douglas County it's rather common. If you create situations where you don't have any parking, and later those establishments change to commercial they may not be able to because there are not enough parking spots per the county code.

Mr. Hester said they started allowing that about five years ago for people to convert one type of development right to another. That situation is around the range of about 50 units. They've seen it happen before the development right exchange happens, but they always make sure they have parking.

Mr. Hoenigman said these will be deed restricted affordable housing units in perpetuity and can never be converted.

Mr. Hester said yes, that is correct.

Mr. Settelmeyer asked what the minimum requirement is for parking spots right now.

Mr. Hester said TRPA does not have parking standards, it's the responsibility of the local governments.

Mr. Settelmeyer said currently we are at zero and your suggestion is that we should be at .75?

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Mr. Marshall said we're not at zero, TRPA doesn't have parking requirements. Mr. Settelmeyer is asking what the current regulation is. We don't have a standard for that.

Mr. Settelmeyer said if no standard exists then it's zero.

Mr. Marshall said no, then it's driven by what the local requirement is.

Mr. Settelmeyer said if we establish one then we are telling the counties that this will hereby become the minimum. Do we know what the current county laws are?

Ms. Bettinger said she doesn't know what they are for commercial but for residential it's between one and two spaces per unit depending on the jurisdiction. In Washoe County and the City of South Lake Tahoe it's dependent on the unit size. Studios and a one bedroom, require less parking than a two bedroom plus. Placer, El Dorado, and Douglas Counties require two spaces per unit.

Mr. Hester said what they are recommending is not a minimum but a maximum. If someone wanted two spaces for every residential unit, they are saying that they cannot require more than .75 but the developer could go beyond that.

Mr. Settelmeyer said that is more comforting to him with this discussion. But he's also seen situations where the written rule would be one, but a county might base their approval on more. He tends to lean on the concept of how you build .75 parking spaces. He likes the idea of one better because it's easier to build one. Building .75 means you have to build two homes to get 1.5, etc.

Mr. Hoenigman said that's one thing they need to look at because the levers that we can control are height, density, coverage, parking, and subsidies. We know all how incredibly high the subsidies have been for affordable housing in the basin. They've approved \$800,000 single bedroom dorm rooms. They've approved \$500,000 for housing units in South Lake Tahoe. Both of those came with free land because a subsidy was put in by a different organization. The costs are astronomical and that is why we have to be bold in pushing these things as far as they can for the couple hundred units that they've got. And a smaller percentage that they are even going to be able to make use of that change.

Ms. Gustafson said there have been quite a few letters received is the concern that the achievable numbers that they are talking about without having an upper limit are too high. She's been told repeatedly that the lowest income levels don't exist here. Very few people are in those categories. We're paying too much for employees, at least on the North Shore. They don't have people that meet those categories where state and federal funding can subsidize their rents economically. That's why Placer County has come up with more achievable and deed restriction programs. There's been concern expressed that then you have doctors in some of these deed restricted units. That's there hope in North Lake Tahoe that doctors, nurses, public safety workers, and teachers can live here and many of them do make too much to qualify for those. When you say this is affordable at 80 percent, how many people in that family at \$82,000? That's high from her understanding.

Ms. Bettinger said that is based on a three person household income. A one person household income would be lower.

Ms. Gustafson said she might go with zero parking too as long as there is a Memorandum of Understanding or an agreement with the jurisdiction that they are addressing transit and parking management in the region. Local governments have to step up and be part of the solution or they won't have local employees here.

Public Comments & Questions

Seth Dallob, Next Generation Housing Partners said they have built several affordable workforce housing by design buildings in metro Seattle that would work well with most of these rules. The main obstacle is that construction financing has gone from five percent to nine percent. Aside from that, a lot of what they did in Seattle would work in the Tahoe Basin with these rule changes and is supportive of them. Mr. Hoenigman has an excellent grasp of the cost drivers of multi-family housing and what's been discussed here is positive and productive. The compliance with deed restrictions, in an earlier presentation staff recommended streamlining some of the auditing of permits because it took up so much staff time and money. The current proposal has that for every lease, every unit, every time and that is a tremendous burden on TRPA or wherever it gets delegated to. It's also a burden on the developer.

They have a full time employee in Seattle that does nothing but communicate with the City on the 20 percent of deed restricted units that they have. He encouraged them to use sampling instead of 100 percent auditing on the deed restricted units. Lastly, some clarifications would be helpful because there is a bit of a coordination mismatch between TRPA's efforts and at least the City of South Lake Tahoe's efforts. The City is pursuing area plan amendments that are similar but not the same as TRPA. They are spending a significant amount of time talking about parking specifically, but they also have a maximum density of 65 units per acre whereas here it's unlimited. There are several other things where the themes are similar, but the details are different. He doesn't know whose rules supersede whose, if you haven't tackled parking but the City has, how does he plan for that? Also, within the TRPA proposal he is unclear as to the bonus units. If there are 900 bonus units, are some set aside for affordable or achievable, or each bucket, or is there one bucket for all three? He doesn't know if there are more incentives to develop affordable versus achievable, versus moderate.

Amalia Richmond, South Lake Tahoe resident and President of Locals for Affordable Housing said many members in the community are interested in maintaining the status quo and preserving neighborhoods. Many of these community members purchased their homes long ago and housing is not a personal struggle for them. If we want to live a meaningful life on this earth, we cannot care only about the issues that impact us directly. We have to care about our neighbors and community at large. Even if we personally have housing, we can afford, we need to consider the tens of thousands of members of our community who are working multiple jobs struggling to keep a roof over their heads and find a way to raise families here. We need to acknowledge that local businesses are struggling to find employees and local employees are desperately struggling to find and afford housing.

We need to acknowledge that our population is declining, our school enrollment is declining, and more long time locals are leaving the lake every day because they can no longer afford to live here. Further for those concerned about preserving neighborhoods, she asked that they consider the current state of their neighborhoods they are fighting to preserve. How it

feels to be surrounded by vacant homes, used as second homes and short term vacation rentals. For those concerned about preserving neighborhoods, consider if you want to own home in a community without local families and a local workforce or you show up to your favorite coffee shop or restaurant to find them closed early due to the lack of staffing. Where fire fighters responsible for protecting your home have to commute from an hour away. She asks that those that are concerned about preserving neighborhoods to consider the possibility that your voice here today is harming families and local businesses. To consider that we need to change how we develop housing in order to save our neighborhoods. She's grateful to TRPA Governing Board and staff for their efforts to make housing more accessible and affordable, especially the work to increase density and remove parking minimums. Will the housing amendments include changes to comply with California Senate Bill 9 allowing duplexes in single-family zoning.

Gavin Feiger, League to Save Lake Tahoe said they submitted written comments. They've worked with staff and the Tahoe Living Working Group and feel like a lot of their concerns have been addressed over the past couple of years. They're getting more comfortable with coverage as it's written now with the requirements that all these items only apply to deed restricted. In addition, the requirement that's basically government monitored and managed area wide treatment makes them more comfortable. They don't really see the need for additional height, although some case could be made. Maybe it's not by right, rather it's a special use to get a few more feet but that's not their biggest issue. The two items remaining that they want to see addressed is parking. It's a good step in the right direction with the .75 per unit parking. There will be growing pains as we transition away from the car centric culture, communities, and built environment. Transit and alternatives before limiting parking, it needs to be done in tandem step wise. They would like to see no parking minimums for deed restricted housing, let the developers decide.

They're unclear if the .75 is a minimum or maximum. It's described as a minimum in the staff report but the way the Code is written it seems like a maximum. They prefer maximum but understanding that they are taking steps, the minimum would be okay. The .75 would be appropriate for the multi-family and the bonus unit boundary area and then the zero minimums within town centers. A lot of thought and time went into the town center boundaries and why do we have boundaries if we just start blurring them. They'd rather see that go to Phase 3 and take a more holistically look. For example, if you look at South Lake Tahoe there is a block that is a town center in Sierra Tract here and there. Just expanding every parcel around there might not make sense. Although, they support the transition zones in theory but those could be within the edges of town centers instead of outside of them.

Ann Nichols, North Tahoe Preservation Alliance said the flash vote was vague and un-descriptive that it was like asking if you wanted to eat if you are hungry. Do you mind height if there's affordable housing? It didn't say how much height, how much parking, or how much parking. It was unfair and unrepresentative. How would the person taking the survey know? Thank you to Ms. Aldean for having skepticism and discussion. Once again, she wasn't discouraged by Mr. Hoenigman's cheerleading and calling those of them that speak up the minority. They have 3,000 views of their video, almost 900 signatures on their petition to determine a carrying capacity, 800 on their mailing list. These are people that count. She knows that Mr. Hoenigman has done a lot of developing in Southern California and San Diego and is very familiar with that. There is so much, where do you start? No parking,

it's like magical thinking. The people that you supposedly want to help, even doctors need nursing assistants, people to help clean, etc. We need to help these other people; they are the people who can't afford it and achievable housing is not affordable and they will provide those numbers because you are not looking at that. People need cars to go to work and we don't have a good transportation system, headway times, and the TART connect costs \$16.00 per ride and you want the public to pay for it. Is that a good solution? Parking at zero is shocking. She's disappointed in the League to Save Lake Tahoe.

Judith Tornese, President of Friends of the West Shore who submitted written comments. These are significant amendments. TRPA has the responsibility to protect the lake and its residents and visitors. It's important to review the environmental impacts of these amendments especially the wildfire emergency evacuation, traffic congestion, scenic views, parking, cumulative impacts, and other environmental impacts. Therefore, it's crucial that a new environmental report be issued to identify and analyze these impacts. Also, TRPA would need to meet the requirements of the California Environmental Quality Act which require an updated analysis when there is significant new information or changes since the previous analysis. She would like to know how the TRPA housing amendments will interact with the proposed amendments under the Placer Tahoe Area Basin Area Plan. If the Placer amendments are less restrictive and broader than TRPA amendments, can Placer expand and apply their amendments in addition to whatever TRPA amendments state. Which rules and jurisdictions supersede and are applicable?

Nick Speal, South Lake Tahoe resident thanked everyone for their hard work on this project. The housing crisis is devastating the community and TRPA needs to act with urgency to enable more affordable housing development. He's on the City of South Lake Tahoe Planning Commission but is making comments in his personal capacity. He's seen how the strict restrictions requiring sparse housing development have stymied affordable housing and led to a dynamic where the only housing that the private sector builds are large second homes that locals can't afford. He's passionate about transit and what they can do to push mode share away from cars to enable more people to take the bus. A problem in South Lake Tahoe is that too many people live too far from a bus stop for transit to be viable for them. By enabling greater density and building heights in our town centers more people will be able to live closer to the bus stop, closer to their job, and live more sustainably. This will also help prevent further sprawl of mansion development into sensitive forest lands and keep the development in the town centers.

Some might not like the aesthetics of taller buildings, but they'll appreciate the maintenance of open space on the outskirts of town. He appreciated the reduction of the burden of minimum parking requirements that forces developers to construct more parking spaces than they would choose otherwise. He encouraged TRPA to eliminate these requirements altogether. Most projects would still end up building parking. Don't forget that many of the poorest in the community don't have cars now. Right now, local governments are forcing them to pay to rent a parking spot. He doesn't have a car but does have a parking spot which he has to pay for. He would love to rent an apartment without a parking spot. It would probably be cheaper and closer to transit. He supported moving forward with the proposal.

Kristina Hill, former TRPA employee and 40 year environmental planner in Tahoe. This is a problem that was created by TRPA by designating short term rentals as a residential use. When in fact they are an income based use that is more like a mini hotel. They are

encroached in the neighborhoods and have taken up all the housing in her neighborhood and the owners don't live in Tahoe. They used to be long term rentals that were rented for ski instructors, lift operators, and other workforce housing and now they are gone. It's unbelievable that you are going to do an environmental checklist for this environmental evaluation. You should be doing environmental impact report, environmental impact statement. She doesn't understand the unlimited density, height up to 65 feet, and no parking requirements. As a planner it seems ludicrous and can't believe you are considering it when the environmental impacts have not been evaluated.

TRPA was directed in the Compact to establish environmental threshold carrying capacities and adopted and enforce Regional Plan and implementing ordinances which will achieve and maintain such capacities while providing for orderly growth and development consist with such capacities. There is no consideration for the environment. She was glad to see Ms. Aldean bring up the height issue because as demonstrated when they talked about this in Kings Beach, 65 feet of height will make all those roads going east and west shaded and icy with this height. It's creating unsafe conditions and doesn't see how people are going to get around in the winter months on the bike paths and sidewalks with all of the snow. She asked that they stay away from the affordable housing concept because it's not affordable to our local workers who work at the ski areas and beaches. If this is approved, it will change the character of our communities and the health of our environment forever.

Amanda Johnson, Deputy Attorney General, California Attorney General's Office said they generally support the amendments. Affordable housing is desperately needed in the basin and supports the chairman's proposal to not include a minimum parking requirement. They are receptive to concerns about continuing this proposal on an environmental checklist, however, they think that the broader impacts will likely be encompassed with the general program guidelines. It would be helpful to understand exactly what the definition is going to be for a mixed-use structure. They can see that becoming a loophole for allowing commercial development under these new standards. It would be helpful to know where all sewer and stormwater catch basins are so they can see the extent of where these changes will take effect in the near term without a larger municipal development.

Leah Kaufman, former TRPA employee and land use planner in the Tahoe Basin said while a triplex, duplex, an accessory dwelling unit, a junior accessory dwelling unit, or a tiny home has a very different impact. When you allow an unbridle density and extra height in every area of the North Shore that extends from Incline Village to Tahoma, that's hundreds of parcels. This is the Kings Beach grid, Tahoma residential, and two miles of Tahoe Vista. TRPA's examples were used on 12,000 square foot lots but what we have are two, three, four, and five acres in many of these areas and there is no checklist. She doesn't know if the Attorney General's Office would be happy seeing five acre parcels with this same type of density, height, and coverage. In Placer County, 35 people spent four years crafting height amendments and it's the majority of people that aren't happy about heights of more than 56 feet that were approved and agreed upon.

TRPA has not done any proposals showing heights that fit and conform within the guidelines of 56 feet. The 56 feet could be on more than a 12,000 square foot lot. She's repeatedly asked for developers to take a look at that. TRPA never made short term rentals as tourist accommodation units and that was a mistake. Those impact our neighborhoods; the vacant lots and houses impact the neighborhoods. There are studies that say if there were less short

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term rentals, 10 to 15 percent would go back into long term rentals. In Placer County, 3,900 short term rentals would free up 600 to 800 housing units. If there are 960 bonus units' area wide, they can get 800 more long term rentals that would accommodate families just by limiting short term rentals. She agreed with Kristina Hill and are pretty much united in their community that they don't want to see 65 feet of height.

Pamela Tsigdinos said if TRPA wants to support workers in our communities, immediately cap short term rentals basin wide. If going bold with these amendments means putting lives in danger then sadly you have succeeded wildly. After Lahaina's tragedy its chilling that TRPA persists with a single minded focus to pack more building density and more people into our already visitor overwhelmed basin. This plan tailored for developers and investors sets the table for another Paradise or Lahaina tragedy where many cannot escape. She attended Washoe County's evacuation exercise, the one calling for a small group of Incline residents to shelter at the recreation center a mile away. Rather than instilling confidence, this exercise filled her with dread as it simulated nothing resembling a real life evacuation. The difference between previous tragedies and today is you have greater public safety knowledge and lessons at your fingertips.

TRPA possesses authority to establish responsible land use roles that protect, not endanger. It makes no sense to increase building density and population when experts including those on your board admit that Tahoe lacks reliable integrated systems to ensure the safety of those already in the basin. To understand why public trust in TRPA has eroded so badly it doesn't help that all the slides you've shown today, and website renderings don't adequately reflect reality. Where are the 10 and 20 foot snowbanks we endured months on end this past winter blocking bus stop access and multi-use paths. If the latest community poll responses are any indication if you read the comments, the presentation has succeeded in unifying public sentiment against this ill-conceived plan. No visitor, worker, or resident supports manufactured gridlock or threats to public safety. Tahoe's infrastructure and environment cannot support these amendments.

Doug Flaherty, President of TahoeCleanAir.org said a new or supplemental environmental impact statement to the 2012 Regional Plan must be prepared, circulated, and certified in accordance with these rules in the same manner as a Draft EIS. TRPA must require preparation, circulation, and certification of either a new EIS or supplemental EIS to the 2012 Regional Plan. Any reasonable person would conclude that these far reaching proposed amendments may have a significant effect on the environment and public safety especially within dense town centers and multi-use areas. This is based on a cumulatively significant number of amendments, past projects, new information, recent safety and pollution events, and continued degradation of Lake Tahoe since the 2012 Regional Plan adoption. In the interest of prudent life safety wildfire evacuation planning,

TRPA must utilize the best available California Attorney General best practices for analyzing and mitigating wildfire impacts of development projects when it comes to evacuation planning. This includes the prudent development of a variety of concentrated town center and mixed-use planning scenarios to help inform planners, the public, and emergency responders regarding potential options during a wildfire evacuation including identification of significant impacts that the amendments will have on wildfire evacuation. This includes a complete roadway by roadway wildfire evacuation capacity evaluation using modern data collection tools. An Initial Environmental Checklist, you are kidding me, you are endangering

the lives of more to come dense town centers proven today to be evacuation choke points. There will be vehicles and foot traffic in a sudden surge impacting already overcapacity roadways, thereby further and significantly impacting the current evacuation assumptions and timing which are almost non-existent. Please look at the body cam link for the evacuation from Paradise and the photos and descriptions of where all the senior citizens and 80 plus people died in their homes because they didn't have a car, where they died because they were walking, and where they died because of evacuation choke points. He's not sure why TRPA is pursuing this, it's unsafe.

Melissa Soderston said she's excited about this plan and the staff did a wonderful job. She doesn't own a car or bike by choice. These plans will incentivize our communities to improve our evacuation routes. It allows us to build new updated construction within our town centers that allow the people that live here and would like to stay here to have affordable housing. We need to stick to the affordable housing aspect of it. We can build these new buildings with complete updated fire wise practices rather than logging the forest. Everything about this plan sets us up in a wonderful position for the future. It will help us achieve grant funding for transportation if we leave out the requirement for parking spaces. Leaving that at zero and allowing the developer to make the choice on their own is a good addition to this plan. Cars are not necessary, and the less people drive the more we can push for decent public transportation and evacuation routes can be planned for these things.

A lot of the problems that people have with the building height; the evacuation routes would have been solved had any of our communities been in the first place with a master plan. The Regional Plan, area plans make up for some of those deficiencies and brings us into where we need to be for the future. There's no doubt there is a housing issue here and is not going to be solved by simply removing those vacation rentals and stuff that are still in the neighborhoods. That's a start but we need these larger buildings in our town centers without the focus on cars. That's where we want to be for our climate goals for the future and low income community members which is the vast majority. Unfortunately, most of them are working and do not have the time to attend these meetings, they are never held on the weekends or more than one time and are things that should be changed so everyone in the community has a chance to attend and speak for themselves. A lot of the people here are not affected by the housing issues.

Sophia Heidrich, Advocacy Director for Mountain Area Preservation said they understand where the proposed amendments are coming from and agree that there is a critical need for housing to support the workforce. These are dramatic proposals and are concerning for a variety of reasons especially in the transition and multi-family zones adjacent to town centers. The additional height raises serious concerns about degradation of view sheds and community character as well as increased safety risks related to shading adjacent roads and buildings. Second, it's concerning that you are contemplating establishing a parking requirement that is less than one space per unit without having parking management plans already in place. Most people need to drive, and most units will have at least one associated car.

There is discussion of future parking management plans being developed by the local jurisdictions, this is putting the cart before the horse. Those plans should be in place before these parking requirements are considered. Third, the amendments related to density and massing would concentrate more people in a smaller geographic area. Wildfire risks are

growing with each passing year and wildfire evacuation is a critical concern. Before moving forward on amendments like these they need to understand how the amendments will impact wildfire evacuation and how the increased risks will be mitigated. Full environmental review under the California Environmental Quality Act needs to be completed. Staff mentioned during the presentation that other mountain towns are already doing these things and are working in those communities. It would be helpful to know what other mountain towns are doing these things and how they are working. This is a unique community and what works other places cannot always be applied here. Please provide examples during future presentations.

Erin Casey works with several organizations on the North Shore including the North Tahoe Community Alliance as well as a workforce housing agency that is an organization that is soon to be launched in our community. She's lived in the community for over 20 years and is committed to its well-being, its prosperity, and sustainability. She supported the proposed amendments, and the staff work that's gone into this. She appreciated in attempting to respond to the dire needs that we have in the community to provide housing. The proposed height and density adjustments for deed restricted properties serve a dual purpose. They not only optimize land use in our town centers but also ensure that the heart of our community is educators, health care workers, service industry professionals, and others have access to homes and housing. We also have to remember that addressing our housing needs is not a singular path but a multi-faceted approach. She's heard other references today to things like short term rentals and potential challenges that some believe and, in some cases, may have impacted housing. She believes that many of our jurisdictions and partners are addressing those challenges through other methods and other policy adjustments.

These proposed code changes represent just one strategy among many and believe that their impact could be substantial in our community. When we talk about the addition of workforce housing in our community, particularly in the basin, there seems to be this assumption that it is going to increase the number of individuals living in our communities thereby increasing traffic and congestion. If you look at many of the housing studies in our region, there are a number of individuals who are living in our community already, but the housing is inadequate. This is not only the opportunity to provide housing to those that may be commuting in but also to ensure that they have appropriate housing for themselves and their families. There is significant investment happening in the North Shore around transportation to address some of the comments she's heard on parking.

Tobi Tyler, Sierra Club Tahoe Area Group is opposed to the proposed changes without a thorough environmental analysis beyond the checklist. She echoed comments from Judith Tornese, Sophia Heidrich, Doug Flaherty, Kristina Hill, Leah Kaufman, and others who have expressed opposition, and her comments are similar to theirs.

Mr. Hoenigman said he received an email from Brendan Ferry, Chair of the Tahoe Living Work Group, who had to leave for another hearing. On behalf of Mr. Ferry "Generally El Dorado County is supportive of the proposed height, density, and coverage standards and applaud TRPA for continuing to work to address affordable and workforce housing issues in the basin. These amendments can help the county meet its regional housing needs assessment, RHNA requirements from the state. The proposed water quality language looks better but we still have some concerns about the statement like "County owned and or operate" Mr. Hoenigman assumes that's the stormwater management system. In all likelihood we will not

own and or operate BMPs for private development. On parking they suggest bringing down the minimum standard from 1.5 per unit to 1 per unit with an option to add in some additional ratio of guest's spots. On Mixed-use do these standards only apply for projects in the same building or could the housing component be built offsite. Also, there is no ratio of housing that is required, could this lead to more Nine 47 Tahoe type projects?

Committee Comments & Questions

Ms. Gustafson said there was a comment made that these amendments would extend all the way down the west shore. She thought Tahoe City was the furthest south that it went but wasn't sure about the multi-family.

Mr. Hoenigman said he believes that there is a multi-family in Homewood.

Ms. Gustafson wanted to ensure that we look at the limitations in the areas and be clear with the public about that. It defeats the purpose to have these amendments apply all the way around the lake and need to be limited to town centers. There was also a comment about which rules apply. Her understanding that the most restrictive rules by any agency apply. If the local government is more restrictive than TRPA, the local government rules would apply and vice versa.

Mr. Marshall said that's correct. With these rules it may not be always clear what is the more restrictive. For example, with parking requirements, the lower number is the more restrictive. In density, it's probably the opposite way. The TRPA rule would preempt any inconsistent local law. It's not necessarily restrictive but whether or not the TRPA rule is being accomplished. In density, it effectively would be a floor.

Ms. Aldean said it states that local jurisdictions may propose height and density allowances below what is permitted in sections A and B above if they demonstrate that the alternative standards will facilitate the construction of sufficient affordable workforce housing. If the local jurisdictions can provide sufficient affordable housing without using these increased densities and the increased heights, then they are permitted to do so, is her interpretation of what's being proposed.

Mr. Marshall said that's correct, in general. That's an out to say that these minimums or maximums don't apply if you can't present an alternative mechanism to accomplish the same thing, which is affordable housing.

Ms. Aldean asked what constitutes sufficient.

Mr. Hester said if they can show that you can generate the same number at the same price with a different set of rules, that's fine. They've been in close contact with the City of South Lake Tahoe, and they said there is a little different way they can achieve the same thing. TRPA has allowed them to substitute an alternative set of standards.

Ms. Aldean said they haven't allocated a specific number of bonus units to South Lake Tahoe or the various other jurisdictions and is like comparing apples and oranges. What is the bar for these local jurisdictions when they don't know how many units can be reasonably developed within their jurisdiction.

Mr. Hester said they haven't put in a numerical standard yet and doesn't know if they'll need to but the number, they've been contemplating is ten percent.

Ms. Aldean asked if that was ten percent of the existing housing stock.

Mr. Hester said ten percent of the total units. There are roughly 50,000 units in the basin and 5,000 affordable. They need to accommodate ten percent of their housing stock needs to accommodate affordable.

Ms. Bettinger said that the bar is what is shown in the Cascadia analysis that they've used as a base line for this proposal. They've showed that these changes can get down to the 155 to 170 percent area median income levels. If the local jurisdictions want to come in and reduce those heights for example, they could do that, but they'd also need to show that they are providing direct subsidies coming from an inclusionary housing requirement for example that would be going to a dedicated housing fund that could fill that gap.

Ms. Aldean said some of the comments from the public had concern with putting all of our eggs in one basket, instead of looking at alternative ways of generating affordable housing. Major employers have helped create this problem but are not doing as much as they can to solve it. There should be some way if they make an application to expand their footprint or their operation, they have to provide a certain number of workforce housing units onsite or a reasonable distance from their business if they are offsite. In addition, the local jurisdictions need to increase the licensing fee for short term rentals and use the revenue to subsidize rents for property owners who elect to convert their short term rentals to workforce housing. She feels that they want to look at a variety of other methods besides increasing density, height, and eliminating parking. This needs to be multi-faceted and would hope that we would look at these other alternatives, so we are not relying solely on one solution.

Mr. Hester said they agreed and is why they wrote in the option for them to present a different program. For example, on the North Shore there is a Joint Powers Agreement with the airport, school district, hospital district, county, public utility districts. Inclusionary is a tool along with the housing mitigation fee, there's a whole laundry list and they want to see people put together the best they can. If they don't put one together, this is what they get.

Mr. Hoenigman said this is just the first piece, this is not the only approach.

Ms. Gustafson said everything Ms. Aldean said, Placer County is doing. Major employers are investing significant dollars into acquiring properties and converting. Millions have been spent through a TBID which the businesses assess themselves and they are putting that money and have dedicated it to transportation and housing solutions as well as the Transient Occupancy Tax money coming from the short term rentals. The real issue is the price of second homes. That have a local's program that they just put another \$500,000 into in a temporary manner because the amount of money they're spending buying down rents and giving incentives to people to rent their house long term could better be spent putting into investments on permanent solutions. Her earlier comments on parking and cars were more directed at the situation on North Shore. The South Shore has much more availability of shopping and services in a compact area and is more accessible because you don't have to leave the mountain to get to certain services. She takes back her comments on parking

because she heard great comments from the League to Save Lake Tahoe and the Attorney General's office supporting that concept.

Ms. Bettinger said there is a small portion of Homewood that allows for multi-family and would apply there as well as Tahoma.

Ms. Gustafson said there were comments made that there are all these acreages of property that are vacant where this could apply. She's cognizant that is what the community is hearing, feeling, and wants to understand how large these areas are that this might apply to.

Ms. Gustafson said the other fear she's heard is that somehow these will be converted with developers saying one thing and then convert or have a mixed development project that will end up being higher end condominiums.

Ms. Bettinger said the proposal applies to only 100 percent deed restricted developments. They do have compliance on those units annually and have recently hired a third party consultant to help with that. They audit ten percent of the total deed restricted units by requesting pay stubs showing where someone works and their incomes limits. They don't audit 100 percent because that is too time intensive for TRPA and the property owners. In terms of these incentives potentially being applied to mixed income developments, part of the proposal is to allow local jurisdictions through an area plan amendment to come in and change some of these standards. For example, the City of South Lake Tahoe is looking at increasing their density for market rate to 65 units per acre. They are also looking at an inclusionary housing requirement. Any new development that comes forward a certain percentage would have to be deed restricted. There are opportunities to get deed restricted housing through market rate and it's on a case by case basis for the jurisdiction. They are allowing them to come back to TRPA through an area plan amendment process and put in different standards that fit the needs of their community.

Ms. Gustafson said while TRPA may only audit a certain number, it's critical to their investment in public dollars from the local jurisdiction that they are auditing 100 percent in Placer County. Every year, they have to show their local employment in order to continue to have that. They copied Vail, Colorado's program and that had to be annual.

Mr. Hester said they copied Vail's also and they are getting 100 percent reporting but auditing ten percent. The City of South Lake Tahoe is working on their program and have requested that what TRPA is proposing has an option for them to come with something that does the same thing but with a different mix.

Ms. Hill thanked staff for their work on this and appreciated the flash vote to get some consensus and understanding from the community. For Washoe County who are just starting to embark into programs like this and looking at changing their area plan amendment, this is a helpful guide. She's aligned with Mr. Hoenigman in dropping the parking standard to zero but will go with what the Board wants to see. Washoe County has been working on a contract with Placemate that will hopefully be in place soon and have upped their short term rental fees as well. They also looked at a cap, but it wasn't passed by their board. The local jurisdictions are also looking at many different pieces. With all of the new large employers coming online in her district are looking for ways to build housing and this is an opportunity

for them because they want to house their workers. They have many seniors who cannot stay in their community anymore and have relocated off of the hill.

Ms. Aldean said given the declining number of residential units that remain, we need to examine whether or not we should permit the importation of coverage onto single-family lots. These are buildable lots, so they are probably at 30 percent coverage. Being able to import additional coverage is one of the things that gives the ability for the owner to build these larger homes. In most cases, these larger homes are not going to be used as affordable housing and possibly not short term rentals either. If they are building more modest homes, it may even attract investors who are willing to build these homes for local workforce.

Ms. Bettinger said in the Code of Ordinances half of the 1,400 bonus units as of 2018, would go towards the affordable income category and then half would go towards the moderate and achievable income category. They amended the Code a few years ago to pull from those higher income pools. Senate Bill 9 would not apply to this proposal and is not proposing any changes to neighborhoods that only allow single-family. The local jurisdictions cannot require more than .75 spaces per unit on average. For example, if they required two spaces per unit now, they would be reducing that requirement to no more than .75 but the developer could provide more than .75 on average.

Mr. Hester said there's guidance from the California Attorney General on the California Environmental Quality Act work where there is high probability of wildland fires. It would put more dense housing concentrated on evacuation routes is one of the strategies they recommend in California when you are doing a CEQA analysis.

Mr. Hester summarized the committee's direction as everything staff has proposed except there's one question of whether to proceed with zero or .75 for parking.

Ms. Regan said TRPA from a policy standpoint has not been involved and has deferred to the local jurisdictions. Based on conversations of this committee in the past, staff did a lot of research. The chicken and egg problem of we don't have 100 percent transit service today, but we'll never get there unless we start pushing some of these policies forward and more transit will be coming in the future. That is how they arrived at the .75 but is up to this committee to provide direction on how staff should roll this into the recommendation.

Mr. Hoenigman asked if they could take the League to Save Lake Tahoe's proposal as a starting point for discussion which is zero in core if you can show how you are going to meet your parking need and .75 in the multi-family zone. Parking is a big concern because it drives so much of coverage. There's lots covered with cars and reduces the affordability.

Mr. Settelmeyer said he understands the concept of saying if you can demonstrate you can go to zero, that's a good concept. Again, they have to substantially demonstrate how they'll do that. He'd be remiss without going to at least one.

Mr. Hoenigman said they would have to define the rounding.

Mr. Hester said the rounding would be if it's over .5, it's 1.

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Ms. Regan referred to page 293 of the packet, Attachment A is the parking management for housing affordability and complete communities. Staff did a great job of explaining why they're bringing this to them in the first place.

Ms. Gustafson said Ms. Hill stated her support for zero, she could live with zero as well with the caveat that they are looking at a complete program in the town centers to address that.

Mr. Hester said he assumed it would be .75 for the multi-family.

Ms. Aldean said she's not comfortable with anything less than .75. There are people that don't have cars and walk everywhere. We also have older people living in this community that don't have the luxury of walking or biking and if they are not comfortable taking public transportation, they'll need a car. The .75 is a very low bar across.

Mr. Hoenigman said his parents give him grief about this because they see it in Santa Barbara. This is for a small segment of society, and we have to deal with the other parts of that. This is not meant to satisfy the needs of everyone in the basin. This is a small segment and will be working on other segments. He'd imagine a lower income elderly person who needs a car may be in more subsidized housing which will be a lower level of affordability most likely that will require subsidy like the Sugar Pine Village.

Ms. Aldean said for all intensive purposes, it's not subsidized with cash payments but rather it's subsidized with incentives.

Mr. Hoenigman said yes. They're exchanging money for height, density, and reduced parking but are targeting a certain group that doesn't necessarily need a car. We can give those people this without any public money and can save that public money to help another group of people who have greater needs. This is one part of the huge problem of affordable housing in the basin.

Mr. Hester said staff will take the package as proposed with zero parking in town centers and .75 in multi-family areas. If it's less than .75 they'll have to show how they'll meet the parking need.

Ms. Aldean asked if the .75 is still the bar they have to cross or is it per unit or per unit with a car.

Mr. Hester said it will be in the Code that if they are doing parking below .75, they'll need to show how they are going to meet it. They could go below .75 in town centers if they can demonstrate when they are getting their permit how they will meet the parking needs of their tenants. It could even be a shuttle.

- IV. Informational presentation on the proposed amendment to the Washoe County Tahoe Area Plan to add "Schools – Kindergarten through Secondary" as a permissible land use (as a special use) within the Wood Creek Regulatory Zone, for those parcels equal to or greater than three acres in size

Mr. Hoenigman said they've received comment letters both for and against this project.

TRPA staff member Mr. Stock and Ms. Weiche, Washoe County provided the presentation.

Mr. Stock said Washoe County is considering an amendment to their area plan. The proposed change would allow additional land use that uses K – 12 schools on sites of three acres or larger with a special use permit in the Wood Creek Regulatory Zone. Washoe County is seeking early Regional Plan Implementation Committee input on potential issues related to this amendment but not to any specific project. For example, RPIC may indicate that traffic in the surrounding neighborhood and safety related to access on Mount Rose Highway should be addressed as a consideration of the amendment but should refrain from speaking directly to any specific projects to the extent possible.

There are two applications for projects that would be affected by this area plan amendment. The first is Saint Clare’s School Tahoe on the Saint Francis of Assisi Catholic Church property. They requested a temporary use permit last year and a six month extension following that which were both approved. A second extension was requested and was granted on the condition that the applicant would pursue an area plan amendment.

The second application is the Village Presbyterian Church who has an application to create a Village Christian Academy on their site. Should the County decide not to move forward with the area plan amendment, staff would be forced to deny this application. If the amendment is approved, then a special use permit will be required for the school to be created.

(presentation continued)

Ms. Weiche said this is an applicant driven request to Washoe County to consider amending the Tahoe Area Plan. For the County, the request is processed as a development code amendment to Article 220. At this time, the County has not taken any action or made any recommendations on the request. This is the first of many future potential public hearings and outreach on the request.

Comments have been expressed concern over traffic patterns, specifically safety concerns associated with neighboring streets, maximum speeds, and the nearby truck runaway ramp, increased parking demands, and associated impact. Increased noise, fire safety, assertions that schools are perhaps inappropriate or incompatible use within the Wood Creek Regulatory Zone. And an acknowledgment that enrollment at Washoe County School Districts is down. Many in support have expressed a strong desire to have expanded school options specifically for religious education opportunities for local families.

The next step would be staff recommendation to the Washoe County Planning Commission.

Presentation: <https://www.trpa.gov/wp-content/uploads/RPIC-Item-No-4-Washoe-County-Wood-Creek-Regulatory-Zone-Amendments.pdf>

Committee Comments & Questions

Mr. Settlemeyer said on the map where State Route 28 meets the Mount Rose Highway, the bottom lot that says the State of Nevada, he believes that’s where the Washoe County Sherrif’s Department and Washoe County yard is and the top one labeled as Washoe County is where the Nevada Department of Transportation Maintenance Yard is.

Ms. Aldean said enrollment is down and people are looking for other options other than public instruction. She assumes that the applicants have done their homework to determine that there would be a sufficient number of students to enroll in this institution to warrant the investment. She would like to listen to public comments about concerns such as the traffic generation.

Ms. Hill disclosed that she has spoken with the applicants as well as many of the neighbors on this project. She asked Ms. Weiche to clarify what other areas in the Tahoe Area Plan for Washoe County allow for schools.

Ms. Weiche said their school use type is permitted outright in two of the 27 regulatory zones in the Tahoe Area Plan and that's in the Incline Village Commercial Regulatory Zone. It is also allowed in the Incline Village Residential Regulatory Zone and would be subject to a special use permit. Overall, there would be three regulatory zones that allow this use type.

Ms. Hill asked for other areas, do they have more areas in Tahoe or generally in Washoe County where they allow schools. In Washoe County for example, the idea of allowing a school at other church sites. Is that something that's common with an SUP?

Ms. Weiche said she'll have to look into that. More broadly in the greater Washoe County area there is typically more flexibility for zoning in the school use in certain zoning districts. Mr. Stock may be able to share information about other areas of the basin where those school use types are allowed if it's unique that there are so few in the Tahoe Area Plan.

Mr. Stock said he can look into that for other areas in the basin.

Mr. Hoenigman said in reading the comments it seems problematic that some of these properties border two busy roads. If you were going to plan this from the beginning, would you plan to put small children and parents trying to drop them off and pick up their children. He's concerned about that and doesn't think it something that they can't overcome but it would require good traffic management plans to be put in place and enforced. His children went to a private school where there were three private schools on two blocks next to each other in San Francisco with many many families trying to pick up and drop off students. They had strict rules and put out cones around the neighborhood and traffic was highly controlled and made it work. So, it can happen. This is being driven by someone asking for it and to him doesn't seem like a place that you'd want this to happen. He would like to know if this is something the County feels is a good idea.

Ms. Weiche said at this time, she cannot speak on behalf of the County until they go to the Planning Commission and receive a recommendation either in support or not. As part of the process of considering the request they are taking all the comments today into consideration and going to be looking at many of those concerns from neighbors and community members for the potential impacts then they'll make a recommendation.

Ms. Aldean said the Saint Francis parcel, which is one of the two parcels being looked at and asked if their main point of access was off the old Mount Rose Highway or is off the street that bifurcates their property.

Ms. Cornell, TRPA said Saint Francis has access both onto Mount Rose Highway as well as onto Kelly Drive below the property. Saint Francis owns both those parcels. Also, part of the overflow parking is on the lower parcel.

Public Comments & Questions

AnnMarie Lain, Senior Planner with DOWL, is representing two clients; both the Village Church and Saint Clare's to put in the original application to Washoe County. This item has received 48 written comments in support and 20 in opposition. She'll address some of those in her comments today. First, are comments related to commercial use in residential areas. The Wood Creek Regulatory Zone is one of 16 residential regulatory zones in the Tahoe Area Plan. The area plan states that these regulatory zones focus primarily on single-family dwellings but are intended to allow other use types such as multi-family and a broad scope of public services to serve the residential communities. School use is categorized as a public service use in the Tahoe Area Plan and that clearly indicates that it is an appropriate use to serve the residential communities around them. Second, is the preservation of neighborhood character. The applicants have proposed an acreage restriction to preserve the existing neighborhood character throughout the internal corridors of Wood Creek. In addition, any application for a school would require a special use permit process which requires neighborhood notification, neighborhood meeting, and public hearing.

The six parcels that were highlighted on the map all have frontage along the major corridor in the area. While the code amendment provides the acreage restriction to preserve the internal corridors of the neighborhood but there are other factors that can impact the character of a neighborhood. One of those includes an estimated 48 percent vacancy rate of single-family homes in the area. Third, the proposed amendment would not alter requirements related to noise levels, single noise events or ground vibrations, nor would it alter the community noise equivalency level standards set forth in the existing area plan. The plan would continue to apply and any application for a special use permit would be required to comply with those requirements. Lastly, traffic in relation to congestion and traffic safety on Mount Rose. Functionally, Mount Rose is identified as an urban minor arterial through the Nevada State standards. Notably the corridor has a low injury crash rate of .22 crashes per million vehicle miles traveled contrasted to the state average of 1.27 injury crashes per million vehicle miles traveled for the urban minor arterial function classification. The Tahoe Area Plan and Mount Rose scenic highway corridor management plan has identified three future improvement projects on Mount Rose highway. One which includes creating a center turn lane along Mount Rose Highway and County Club Drive and investigating possible additional turn lanes on the corridor.

Ms. Aldean asked if this was K – 12 being proposed.

AnnMarie Lain said for the development code amendment the way that uses are defined by Washoe County school use is primary and secondary combined and are not separate. What's being proposed for the development code amendment is K – 12. Outside of the development code amendment what these two schools are proposing eventually if the amendment were to go through, is K – 8.

Tim Gilbert, Village Church said what they want to accomplish at the two churches is to be able to raise their kids in a faith space environment and teach them to know Jesus Christ.

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They like that there is a lot of energy put into safety. The reason churches are used for alternative education is because they are open and have big parking lots. The schools typically use as much of the parking space and everything that's needed for the regular assemblies on Sunday's. This seemed like a really good idea. In our community, this option isn't provided for.

Patricia Moser Morris, Incline Village resident echoed the previous commenter. Unfortunately, K – 12 public education in Nevada consistently ranks 49th or 50th in the nation. Throwing more and more money at the problem has not changed the situation. Only more competition will because giving parents an alternative to the dysfunctional public education system is the only way to truly incentivize the public schools here to improve. Our children deserve an education that will prepare them to succeed in life.

Anibal Cordoba Sosa, has lived in Incline Village for over ten years with his wife and children. He's also the director of a local non-profit serving families in need in the entire North Tahoe region. He supported the implementation of regulatory zone amendments in the Wood Creek Zone that will allow permanent operation of the Saint Clare school. This is critical to our community thriving and the health that the kids need. It allows families to have a school choice for their children. Expanding education opportunities will ultimately reflect on a healthier and safer community. School options in the area are extremely limited and for many Latino and working families is hard to access due to different factors that act as barriers creating serious inequality in our community. The presence of Saint Clare's will contribute to fulfilling the founding principle of religious freedom in the form of an educational project that serves the brown population. Saint Clare's offers support and assistance to access services to literally every family interested in providing faith-based education to their children. Without an expanded educational offer, the Incline Village community will not be able to offer its year round residents, its workforce sustaining the community a place to live and raise their families. Reinforcing its concerns, social and economic disparity and sadly pushing them to leave the area to seek new opportunities.

Will Phillips said they are a local working class family. We're the people you were talking about today with affordable housing and its impacts. That is important along with having a school to send your kids. Without having schools to go to, affordable housing isn't enough to support a family. He's a combat disabled veteran from Iraq and Afghanistan and is fortunate to be in Lake Tahoe to raise a family and hopes they can continue to do that. A committee member mentioned a busy road on Mount Rose Highway. Both of these locations can be accessed off the side road and don't have to be accessed directly from Mount Rose Highway. To prove this, both of these locations already have children there with schooling and daycare and there haven't been any issues. It's a good spot because you want to be next to an artery like Mount Rose Highway for fire evacuation and away from the center of a neighborhood, so you don't have the neighborhood traffic. It's a perfect location because these properties are adjacent to Mount Rose Highway but where these kids are coming in and out of the school and playing isn't anywhere near the road. This major highway can handle the minor amount of traffic increase that these schools will provide. Their one year old has been on a wait list since before he was born and are still unsure, he'll get in when he's ready. It's a community that needs to have faith based education. Public schools cannot provide this. One location you can get to without passing any houses and one of them has one house that is already on Mount Rose Highway.

Gia Rauenhorst eight year resident of Incline Village and a Parishioner of Saint Francis for eight years. Her son is one of the original students of Saint Clare's Tahoe starting in 3rd grade and is now in 8th grade. She supported this proposal even though it will move forward without her family because she doesn't have any more children to send there. It is a gift to the community. For reasons that others have brought up, it's a wonderful option to have a faith based school choice. Both of these schools came into creation because parents were looking for a different option. Saint Clare's trains all the parents on the traffic patterns on where to enter to drop a child off, where to park to walk your child to the school, and where to exit and how not to impede traffic coming to or from the neighborhood. Using the Mount Rose Highway and Kelly Drive, there is a traffic pattern that ensures that there are no cars going towards the houses on Kelly Drive. She can appreciate wanting to protect the peacefulness of a neighborhood but cannot understand how the sounds of children laughing and playing in the beautiful setting be in any way disruptive.

Doug Flaherty Incline Village resident said he's disappointed in our representative from Washoe County on the committee. Rather than asking some very positive questions about how this will be able to enhance your children's education or your school choice. Or even saying I think this may enhance religious freedom. The only thing that the representative could ask is oh do we have other schools in the area that are near highways. That's unacceptable. He hopes when you get to voting next year, you will remember that. He supports this because the school scores in Washoe County are in the toilet, and it promotes our right to religious freedom and to vote against it would be religious discrimination which is what they found out in South Lake Tahoe when they tried to prevent the Jewish school. There are ways of expressing support if you are an elected or appointed official to this committee that would embrace and speak for the community. He hopes you recognize these positive arguments and is going to do nothing but enhance the community. Traffic plans will take care of the traffic concerns.

Paige Roodhouse, Executive Director of Saint Clare's Tahoe said she's been here for about ten years. And after serving as Naval officers, they spend their time serving their community. After home schooling for a couple of years, they saw the need for a Catholic School in our area. They spent the first four years in Tahoe Vista. They've been in existence as a school serving Incline and the greater North Tahoe community for 5.5 years. They currently serve 22 families and 45 students. The reason they don't want to go somewhere else is because Saint Francis is our spiritual and religious home and have right as Americans to raise our children in our faith. The Catholic Church in its existence, we have to be in it to participate in our sacraments. Our children have to be able to come up and go to mass. Many of our families attend mass daily and is part of practicing our faith in its fullness. We are not the only Catholic school in the basin. It's over a 40 minute drive over Mount Rose Highway to get to the nearest Catholic school. Until Village Church joined us in this effort, they have been the only Christian K – 8 options in the area as well. We provide not only religious education but also provide schooling through the Montessori method which is a unique approach that encourages learning important skills like conflict resolution, responsibility, and self-agency from an early age These hands on method includes using special manipulatives to learn critical skills and allows each child to learn at their own pace. Because of our individualized learning process, they are able to serve students with learning differences who do well in our classrooms. They are committed to providing this kind of education to all members of our community. Our model of education is in high demand and has filled the incoming preschool class for next year and have an extensive waiting list. Because they believe this kind of

education should be available to all members of our community, they set reasonable tuition rates for half the price of the local private schools. They offer sibling discounts to help families with multiple children and have never turned away a family who have requested assistance. Currently, 25 percent of their families receive full financial aid assistance. The proposed zoning amendment would optimize the use of a building that's already serving hundreds of members of our community and those hundreds are coming on the weekends and after school hours. The 22 families are not affecting traffic flow in a negative way. They have a traffic plan in place to ensure safety and all the different noise and other considerations can be worked out together to address to be good community members and good neighbors.

Mike Skeehan said he has three kids at Saint Clare's school. He echoed many of the comments that others have made in support of the amendment. This school Saint Clare's and assuming the same can be said for the school at the Village Church, does contribute positively to the community overall. The family is the fundamental building block of society. These schools are focused on creating good human beings that contribute both within the family and outside of it. He is in support of these amendments.

Debbie Larson Incline Village resident for 25 years who has raised four sons going through Incline's public schools. They believe that Saint Clare's is a gift to the community, one that she wishes her kids could have enjoyed. Christian education in general and Saint Clare's in particular emphasizes caring for others. It means more Catholics and Christians and more community building events and activities. She heard concern that permitting another school would take kids away from the public schools, but this is an entirely different market. The people interested in Saint Clare's home school or are seeking a private school, not necessarily a religious one. In fact, 50 percent of the 40 students at Saint Clare's are not Catholic. It's important to remember that we are talking about a small school. With a zoning amendment containing size restrictions but ensure the integrity of the neighborhood. This is a neighborhood that the church has been in since 1965. The church has been teaching religious education classes for decades. The church's capacity is over 300 people and there haven't been any accidents. This school isn't a new use in terms of traffic and safety. There are weddings and funerals, and again this is a much greater volume than at this small school. Please consider beyond expanding our limited education options at the lake. The future of our community depends on the kids.

Committee Comments & Questions

Ms. Aldean said she supported this code amendment. In Carson City and other communities, it's not unique to have residential uses around schools. She doesn't believe that there have been many instances when people have been concerned about the children's behavior. This does make a difference that it is kindergarten through the 8th grade. Having a choice in the education of your kids is very important and doesn't believe this use would be disruptive.

Ms. Gustafson said she is also supportive of this agreement.

Mr. Hoenigman said he didn't like these being on the highway, but they are a lot smaller than he thought they were.

Ms. Hill said she doesn't want her earlier questions to be mistaken. It was to show that there

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are not a lot of areas that have schools in the area plan and have found in Washoe County that there were a lot of misuses when they went through the original area plan update. She also doesn't see any major issues with this.

V. UPCOMING TOPICS

Mr. Hester said future items are the housing amendments, this item if it comes to fruition. There are a series of amendments coming for the Placer County Tahoe Basin Area Plan but first need to go to the Placer County Board of Supervisors in October. Douglas County will be bringing amendments to their area plan in the future along with general updates to the Barton Health project. Washoe County has some potential amendments coming forward also.

VI. COMMITTEE MEMBER COMMENTS

None.

VII. PUBLIC INTEREST COMMENTS

Doug Flaherty said you were misled by the Attorney General's California Environmental Quality Act best practices. While there exists an opinion that more concentrated development within town centers versus development outside of town centers may prevent ignitions, the reality is that all businesses and residential population areas within the basin including dense concentrated town centers and mixed-use areas exist within the Nevada and California Wildland Urban Interface and specifically on the California side for the State Fire Marshall, most of the built environment geographical area is classified as a very high fire hazard severity zone. The intent of the comment by the Attorney General was to say generally applied throughout California if you are going to build let's say in an area that doesn't have wind and slope and you are not in very high fire hazard severity zone or the entire community is not in the Wildland Urban Interface, maybe there might be an argument about reduced ignitions within dense town centers. However, the reality is that the Paradise fire came from outside the community.

The Maui fire started on the outskirts of the community not in the dense town center. The Little Valley control burn on the part of the Nevada Division of Forestry started up on the mountain and the wind swept it down the mountain and wiped out ranches and homes. Mr. Hester's comments, while he appreciates the thoroughness of the staff, it doesn't apply here. Ignitions come from all different aspects. He made a public records request to the Forest Service asking what are the fires in the Tahoe Basin caused from which their response was campfires. He then found a note that somebody had replied within the Forest Service and said they know that's all bull..... We have some problems out there but ignitions within town centers, which is not an argument not to do a complete thorough evacuation analysis and follow all the items within the California Attorney General's best practice.

Ann Nichols, North Tahoe Preservation Alliance said the achievable is not affordable. This is just an adjustment to more development and it's social engineering to solve the traffic problem and there is no evidence or proof. You throw this around that it worked in Vail or wherever. She would like to see some evidence of where it worked. It's a problem all over the country and is sorry to see that the League to Save Lake Tahoe is signing on with TRPA,

VIII. ADJOURNMENT

Ms. Aldean moved to adjourn.
Motion carried.

Mr. Hoenigman adjourned the meeting at 6:52 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.



STAFF REPORT

Date: November 8, 2023
To: TRPA Governing Board
From: TRPA Staff
Subject: October Financial Statements, Fiscal Year 2024

Summary and Staff Recommendation:

We are four months, or one-third 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 October 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 October 2023 Financial Statements

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

Background:

The first four months (33%) of the fiscal year are now complete. Revenues are 42% of the annual budget, and expenditures are 20% of the budget. Revenues appear larger than normal due to the state funding being received early in the year. Planning Fees are slightly down compared to this time last year but are 6% over the three-year average.

YTD Revenues and Expenses

Revenues are 42% 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. The small amount remaining unbilled for State revenue is for a salary adjustment that is pending from California, and Tahoe Science Council billings that are cost reimbursable. Planning fees are ahead of the three-year average. This includes Current Planning fees, AIS fees, and Shoreline fees. Current Planning Fees are 106% of the average for the prior 3 years and are at 33% of the budget. AIS fees are 43% of the budget. Shoreline fees are 16% of the budget, but fees aren't due until June. We are just now invoicing our grants, so that revenue has increased from a negligible amount to 8% of the budget. We are still invoicing, so by the end of November it should be closer to the 25% level.

Expenditures are 20% of the budget. Compensation expenses are at 28% of the annual budget, which is expected since we are just implementing our annual salary review process. Contract expenses have risen to 15% of the budget and will continue to close the gap in the months ahead.

Tahoe Regional Planning Agency
Fiscal YTD October 2023

Revenue	State & Local	Fees	Grants	Total
Fees for Service	11,200	1,903,403		1,914,603
Grants	282	1,675	1,130,106	1,132,064
State Revenue	8,058,165		36,494	8,094,659
Local Revenue	150,000			150,000
Rent Revenue		115,805		115,805
Other Revenue	116,078	5,204		121,282
TRPA Rent Revenue		229,660		229,660
Revenue Total	8,335,725	2,255,747	1,166,600	11,758,072
Expenses				
Compensation	1,426,749	672,696	357,853	2,457,299
Contracts	733,420	425,077	1,371,089	2,529,585
Financing	(350)	31,142		30,792
Other	253,224	72,166	57,080	382,470
Rent	242,091	8,464		250,555
A&O/Transfers	(388,662)	269,527	119,043	(92)
Expenses Total	2,266,472	1,479,072	1,905,065	5,650,609
Net	6,069,253	776,675	(738,465)	6,107,463

* 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. The funds from Nevada were received in August and California funds were received in October. TRPA spends down the annual state funds throughout the fiscal year. Total assets decreased by \$2.1M mostly due to expenditure. Liabilities were largely unchanged. Overall, net assets are \$29.5M, mostly due to having the state funds on hand at the beginning of the fiscal year plus \$9.5M of Mitigation and Securities deposits and \$3.6M of Grants.

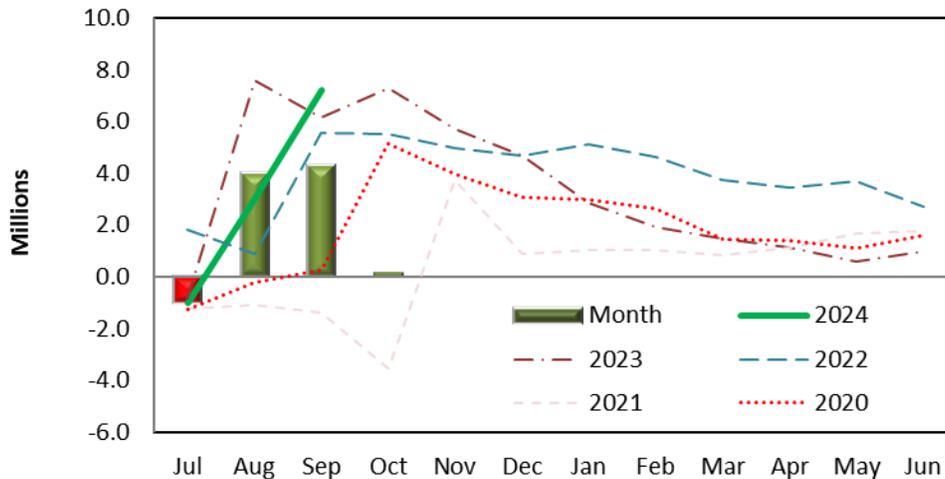
Tahoe Regional Planning Agency
Balance Sheet @10-31-23

	TRPA	Grants	Trust	Total
Cash & Invest	11,726,917	3,136,371	23,929,493	38,792,781
A/R	318,850	467,060		785,910
Current Assets	214,850			214,850
LT Assets	8,313,592			8,313,592
Total Assets	20,574,208	3,603,431	23,929,493	48,107,133
A/P	13,616	(4,001)		9,615
Benefits	839,855			839,855
Deferred Rev	53,810	42,091		95,901
Deposits	153,582	2,845		156,427
LT Debt	7,972,000			7,972,000
Mitigation			1,995,296	1,995,296
Securities			7,504,912	7,504,912
Total Liabilities	9,032,864	40,934	9,500,209	18,574,006
Net Position	11,541,344	3,562,497	14,429,285	29,533,126

Cash Flow

Net Cash flow was a positive \$0.1 for the month. Cash receipts totaled \$2.5M, including \$1.8M from first quarter Grant invoices. Disbursements were \$2.5M 34% higher than the five-year average for October. This is due to increased funding from LTRA.

Monthly/Cumulative Cash Flow



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.

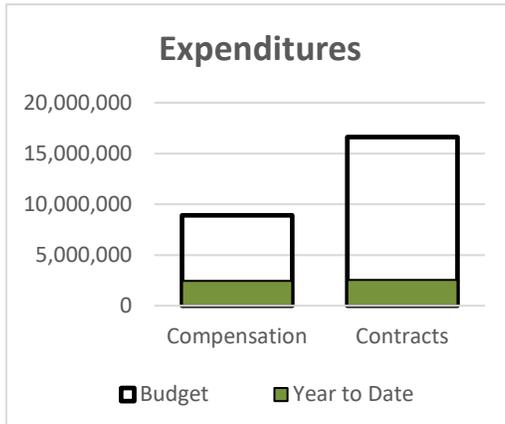
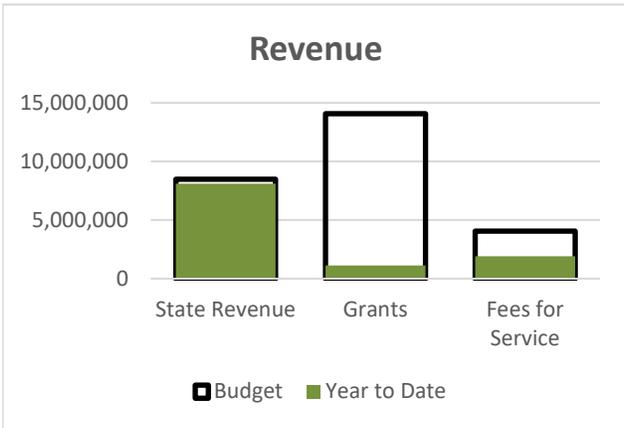
To submit a written public comment, email publiccomment@trpa.gov with the appropriate agenda item in the subject line. Written comments received by 4 p.m. the day before a scheduled public meeting will be distributed and posted to the TRPA website before the meeting begins. TRPA does not guarantee written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

Attachment:

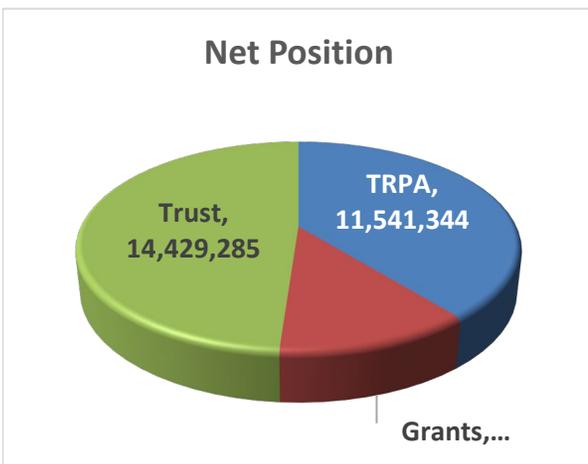
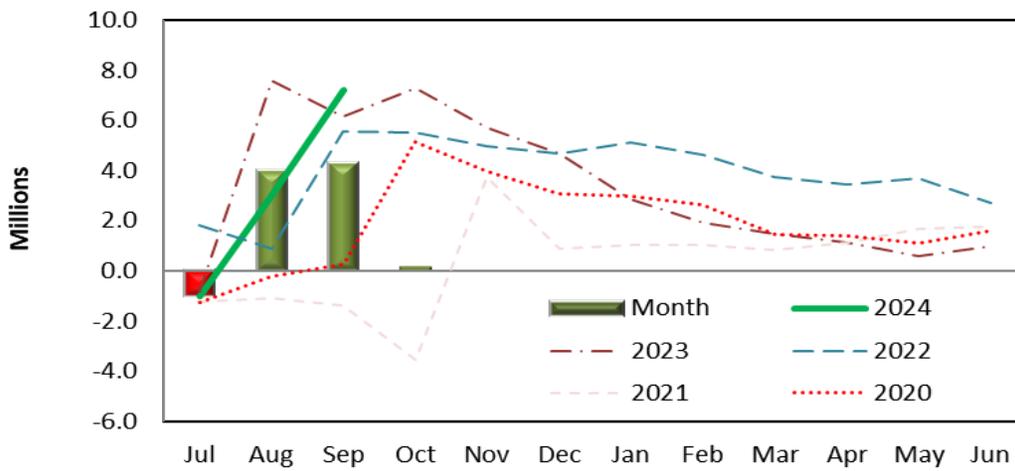
A. October Financial Statements

Attachment A
October Financial Statements

Tahoe Regional Planning Agency
Fiscal YTD October 2023



Monthly/Cumulative Cash Flow



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

TRPA Totals	Ann Budget	YTD	Remaining	% Spent
Revenue				
State Revenue	8,479,456	8,094,659	384,797	95%
Grants	14,069,747	1,132,064	12,937,683	8%
Fees for Service	4,069,663	1,914,603	2,155,061	47%
Local Revenue	150,000	150,000		100%
Rent Revenue	329,623	115,805	213,817	35%
TRPA Rent Revenue	688,980	229,660	459,320	33%
Other Revenue	100,000	121,282	21,282	121%
Revenue Total	27,887,469	11,758,072	16,129,397	42%
Expenses				
Compensation	8,901,175	2,457,299	6,443,876	28%
Contracts	16,618,623	2,529,585	14,089,038	15%
Financing	620,260	30,792	589,468	5%
Rent	788,525	250,555	537,969	32%
Other	1,293,388	443,124	850,265	34%
A&O/Transfers	13,838	92	13,746	1%
Expenses Total	28,208,133	5,711,263	22,496,870	20%
TRPA Net	(320,664)	6,046,809	(6,367,473)	
Agency Mgmt				
Revenue				
Fees for Service	4,069,663	11,200	4,058,464	0%
Grants	14,069,747	475	14,069,272	0%
State Revenue	8,479,456	7,179,000	1,300,456	85%
Other Revenue	100,000	116,078	16,078	116%
Local Revenue	150,000	150,000		100%
Revenue Total	26,868,866	7,456,753	19,412,113	28%
Expenses				
Compensation	8,901,175	695,095	8,206,080	8%
Contracts	16,618,623	44,340	16,574,283	0%
Financing	620,260	310	620,570	0%
Rent	788,525	86	788,439	0%
Other	1,293,388	33,459	1,259,930	3%
Expenses Total	28,221,970	772,669	27,449,301	3%
Agency Mgmt Net	(1,353,104)	6,684,083	(8,037,188)	

	Ann Budget	YTD	Remaining	
Current Planning				
Revenue				
Fees for Service	4,069,663	1,495,444	2,574,220	37%
Grants	14,069,747	1,200	14,068,547	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	1,625,847	25,093,019	6%
Expenses				
Compensation	8,901,175	675,326	8,225,849	8%
Contracts	16,618,623	369,893	16,248,730	2%
Financing	620,260	20,955	599,304	3%
Other	1,293,388	9,724	1,283,664	1%
A&O/Transfers	13,838	258,144	271,982	
Expenses Total	27,419,608	1,334,043	26,085,565	5%
Curr Plan Net	(700,742)	291,805	(992,547)	

Envir. Imp.				
Revenue				
Fees for Service	4,069,663	407,959	3,661,704	10%
Grants	14,069,747	891,983	13,177,763	6%
State Revenue	8,479,456	750,000	7,729,456	9%
Revenue Total	26,618,866	2,049,943	24,568,923	8%
Expenses				
Compensation	8,901,175	384,956	8,516,219	4%
Contracts	16,618,623	1,179,638	15,438,985	7%
Financing	620,260	10,146	610,113	2%
Rent	788,525	15,257	773,268	2%
Other	1,293,388	46,286	1,247,102	4%
A&O/Transfers	13,838	42,025	55,863	
Expenses Total	28,208,133	1,678,309	26,529,824	6%
Env Imp Net	(1,589,267)	371,634	(1,960,901)	

	Ann Budget	YTD	Remaining	
L RTP				
Revenue				
Grants	14,069,747	47,385	14,022,361	0%
Fees for Service	4,069,663		4,069,663	
Other Revenue	100,000		100,000	
Revenue Total	18,239,410	47,385	18,192,025	0%
Expenses				
Compensation	8,901,175	342,187	8,558,988	4%
Contracts	16,618,623	37,206	16,581,417	0%
Rent	788,525		788,525	
Other	1,293,388	82,716	1,210,672	6%
A&O/Transfers	13,838	88,784	102,621	
Expenses Total	27,587,873	550,893	27,036,980	2%
L RTP Net	(9,348,463)	(503,508)	(8,844,955)	
R & A				
Revenue				
Grants	14,069,747	191,020	13,878,727	1%
State Revenue	8,479,456	41,659	8,437,797	0%
Revenue Total	22,549,203	232,679	22,316,524	1%
Expenses				
Compensation	8,901,175	329,928	8,571,246	4%
Contracts	16,618,623	438,449	16,180,174	3%
Other	1,293,388	5,063	1,288,325	0%
A&O/Transfers	13,838	383	13,455	3%
Expenses Total	26,799,349	773,058	26,026,291	3%
R & A Net	(4,250,146)	(540,379)	(3,709,767)	

	Ann Budget	YTD	Remaining	
Infrastructure				
Revenue				
Other Revenue				
Rent Revenue	329,623	115,805	213,817	35%
TRPA Rent Revenue	688,980	229,660	459,320	33%
Revenue Total	<u>1,018,603</u>	<u>345,465</u>	<u>673,137</u>	<u>34%</u>
Expenses				
Compensation	101,607	29,807	71,800	29%
Contracts	626,860	130,059	496,801	21%
Financing	547,575		547,575	
Rent	688,980	229,660	459,320	33%
Other	555,859	205,221	350,638	37%
Expenses Total	<u>2,520,881</u>	<u>594,747</u>	<u>1,926,134</u>	<u>24%</u>
Infrastructure Net	(1,502,279)	(249,282)		

Other

Expenses			
A&O/Transfers	2,005,640	388,662	1,616,978
Expenses Total	<u>2,005,640</u>	<u>388,662</u>	<u>1,616,978</u>

TRPA Selected Current Planning Fees

Fiscal YTD October 2023

Fee Type	2021	2022	2023	2024	This year vs. Last 3 Years
RESIDENTIAL	138,879	147,822	174,300	105,660	(48,007)
OTHER_REV	72,780	65,061	83,883	94,037	20,129
REVISIONS	44,949	20,093	39,145	56,203	21,474
SHOREZONE	49,854	5,303	21,454	48,811	23,274
TREE_RMVL	47,996	43,070	40,200	48,306	4,551
ALLOCATION	36,214	35,152	37,250	46,137	9,932
COMMERCL_TA	28,892	16,325	32,014	43,277	17,533
LAND_CHALL	53,411	30,791	17,732	38,484	4,506
SECURITIES	21,218	25,727	41,672	36,809	7,270
RECR_PUBLIC	14,935	29,592	25,288	36,796	13,524
FULL_SITE	32,033	32,330	34,038	35,636	
GENERAL	75,953	45,637	65,391	25,452	
GRADE_EXCEPT	16,392	19,680	19,332	20,805	2,337
LAND_CAP	6,600	5,670	11,343	18,892	11,021
MOORING	13,905	15,678	44,634	17,379	(7,360)
SOILS_HYDRO	10,040	18,095	13,600	13,547	(365)
IPES	5,142	6,445	9,069	10,399	3,514
ENFORCEMNT	16,777	21,470	3,106	10,101	(3,684)
VB_USE	964		4,184	9,291	7,575
VB_COVERAGE	5,778	4,278	6,931	9,012	3,350
ENVIRONMENT				8,280	8,280
QUAL_EXEMPT	2,184	3,179	3,349	4,537	1,633
TEMP_USE	1,846	1,902	2,002	4,336	2,419
PRE-APP	874	2,622	4,266	4,104	1,517
GRADING	6,375	4,928	3,688	3,493	(1,504)
CONSTR_EXT	1,676	2,172	1,845	3,258	
PARTIAL_SITE	3,708	3,816	4,014	3,091	
LLADJ_ROW	2,570	5,572	12,836	3,020	(3,973)
SUBDIV_EXIST		1,962	1,119	2,999	1,972
STD2			34,378	2,720	(8,739)
TRANS_DEV	8,520	5,921	3,910	2,502	(3,615)
QE SHOREZONE	2,781	3,816	2,345	2,178	(803)
SIGNS	1,062	3,356	1,731	1,552	(498)
RES_DRIVE	600	206	651	940	454
UNDRGRD_TANK	1,628	419	882	478	(498)
LMTD_INCENT			756	420	168
CONVERSION				358	358
STD	(602)	9,234	3,899	0	(4,177)
MONITORING			5,000		(1,667)
CEP			4,995		(1,665)
NOTE_APPEAL	3,968	2,044	3,228		(3,080)
SCENIC_ASSES		546			(182)
Totals	729,903	639,913	819,461	773,300	43,541

106%

TRPA Detailed Financials
Fiscal YTD October 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)	(116,078)	16,078	
Revenue Total	(7,512,571)	(7,456,278)	(56,293)	99.3%
GF Revenue Total	(7,512,571)	(7,456,278)	(56,293)	99.3%
Gov Board				
Expenses				
Contracts	-	5,250	(5,250)	
Other	26,038	4,945	21,093	19.0%
Rent	2,249	0	2,249	0.0%
Expenses Total	28,287	10,195	18,092	36.0%
Gov Board Total	28,287	10,195	18,092	36.0%
Executive				
Expenses				
Compensation	913,969	292,660	621,310	32.0%
Other	12,803	2,079	10,724	16.2%
Expenses Total	926,773	294,739	632,034	31.8%
Executive Total	926,773	294,739	632,034	31.8%
Legal				
Expenses				
Compensation	489,553	91,577	397,976	18.7%
Contracts	123,319	8,026	115,293	6.5%
Other	6,920	1,613	5,306	23.3%
Expenses Total	619,792	101,216	518,576	16.3%
Legal Total	619,792	101,216	518,576	16.3%
Communications				
Expenses				
Compensation	390,061	86,160	303,901	22.1%
Contracts	30,000	0	30,000	0.0%
Other	61,607	9,654	51,953	15.7%
Rent	-	86	(86)	
Expenses Total	481,668	95,900	385,768	19.9%

TRPA Detailed Financials
Fiscal YTD October 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Communications Total	481,668	95,900	385,768	19.9%
Finance				
Revenue				
Financing	(100)	(350)	250	
Revenue Total	(100)	(350)	250	
Expenses				
Compensation	461,504	150,727	310,776	32.7%
Contracts	54,115	200	53,915	0.4%
Other	3,259	24	3,235	0.7%
Expenses Total	518,878	150,952	367,926	29.1%
Finance Total	518,778	150,602	368,176	29.0%
HR				
Expenses				
Compensation	277,636	73,971	203,665	26.6%
Contracts	64,746	30,864	33,883	47.7%
Other	82,592	12,448	70,144	15.1%
Expenses Total	424,975	117,283	307,692	27.6%
HR Total	424,975	117,283	307,692	27.6%
Contributions				
Revenue				
Grants	(50,000)	(475)	(49,525)	1.0%
Revenue Total	(50,000)	(475)	(49,525)	1.0%
Expenses				
Financing	174	40	134	23.0%
Other	76,919	2,696	74,224	3.5%
Expenses Total	77,093	2,736	74,357	3.5%
Contributions Total	27,093	2,261	24,832	8.3%
Agency Mgmt Total	(4,485,206)	(6,684,083)	2,198,877	149.0%
Current Planning				
Current Planning				
Revenue				
Fees for Service	(2,415,068)	(792,013)	(1,623,055)	32.8%
Revenue Total	(2,415,068)	(792,013)	(1,623,055)	32.8%

TRPA Detailed Financials
Fiscal YTD October 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Expenses				
Contracts	342,970	144,728	198,242	42.2%
Financing	49,087	18,805	30,282	38.3%
Other	5,485	0	5,485	0.0%
Expenses Total	397,541	163,533	234,008	41.1%
Current Planning Total	(2,017,527)	(628,480)	(1,389,047)	31.2%
Current Planning Reimbursed				
Revenue				
Fees for Service	(200,000)	(595,745)	395,745	297.9%
Revenue Total	(200,000)	(595,745)	395,745	297.9%
Expenses				
Contracts	200,000	163,066	36,934	81.5%
Expenses Total	200,000	163,066	36,934	81.5%
Current Planning Reimbursed Total	-	(432,679)	432,679	
Code Enforcement				
Expenses				
Other	7,889	822	7,067	10.4%
Expenses Total	7,889	822	7,067	10.4%
Code Enforcement Total	7,889	822	7,067	10.4%
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	6,957	43,098	13.9%
Rent	-	2,813	(2,813)	
Expenses Total	103,411	56,726	46,686	54.9%
Boat Crew Total	(20,589)	(67,274)	46,686	
Settlements				
Revenue				
Fees for Service	(150,000)	0	(150,000)	0.0%
Grants	-	(1,200)	1,200	

TRPA Detailed Financials
Fiscal YTD October 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Revenue Total	(150,000)	(1,200)	(148,800)	0.8%
Expenses				
Contracts	159,000	41,851	117,149	26.3%
Other	20,600	0	20,600	0.0%
Expenses Total	179,600	41,851	137,749	23.3%
Settlements Total	29,600	40,651	(11,051)	137.3%
Legal - Direct or Disallowed				
Revenue				
Fees for Service	-	(55,303)	55,303	
Revenue Total	-	(55,303)	55,303	
Expenses				
Contracts	-	1,068	(1,068)	
Fees for Service	-	1,555	(1,555)	
Expenses Total	-	2,622	(2,622)	
Legal - Direct or Disallowed Total	-	(52,681)	52,681	
Shorezone				
Revenue				
Fees for Service	(346,548)	(53,937)	(292,611)	15.6%
Other Revenue	-	(5,204)	5,204	
Revenue Total	(346,548)	(59,141)	(287,407)	17.1%
Expenses				
Contracts	129,855	19,181	110,674	14.8%
Financing	8,524	2,151	6,373	25.2%
Other	12,363	1,945	10,418	15.7%
Rent	-	2,739	(2,739)	
Expenses Total	150,742	26,016	124,726	17.3%
Shorezone Total	(195,806)	(33,125)	(162,681)	16.9%
Current Planning Total	(2,196,433)	(1,172,767)	(1,023,666)	53.4%
Envir. Imp.				
Env. Improv.				
Expenses				
Compensation	649,229	227,336	421,893	35.0%
Contracts	21,855	1,960	19,895	9.0%
Other	14,131	1,665	12,466	11.8%

TRPA Detailed Financials
Fiscal YTD October 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Expenses Total	685,215	230,961	454,254	33.7%
Env. Improv. Total	685,215	230,961	454,254	33.7%
Watercraft Inspection Fees				
Revenue				
Fees for Service	(896,947)	(343,905)	(553,042)	38.3%
Revenue Total	(896,947)	(343,905)	(553,042)	38.3%
Expenses				
Contracts	656,978	6,200	650,778	0.9%
Financing	15,000	10,146	4,854	67.6%
Other	125,570	40,955	84,616	32.6%
Rent	30,771	5,725	25,046	18.6%
Expenses Total	828,319	63,026	765,293	7.6%
Watercraft Inspection Fees Total	(68,628)	(280,879)	212,252	
CA Gen Fund AIS Prevention				
Revenue				
State Revenue	(375,000)	(375,000)	0	100.0%
Revenue Total	(375,000)	(375,000)	0	100.0%
Expenses				
Contracts	375,000	75,564	299,436	20.2%
Expenses Total	375,000	75,564	299,436	20.2%
CA Gen Fund AIS Prevention Total	-	(299,436)	299,436	
NV Gen Fund AIS Prevention & Control				
Revenue				
State Revenue	(375,000)	(375,000)	0	100.0%
Revenue Total	(375,000)	(375,000)	0	100.0%
Expenses				
Compensation	39,029	21,938	17,090	56.2%
Contracts	231,601	7,000	224,601	3.0%
Other	40,372	3,653	36,720	9.0%
Rent	63,998	9,532	54,466	14.9%
Expenses Total	375,000	42,123	332,877	11.2%
NV Gen Fund AIS Prevention & Control Tot	(0)	(332,877)	332,877	
Lakewide AIS Control (USACE)				

TRPA Detailed Financials
Fiscal YTD October 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Revenue				
Grants	(16,510)	0	(16,510)	0.0%
Revenue Total	(16,510)	0	(16,510)	0.0%
Expenses				
Contracts	16,510	0	16,510	0.0%
Other	-	14	(14)	
Expenses Total	16,510	14	16,496	0.1%
Lakewide AIS Control (USACE) Total	0	14	(14)	
USFWS AIS Control Lake Tahoe 2				
Revenue				
Grants	(156,863)	0	(156,863)	0.0%
Revenue Total	(156,863)	0	(156,863)	0.0%
Expenses				
Contracts	156,863	0	156,863	0.0%
Expenses Total	156,863	0	156,863	0.0%
USFWS AIS Control Lake Tahoe 2 Total	(0)	0	(0)	
USFS LTRA Ski Run Marina				
Revenue				
Grants	(194,816)	(1,783)	(193,033)	0.9%
Revenue Total	(194,816)	(1,783)	(193,033)	0.9%
Expenses				
Contracts	125,000	0	125,000	0.0%
Expenses Total	125,000	0	125,000	0.0%
USFS LTRA Ski Run Marina Total	(69,816)	(1,783)	(68,033)	
Shorezone Mitigation Funds				
Revenue				
Fees for Service	-	(40,670)	40,670	
Revenue Total	-	(40,670)	40,670	
Shorezone Mitigation Funds Total	-	(40,670)	40,670	
AIS Prevention (SNPLMA Rnd 12 Final)				
Revenue				
Grants	(891,158)	(324,009)	(567,149)	36.4%
Revenue Total	(891,158)	(324,009)	(567,149)	36.4%

TRPA Detailed Financials
Fiscal YTD October 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Expenses				
Contracts	627,853	257,944	369,909	41.1%
Expenses Total	627,853	257,944	369,909	41.1%
AIS Prevention (SNPLMA Rnd 12 Final) Total (263,305) (66,065) (197,240)				
ANS Mgmt Plan - Meeks Bay Control				
Revenue				
Grants	(41,092)	(44,949)	3,857	109.4%
Revenue Total	(41,092)	(44,949)	3,857	109.4%
Expenses				
Contracts	41,092	35,500	5,592	86.4%
Expenses Total	41,092	35,500	5,592	86.4%
ANS Mgmt Plan - Meeks Bay Control Total - (9,449) 9,449				
DBW Meyers Station Grant				
Revenue				
Grants	(332,384)	0	(332,384)	0.0%
Revenue Total	(332,384)	0	(332,384)	0.0%
Expenses				
Contracts	299,957	51,754	248,203	17.3%
Expenses Total	299,957	51,754	248,203	17.3%
DBW Meyers Station Grant Total (32,427) 51,754 (84,181)				
AIS Prevention Equipment (DBW Grant)				
Revenue				
Grants	(160,795)	(73,760)	(87,035)	45.9%
Revenue Total	(160,795)	(73,760)	(87,035)	45.9%
Expenses				
Contracts	149,986	65,715	84,271	43.8%
Expenses Total	149,986	65,715	84,271	43.8%
AIS Prevention Equipment (DBW Grant) Tot (10,809) (8,046) (2,763)				
Taylor Tallac Restoration Project				
Revenue				
Grants	(250,371)	(18,572)	(231,799)	7.4%
Revenue Total	(250,371)	(18,572)	(231,799)	7.4%

TRPA Detailed Financials
Fiscal YTD October 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Expenses				
Contracts	250,371	72,197	178,174	28.8%
Expenses Total	250,371	72,197	178,174	28.8%
Taylor Tallac Restoration Project Total	-	53,625	(53,625)	
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				
Contracts	60,000	0	60,000	0.0%
Expenses Total	60,000	0	60,000	0.0%
BMP Enforcement in NV (NV 319) Total	(2,114)	(616)	(1,498)	
Stormwater Planning Support				
Revenue				
Fees for Service	(61,100)	(23,384)	(37,716)	38.3%
Revenue Total	(61,100)	(23,384)	(37,716)	38.3%
Expenses				
Other	721	0	721	0.0%
Expenses Total	721	0	721	
Stormwater Planning Support Total	(60,379)	(23,384)	(36,995)	38.7%
Monitoring Asian Clams Sand Harbor (NDSL)				
Revenue				
Grants	(763,589)	(207,896)	(555,693)	
Revenue Total	(763,589)	(207,896)	(555,693)	
Expenses				
Contracts	699,943	221,849	478,094	31.7%
Expenses Total	699,943	221,849	478,094	31.7%
Monitoring Asian Clams Sand Harbor (NDSL)	(63,646)	13,953	(77,599)	
Lakewide AIS Control (ANS Task Force)				
Revenue				
Grants	(77,428)	0	(77,428)	0.0%
Revenue Total	(77,428)	0	(77,428)	0.0%

TRPA Detailed Financials
Fiscal YTD October 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Expenses				
Contracts	26,932	0	26,932	0.0%
Expenses Total	26,932	0	26,932	0.0%
Lakewide AIS Control (ANS Task Force) Total	(50,496)	0	(50,496)	
Lahontan Caldor Fire Monitoring				
Revenue				
Grants	(99,639)	(313)	(99,326)	0.3%
Revenue Total	(99,639)	(313)	(99,326)	0.3%
Expenses				
Compensation	2,291	362	1,930	15.8%
Contracts	97,333	0	97,333	0.0%
Expenses Total	99,625	362	99,263	0.4%
Lahontan Caldor Fire Monitoring Total	(14)	49	(63)	
Cal Fire Defensible Space				
Revenue				
Grants	(531,617)	(13,385)	(518,232)	2.5%
Revenue Total	(531,617)	(13,385)	(518,232)	2.5%
Expenses				
Contracts	423,352	122,996	300,356	29.1%
Expenses Total	423,352	122,996	300,356	29.1%
Cal Fire Defensible Space Total	(108,265)	109,611	(217,876)	
LTRA 5 USFS				
Revenue				
Grants	(2,722,957)	(205,691)	(2,517,266)	7.6%
Revenue Total	(2,722,957)	(205,691)	(2,517,266)	7.6%
Expenses				
Contracts	2,722,957	260,959	2,461,999	9.6%
Expenses Total	2,722,957	260,959	2,461,999	9.6%
LTRA 5 USFS Total	0	55,267	(55,267)	
USFS LTRA Forest Health				
Revenue				
Grants	(1,631,476)	0	(1,631,476)	0.0%

TRPA Detailed Financials
Fiscal YTD October 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Revenue Total	(1,631,476)	0	(1,631,476)	0.0%
Expenses				
Contracts	1,549,909	0	1,549,909	0.0%
Expenses Total	1,549,909	0	1,549,909	0.0%
USFS LTRA Forest Health Total	(81,567)	0	(81,567)	
USFS LTRA BMP				
Expenses				
Contracts	1,699,962	0	1,699,962	0.0%
Grants	(1,738,407)	0	(1,738,407)	0.0%
Expenses Total	(38,445)	0	(38,445)	
USFS LTRA BMP Total	(38,445)	0	(38,445)	
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				
Contracts	20,000	0	20,000	0.0%
Expenses Total	20,000	0	20,000	0.0%
EPA Green Infrastructure Watershed Total	(14,695)	(1,009)	(13,686)	
Envir. Imp. Total	(179,392)	(548,979)	369,587	
L RTP				
Long Range & Transp. Planning				
Expenses				
Compensation	279,976	77,648	202,328	27.7%
Contracts	328,408	(500)	328,908	-0.2%
Other	8,777	1,449	7,328	16.5%
Rent	2,527	0	2,527	
Expenses Total	619,687	78,597	541,090	12.7%
Long Range & Transp. Planning Total	619,687	78,597	541,090	12.7%
TMPO				
Expenses				
Contracts	155,729	233	155,496	0.1%
Other	21,034	27,201	(6,167)	129.3%

TRPA Detailed Financials
Fiscal YTD October 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Expenses Total	176,763	27,435	149,328	15.5%
TMPO Total	176,763	27,435	149,328	15.5%
Transportation				
Revenue				
Grants	(1,884,380)	0	(1,884,380)	0.0%
Revenue Total	(1,884,380)	0	(1,884,380)	0.0%
Expenses				
Contracts	525,129	1,817	523,312	0.3%
Other	4,049	53,566	(49,517)	
Expenses Total	529,178	55,383	473,795	10.5%
Transportation Total	(1,355,202)	55,383	(1,410,585)	
Transportation SB1 Formula & Competitive				
Revenue				
Grants	(351,660)	0	(351,660)	0.0%
Revenue Total	(351,660)	0	(351,660)	0.0%
Expenses				
Contracts	351,660	0	351,660	0.0%
Expenses Total	351,660	0	351,660	0.0%
Transportation SB1 Formula & Competitive	-	0	0	
USFS Emerald Bay Corridor Plan				
Revenue				
Grants	(7,750)	(319)	(7,431)	4.1%
Revenue Total	(7,750)	(319)	(7,431)	4.1%
USFS Emerald Bay Corridor Plan Total	(7,750)	(319)	(7,431)	
USFS Meeks Bay Restoration				
Revenue				
Grants	(128,323)	(2,477)	(125,846)	1.9%
Revenue Total	(128,323)	(2,477)	(125,846)	1.9%
Expenses				
Contracts	111,805	16,431	95,374	14.7%
Expenses Total	111,805	16,431	95,374	14.7%
USFS Meeks Bay Restoration Total	(16,518)	13,954	(30,472)	

TRPA Detailed Financials
Fiscal YTD October 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
CTC Shoreline Plan				
Revenue				
Grants	(22,500)	(2,500)	(20,000)	11.1%
Revenue Total	(22,500)	(2,500)	(20,000)	11.1%
Expenses				
Contracts	22,500	0	22,500	0.0%
Expenses Total	22,500	0	22,500	0.0%
CTC Shoreline Plan Total	-	(2,500)	2,500	
GHG Inventory				
Revenue				
Grants	(101,250)	0	(101,250)	0.0%
Revenue Total	(101,250)	0	(101,250)	0.0%
Expenses				
Contracts	101,250	0	101,250	0.0%
Expenses Total	101,250	0	101,250	0.0%
GHG Inventory Total	-	0	0	
REAP Regular				
Revenue				
Grants	(236,395)	(40,801)	(195,594)	17.3%
Revenue Total	(236,395)	(40,801)	(195,594)	17.3%
Expenses				
Contracts	90,000	18,595	71,405	20.7%
Other	-	500	(500)	
Expenses Total	90,000	19,095	70,905	21.2%
REAP Regular Total	(146,395)	(21,706)	(124,689)	
CA Prop 1B Transit Safety and Security-North Shore				
Revenue				
Grants	(566,395)	0	(566,395)	0.0%
Revenue Total	(566,395)	0	(566,395)	0.0%
Expenses				
Contracts	420,000	630	419,370	0.2%
Expenses Total	420,000	630	419,370	0.2%

TRPA Detailed Financials
Fiscal YTD October 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
CA Prop 1B Transit Safety and Security-Nor	(146,395)	630	(147,025)	
Closed				
Expenses				
Contracts	199,221	0	199,221	0.0%
Grants	(217,326)	(1,288)	(216,038)	0.6%
Expenses Total	(18,105)	(1,288)	(16,817)	
Closed Total	(18,105)	(1,288)	(16,817)	
L RTP Total	(893,915)	150,185	(1,044,100)	
R & A				
Research & Analysis				
Expenses				
Compensation	1,112,391	326,011	786,380	29.3%
Contracts	1,237,942	186,517	1,051,425	15.1%
Other	13,133	1,583	11,550	12.1%
Expenses Total	2,363,466	514,111	1,849,355	21.8%
Research & Analysis Total	2,363,466	514,111	1,849,355	21.8%
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				
Contracts	125,918	38,900	87,018	30.9%
Expenses Total	125,918	38,900	87,018	30.9%
Nearshore Trib Monitoring (Lahontan) Total	(2,305)	(58,607)	56,302	
TSAC				
Revenue				
Grants	(382,577)	(65,449)	(317,128)	17.1%
State Revenue	(141,463)	(5,165)	(136,298)	3.7%
Revenue Total	(524,040)	(70,614)	(453,426)	13.5%
Expenses				
Compensation	19,577	1,959	17,618	10.0%
Contracts	480,855	90,420	390,435	18.8%
Other	3,031	3,480	(449)	114.8%
Expenses Total	503,463	95,859	407,604	19.0%

TRPA Detailed Financials
Fiscal YTD October 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
TSAC Total	(20,577)	25,245	(45,822)	
Lake Tahoe West GIS Support				
Revenue				
State Revenue	(201,422)	(36,494)	(164,928)	18.1%
Revenue Total	(201,422)	(36,494)	(164,928)	18.1%
Expenses				
Contracts	201,422	36,495	164,927	18.1%
Expenses Total	201,422	36,495	164,927	18.1%
Lake Tahoe West GIS Support Total	-	1	(1)	
Lahontan Lakewide Survey				
Revenue				
Grants	(207,057)	(28,064)	(178,993)	13.6%
Revenue Total	(207,057)	(28,064)	(178,993)	13.6%
Expenses				
Contracts	204,752	86,117	118,635	42.1%
Expenses Total	204,752	86,117	118,635	42.1%
Lahontan Lakewide Survey Total	(2,305)	58,053	(60,358)	
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%
Expenses Total	45,714	0	45,714	0.0%
Climate Impacts on Alpine Lake Total	(2,286)	0	(2,286)	0.0%
NDEP Nearshore Algal Monitoring				
Revenue				
Grants	(32,000)	0	(32,000)	0.0%
Revenue Total	(32,000)	0	(32,000)	0.0%
Expenses				
Contracts	32,000	0	32,000	0.0%
Expenses Total	32,000	0	32,000	0.0%

TRPA Detailed Financials
Fiscal YTD October 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
NDEP Nearshore Algal Monitoring Total	-	0	0	
R & A Total	2,335,993	538,803	1,797,190	
Infrastructure				
General Services				
Expenses				
Compensation	101,607	29,807	71,800	29.3%
Contracts	30,414	279	30,135	0.9%
Other	181,208	90,179	91,029	49.8%
Rent	688,980	229,660	459,320	33.3%
Expenses Total	1,002,209	349,925	652,284	34.9%
General Services Total	1,002,209	349,925	652,284	34.9%
IT				
Expenses				
Contracts	280,000	80,797	199,203	28.9%
Other	213,586	89,293	124,293	41.8%
Expenses Total	493,586	170,090	323,496	34.5%
IT Total	493,586	170,090	323,496	34.5%
Building				
Revenue				
Rent Revenue	(325,943)	(115,805)	(210,137)	35.5%
TRPA Rent Revenue	(688,980)	(229,660)	(459,320)	33.3%
Revenue Total	(1,014,923)	(345,465)	(669,457)	34.0%
Expenses				
Contracts	316,447	48,984	267,463	15.5%
Financing	547,575	0	547,575	0.0%
Other	83,378	4,566	78,812	5.5%
Expenses Total	947,400	53,550	893,850	5.7%
Building Total	(67,523)	(291,915)	224,393	
CAM				
Revenue				
Rent Revenue	(3,680)	0	(3,680)	0.0%
Revenue Total	(3,680)	0	(3,680)	0.0%
Expenses				

TRPA Detailed Financials
Fiscal YTD October 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Other	77,687	21,183	56,504	27.3%
Expenses Total	77,687	21,183	56,504	27.3%
CAM Total	74,007	21,183	52,824	28.6%
Infrastructure Total	1,502,279	249,282	1,252,996	16.6%
Other				
Other				
Expenses				
Compensation	143,183	0	143,183	0.0%
Contracts	-	330,000	(330,000)	
Other	140,181	0	140,181	0.0%
Expenses Total	283,364	330,000	(46,636)	116.5%
Other Total	283,364	330,000	(46,636)	116.5%
Other Total	283,364	330,000	(46,636)	116.5%



STAFF REPORT

Date: November 8, 2023
To: TRPA Governing Board
From: TRPA Staff
Subject: Governing Board Revised Committee Charters and Membership Appointments

Summary and Staff Recommendation:

Staff recommends approval of the restructuring of the Governing Board committees as discussed at the strategy session during the October Governing Board meeting.

Required Motions:

To approve the committee restructure and membership appointments, the Board must make the following motions, based on the staff report:

- 1) A motion to approve revised committee charters as shown in Attachment A.
- 2) A motion to approve the membership appointments as shown in Attachment B.

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

Background:

At the October Governing Board meeting staff presented options for restructuring committees to better align the committees with agency functions and strategic priorities, improve Governing Board operations, and better balance the workload for each committee. After review and discussion, the Board identified some changes to the staff proposal and directed staff to prepare the necessary formal actions for the Board to approve. The changes are summarized below.

1. The Regional Plan Implementation Committee will become the Regional Planning Committee.
2. Change the Environmental Improvement, Transportation, and Public Outreach Committee to two committees: the Environmental Improvement Program (EIP) Committee and the Transportation Committee. The work of the Forest Health and Wildfire Committee will become the responsibility of the EIP Committee.
3. The Local Government and Housing Committee will become the Local Government Committee and meet on an ad hoc basis.

The Legal Committee and the Operations and Governance Committee are not changed. The revised committee charters are shown in Attachment A. The recommended membership of each Committee has been adjusted to reflect the streamlining of the committees and the addition of new Governing Board members as presented in Attachment B.

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.

Attachments:

- A. Revised Charters
- B. Committee Membership Appointments

Attachment A
Revised Charters

Tahoe Regional Planning Agency

“The Tahoe Regional Planning Agency cooperatively leads the effort to preserve, restore and enhance the unique natural and human environment of the Lake Tahoe Region, while improving local communities, and people’s interactions with our irreplaceable environment.”

Committee: **Regional Planning Committee**

Charter: **The responsibilities of the Regional Planning Committee include: (a) vet and make recommendations to the Governing Board regarding proposed amendments to the Regional Plan; (b) the Committee will also undertake any other policy related proposals assigned to it by the Governing Board.**

Members: **Two statewide representatives from California, two statewide representatives from Nevada, and two to three local government representatives with at least one from California and one from Nevada.**

Staff: **Chief Operating Officer/Deputy Executive Director**

Meeting: **This committee meets as needed.**

Tahoe Regional Planning Agency

"The Tahoe Regional Planning Agency cooperatively leads the effort to preserve, restore and enhance the unique natural and human environment of the Lake Tahoe Region, while improving local communities, and people's interactions with our irreplaceable environment."

Committee: Environmental Improvement Program Committee

Charter: The responsibilities of the Committee as related to the Environmental Improvement Program include: (a) provide guidance and direction on matters related to the administration and implementation of the Environmental Improvement Program (EIP) including policy, funding, and advocacy (b) other responsibilities assigned it by the Governing Board.

The responsibilities of the Committee as related to public outreach are to provide: (a) a sounding board for communications issues; (b) strategic policy guidance and advice; (c) direction on communications issues and programs; and (d) other responsibilities as assigned by the Governing Board.

Members: To be determined by the Board.

Staff: Chief Partnerships Officer / Deputy Executive Director

Meeting: This committee meets as needed.

Tahoe Regional Planning Agency

“The Tahoe Regional Planning Agency cooperatively leads the effort to preserve, restore and enhance the unique natural and human environment of the Lake Tahoe Region, while improving local communities, and people’s interactions with our irreplaceable environment.”

Committee: **Transportation Committee**

Charter: **The responsibilities of the Committee as related to transportation include: (a) direction on matters concerning transportation goals, policy, planning, implementation, and funding, including all matters related to RTP updates and approvals; (b) any transportation matters arising under the Transportation Implementation Program; and (c) other responsibilities as assigned by the Governing Board.**

Members: **To be determined by the Board.**

Staff: **Metropolitan Planning Organization Director or Transportation Planning Program Manager, depending on the topic.**

Meeting: **This committee meets as needed.**

Attachment B

Committee Membership Appointments

Local/State	TRPA Governing Board Committees -- revised November 2023							
	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 - J. Friedrich					Friedrich	Friedrich	Friedrich	
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			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. Settelmeyer			Settelmeyer	Settelmeyer				Settelmeyer
NV At Large - H. Williamson	Williamson		Williamson					
Pres. Appointee - M. Hays			Hays		Hays			



STAFF REPORT

Date: November 8, 2023
To: TRPA Governing Board
From: TRPA Staff
Subject: Aquatic Invasive Species (AIS) Annual Program Update

Summary and Staff Recommendation:

TRPA staff will provide an annual update on the Aquatic Invasive Species (AIS) program. The presentation will cover all program areas including AIS prevention, control, monitoring, and rapid response for the 2022-2023 season.

Lake Tahoe faces a constant and serious threat from the introduction and spread of aquatic invasive species (AIS). AIS can harm native ecosystems, negatively impact recreation opportunities, and affect Lake Tahoe's famed water quality and clarity. The Lake Tahoe AIS program's mission is to prevent, detect, and control aquatic invasive species in the region so that future generations can enjoy Lake Tahoe.

TRPA cooperatively leads the Lake Tahoe AIS program with the Tahoe Conservation Resource District (Tahoe RCD) and over 40+ public and private partners. Numerous federal, state, and regional regulations and programs are in place to limit the introduction and spread of AIS as outlined in the [Lake Tahoe Aquatic Invasive Species Management Plan](#). TRPA and Tahoe RCD implement a nationally recognized watercraft inspection program, work together to reduce and control the existing invasive species in the lake, and conduct lake-wide monitoring to measure progress.

Staff will provide an overview of the watercraft inspection program including operations, funding, and performance measures. Staff will also provide an update on program priorities including permanent watercraft inspection stations, non-motorized decontamination tools such as the [CD3 machine](#), and new public campaigns for education and outreach.

Staff will also cover the recent discovery of New Zealand mudsnail in Lake Tahoe. In September, TRPA staff initiated a Rapid Response plan and formed an Incident Team comprised of staff from TRPA and the Tahoe RCD. Actions are being taken to better understand the infestation and the Incident Team has developed priorities and funding needs in response to Tahoe Science Advisory Council guidance.

For the control program, staff will provide an overview of major AIS control projects including the Taylor-Tallac Ecosystem Restoration Project, the Tahoe Keys Lagoons Aquatic Weed Control Methods Test (CMT), and the weed removal project recently completed at Emerald Bay. At Taylor-Tallac, over 17 acres of bottom barriers were installed to control and eradicate invasive weeds. Project work this year included a significant amount of maintenance because of the record winter and the resulting high-water

flows through the project area. The Tahoe Keys Property Owners Association (TKPOA) recently completed the Control Methods Test (CMT) [Year 2 Interim Report](#) describing progress made to maintain the weed biovolume reductions achieved in year 1 with all non-herbicidal methods.

Lastly, staff will provide an update on lake-wide monitoring that was conducted this year and progress towards overall AIS program goals.

This item is for informational purposes and no action is required.

Contact Information:

For questions regarding this agenda item, please contact Dennis Zabaglo, Aquatic Invasive Species Program Manager at (775) 589-5255, or dzabaglo@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.



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STAFF REPORT

Date: November 8, 2023
To: TRPA Governing Board
From: TRPA Staff
Subject: Lake Tahoe Destination Stewardship Plan Update

Summary and Staff Recommendation:

Staff will provide an update on the [Lake Tahoe Destination Stewardship Plan](#) and implementation progress.

In June of this year, a new group of partners in outdoor recreation and tourism launched the first ever Destination Stewardship Plan for the Tahoe Region. The planning process began in early 2022 after the community and environment felt immense challenges brought on by the COVID-19 Pandemic. Eighteen regional organizations collaboratively developed the plan's vision and actions with the participation of over 3,000 residents, visitors, and businesses through surveys, interviews, and workshops.

The plan identifies 32 actions across four strategic pillars: Foster a tourism economy that gives back; Turn a shared vision into shared action; Advance a culture of caring for the greater Lake Tahoe Region and; Improve the Tahoe experience for all.

This item is for informational purposes and no action is required.

Project Description/Background:

Tahoe is a place of aesthetic, cultural, and environmental contrasts. Spanning two states, encompassing diverse communities, and embodying a wide range of perspectives, this stewardship plan has been meticulously designed for and by the Tahoe community.

With more than 2 million unique visitors spending nearly 17 million visitor days in the region, including 4 million 'untethered' visits generating more than \$4.5 billion in direct spending last year, much is at stake. With a local population of about 54,000 in the Basin and another 17,000 in Truckee, protecting the quality of the Tahoe experience while advancing the needs of the region's communities and its visitor and recreation-based economy is a major challenge. It will take an all-hands-on-deck approach and epic collaboration to achieve a harmonious balance of interests.

The Lake Tahoe Destination Stewardship Plan bears the fruit of countless hours of collaboration, engagement, and knowledge sharing. It is a testament to the dedication and perseverance of all involved, and it showcases the necessity of cross-sector collaboration for addressing the Lake Tahoe region's complex challenges.

Since the launch of the Destination Stewardship Plan, one of the major focuses has been establishing a Destination Stewardship Council to manage implementation of the plan. The Council is now officially formed and hired a Managing Director in October to coordinate the council and implementation activities.

Regional partners have wasted no time in making tangible progress. While recreating at Tahoe, residents and visitors can see the changes that are making their experience more enjoyable and reducing the impacts of traffic, trash, illegal campfires, and more.

Traffic and Transportation

- **South Lake Tahoe:** The app-based Lake Link launched summer 2022, allowing visitors and locals to request free rides on the main thoroughfares from the casinos and the new Event Center in Nevada to the AI Tahoe neighborhood in South Lake Tahoe. In its first year, Lake Link provided over 160,000 rides with 50 percent of those being taken by residents.
- **North Lake Tahoe:** TART Connect offers free, on-demand, year-round microtransit service throughout North Lake Tahoe and Truckee to promote sustainable transportation and reduce traffic congestion. TART Connect serves over 200,000 riders per year including a 19 percent increase in its second year of operation.
- **Regional:** Transportation agencies and recreation land managers are working with the Tahoe Regional Planning Agency to remake Tahoe's most popular roadway corridors along state Route 89 and 28. Tahoe's two-lane roadways and recreation access points were not designed for the rising popularity of outdoor recreation and the increasing impacts of climate change on surrounding communities. Improvements include increased trail and transit access, restriction of roadside parking, and better infrastructure including trash cans.

Litter

- Ambassadors were positioned at highly impacted beaches and trailheads over the summer to directly interact with the public about issues like litter, and not feeding wildlife. In 2023, ambassadors spent over 3,000 hours interacting with visitors at these high-use recreation areas.
- The City of South Lake Tahoe banned the sale of single use plastic water bottles by April 2024 city wide to reduce litter across the community and encourage people to enjoy the great tasting Tahoe tap water.
- South Lake Tahoe's Clean Tahoe Program is now operating on the North and East Shores of the lake, picking up more litter at recreation sites and in residential neighborhoods.
- North and South Lake Tahoe has invested in solar compacting trash cans that can handle larger volumes of trash at highly impacted sites. These trash cans can also text park staff when full to empty them more efficiently on a regular basis.
- Area non-profits continue to organize litter clean ups around the Basin. The League to Save Lake Tahoe's Blue Crew program engaged 864 volunteers to remove 6,836 pounds of trash in 2022. Additionally, Clean Up The Lake continued to clean up underwater trash by scuba diver and hosted the first ever Litter Summit in the summer of 2023 to bring together partners to develop more solutions to the region's litter challenges.

Tourism Initiatives

- The new Tahoe Blue Event Center in Stateline, Nev., includes events during shoulder season to help spread visitation and provide year-round employment opportunities for seasonal workers. The event center opened in September 2023 and early bookings demonstrate the flexibility and appeal of the new multi-purpose venue.

- The North Tahoe Community Alliance recently awarded \$20 million in community grants. Many of the funded projects will address tourism impacts including new trail construction, litter clean ups, improved access to recreation sites, and expanded micro-transit operations.
- North Lake Tahoe is sponsoring alternative transportation plans for large events, including bike valets and transit.

Equitable Access

- The California Tahoe Conservancy granted \$449,000 to equitable recreation access programs that will get those most in need connected to Tahoe.
- The Tahoe Regional Planning Agency completed a transportation equity study and housing equity and climate assessment to ensure everyone has equal access to Tahoe's outdoors and essential services, and the local workforce can afford to live within the Tahoe Basin. For more information on housing affordability programs read the housing article in this issue of Tahoe In Depth.
- Working with local community members, South Lake Tahoe's newest park is located on Ski Run Boulevard and will serve residents who have zero park access. The park is now open with a community celebration planned for Spring 2024.

[The full Lake Tahoe Destination Stewardship Plan can be viewed here.](#)

Contact Information:

For questions regarding this agenda item, please contact Devin Middlebrook, Government Affairs Manager, at (775) 589-5230 or dmiddlebrook@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: November 8, 2023

To: Regional Plan Implementation Committee

From: TRPA Staff

Subject: Discussion and possible action for Phase 2 Housing Amendments, including proposed changes to Code of Ordinances Chapters 1, 13, 36, 37, 31, 30, 34, 52, and 90; and changes to the Goals and Policies, Land Use and Housing Sections; that would only apply to projects applying for deed-restricted bonus units.

Summary and Staff Recommendation:

TRPA staff requests that the Regional Plan Implementation Committee (RPIC) recommend approval of amendments to the TRPA Code of Ordinances Chapters 1, 13, 36, 37, 31, 30, 34, 52, and 90; and changes to the Goals and Policies, Land Use and Housing Sections. The amendments assist in achieving Regional Plan housing, transportation, and water quality goals. These recommendations are based on a financial feasibility analysis, input from the Tahoe Living Working Group, the Local Government and Housing Committee, Governing Board, and community input. The Advisory Planning Commission (APC) will consider the amendments on November 8.

Background:

Like many mountain towns in the west, the Tahoe Region is suffering from a crisis of affordability. The lack of affordable housing impacts the region’s ability to maintain environmental thresholds and achieve the housing, water quality, and transportation goals, among others, outlined in the Regional Plan. TRPA’s analysis shows that current residential development standards often inhibit the ability to build more than one unit on a lot with a positive return on investment.

Under the direction of the Governing Board, TRPA staff have spent the larger part of 2023 developing a proposal to modify development standards (height, coverage, density, and parking) for deed restricted housing which would accelerate construction of the remaining 946 bonus units in and close to town centers, jobs, grocery stores, transit, and services to reduce the requirement for every person to drive a personal vehicle. Encouraging the remaining bonus units to be built as more dense development in already dense areas both reduces the cost to build each unit and helps meet the housing, transportation, and water quality goals of the Regional Plan. The proposal is grounded in increasing financial feasibility for deed-restricted affordable, moderate, and achievable housing in the basin. This proposal will not change the overall growth caps that were analyzed and authorized in the 1987 and 2012 Regional Plans. More background information on this item can be found in the [September RPIC packet](#) and the [November 8 APC packet](#).

Discussion:

The Phase 2 Housing Amendments are based on input from the Tahoe Living Working Group, the Local Government and Housing Committee, the TRPA Governing Board, public, stakeholders and multiple consultant analyses and recommendations. The proposal would apply in three areas within the basin where concentration of development is encouraged by the Regional Plan: 1) in Centers (a collective term for town centers, the Regional Center, and the High-Density Tourist District); and 2) in areas currently zoned for multi-family housing; and 3) within the bonus unit boundary.¹ Within these areas, the allowable height, coverage, density, and parking standards, specifically for deed restricted housing units being constructed with residential bonus units would change to encourage the development of housing that meets Regional Plan goals. Deed restricted housing that receives TRPA bonus units are limited to households that meet [TRPA income or employment requirements](#) and are monitored by a third party consultant on an annual basis. Deed restricted housing cannot be used for short term rentals.

The amendments would not change the remaining development potential available under the 2012 Regional Plan. Remaining development potential available under the 2012 Regional Plan and forecast to be built out by 2045 includes approximately 3,525 residential units², units that are already allowed to be built regardless of the Phase 2 housing amendments. Nearly a quarter of these residential units (approximately 946) are reserved as “residential bonus units,” meaning they take the place of a residential unit of use and must be assigned to residential units that are deed-restricted affordable, moderate, or achievable, as described in more detail above.

TRPA staff presented an informational update on the Phase 2 Housing Amendments to RPIC in September 2023. The Committee expressed general support for the proposal with a few specific concerns, which staff have worked to address. The following section describes the revised proposal and highlights revisions based on RPIC input in September.

Phase 2 Amendment Proposal in Centers

The Phase 2 housing amendments would allow for higher density, height, and coverage and reduced parking in centers, as shown below, for deed restricted residential or mixed-use developments with 100 percent deed-restricted housing (see more details on mixed-use, below). For specific details on the proposal, see Attachment A, Draft Regional Plan and Code Language. The following amendments to region-wide development standards are proposed in centers:

- **Remove maximum density standards** to encourage developments with smaller, more affordable units. This does not mean that larger units cannot be built, but rather leaves that choice to the developer. Region-wide residential growth limits remain in place.

¹ A map of Centers, areas zoned for multi-family housing, and the bonus unit boundary can be found [here](#). The Bonus Unit Boundary is the area within ½ mile of transit, ½ mile of town centers, and areas that allow for multi-family residential housing within the Tahoe Basin. Parcels receiving TRPA bonus units must be within the Bonus Unit Boundary.

² There are approximately 946 residential bonus units which are not assigned to permitted projects and 1,650 residential allocations remaining. Once these units have been built, residential units can be converted from existing tourist accommodation units (TAUs) or commercial floor area (CFA).

- **Allow nine feet additional height for a total of 65 feet.** Buildings must be set back one foot for every foot above 56 feet (providing an approximately 45-degree angle for the top story) and would be required to incorporate design features such as pitched roofs, articulated facades, articulated roof planes, and the use of earthtone colors consistent with Design Review Guidelines. Additionally, projects will need to meet TRPA findings that ensure the project is consistent with scenic requirements, minimizes obstruction of existing views, and ensures the building is consistent with surrounding uses. Last, projects are subject to the discretionary processes already established in each jurisdiction.

Concerns were expressed by RPIC members in September that taller buildings could result in more shade on adjacent roads and properties. In addition to the requirements listed above, projects would be required to submit a shade analysis demonstrating that the building is designed to minimize shade on adjacent roads and structures between 10:00am to 2:00pm on December 21.

- **Remove one-size fits all parking requirements.** At RPIC direction, the proposal would remove mandated parking minimums in Centers. However, in order to deviate from existing parking minimums, the applicant would be required to identify the anticipated parking demand from the project through a parking analysis or information from similarly situated projects, and demonstrate either that adequate parking will be provided, or that the project will implement solutions like shared parking agreements, implementation of car share, or contributions to alternative transportation options.
- **Allow coverage above 70 percent on high capability lands when the development builds or contributes to an existing area-wide stormwater treatment system.**³ Area-wide stormwater treatments (i.e. area-wide systems) provide an alternative to onsite parcel-level best management practices (BMPs), freeing up more of the site for housing units. Land coverage transfers and water quality fees would still be required for coverage over base allowable. Alternatives to these mitigation requirements are anticipated to be analyzed in Phase 3 of the Tahoe Living Strategic Priority. To transfer in coverage above 70 percent, the project shall not construct any parking spaces above the parking minimums set by local or state standards, except when required to meet Americans with Disabilities Act requirements or to provide parking for bicycles.

Figure 1 provides a summary of the proposed changes in centers.

³ A map of existing and proposed area-wide treatments can be found [here](#). “Active” status indicates an areawide treatment that is currently working to treat stormwater runoff, while a “constructed” status means the areawide treatment is in place but has not yet been hooked up to treat stormwater runoff. As shown on the map, areas where the additional coverage incentives can be applied are currently limited but are expected to increase over time.

Centers

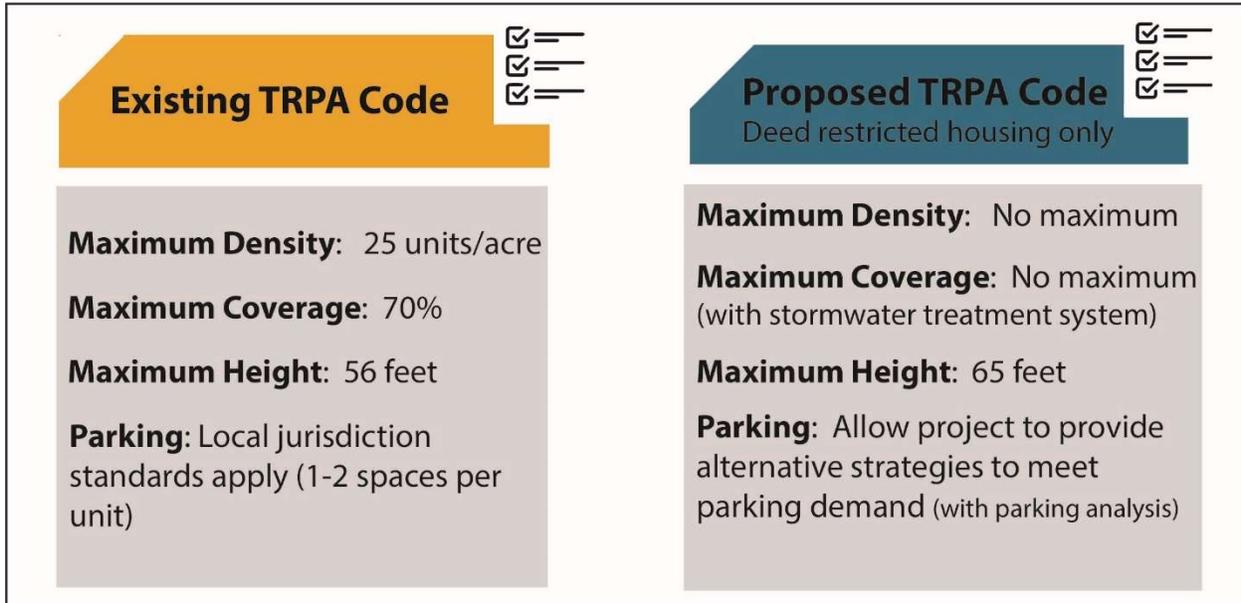


Figure 1: Summary of the Phase 2 Housing proposal in centers.

Phase 2 Amendment Proposal in Multi-family Zones within the Bonus Unit Boundary

The Phase 2 housing amendments incentivize smaller scale multi-family that fit the character of neighborhoods in the region where multi-family is already permissible. For specific details on the proposal, see Attachment B, Draft Regional Plan and Code Language.

- **Remove maximum density standards** to encourage developments with smaller, more affordable units. This does not mean that larger units cannot be built, but rather leaves that choice to the developer. Region-wide residential growth limits remain in place.
- **Allow more height for shallower roof pitches.** Current height standards are based on parcel slope and proposed roof pitch. A higher height is allowed when a steeper roof pitch is proposed; and lower height is allowed when a shallower roof pitch is proposed. The proposal would allow roof pitches between 3:12 to 9:12 to utilize the height shown for a 10:12 roof pitch in table 37.4.1 of the TRPA Code of Ordinances. This would encourage smaller attic spaces that would result in an energy-efficient building design with more livable space on the top floor. The proposal would also require buildings to incorporate design features such as pitched roofs, articulated facades, articulated roof planes, and the use of earthtone colors consistent with Design Review Guidelines.
- **Reduce the amount of parking that local jurisdictions can require to 0.75 spaces per unit, on average.** At RPIC direction, the proposal would reduce parking minimums for deed-restricted housing to no more than 0.75 spaces per unit, on average. However, in order to deviate from existing parking minimums, the applicant would be required to identify the anticipated parking demand from the project through a parking analysis or information from similarly situated projects, and demonstrate either that adequate parking will be provided, or that the project will implement solutions like shared parking agreements, implementation of car share, or contributions to alternative transportation options.

- Allow coverage up to 70 percent on high capability lands when the development builds or contributes to an area-wide stormwater treatment or treats all stormwater runoff onsite with local jurisdiction maintenance commitment.** The proposal would allow coverage up to 70 percent with participation in a stormwater collection and treatment system (consistent with the center coverage proposal, above) that is owned and operated by a public entity,⁴ or, if treatment is provided onsite through BMPs, with a public entity responsible for onsite system maintenance. Land coverage transfers and water quality fees would still be required. Alternatives to these mitigation requirements are anticipated to be analyzed in Phase 3 of the Tahoe Living Strategic Priority. To transfer in coverage above the base allowable coverage, the project shall not construct any parking spaces above the parking minimums set by local or state standards, except when required to meet Americans with Disabilities Act requirements or to provide parking for bicycles.
- Create transition zones between centers and multi-family areas.** Parcels that are zoned for multi-family and that are adjacent and contiguous to existing Center boundaries would be allowed an additional 11 feet of height, beyond what is permitted in Table 37.4.1. Buildings must be set back one foot for every foot above what permitted is in Table 37.4.1, and would be required to incorporate design features such as pitched roofs, articulated facades, articulated roof planes, and the use of earthtone colors consistent with Design Review Guidelines (see Attachment B for detailed code). Additionally, projects will need to meet TRPA findings that ensure the project is consistent with scenic requirements, minimizes obstruction of existing views, and ensures the building is consistent with surrounding uses. Last, projects are subject to discretionary design review processes applicable in each jurisdiction.

Similar to within Centers, concerns were expressed by RPIC members in September that taller buildings would result in more shade on adjacent roads and properties. In addition to the requirements listed above, projects would be required to submit a shade analysis demonstrating that the building is designed to minimize shade on adjacent roads and structures between 10:00am to 2:00pm on December 21.

⁴ A map of existing and proposed area-wide treatments can be found [here](#). “Active” status indicates an areawide treatment that is currently working to treat stormwater runoff, while a “constructed” status means the areawide treatment is in place but has not yet been hooked up to treat stormwater runoff. As shown on the map, areas where the additional coverage incentives can be applied are currently limited but are expected to increase over time. TRPA will update this map as local jurisdictions identify locations where they can commit to BMP maintenance on individual parcels.

Areas Zoned Multi-Family within the Bonus Unit Boundary

Existing TRPA Code	Proposed TRPA Code
<p>Maximum Density: 15 units/acre</p> <p>Maximum Coverage: 30%</p> <p>Maximum Height: 3 stories</p> <p>Parking: Local jurisdiction standards apply (1-2 spaces per unit)</p>	<p style="text-align: center; background-color: #4a7c9c; color: white; padding: 5px;">Deed restricted housing only</p> <p>Maximum Density: No maximum</p> <p>Maximum Coverage: 70% (with stormwater treatment system)</p> <p>Maximum Height:</p> <ul style="list-style-type: none"> • Additional height for shallower roof pitch • Additional 11' for parcels adjacent to town centers <p>Parking: Allow parking reduction to .75 spaces/unit on average (with parking analysis)</p>

Figure 2: Summary of the Phase 2 Housing proposal in areas zoned multi-family within the bonus unit boundary.

Mixed-Use Developments and Accessory Dwelling Units

Certain elements of the proposal would also apply to some mixed-use developments and accessory dwelling units (ADUs). Given the goal of activating streetscapes in town centers and building more walkable communities, staff recommends allowing the coverage, height, and density incentives in this proposal to apply to mixed use development if 100 percent of the residential units within the development are deed-restricted and no more than 50% of the total floor area is commercial. Within centers, property owners could transfer up to 1,200 square feet of coverage for the ADU(s). In areas zoned multi-family, deed restricted ADUs in Bailey land capability districts 4-7 or on parcels with a buildable IPES score would be eligible to transfer in up to 1,200 square feet or up to 70% of the project area, whichever is less. The additional coverage could be used for only the deed-restricted portion of the parcel, including decks and walkways associated with the ADU, but not parking. The proposal does not include changes to height allowances for ADUs.

Implementation

Through the 2012 Regional Plan, TRPA allowed local jurisdictions to develop area plans that implement Regional Plan policies with greater flexibility and at the community scale. However, the process of adopting a new area plan or amending an existing area plan can be lengthy and the importance of affordable workforce housing region-wide means a regional solution is necessary. If approved, this proposal would go into effect within 60 days of adoption and would *supersede the height, density, and parking requirements in Area Plans for deed-restricted residential development*. The proposal does not require local jurisdictions to amend their Area Plans.

If local jurisdictions want to opt out of the proposed standards, they can do so through an area plan amendment. However, TRPA would require that any changes to height, density, and parking standards holistically consider the financial impact the alternatives have on building deed-restricted housing in their jurisdiction. If the jurisdiction is reducing density or height standards, or increasing parking requirements, they would need to show reasonable alternative strategies that either reduce the cost to build or provide subsidies to deed restricted units. These alternatives could include, but are not limited to, an inclusionary housing ordinance, zoning additional areas for multi-family, donated land, public subsidies, or installation of area-wide stormwater systems in preferred affordable and workforce housing areas.

Bonus Unit Requirements and Compliance

TRPA has a compliance program in place that monitors and ensures that deed restricted homes are occupied by a household that meets the requirements of the deed restriction language. The program includes annual compliance reporting and auditing, disclosure forms that require both the buyer and seller to sign when the unit changes ownership, as well as the deed restriction itself that is recorded on the title of the property and remains in perpetuity. In April of 2023, when the TRPA Regional Plan Implementation Committee recommended for approval updates to the “achievable” definition, the board specified that “funding for enforcement should be included with the next large housing incentive amendment package to come forward.” In response to this, staff had previously recommended inclusion of a \$50 fee per residential unit as part of the application process to allow all new residential development to help cover the cost of monitoring and enforcement of deed-restrictions as an interim measure before a more sustainable funding source could be developed through Phase 3 of the Tahoe Living Strategic Priority.

Since recommending this fee in an earlier iteration of the proposal, however, several things have changed. Over the next two years, TRPA has dedicated \$40,000 in general funds to deed-restriction compliance monitoring and enforcement and hired a new planner in the Regional Planning Department with a primary task of overseeing the deed-restriction monitoring program. In addition, TRPA is actively recruiting for an associate attorney who will add additional enforcement capacity to the agency. Over the next two years, TRPA anticipates being able to use these first two years of fully funded compliance monitoring and enforcement to assess the cost of a long-term program, which would inform the development of a longer-term, sustainable funding source for monitoring and enforcement as part of Phase 3. Thus, at this time TRPA has removed the fee on new residential projects from the proposal as it is not needed. TRPA will revisit the fee in Phase 3 or, if necessary, can revisit it during an annual update to the fee schedule in fiscal year 2026.

Outreach

Public outreach on the Phase 2 Housing Amendments has been a focus for staff throughout the summer and fall of 2023. Staff presented to or attended over 20 community events such as farmers markets, social service events, and local community groups and boards. On September 19th, TRPA staff hosted a public webinar to present an overview and field questions on the proposal. The webinar hosted over eighty participants and more than 100 questions and comments were received on the proposal. A full list of questions received during the webinar and answers can be found [here](#). Finally, TRPA released a Flashvote survey in late September to collect a group of statistically valid responses from the public within 48 hours. The results of the Flashvote survey are available [here](#), including write-in responses. Note that only the results from the “member panel” are statistically significant. The community input has highlighted the broad range of perspectives on the proposal; some that prefer the policy changes to

be larger in scope and some that think it should be smaller or focused on other strategies altogether. Staff have worked to address concerns in the current proposal about preserving community character, mitigating parking overflow, and ensuring that deed restricted housing units are providing housing to those who need it.

Environmental Review & Regional Plan Compliance

TRPA staff, along with consultant assistance from Hauge Brueck, analyzed the potential environmental effects of the recommended changes of the Phase 2 housing amendments. The environmental documentation for the recommended changes and the policy and code amendments consists of an Initial Environmental Checklist (IEC), environmental findings and finding of no significant effect (FONSE), thresholds evaluation, and compliance measures evaluation. The IEC is a stand-alone document that determines whether there are anticipated environmental impacts of the policy changes. To assist local jurisdictions in future area plan amendment processes, staff have included responses to CEQA questions in the IEC. The IEC is included as Attachment A, Exhibit 1.

The analysis is tiered from the 2012 Regional Plan Environmental Impact Statement and references the 2018 Development Rights Strategic Initiative IEC and FONSE, the 2020 Linking Tahoe: Regional Transportation Plan & Sustainable Communities Strategy IEC and FONSE, the 2021 VMT Threshold Update IEC and FONSE, and the 2021 Phase 1 Housing Amendments IEC and FONSE.

The Phase 2 Housing Amendments propose to modify the 2012 Regional Plan (as previously amended) specific to buildout of the remaining residential bonus units. The Phase 2 Housing Amendments IEC evaluates the impacts as compared to the existing 2012 Regional Plan. Impacts arising from development under current policy were already evaluated in the Environmental Impact Statement prepared for the Regional Plan Update and the other environmental analyses listed above. The proposed policy changes would not change overall development caps or growth control programs as analyzed in the 2012 Regional Plan because they remain in place with no changes. The Phase 2 Housing Amendments are intended to better implement the goals and policies of the Regional Plan.

Next Steps

Staff requests a recommendation of approval from the RPIC on the proposal outlined in this staff report, the draft amendments to the Regional Plan and Code of Ordinances, and the environmental analysis. Following RPIC, staff will present the amendments for consideration by the Governing Board in December 2023. Staff anticipates completion of Phase 2 housing amendments by the end of 2023 and focusing on Phase 3 amendments in 2024 and beyond.

Contact Information:

For questions regarding this agenda item, please contact Alyssa Bettinger, Senior Planner, at (775) 589-5301 or abettinger@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. Environmental Findings & Finding of No Significant Effect (FONSE)
 - Exhibit 1: Initial Environmental Checklist (IEC)
 - Exhibit 2: Compliance Measures Evaluation
- B. Table of Phase 2 Housing Amendments and Rationale
- C. Adopting Ordinance for Amendments to the TRPA Regional Plan and TRPA Code of Ordinances

Attachment A
Environmental Findings & Finding of No Significant Effect (FONSE)

**REQUIRED FINDINGS & FINDING OF NO SIGNIFICANT EFFECT
FOR PHASE 2 HOUSING AMENDMENTS TO THE
TRPA CODE OF ORDINANCES**

This document contains required findings per Chapter 3 and 4 of the TRPA Code of Ordinances for amendments to the TRPA Regional Plan Goals and Policies LU-2.11 and HS-3.1 and TRPA Code of Ordinances Chapters 13, 30, 31, 34, 36, 37, 52, and 90, as part of the Phase 2 Housing Amendments.

Chapter 3 Findings: The following finding must be made based on the information submitted in the Initial Environmental Checklist:

Finding 3.3.2: The proposed 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: TRPA staff and Hauge Brueck Associates, a third-party consultant hired to assist with the Phase 2 Housing Amendments, prepared an Initial Environmental Checklist (IEC) pursuant to Article VI of TRPA Rules of Procedure and Chapter 3: *Environmental Documentation* of the TRPA Code of Ordinances to evaluate potential environmental effects of the proposed Regional Plan and Code amendments for the Phase 2 Housing Amendments. In accordance with Sections 6.12 of the TRPA Rules of Procedure, the IEC tiered from or referenced the following documents:

- TRPA 2012 Regional Plan Update (RPU) Environmental Impact Statement (EIS);
- 2018 Development Rights Strategic Initiative Initial Environmental Checklist and Finding of No Significant Effect;
- 2020 Linking Tahoe: Regional Transportation Plan & Sustainable Communities Strategy Initial Environmental Checklist and Mitigated Finding of No Significant Effect;
- 2021 Phase 1 Housing Amendments Initial Environmental Checklist; and the
- 2021 Air Quality Threshold Standard (AQ14) Update and Implementation Program (VMT Threshold Update) Initial Environmental Checklist and Finding of No Significant Effect.
- 2035: Regional Transportation Plan/Sustainable Communities Strategy (RTP)

The Regional Plan Update EIS is a program-level environmental document that includes a regional cumulative scale analysis and a framework of mitigation measures that provides a foundation for subsequent environmental review. The proposed amendments to the Regional Plan and TRPA Code of Ordinances would not change overall development caps or growth control programs analyzed in the Regional Plan. As such, the Phase 2 Housing Amendments are an element of the

growth that was anticipated in the 2012 RPU and evaluated in the 2012 RPU EIS.

This IEC evaluates the potential environmental impacts of the proposed amendments with respect to the 2012 RPU EIS to determine what level of additional environmental review, if any, is appropriate. Based on the information contained within the IEC, the proposed amendments would not have a significant effect on the environment and TRPA staff prepared a finding of no significant effect in accordance with TRPA's Rules of Procedure Section 6.6 and Code of Ordinance Section 3.3.2.

These amendments, as described in the staff report, will become part of the Regional Plan. Proposed changes are programmatic and not specific to any site location nor any development project. Future projects will still be subject to environmental review and analysis in accordance with the TRPA Regional Plan.

Finding 4.4.1.A: The proposed amendments are consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Community Plan/Plan Area Statements, the TRPA Code of Ordinances, and other TRPA plans and programs.

Rationale: The proposed amendments are consistent with and will help implement Regional Plan Goals and Policies that encourage the redevelopment of town centers, directing development from more sensitive areas to centers, and encouraging densities and a development pattern that promotes walking, bicycling, and provides a demand for transit. The amendments provide incentives that are targeted at deed-restricted housing for households that make less than 120% Area Median Income (AMI) or work at least 30-hours per week for a local employer, thus increasing housing opportunities in suitable locations for the residents and local workers of the region. In addition to supporting the goals and policies in Area Plans, the amendments would directly support the implementation of the following Regional Plan Goals and Policies:

- LU-1.2 Redeveloping town centers is a high priority.
- LU-3.3 Development is preferred in and directed toward centers.
- LU-4.1 Centers are where sustainable redevelopment is encouraged.
- Goal HS-1 Promote housing opportunities for full-time and seasonal residents and well as workers employed within the region.
- Goal HS-2 To the extent feasible, without compromising the growth management provisions of the Regional Plan, the attainment of threshold goals, and affordable housing incentive programs, moderate income housing will be encouraged in suitable locations for the residents of the region.

- T-1.1 Support mixed-use, transit oriented development, and community revitalization projects that encourage walking, bicycling, and easy access to existing and planned transit stops.

TRPA 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 of Ordinances, and other TRPA plans and programs.

Finding 4.4.1.B: The proposed ordinance and rule amendments 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 amendments are consistent with and will help to implement the Regional Plan.

The proposed amendments were evaluated against all adopted threshold compliance measures (see Exhibit B). The amendments to the Regional Plan, Code, and Fees will not negatively impact compliance measures such as Water Quality/SEZ, Air Quality/Transportation, and Scenic compliance measures.

The amendments do not increase the total amount of land coverage region-wide anticipated in the Regional Plan Update. The amendments allow for higher land coverage limits inside of and near town centers but requires additional land coverage to be transferred from equal or more sensitive areas, thus resulting in the relocation of coverage from more sensitive to less sensitive lands.

The amendments incentivize the remaining residential bonus units to be constructed within centers and multi-family zones, closer to employment and service centers, with better connections to transit, sidewalks, and bicycle infrastructure. As described in more detail in the IEC, development of the remaining bonus units in and near centers is assumed to reduce trips, trip length and impact on the region's highway system.

The amendments would allow additional height beyond what was analyzed in the Regional Plan Update. However, to earn the additional proposed height, projects would be required to make scenic resources findings, ensuring that there would be no impacts to the scenic threshold.

As stated above, the 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 this Regional Plan amendment. 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 RPU EIS. No changes to the overall capacity are proposed in these amendments.

Finding 4.4.1.C: Wherever federal, state or local air and water quality standards are applicable for the Region, the strictest standards shall be attained, maintained, or exceeded pursuant to Article V(d) of the Tahoe Regional Planning Compact.

No applicable federal, state or local air and water quality standard will be exceeded by adoption of the amendments. The proposed amendments do not change the Federal, State or local air and water quality standards applicable for the Region. Projects developed under the proposed amendments will meet the strictest applicable air quality standards and implement water quality improvements consistent with TRPA Best Management Practices (BMPs) requirements and the Lake Tahoe Total Maximum Daily Load (TMDL). Federal, State, and local air and water quality standards remain applicable for all parcels in the region, thus ensuring environmental standards will be achieved or maintained pursuant to the Bi-State Compact.

The Regional Plan, as amended, achieves, and maintains the thresholds.

Finding 4.5:

Rationale:

In 2012, TRPA found that the Regional Plan as revised would achieve and maintain thresholds. Those findings are incorporated by reference here. The proposed amendments do not conflict with any Regional Plan provision designed to achieve and maintain thresholds. As discussed in finding 4.4 above, the proposed amendments will improve the implementation of threshold attainment strategies by encouraging environmentally beneficial redevelopment.

Finding 4.6:

To approve any amendment or adoption of the Code, Rules, or other TRPA plans and programs that implement the Regional Plan, TRPA shall find that the Regional Plan and all of its elements, as implemented through the Code, Rules, and other TRPA plans and programs, as amended, achieves and maintains the thresholds.

Rationale:

As demonstrated in the IEC and threshold compliance measures table, the Regional Plan and all of its elements, as amended, will achieve and maintain the thresholds. The amendments are anticipated to help accelerate threshold gain in the Transportation and Sustainable Communities threshold and Scenic Threshold by supporting environmental development and redevelopment opportunities in walkable town centers and neighborhoods, and in areas visible from scenic resource areas.

Based on the foregoing: the completion of the IEC; the previously certified RPU EIS, RTP IS/ND/IEC, and the findings made on December 12, 2012 for the RPU, TRPA finds the Regional Plan and all of its elements, as amended by the project achieves and maintains the thresholds. As described above in more detail, the amendments actively promote threshold achievement and maintenance by, *inter alia*, (1) incentivizing environmentally beneficial redevelopment, (2) requiring the installation of Best Management Practices improvements that are monitored and maintained by a local jurisdiction, or contributions to area-wide stormwater treatment for all projects, and (3) requiring conformance with Design Standards that will result in improvements to scenic quality, water quality, and air-quality. In addition, as found in Chapter 4 Findings 1 through 3, no element of the amendments interferes with the efficacy of any of the other elements of the Regional Plan. Thus, the Regional Plan, as amended by the project, will continue to achieve and maintain the thresholds.



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FINDING OF NO SIGNIFICANT EFFECT

Project Description: Phase 2 Housing Amendments to the TRPA Regional Plan, Code of Ordinances, and Fee Schedule.

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 A
Exhibit 1: Initial Environmental Checklist (IEC)

EXHIBIT 1: TRPA INITIAL ENVIRONMENTAL CHECKLIST FOR DETERMINATION OF ENVIRONMENTAL IMPACT

Project Name:

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

Expanded Initial Environmental Checklist:

This document serves as the TRPA Initial Environmental Checklist for the amendments, with an expanded analysis to include the California Environmental Quality Act (CEQA) Initial Study Checklist. The expanded analysis and information will support CEQA lead agencies with their own future environmental review of the amendments.

Project Location:

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

Project Need:

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

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

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

The Tahoe Living Working Group⁵ has identified a need to bring down the cost to construct 100 percent deed-restricted affordable, moderate, and achievable housing so that the pool of existing residential bonus units can be constructed as soon as possible, providing needed affordable housing. At present, there are approximately 946⁶

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

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

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

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

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

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

bonus units remaining that could take advantage of proposed Regional Plan amendments intended to incentivize development of the bonus unit pool.

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

Project Description:

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

Height:

1. Centers: The proposal would increase the maximum height allowance from 56 feet (maximum of four stories) to 65 feet (no cap on the number of stories) for 100 percent deed-restricted affordable, moderate, or achievable residential or mixed-use developments that utilize bonus units when certain findings can be made. The proposal would require buildings to set back one foot for every foot above 56 feet, would not allow additional shade on smaller adjacent buildings to be created at the winter solstice, and incorporate design features such as pitched roofs, articulated facades, articulated roof planes, and the use of earthtone colors consistent with Design Review Guidelines.
2. Center transition zones: The proposal would allow an additional 11 feet of height, beyond what is allowed in Table 37.4.1 in the TRPA Code of Ordinances, for 100 percent deed-restricted affordable, moderate, or achievable residential or mixed-use developments that utilize bonus units on parcels outside of centers but adjacent and contiguous to center boundaries. Current height allowances are dependent on parcel slope and proposed roof pitch and allow up to 42 feet. The proposal would require buildings to set back one foot for every foot above 56 feet, would not allow additional shade on smaller adjacent buildings to be created at the winter solstice, and incorporate design features such as pitched roofs, articulated facades, articulated roof planes, and the use of earthtone colors consistent with Design Review Guidelines.
3. Areas zoned for multi-family housing outside of centers: Current height standards are based on parcel slope and proposed roof pitch. A higher height is allowed when a steeper roof pitch is proposed; and lower height is allowed when a shallower roof pitch is proposed. This proposal would allow 100 percent deed-restricted affordable, moderate, or achievable residential developments that utilize bonus units to use the maximum height available for each building site slope category in Code Table 37.4.1 (up to 42 feet), with a minimum 3:12 roof pitch when certain findings are made. This option would require buildings to incorporate design features such as pitched roofs, articulated facades, articulated roof planes, and the use of earthtone colors consistent with Design Review Guidelines.

Density:

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

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

Parking:

1. Centers and areas zoned for multi-family outside of centers: Residential and mixed-use developments made up of 100 percent deed-restricted affordable, moderate, or achievable housing in centers would be subject to no minimum parking standards and .75 spaces per unit, on average, outside of centers. These minimums shall preempt inconsistent local jurisdiction’s minimum parking requirements however, in order to deviate from existing parking minimums, project applicants must demonstrate that the parking demand generated by their project, measured through a parking study, is met by providing parking spaces and/or through parking management strategies. At present, local jurisdictions require between 1 – 2.1 parking spaces per unit, depending on size.

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

Land Coverage:

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

The proposed amendments above would apply region-wide following TRPA adoption, except where an area plan explicitly identifies alternative standards for 100 percent deed-restricted affordable, moderate or achievable housing. Local jurisdictions may propose alternative development standards that adjust the adopted TRPA

standards if that jurisdiction demonstrates that the alternative standards are at least as effective as TRPA standards in facilitating the construction of deed-restricted affordable, moderate, and achievable housing in the applicable jurisdiction, have an adopted inclusionary ordinance. Alternative standards shall take effect only through adoption of a new area plan or an amendment to an existing area plan with the appropriate level of environmental review.

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

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

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

Tiering and References to Other Documents:

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

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

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

The Phase 2 Housing Amendments propose to modify a small portion of the 2012 Regional Plan (as previously amended) specific to buildout of the remaining residential bonus units. This IEC evaluates the impacts of the Phase 2 Housing Amendments as compared to the existing 2012 Regional Plan. Impacts arising from development under current policy were already evaluated in the Environmental Impact Statement prepared for the Regional Plan Update (RPU) and the other environmental analyses listed above.

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

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

I. Environmental Impacts

1. Land (TRPA Checklist Questions)

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

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

Will the proposal result in:

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

Geology/Soils (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: (CEQA VIIa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or				

Geology/Soils (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?				
ii) Strong seismic ground shaking?				
iii) Seismic-related ground failure, including liquefaction?				
iv) Landslides?				
2. Result in substantial soil erosion or the loss of topsoil? (CEQA VIIb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (CEQA VIIc)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (CEQA VIId)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? (CEQA VIIe)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (CEQA VIIf)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

TRPA Question 1.a:

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

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

treatment system (consistent with TRPA treatment requirements) owned and operated by a public entity, or with a public entity responsible for onsite system maintenance.

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

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

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

Based on the relatively small amount of high capability land coverage needed to incentivize 100 percent deed-restricted affordable, moderate, and achievable housing and the requirements to transfer land coverage over base allowable and provide equally effective stormwater management to current water quality requirements, the impact of this change is considered to be less than significant.

TRPA Questions 1.b-g:

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

TRPA Threshold Indicators:

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

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

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

CEQA Questions 1.1-1.6:

For question 1.2, please refer to TRPA question 1.a. All other responses are “no impact” or would be determined at the project level, each of which must make project-related findings to ensure that there are no impacts to geology/soils.

2. Air Quality (TRPA Checklist Questions)

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

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

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

Air Quality (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Conflict with or obstruct implementation of the applicable air quality plan? (CEQA IIIa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standards? (CEQA IIIb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Expose sensitive receptors to substantial pollutant concentrations? (CEQA IIIc)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Result in other emissions, such as objectionable odors, adversely affecting a substantial number of people? (CEQA IIId)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Greenhouse Gas Emissions (CEQA Checklist Questions)

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

Discussion

TRPA Questions 2.a-2.d:

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

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

The carbon monoxide (CO) emission standard is not associated with overall trips but with idling time and could therefore be impacted by encouraging higher density housing in specific locations. Increasing incentives to develop town center parcels with more units could lead to more households with cars living in certain locations, increasing localized congestion during peak periods. While localized roadway intersections could see a slight increase in congestion from more densely built housing development, a CO hot spot analysis is not warranted to answer question (2.d) as Tahoe Basin intersections/roadway volumes do not reach the volumes/delay needed to exceed CO standards on a localized level. As reported in the US 50/South Shore Revitalization Project Draft EIR/EIS/EIS (page

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

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

TRPA Question 2.e:

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

TRPA Threshold Indicators:

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

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

CEQA Questions 2.1-2.6:

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

3. Water Quality (TRPA Checklist Questions)

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

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

Will the proposal result in:

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

Hydrology/Water Quality (CEQA Checklist Questions)

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

Hydrology/Water Quality (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
2. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (CEQA Xb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (CEQA Xc)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Result in substantial erosion or siltation on- or off-site;				
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;				
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or				
iv) Impede or redirect flood flows?				
4. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (CEQA Xd)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (CEQA Xe)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

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

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

TRPA Questions 3.b and 3.g:

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

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

in a stormwater collection and treatment system (consistent with TRPA treatment requirements) owned and operated by a public entity, or with a public entity responsible for onsite system maintenance.

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

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

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

In response to concerns submitted on the 2012 RPU EIS regarding the localized water quality impacts of further concentrating development within community centers, TRPA prepared an analysis to estimate the relative changes in pollutant loading that could occur within community centers as a result of proposed policies. A stormwater modeling simulation was prepared using the Pollutant Load Reduction Model (PLRM). The simulation provided estimates of existing and future pollutant loading from areas designated as centers in the Final Draft Plan. The analysis incorporated parcel-level data on land use, existing coverage, and current BMP compliance to generate estimates of existing loading from Centers. To evaluate a worst-case scenario, the model assumed that all parcels within Centers with commercial, tourist accommodation, and residential land uses would maximize their allowable coverage as a result of policies that incentivize additional concentrated development. The model also assumed that all parcels that added coverage would comply with BMP requirements. The modeling results show that even if policies that incentivize concentrated development achieved the maximum allowable coverage in all Centers, the result would be a decrease in pollutant loading from Centers as a result of implementing required water quality regulations. Because of the relatively small increase in total land coverage associated with the proposed amendments (e.g., up to 11.2 acres of additional land coverage in high capability town center, multi-family zoned, and bonus unit boundary lands, which equates to less than 0.3 percent of the remaining allowable high capability land coverage in the region), the PLRM analysis also supports a finding of no significant impact for increasing land

coverage limits for 100 percent deed-restricted affordable, moderate, or achievable housing developments that utilize bonus units.

TRPA Threshold Indicators:

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

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

CEQA Questions 3.1-3.5:

For questions 3.2 and 3.3, please refer to TRPA questions 3.b and 3.g. All other responses are “no impact” or would be determined at the project level, each of which must make project-related findings to ensure that there are no impacts to hydrology/water quality.

4. Vegetation (TRPA Checklist Questions)

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

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

Will the proposal result in:	Yes	No	No, with mitigation	Data insufficient
a. Removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Change in the diversity or distribution of species, or number of any species of plants (including trees, shrubs, grass, crops, micro flora, and aquatic plants)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Reduction of the numbers of any unique, rare, or endangered species of plants?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Removal of stream bank and/or backshore vegetation, including woody vegetation such as willows?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Removal of any native live, dead or dying trees 30 inches or greater in diameter at breast height (dbh) within TRPA's Conservation or Recreation land use classifications?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

h. A change in the natural functioning of an old growth ecosystem?

Discussion

TRPA Question 4.a:

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

TRPA Questions 4.b-4.h:

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

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

TRPA Threshold Indicators:

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

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

5. Wildlife (TRPA Checklist Questions)

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

- [Special Interest Species](#)

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

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

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Change in the diversity or distribution of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects, mammals, amphibians or microfauna)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Reduction of the number of any unique, rare or endangered species of animals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Deterioration of existing fish or wildlife habitat quantity or quality? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Biological Resources (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (CEQA IVa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (CEQA IVb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Have a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (CEQA IVc)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (CEQA IVd)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance? (CEQA IVe)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (CEQA IVf)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

TRPA Questions 5.a-5.d:

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

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

TRPA Threshold Indicators:

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

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

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

CEQA Questions 5.1-5.6:

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

6. Noise (TRPA Checklist Questions)

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

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

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Area Plan, Plan Area Statement, Community Plan or Master Plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exposure of people to severe noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. The placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. The placement of uses that would generate an incompatible noise level in close proximity to existing residential or tourist accommodation uses?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Exposure of existing structures to levels of ground vibration that could result in structural damage?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Noise (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or other applicable local, state, or federal standards? (CEQA XIIIa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Noise (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
2. Generation of excessive groundborne vibration or groundborne noise levels? (CEQA XIIIb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. For a Project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels? (CEQA XIIIc)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

TRPA Questions 6.a-6.f:

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

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

TRPA Threshold Indicators:

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

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

CEQA Questions 6.1-6.3:

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

7. Light and Glare (TRPA Checklist Questions)

Will the proposal:

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

Aesthetics – Light and Glare (CEQA Checklist Questions)

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

Discussion

TRPA Questions 7.a-7.d:

All of these responses are “no” or would be determined at the project level, each of which must make project-related findings to ensure that there are no impacts to light and glare.

CEQA Question 7.1:

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

8. Land Use (TRPA Checklist Questions)

Will the proposal:

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

Land Use/Planning (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Physically divide an established community? (CEQA XIa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (CEQA XIb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

TRPA Questions 8.a-8.b:

All of these responses are “no” or would be determined at the project level, each of which must make project-related findings to ensure that there are no impacts to land use.

The proposal does not add any additional land uses or development commodities. The proposal would intentionally intensify residential uses (8.b) in areas where they are already permitted. For the reasons explained in the Project

Description and Project Need, these changes are proposed in order to better incentivize development of affordable and workforce housing and realize the goals of the Regional Plan.

CEQA Questions 8.1-8.2:

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

9. Natural Resources (TRPA Checklist Questions)

Will the proposal result in:

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

Mineral Resources (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (CEQA XIIa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (CEQA XIIb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

TRPA Questions 9.a-9.b.

All of these responses are “no” or would be determined at the project level, each of which must make project-related findings to ensure that there are no impacts to natural resources. The proposal does not create any additional growth, thus is not expected to increase the rate of use of any natural resources or non-renewable natural resources.

CEQA Questions 9.1-9.2:

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

10. Risk of Upset (TRPA Checklist Questions)

Will the proposal:

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

Hazards & Hazardous Materials (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (CEQA IXa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (CEQA IXb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (CEQA IXc)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (CEQA IXd)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? (CEQA IXe)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (CEQA VIII f)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (CEQA IXg)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Wildfire (CEQA Checklist Questions)

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
8. Substantially impair an adopted emergency response plan or emergency evacuation plan? (CEQA XXa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (CEQA XXb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Require the installation of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (CEQA XXc)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (CEQA XXd)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

TRPA Question 10.a.

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

TRPA Question 10.b.

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

As part of the 2012 RPU EIS analysis, TRPA conducted an emergency evacuation analysis, considering the amount of growth forecast for the region. This amendment does not propose additional growth, only amendments to standards intended to encourage buildout of the remaining residential bonus units for deed-restricted affordable, moderate and achievable housing. By concentrating remaining residential growth in centers and along evacuation routes such as major highways, rather than in neighborhoods closer to the forest, or on roads which may have limited exit routes, the proposed amendments would benefit evacuation planning. Further, a goal of the current proposal seeks to shift more of the future housing stock to occupancy by local residents, rather than part-time second homeowners or tourists (e.g., vacation home rentals). Because of the lack of available housing and high rates of commuting into the basin, a similar number of people are likely to be in the basin during a potential emergency event, still requiring evacuation. Having fewer commuters in the basin during an emergency event will reduce congestion on roadways.

Several California state laws, including SB-99, require cities and counties to (1) identify residential areas without adequate exit routes for evacuation and (2) include mitigation measures in their general plans to overcome those issues. Another state law is AB 747, which requires local governments to plan evacuation route capacity needs under a range of emergency scenarios. The proposed amendments do not conflict with local jurisdictions' ability to prepare or implement emergency evacuation plans and therefore, would result in no impact.

CEQA Questions 10.1-10.5:

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

CEQA Question 10.6 and 10.8:

Please refer TRPA question 10.b.

CEQA Questions 10.7 and 10.9-10.11:

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

11. Population (TRPA Checklist Questions)

Will the proposal:

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

Population (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (CEQA XIVA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

TRPA Question 11.a:

The proposal will not increase the number of housing units planned for the region under the growth management system, as only remaining residential bonus units are available for the proposed incentives. In the recent past, the Tahoe Region population exceeded 60,000 people, approximately 10,000 more than present. Since much of that previous population has been lost, any growth in population provided by construction of bonus units would allow the growth rate of the human population residing in the region to more closely align with the growth rate/population projections envisioned in the Regional Plan (60,365 as reported in 2012 RPU Draft EIS, page 3.12-9; and 58,041 as reported in the 2020 Regional Transportation Plan, page 249), which includes a goal of providing sufficient local workforce housing to meet the needs of the Region. The Regional Plan also includes the State of California Regional Housing Needs Assessment (RHNA) requirements for affordable, moderate, and above-moderate-income housing. The proposed amendments would incentivize construction of the deed-restricted housing units planned for with the Bonus Unit Incentive Pool (currently approximately 946 remaining bonus units),

thus more quickly achieving the RHNA goals and the larger housing need identified in several other regional housing needs assessments [Tahoe Living Working Group Housing Need, August 19, 2020 accessed at <https://www.trpa.gov/wp-content/uploads/documents/archive/2/Housing-Need.pdf>]. The proposed amendments will shift densities to town center and multi-family zoned areas close to transit and services to help achieve Regional Plan goals of reduced VMT and walkable, bikeable centers. However, the changes in density will not result in increases to population growth rates anticipated in the 2012 RPU, thus they will not result in adverse impacts to the growth rate.

TRPA Question 11.b:

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

CEQA Question 11.1:

Please refer to TRPA question 11.a.

12. Housing (TRPA Checklist Questions)

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Affect existing housing, or create a demand for additional housing?				
<i>To determine if the proposal will affect existing housing or create a demand for additional housing, please answer the following questions:</i>				
1. Will the proposal decrease the amount of housing in the Tahoe Region?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposal decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Housing (CEQA Checklist Questions)

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

Discussion

TRPA Question 12.a:

The proposed amendments are intended to increase the amount of 100 percent deed-restricted affordable, moderate and achievable housing in the region, including housing affordable to lower and very-low-income households. By making multi-family and accessory dwelling unit housing types more affordable to build, housing projects will become more competitive for state and federal grants. Projects that receive government grant funding, such as the recently approved Sugar Pine Village, are more likely to provide affordable housing for the

lower income levels. Use of the remaining 946 residential bonus units to supply local residents with 100 percent deed-restricted affordable, moderate, and achievable housing units is anticipated to relieve pressure on the extremely limited rental market, allowing households to move into appropriately sized and priced units, and opening up more supply at lower rates.

It is possible that proposed density, height and land coverage amendments available for 100 percent deed-restricted housing units, including achievable, could encourage future developers to demolish existing housing units being rented at affordable or moderate rental rates and replace them with 100 percent deed-restricted housing units that would be rented to households working locally with higher incomes, but that still qualify for deed-restricted housing. However, in the case of future multi-family residential projects, the project would be required to complete an Initial Environmental Checklist (IEC) to analyze whether the proposed demolition of existing housing would decrease the amount of housing historically or currently being rented at rates affordable to lower and very-low income households. If a future project is found to reduce existing affordable housing supply, mitigation would be required to avoid a net loss of units affordable to low or very-low income households.

CEQA Question 12.1:

Please refer TRPA question 12.a.

13. Transportation / Circulation (TRPA Checklist Questions)

Will the proposal result in:

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

Transportation (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? (CEQA XVIIa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) VMT Threshold – Land Use Projects? (CEQA XVIIb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Transportation (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
3. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (CEQA XVIIc)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Result in inadequate emergency access? (CEQA XVIIId)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

TRPA Question 13.a:

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

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

TRPA Question 13.b:

The proposed amendments will not result in a demand for new parking beyond what was assumed under the 2012 RPU, 2020 RTP and 2021 Phase 1 Housing analyses. The proposal does not add additional units under the region's growth management system. Similar to the response for question 13.a, it is assumed that new 100 percent deed-restricted affordable, moderate or achievable homes that utilize bonus units (up to approximately 946 bonus units) would be located more densely in centers or multi-family zones because of the proposed amendments than was previously anticipated within the slightly broader bonus unit boundary. To further incentivize use of the remaining bonus units, the amendments include a proposal to exempt 100 percent deed-restricted affordable, moderate, or achievable housing developments from minimum parking requirements within centers. Outside of centers but within areas zoned for multi-family housing, the proposal would reduce minimum parking requirements to .75 spaces per unit, on average. In order to deviate from existing local parking requirements, the project applicant must demonstrate their ability to meet the demand generated by the new development by constructing new parking and/or implementing parking management strategies. ADUs within the bonus unit boundary would be subject to applicable local parking requirements that exist today. Therefore, this condition will ensure that adequate localized parking is available in centers and multi-family zones without spillover impacts on neighborhoods.

The change in overall demand for parking would be minimal compared to previous analyses. Under the 2012 RPU, the 2020 RTP, and 2021 Phase 1 Housing analyses, all remaining residential units of development potential except

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

TRPA Question 13.c:

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

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

TRPA Question 13.d:

Please refer to TRPA question 13.c.

TRPA Question 13.e:

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

TRPA Question 13.f:

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

CEQA Question 13.1:

Please refer TRPA question 13.f.

CEQA Question 13.2:

Please refer TRPA question 13.a.

CEQA Question 13.3:

Please refer TRPA question 13.f.

CEQA Question 13.4:

Please refer TRPA question 10.b.

14. Public Services (TRPA Checklist Questions)

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

	Yes	No	No, with mitigation	Data insufficient
a. Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Parks or other recreational facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Other governmental services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Public Services (CEQA Checklist Questions)

Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: (CEQA XVa)

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

Discussion

TRPA Question 14.a:

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

TRPA Question 14.b:

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

TRPA Question 14.c:

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

TRPA Question 14.d:

Parks or other recreation facilities. The proposed amendments encourage 100 percent deed-restricted affordable, moderate and achievable housing (e.g., workforce housing) that will help increase the permanent regional population toward previous levels, shifting expected population from seasonal workers, and commuters who travel into the Basin to more evenly distributed permanent population over time. While there is no increase in the overall number of housing units that will be built, there could be an increase in the use of existing parks and recreation facilities due to greater full-time population levels. However, because of the historical population levels that exceed current population figures, the increase in recreational facility use by full time residents does not result in a significant impact.

TRPA Question 14.e:

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

TRPA Question 14.f:

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

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

CEQA Question 14.1:

Please refer TRPA question 14.a.

CEQA Question 14.2:

Please refer TRPA question 14.b.

CEQA Question 14.3:

Please refer TRPA question 14.c.

CEQA Question 14.4:

Please refer TRPA question 14.d.

CEQA Question 14.5:

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

15. Energy (TRPA Checklist Questions)

Will the proposal result in:

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

Energy (CEQA Checklist Questions)

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

Discussion:

TRPA Questions 15.a and 15.b:

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

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

CEQA Question 15.1:

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

CEQA Question 15.2:

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

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

16. Utilities (TRPA Checklist Questions)

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

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

Utilities/Service Systems (CEQA Checklist Questions)

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

Discussion

TRPA Questions 16.a-16.f:

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

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

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

CEQA Questions 16.1-16.5:

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

17. Human Health (TRPA Checklist Questions)

Will the proposal result in:

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

Discussion

TRPA Questions 17.a and 17.b:

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

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

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

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

Will the proposal:

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

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

Aesthetics (CEQA Checklist Questions)

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

Discussion

TRPA Questions 18.a and 18.b:

Each of these responses are “no” or would be determined at the project level, each of which must make project-related findings to ensure that there are no impacts to scenic resources.

TRPA Questions 18.c and 18.d:

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

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

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

The current proposal to allow greater height for 100 percent deed-restricted affordable, moderate or achievable housing that utilize bonus units would expand existing 2012 RPU height allowances for affordable housing buildings (now capped at 56 feet) to 65 feet (with no cap on the number of building stories) in town centers, an additional 11’ of height, beyond what is allowed in Table 37.4.1 in the TRPA Code of Ordinances, for parcels that are adjacent and contiguous to centers, and to 36 to 42 feet for multi-family zones outside of centers (now 24 to 42 feet subject to Code Section 37.4). Changes to maximum height limits (up to 56 feet) for centers was previously analyzed as part of

the 2012 RPU EIS. The visual impact of such buildings would depend on several factors, including the building design, viewer location, setbacks from the roadway, view backdrop, and the landscape setting (including surrounding forest trees and other buildings).

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

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

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

- New Code Section 13.5.3.I Height and Density Standards for Affordable, Moderate, and Achievable Housing in Centers Effective in Area Plans:

A. The maximum height specified in table 13.5.3-1 may be increased for residential or mixed-use developments with a residential component that is 100% deed-restricted affordable, moderate, or achievable housing as described in subsection 36.13. The maximum height shall be no greater than 65', provided the additional height is stepped back one foot for each additional foot of height, additional ground level shade is not created at the winter solstice, and TRPA makes findings 1, 2, 3, 8, and 14, as set forth in Section 37.7. The project shall incorporate community design features such as pitched roofs, articulated facades, articulated roof planes, and the use of earth tone colors consistent with the Design Review Guidelines.

- Amend Code Section 37.5.5 Additional Building Height for Affordable, Moderate, or Achievable Housing Projects:

A. Residential and mixed-use projects that are 100% deed-restricted to affordable, moderate, or achievable as described in subsection 36.13 and utilize bonus units may have additional building height, up to the maximum for the slope of the building site set forth in Table 37.4.4-1, with a

roof pitch greater than or equal to 3:12, provided the applicants makes findings 1, 2, and 8 as set forth in Section 37.7; or

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

37.7.1. Finding 1

When viewed from major arterials, scenic turnouts, public recreation areas, or the waters of Lake Tahoe, from a distance of 300 feet, the additional height will not cause a building to extend above the forest canopy, when present, or a ridgeline. For height greater than that set forth in Table 37.4.1-1 for a 5:12 roof pitch, the additional height shall not increase the visual magnitude beyond that permitted for structures in the shoreland as set forth in subsection 66.3.7, Additional Visual Magnitude, or Appendix H, Visual Assessment Tool, of the Design Review Guidelines.

37.7.2 Finding 2

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

37.7.3. Finding 3

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

37.7.8 Finding 8

The maximum building height at any corner of two exterior walls of the building is not greater than 90 percent of the maximum building height. The maximum height at the corner of two exterior walls is the difference between the point of lowest natural ground elevation along an exterior wall of the building, and point at which the corner of the same exterior wall meets the roof. This standard shall not apply to an architectural feature described as a prow.

37.7.9. Finding 9

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

TRPA Threshold Indicators:

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

standards and guidelines and maintenance of scenic quality numeric ratings will ensure improvement of overall scenic quality.

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

CEQA Questions 18.1-18.3:

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

19. Recreation (TRPA Checklist Questions)

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

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

Will the proposal:

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

Recreation (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (CEQA XVIa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (CEQA XVIb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

TRPA Questions 19.a and 19.c:

The proposed amendments encourage workforce housing that will help bring the permanent population back to previous Tahoe region levels, shifting expected population from seasonal workers and commuters who travel into the Basin to more evenly distributed permanent population. There could be an increase in the use of existing parks

and recreation facilities due to more full-time population, but because of the historical population levels that exceed current population figures, the anticipated population increase is not expected to be a significant impact.

TRPA Questions 19.b and 19.d:

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

TRPA Threshold Indicators:

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

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

CEQA Question 19.1:

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

CEQA Question 19.2:

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

20. Archaeological / Historical (TRPA Checklist Questions)

Will the proposal result in:

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

Tribal Cultural Resources (CEQA Checklist Questions)

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)? (CEQA XVIIIa.i)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (CEQA XVIIIa.ii)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Cultural Resources (CEQA Checklist Questions)

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

Discussion

TRPA Questions 20.a and 20.d:

All of these responses are “no” or would be determined at the project level, each of which must make project-related findings to ensure that there are no impacts to cultural resources.

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

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

CEQA Questions 20.1 to 20.5

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

21. Agriculture and Forestry Resources (CEQA Checklist Questions)

Would the Project:

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the CA Resources Agency, to a non-agricultural use? (CEQA IIa)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (CEQA IIb)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code section 12220(g), timberland (as defined by Public Resource Code section 4526) or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (CEQA IIc)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Result in the loss of forest land or conversion of forest land to non-forest use? (CEQA II d)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (CEQA IIe)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

CEQA Questions 21.1, 21.2 and 21.5

The locations where housing development may occur under the proposed amendments are partially developed and not located in an area identified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency.

CEQA Questions 21.3, 21.4 and 21.5

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

22. Cumulative/Synergistic Impacts

The Regional Plan, Code of Ordinances and adopted local jurisdiction Area Plans are a collection of both short- and long-term goals, policies, and measures designed to guide development and support the Region in attaining environmental thresholds and other important objectives. These goals, policies, and measures are inherently cumulative in nature as they are applied over a long-term basis, for the planning area as a whole, and in compliance with local jurisdiction and TRPA goals, policies, measures, and thresholds.

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

23. Findings of Significance

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

Discussion

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

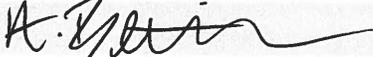
All of these responses are “no” or would be determined at the project level, each of which must make project-related findings to ensure that there are no impacts to cultural resources.

TRPA Question 23.c:

Please refer to Section 22 above.

DECLARATION:

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

Signature: 

Alyssa Bettinger at Tanoe Regional Planning Agency 11/8/23
Person preparing application County Date

Applicant Written Comments: (Attach additional sheets if necessary)

Determination:

On the basis of this evaluation:

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

Signature of Evaluator

Date _____

Title of Evaluator

Attachment A
Exhibit 2: Compliance Measures Evaluation

Exhibit 2 - COMPLIANCE MEASURES PHASE 2 HOUSING AMENDMENTS

ID	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 BMP requirements and implementation programs. The amendments would go further in ensuring that stormwater is treated onsite through the involvement of a public entity to manage and maintain private BMPs.
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 Improvements Program for Erosion and Runoff Control	WQ, Soils/SEZ, Trans, Fish	N	The proposed amendments make no changes to policies that would impact the Capital Improvement Program for Erosion and Runoff Control.
6	Excess land coverage mitigation program: <i>Code of Ordinances</i> Chapter 30	WQ, Soils/SEZ	N	The proposed amendments do not change excess mitigation requirements.
7	Effluent (Discharge) limitations: California (SWRCB, Lahontan Board) and Nevada (NDEP): <i>Code of Ordinances</i> Chapter 60	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	New subdivisions will continue to be limited by the provisions in Chapter 39, Subdivision, of the TRPA Code of Ordinances. There is no change to limitations on new subdivisions.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
9	Land use planning and controls: See the Goals and Policies: Land Use Element and Code of Ordinances Chapters 11, 12, 13, 14, and 21	WQ, Soils/SEZ, Trans, Scenic	Y	The Phase 2 Housing Amendments amend Chapter 13 to allow additional density and height in area plans.
10	Residential development priorities, The Individual Parcel Evaluation System (IPES): Goals and Policies: Implementation Element and Code of Ordinances Chapter 53	WQ, Soils/SEZ	N	TRPA's residential growth management provisions and Individual Parcel Evaluation System (IPES) will remain in effect and unchanged.
11	Limits on land coverage for new development: Goals and Policies: Land Use Element and Code of Ordinances Chapter 30	WQ, Soils/SEZ, Scenic	Y	The Phase 2 Housing Amendments amend Chapter 30 to allow up to 100% coverage in centers and up to 70% coverage within areas zoned for multi-family. Coverage transfer requirements remain in place with no changes. Projects will continue to be required to treat stormwater runoff from additional coverage either onsite through the use of BMPs or offsite by constructing or contributing to an area-wide stormwater treatment system.
12	Transfer of development: Goals and Policies: Land Use Element and Implementation Element	WQ, Soils/SEZ	Y	The Phase 2 Housing Amendments are consistent with the Regional Plan strategies to focus development near centers and transit. The amendments further incentive transfers of equal or more sensitive coverage onto higher-capability lands in and near centers. The amendments continue to incentivize development near transit and near town centers by supporting higher residential densities and reduced parking.
13	Restrictions on SEZ encroachment and vegetation alteration: <i>Code of Ordinances Chapters 30 and 61</i>	WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic	N	The amendments will not alter existing restrictions on SEZ encroachment and vegetation alteration in the TRPA Code of Ordinances, Chapters 30 and 61.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
14	SEZ restoration program: Environmental Improvement Program.	WQ, Soils/SEZ, Veg, Wildlife, Fish, Scenic	N	The amendments do not change policies and provisions that require the protection and restoration of SEZs.
15	SEZ setbacks: <i>Code of Ordinances</i> Chapter 53	WQ, Soils/SEZ, Veg, Wildlife, Fish	N	SEZ setback requirements in the TRPA Code of Ordinances, Chapter 53, Individual Parcel Evaluation System, Section 53.9, will not be altered by the amendments.
16	Fertilizer reporting requirements: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish, Rec	N	The amendments will not modify the Resource Management and Protection regulations, Chapters 60 through 68, of the TRPA Code of Ordinances. Thus, fertilizer reporting and water quality mitigation requirements will stay in effect.
17	Water quality mitigation: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
18	Restrictions on rate and/or amount of additional development	WQ, Soils/SEZ, Wildlife, Scenic	N	The Phase 2 Housing Amendments do not change the rate of allocation distribution or add any new development potential.
19	Improved BMP implementation/enforcement program	WQ, Soils/SEZ	Y	See response to Compliance Measures 1 through 4. The amendments may lead to increased BMP maintenance as there will be additional public oversight of BMP maintenance and compliance.
20	Increased funding for EIP projects for erosion and runoff control	WQ, Soils/SEZ	Y	The amendments would allow developers to have higher coverage in exchange for financial contributions to construct a new area-wide stormwater treatment system or participate in an existing area-wide stormwater treatment system.
21	Artificial wetlands/runoff treatment program	WQ, Soils/SEZ	N	There are no changes to the artificial wetlands/runoff treatment program proposed.
22	Transfer of development from SEZs	WQ, Soils/SEZ, Scenic	N	The amendments do not affect existing provisions regarding the transfer of development from SEZs.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
23	Improved mass transportation	WQ, Trans, Noise	Y	The amendments do not directly improve mass transportation, however they may indirectly support mass transportation systems by facilitating and better incentivizing new residential development in centers and multi-family areas that are in close proximity to transit, providing additional demand.
24	Redevelopment and redirection of land use: Goals and Policies: Land Use Element and Code of Ordinances Chapter 13	WQ, Soils/SEZ, Scenic	Y	The Phase 2 Housing Amendments specifically encourage the redirection of residential land uses to areas well-served by transit and services by allowing higher residential densities in centers and areas zoned for multi-family.
25	Combustion heater rules, stationary source controls, and related rules: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	The amendments do not alter existing TRPA Code of Ordinance provisions concerning combustion heaters, stationary source controls, sewage transport, treatment, or release, garbage or hazardous materials and waste.
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	
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 Code of Ordinances Chapter 60	WQ, Soils/SEZ	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments	
33	BMP implementation program, Snow and ice control practices: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, AQ	N	The amendments will not change BMP requirements. See response to Compliance Measures 1 through 4.	
34	Reporting requirements, highway abrasives and deicers: Goals and Policies, Land Use Element and Code of Ordinances Chapter 60	WQ, Soils/SEZ, Fish	N		
35	BMP implementation program--roads, trails, skidding, logging practices: <i>Code of Ordinances</i> Chapter 60, Chapter 61	WQ, Soils/SEZ, Fish	N		
36	BMP implementation program--outdoor recreation: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish, Rec	N		
37	BMP implementation program--livestock confinement and grazing: <i>Code of Ordinances</i> Chapter 21, Chapter 60, Chapter 64	WQ, Soils/SEZ, Veg, Wildlife, Fish	N		
38	BMP implementation program--pesticides	WQ, Soils/SEZ	N		
39	Land use planning and controls -- timber harvesting: <i>Code of Ordinances</i> Chapter 21	WQ, Soils/SEZ, AQ, Wildlife, Fish, Scenic	N		There are no changes to allowable timber harvesting requirements or permissibility as part of the amendments.
40	Land use planning and controls - outdoor recreation: <i>Code of Ordinances</i> Chapter 21	WQ, Soils/SEZ, Wildlife, Noise, Rec, Scenic	N		There are no changes to outdoor recreation requirements or permissibility as part of this proposal.

ID	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	There are no changes to off-road vehicle use as part of this proposal.
42	Control of encroachment and coverage in sensitive areas	WQ, Soils/SEZ, Wildlife, Rec, Scenic	N	No changes to coverage regulations or regulations related to encroachment into sensitive areas are included in the amendments.
43	Control on shorezone encroachment and vegetation alteration: <i>Code of Ordinances</i> Chapter 83	WQ, Soils/SEZ, Scenic	N	No changes are being proposed that would modify existing code provisions related to the shorezone or impact these compliance measures.
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	
49	Additional pump-out facilities: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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 amendments do not alter the list of exempt activities.
WATER QUALITY/SEZ – SUPPLEMENTAL				
52	More stringent SEZ encroachment rules	WQ, Soils/SEZ, Wildlife, Fish	N	The amendments do not include any provisions that would impact 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	Trans, Rec	N	As noted in Compliance Measure 23, above, the amendments do not change plans or goals

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
63	Fixed Route Transit - North Shore: TART	Trans, Rec	N	and policies related to transit or active transportation, but they will support transit indirectly by directing new residential development to areas served by transit and active transportation facilities. Projects may help implement bicycle and pedestrian infrastructure directly adjacent to where they are proposed.
64	Demand Responsive Transit - South Shore	Trans	N	
65	Seasonal Trolley Services - North and South Shores: South Shore TMA and Truckee-North Tahoe TMA	Trans, Rec	N	
66	Social Service Transportation	Trans	N	
67	Shuttle programs	Trans	N	
68	Ski shuttle services	Trans, Rec	N	
69	Intercity bus services	Trans	N	
70	Passenger Transit Facilities: South Y Transit Center	Trans	N	
71	Bikeways, Bike Trails	Trans, Noise, Rec, Scenic	N	
72	Pedestrian facilities	Trans, Rec, Scenic	N	
73	Wood heater controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	The amendments do not make any changes to wood or gas heater controls, or stationary source controls.
74	Gas heater controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
75	Stationary source controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
76	U.S. Postal Service Mail Delivery	Trans	N	The amendments do not include any provisions that would impact U.S. Postal Service Delivery.
77	Indirect source review/air quality mitigation: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	The amendments do not make any changes to indirect source review/air quality mitigation requirements, or idling restrictions.
78	Idling Restrictions: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
79	Vehicle Emission Limitations (State/Federal)	WQ, AQ	N	The amendments do not include any provisions related to vehicle emission limitations established by the State/Federal Government.
80	Open Burning Controls: <i>Code of Ordinances</i> Chapters 61 and Chapter 65	WQ, AQ, Scenic	N	The amendments do not make any changes to open burning controls.
81	BMP and Revegetation Practices	WQ, AQ, Wildlife, Fish	N	See response to Compliance Measures 1 through 4.
82	Employer-based Trip Reduction Programs: <i>Code of Ordinances</i> Chapter 65	Trans	N	The amendments do not make any changes to the employer-based trip reduction programs or vehicle rental programs described in Chapter 65.
83	Vehicle rental programs: <i>Code of Ordinances</i> Chapter 65	Trans	N	
84	Parking Standards	Trans	Y	The amendments reduce parking requirements for deed restricted housing and allow project applicants to determine adequate amount of parking for the project based on demand. The amendments do not make any changes related to parking management areas, parking fees, or parking facilities.
85	Parking Management Areas	Trans	N	
86	Parking Fees	Trans	N	
87	Parking Facilities	Trans	N	
88	Traffic Management Program - Tahoe City	Trans	N	The amendments do not make any changes that would impact 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.
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	

ID	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	See response to Compliance Measures 23, 62 through 97, and 1-4 (Road improvements, BMPs).
99	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	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
110	Parking Management Areas	Trans	N	
111	Parking Fees	Trans	N	
112	Establishment of Parking Task Force	Trans	N	
113	Construct parking facilities	Trans	N	
114	Intersection improvements--South Shore	Trans, Scenic	N	
115	Intersection improvements--North Shore	Trans, Scenic	N	
116	Roadway Improvements - South Shore	Trans, Scenic	N	
117	Roadway Improvements - North Shore	Trans, Scenic	N	
118	Loop Road - South Shore	Trans, Scenic	N	
119	Montreal Road Extension	Trans	N	
120	Kingsbury Connector	Trans	N	
121	Commercial Air Service: Part 132 commercial air service	Trans	N	
122	Commercial Air Service: commercial air service that does not require Part 132 certifications	Trans	N	
123	Expansion of waterborne excursion service	WQ, Trans	N	
124	Re-instate the oxygenated fuel program	WQ, AQ	N	
125	Management Programs	Trans	N	
126	Around the Lake Transit	Trans	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
VEGETATION - IN PLACE				
127	Vegetation Protection During Construction: <i>Code of Ordinances</i> Chapter 33	WQ, AQ, Veg, Scenic	N	The amendments will not alter the provisions of Chapter 33 in the TRPA Code of Ordinances.
128	Tree Removal: <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Scenic	N	The amendments do not alter tree removal, prescribed burning, vegetation management or plant protection and fire hazard reduction provisions of Chapter 61 of the Code.
129	Prescribed Burning: <i>Code of Ordinances</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	
133	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	WQ, Veg	N	
134	Handbook of Best Management Practices	WQ, Soils/SEZ, Veg, Fish	N	The Handbook of Best Management Practices will continue to be used to design and construct BMPs.
135	Shorezone protection	WQ, Soils/SEZ, Veg	N	See response to Compliance Measures 43 through 50.
136	Project Review	WQ, Veg	N	The amendments do not make any changes to the project review process or compliance inspections.
137	Compliance inspections	Veg	N	
138	Development Standards in the Backshore	WQ, Soils/SEZ, Veg, Wildlife, Scenic	N	See response to Compliance Measures 43 through 50.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
139	Land Coverage Standards: <i>Code of Ordinances</i> Chapter 30	WQ, Veg, Wildlife, Fish, Scenic	Y	See response to Compliance Measure 11.
140	Grass Lake, Research Natural Area	WQ, Veg, Wildlife, Fish, Scenic	N	N/A
141	Conservation Element, Vegetation Subelement: Goals and Policies	Veg, Wildlife, Fish	N	The amendments are consistent with the 2012 Regional Plan, including the Conservation Element and Vegetation Subelement Goals and Policies.
142	Late Successional Old Growth (LSOG): <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Fish	N	The amendments do not make any changes to provisions of Lake Successional Old Growth and Stream Environment Zone Vegetation.
143	Stream Environment Zone Vegetation: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife, Fish	N	
144	Tahoe Yellow Cress Conservation Strategy	Veg	N	The amendments do not impact efforts to conserve the Tahoe Yellow Cress.
145	Control and/or Eliminate Noxious Weeds	Veg, Wildlife	N	The amendments will not impact efforts to control or eliminate noxious weeks.
146	Freel Peak Cushion Plant Community Protection	Veg	N	N/A
VEGETATION – SUPPLEMENTAL				
147	Deepwater Plant Protection	WQ, Veg	N	See response to Compliance Measures 16 and 17 and 43 through 50.
WILDLIFE - IN PLACE				
148	Wildlife Resources: <i>Code of Ordinances</i> Chapter 62	Wildlife, Noise	N	See response to Compliance Measures 16 and 17.
149	Stream Restoration Program	WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic	N	The amendments do not include any changes to the Stream Restoration Program.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
150	BMP and revegetation practices	WQ, Veg, Wildlife, Fish, Scenic	N	The amendments do not include any changes to existing BMP and revegetation requirements.
151	OHV limitations	WQ, Soils/SEZ, AQ, Wildlife, Noise, Rec	N	The amendments do not include any changes to OHV limitations.
152	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	Wildlife	N	See response to Compliance Measure 133.
153	Project Review	Wildlife	N	See response to Compliance Measure 136 and 137.
FISHERIES - IN PLACE				
156	Fish Resources: <i>Code of Ordinances</i> Chapter 63	WQ, Fish	N	See response to Compliance Measures 16 and 17.
157	Tree Removal: <i>Code of Ordinances</i> Chapter 61	Wildlife, Fish	N	The 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	
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	See response to Compliance Measures 16 and 17.
162	SEZ Restoration Program	WQ, Soils/SEZ, Fish	N	See response to Compliance Measure 14.
163	Stream restoration program	WQ, Soils/SEZ, Fish	N	See response to Compliance Measures 16 and 17.
164	Riparian restoration	WQ, Soils/SEZ, Fish	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
165	Livestock: <i>Code of Ordinances</i> Chapter 64	WQ, Soils/SEZ, Fish	N	
166	BMP and revegetation practices	WQ, Fish	N	See response to Compliance Measures 1 through 4.
167	Fish habitat study	Fish	N	See response to Compliance Measures 16 and 17.
168	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	Fish	N	See response to Compliance Measure 133.
169	Mitigation Fee Requirements: <i>Code of Ordinances</i> Chapter 86	Fish	N	The mitigation fee requirements formerly in Chapter 86 of the TRPA Code of Ordinances (now in the Rules of Procedure) are not being modified.
170	Compliance inspection	Fish	N	The amendments are not modifying existing compliance or inspection programs or provisions.
171	Public Education Program	Wildlife, Fish	N	The amendments do not make any changes to education and outreach efforts for wildlife and fish.
NOISE - IN PLACE				
172	Airport noise enforcement program	Wildlife, Fish	N	The amendments are not modifying existing enforcement programs.
173	Boat noise enforcement program	Wildlife, Fish, Rec	N	
174	Motor vehicle/motorcycle noise enforcement program: <i>Code of Ordinances</i> Chapters 5 and 23	Wildlife, Fish	N	
175	ORV restrictions	AQ, Wildlife, Noise, Rec	N	The amendments are not modifying existing ORV or snowmobile conditions.
176	Snowmobile Restrictions	WQ, Wildlife, Noise, Rec	N	
177	Land use planning and controls	Wildlife, Noise	N	See response to Compliance Measure 9. There are no changes to allowed uses.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
178	Vehicle trip reduction programs	Trans, Noise	N	The amendments do not make any changes to vehicle trip reduction programs. Developments may provide trip reduction strategies as part of the project in order to reduce the demand for parking.
179	Transportation corridor design criteria	Trans, Noise	N	The amendments do not make any changes to transportation corridor design criteria.
180	Airport Master Plan South Lake Tahoe	Trans, Noise	N	N/A
181	Loudspeaker restrictions	Wildlife, Noise	N	The amendments are not modifying loudspeaker restrictions.
182	Project Review	Noise	N	See response to Compliance Measures 136 and 137.
183	Complaint system: <i>Code of Ordinances</i> Chapters 5 and 68	Noise	N	Existing complaint systems are not being modified by the amendments.
184	Transportation corridor compliance program	Trans, Noise	N	None of these compliance measures will be modified with the proposal.
185	Exemptions to noise limitations	Noise	N	
186	TRPA's Environmental Improvement Program (EIP)	Noise	N	
187	Personal watercraft noise controls	Wildlife, Noise	N	
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 this set of amendments.
RECREATION - IN PLACE				
189	Allocation of Development: <i>Code of Ordinances</i> Chapter 50	Rec	N	See response to Compliance Measures 10 and 18. There are no changes to the allocation of development.
190	Master Plan Guidelines: <i>Code of Ordinances</i> Chapter 14	Rec, Scenic	N	No changes to master plans requirements are included as part of this amendment.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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 amendments are not altering provisions regarding public outdoor recreation in sensitive lands.
193	Hiking and riding facilities	Rec	N	The amendments are not altering where hiking and riding facilities are permissible. See also Compliance Measure 40.
194	Scenic quality of recreation facilities	Rec, Scenic	N	The amendments do not include any changes to provisions related to scenic quality of recreation facilities.
195	Density standards	Rec	Y	The amendments exempt 100% deed restricted affordable, moderate, or achievable housing developments that use bonus units from existing density standards in Table 31.3.2.
196	Bonus incentive program	Rec	N	The amendments do not change the amount of bonus units available or where they can be distributed. The amendments would encourage more dense bonus unit distribution in town centers and areas already zoned for multi-family.
197	Required Findings: <i>Code of Ordinances</i> Chapter 4	Rec	N	The amendments do not affect required findings.
198	Lake Tahoe Recreation Sign Guidelines	Rec, Scenic	N	The amendments will not impact the Lake Tahoe Recreation Sign Guidelines.
199	Annual user surveys	Rec	N	The amendments will not affect user surveys.
RECREATION – SUPPLEMENTAL				
200	Regional recreational plan	Rec	N	The amendments do not modify any portion of the Goals and Policies in the Regional Recreation Plan, which is the Recreation Element in the Regional Plan.
201	Establish fairshare resource capacity estimates	Rec	N	The amendments do not establish or alter fair share resource capacity estimates, alter reservations of additional resource capacity, or include economic modeling.
202	Reserve additional resource capacity	Rec	N	
203	Economic Modeling	Rec	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
SCENIC - IN PLACE				
204	Project Review and Exempt Activities: <i>Code of Ordinances</i> Chapter 2	Scenic	N	See response to Compliance Measures 136 and 137.
205	Land Coverage Limitations: <i>Code of Ordinances</i> Chapter 30	WQ, Scenic	Y	See response to Compliance Measure 11.
206	Height Standards: <i>Code of Ordinances</i> Chapter 37	Scenic	Y	The amendments would allow an additional nine feet of height in town centers, an additional 11 feet of height on parcels adjacent and contiguous to town centers and more flexible roof pitch in areas zoned for multi-family housing. Projects must make specific findings that prevent view obstruction and scenic impacts, require building articulation and step backs, and prevent shadows on adjacent buildings.
207	Driveway and Parking Standards: <i>Code of Ordinances</i> Chapter 34	Trans, Scenic	Y	See response to compliance measure 84-87.
208	Signs: <i>Code of Ordinances</i> Chapter 38	Scenic	N	The amendments do not make changes to design standards and guidelines relating to signage.
209	Historic Resources: <i>Code of Ordinances</i> Chapter 67	Scenic	N	See response to Compliance Measures 16 and 17.
210	Design Standards: <i>Code of Ordinances</i> Chapter 36	Scenic	Y	The amendments add design standards in Chapter 36 for mixed-use developments with a residential component that is 100% deed restricted affordable, moderate, or achievable. The standards ensure that the ground floor of the development is public, and promotes pedestrian accessibility and parking is designed to limit pedestrian conflict.
211	Shorezone Tolerance Districts and Development Standards: <i>Code of Ordinances</i> Chapter 83	Scenic	N	See response to Compliance Measures 43 through 50.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
212	Development Standards Lakeward of Highwater: <i>Code of Ordinances</i> Chapter 84	WQ, Scenic	N	
213	Grading Standards: <i>Code of Ordinances</i> Chapter 33	WQ, Scenic	N	Grading and vegetation protection during construction shall continue to meet the provisions of the TRPA Code of Ordinances, Chapter 33, Grading and Construction.
214	Vegetation Protection During Construction: <i>Code of Ordinances</i> Chapter 33	AQ, Veg, Scenic	N	
215	Revegetation: <i>Code of Ordinances</i> Chapter 61	Scenic	N	See response to Compliance Measures 16 and 17.
216	Design Review Guidelines	Scenic	N	The amendments do not make any changes to the Design Review Guidelines. Projects will continue to be subject to the Design Review Guidelines during application review.
217	Scenic Quality Improvement Program(SQIP)	Scenic	N	The amendments do not conflict with the SQIP and are not anticipated to impact scenic ratings. The recommendations could improve scenic quality ratings as new projects undergoing redevelopment along scenic resource areas will provide an opportunity to improve scenic quality ratings.
218	Project Review Information Packet	Scenic	N	
219	Scenic Quality Ratings, Features Visible from Bike Paths and Outdoor Recreation Areas Open to the General Public	Trans, Scenic	N	
220	Nevada-side Utility Line Undergrounding Program	Scenic	N	N/A
SCENIC – SUPPLEMENTAL				
221	Real Time Monitoring Program	Scenic	N	No changes to the real time monitoring program are being proposed.
222	Integrate project identified in SQIP	Scenic	N	The amendment does not include projects identified in the SQIP.

Exhibit 2 - COMPLIANCE MEASURES PHASE 2 HOUSING AMENDMENTS

ID	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 BMP requirements and implementation programs. The amendments would go further in ensuring that stormwater is treated onsite through the involvement of a public entity to manage and maintain private BMPs.
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 Improvements Program for Erosion and Runoff Control	WQ, Soils/SEZ, Trans, Fish	N	The proposed amendments make no changes to policies that would impact the Capital Improvement Program for Erosion and Runoff Control.
6	Excess land coverage mitigation program: <i>Code of Ordinances</i> Chapter 30	WQ, Soils/SEZ	N	The proposed amendments do not change excess mitigation requirements.
7	Effluent (Discharge) limitations: California (SWRCB, Lahontan Board) and Nevada (NDEP): <i>Code of Ordinances</i> Chapter 60	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	New subdivisions will continue to be limited by the provisions in Chapter 39, Subdivision, of the TRPA Code of Ordinances. There is no change to limitations on new subdivisions.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
9	Land use planning and controls: See the Goals and Policies: Land Use Element and Code of Ordinances Chapters 11, 12, 13, 14, and 21	WQ, Soils/SEZ, Trans, Scenic	Y	The Phase 2 Housing Amendments amend Chapter 13 to allow additional density and height in area plans.
10	Residential development priorities, The Individual Parcel Evaluation System (IPES): Goals and Policies: Implementation Element and Code of Ordinances Chapter 53	WQ, Soils/SEZ	N	TRPA's residential growth management provisions and Individual Parcel Evaluation System (IPES) will remain in effect and unchanged.
11	Limits on land coverage for new development: Goals and Policies: Land Use Element and Code of Ordinances Chapter 30	WQ, Soils/SEZ, Scenic	Y	The Phase 2 Housing Amendments amend Chapter 30 to allow up to 100% coverage in centers and up to 70% coverage within areas zoned for multi-family. Coverage transfer requirements remain in place with no changes. Projects will continue to be required to treat stormwater runoff from additional coverage either onsite through the use of BMPs or offsite by constructing or contributing to an area-wide stormwater treatment system.
12	Transfer of development: Goals and Policies: Land Use Element and Implementation Element	WQ, Soils/SEZ	Y	The Phase 2 Housing Amendments are consistent with the Regional Plan strategies to focus development near centers and transit. The amendments further incentive transfers of equal or more sensitive coverage onto higher-capability lands in and near centers. The amendments continue to incentivize development near transit and near town centers by supporting higher residential densities and reduced parking.
13	Restrictions on SEZ encroachment and vegetation alteration: <i>Code of Ordinances Chapters 30 and 61</i>	WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic	N	The amendments will not alter existing restrictions on SEZ encroachment and vegetation alteration in the TRPA Code of Ordinances, Chapters 30 and 61.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
14	SEZ restoration program: Environmental Improvement Program.	WQ, Soils/SEZ, Veg, Wildlife, Fish, Scenic	N	The amendments do not change policies and provisions that require the protection and restoration of SEZs.
15	SEZ setbacks: <i>Code of Ordinances</i> Chapter 53	WQ, Soils/SEZ, Veg, Wildlife, Fish	N	SEZ setback requirements in the TRPA Code of Ordinances, Chapter 53, Individual Parcel Evaluation System, Section 53.9, will not be altered by the amendments.
16	Fertilizer reporting requirements: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish, Rec	N	The amendments will not modify the Resource Management and Protection regulations, Chapters 60 through 68, of the TRPA Code of Ordinances. Thus, fertilizer reporting and water quality mitigation requirements will stay in effect.
17	Water quality mitigation: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
18	Restrictions on rate and/or amount of additional development	WQ, Soils/SEZ, Wildlife, Scenic	N	The Phase 2 Housing Amendments do not change the rate of allocation distribution or add any new development potential.
19	Improved BMP implementation/enforcement program	WQ, Soils/SEZ	Y	See response to Compliance Measures 1 through 4. The amendments may lead to increased BMP maintenance as there will be additional public oversight of BMP maintenance and compliance.
20	Increased funding for EIP projects for erosion and runoff control	WQ, Soils/SEZ	Y	The amendments would allow developers to have higher coverage in exchange for financial contributions to construct a new area-wide stormwater treatment system or participate in an existing area-wide stormwater treatment system.
21	Artificial wetlands/runoff treatment program	WQ, Soils/SEZ	N	There are no changes to the artificial wetlands/runoff treatment program proposed.
22	Transfer of development from SEZs	WQ, Soils/SEZ, Scenic	N	The amendments do not affect existing provisions regarding the transfer of development from SEZs.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
23	Improved mass transportation	WQ, Trans, Noise	Y	The amendments do not directly improve mass transportation, however they may indirectly support mass transportation systems by facilitating and better incentivizing new residential development in centers and multi-family areas that are in close proximity to transit, providing additional demand.
24	Redevelopment and redirection of land use: Goals and Policies: Land Use Element and Code of Ordinances Chapter 13	WQ, Soils/SEZ, Scenic	Y	The Phase 2 Housing Amendments specifically encourage the redirection of residential land uses to areas well-served by transit and services by allowing higher residential densities in centers and areas zoned for multi-family.
25	Combustion heater rules, stationary source controls, and related rules: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	The amendments do not alter existing TRPA Code of Ordinance provisions concerning combustion heaters, stationary source controls, sewage transport, treatment, or release, garbage or hazardous materials and waste.
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	
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 Code of Ordinances Chapter 60	WQ, Soils/SEZ	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments	
33	BMP implementation program, Snow and ice control practices: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, AQ	N	The amendments will not change BMP requirements. See response to Compliance Measures 1 through 4.	
34	Reporting requirements, highway abrasives and deicers: Goals and Policies;, Land Use Element and Code of Ordinances Chapter 60	WQ, Soils/SEZ, Fish	N		
35	BMP implementation program--roads, trails, skidding, logging practices: <i>Code of Ordinances</i> Chapter 60, Chapter 61	WQ, Soils/SEZ, Fish	N		
36	BMP implementation program--outdoor recreation: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish, Rec	N		
37	BMP implementation program--livestock confinement and grazing: <i>Code of Ordinances</i> Chapter 21, Chapter 60, Chapter 64	WQ, Soils/SEZ, Veg, Wildlife, Fish	N		
38	BMP implementation program--pesticides	WQ, Soils/SEZ	N		
39	Land use planning and controls -- timber harvesting: <i>Code of Ordinances</i> Chapter 21	WQ, Soils/SEZ, AQ, Wildlife, Fish, Scenic	N		There are no changes to allowable timber harvesting requirements or permissibility as part of the amendments.
40	Land use planning and controls - outdoor recreation: <i>Code of Ordinances</i> Chapter 21	WQ, Soils/SEZ, Wildlife, Noise, Rec, Scenic	N		There are no changes to outdoor recreation requirements or permissibility as part of this proposal.

ID	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	There are no changes to off-road vehicle use as part of this proposal.
42	Control of encroachment and coverage in sensitive areas	WQ, Soils/SEZ, Wildlife, Rec, Scenic	N	No changes to coverage regulations or regulations related to encroachment into sensitive areas are included in the amendments.
43	Control on shorezone encroachment and vegetation alteration: <i>Code of Ordinances</i> Chapter 83	WQ, Soils/SEZ, Scenic	N	No changes are being proposed that would modify existing code provisions related to the shorezone or impact these compliance measures.
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	
49	Additional pump-out facilities: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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 amendments do not alter the list of exempt activities.
WATER QUALITY/SEZ – SUPPLEMENTAL				
52	More stringent SEZ encroachment rules	WQ, Soils/SEZ, Wildlife, Fish	N	The amendments do not include any provisions that would impact 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	Trans, Rec	N	As noted in Compliance Measure 23, above, the amendments do not change plans or goals

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
63	Fixed Route Transit - North Shore: TART	Trans, Rec	N	and policies related to transit or active transportation, but they will support transit indirectly by directing new residential development to areas served by transit and active transportation facilities. Projects may help implement bicycle and pedestrian infrastructure directly adjacent to where they are proposed.
64	Demand Responsive Transit - South Shore	Trans	N	
65	Seasonal Trolley Services - North and South Shores: South Shore TMA and Truckee-North Tahoe TMA	Trans, Rec	N	
66	Social Service Transportation	Trans	N	
67	Shuttle programs	Trans	N	
68	Ski shuttle services	Trans, Rec	N	
69	Intercity bus services	Trans	N	
70	Passenger Transit Facilities: South Y Transit Center	Trans	N	
71	Bikeways, Bike Trails	Trans, Noise, Rec, Scenic	N	
72	Pedestrian facilities	Trans, Rec, Scenic	N	
73	Wood heater controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
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	
76	U.S. Postal Service Mail Delivery	Trans	N	The amendments do not include any provisions that would impact U.S. Postal Service Delivery.
77	Indirect source review/air quality mitigation: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	The amendments do not make any changes to indirect source review/air quality mitigation requirements, or idling restrictions.
78	Idling Restrictions: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
79	Vehicle Emission Limitations (State/Federal)	WQ, AQ	N	The amendments do not include any provisions related to vehicle emission limitations established by the State/Federal Government.
80	Open Burning Controls: <i>Code of Ordinances</i> Chapters 61 and Chapter 65	WQ, AQ, Scenic	N	The amendments do not make any changes to open burning controls.
81	BMP and Revegetation Practices	WQ, AQ, Wildlife, Fish	N	See response to Compliance Measures 1 through 4.
82	Employer-based Trip Reduction Programs: <i>Code of Ordinances</i> Chapter 65	Trans	N	The amendments do not make any changes to the employer-based trip reduction programs or vehicle rental programs described in Chapter 65.
83	Vehicle rental programs: <i>Code of Ordinances</i> Chapter 65	Trans	N	
84	Parking Standards	Trans	Y	The amendments reduce parking requirements for deed restricted housing and allow project applicants to determine adequate amount of parking for the project based on demand. The amendments do not make any changes related to parking management areas, parking fees, or parking facilities.
85	Parking Management Areas	Trans	N	
86	Parking Fees	Trans	N	
87	Parking Facilities	Trans	N	
88	Traffic Management Program - Tahoe City	Trans	N	The amendments do not make any changes that would impact 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.
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	

ID	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	See response to Compliance Measures 23, 62 through 97, and 1-4 (Road improvements, BMPs).
99	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	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
110	Parking Management Areas	Trans	N	
111	Parking Fees	Trans	N	
112	Establishment of Parking Task Force	Trans	N	
113	Construct parking facilities	Trans	N	
114	Intersection improvements--South Shore	Trans, Scenic	N	
115	Intersection improvements--North Shore	Trans, Scenic	N	
116	Roadway Improvements - South Shore	Trans, Scenic	N	
117	Roadway Improvements - North Shore	Trans, Scenic	N	
118	Loop Road - South Shore	Trans, Scenic	N	
119	Montreal Road Extension	Trans	N	
120	Kingsbury Connector	Trans	N	
121	Commercial Air Service: Part 132 commercial air service	Trans	N	
122	Commercial Air Service: commercial air service that does not require Part 132 certifications	Trans	N	
123	Expansion of waterborne excursion service	WQ, Trans	N	
124	Re-instate the oxygenated fuel program	WQ, AQ	N	
125	Management Programs	Trans	N	
126	Around the Lake Transit	Trans	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
VEGETATION - IN PLACE				
127	Vegetation Protection During Construction: <i>Code of Ordinances</i> Chapter 33	WQ, AQ, Veg, Scenic	N	The amendments will not alter the provisions of Chapter 33 in the TRPA Code of Ordinances.
128	Tree Removal: <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Scenic	N	The amendments do not alter tree removal, prescribed burning, vegetation management or plant protection and fire hazard reduction provisions of Chapter 61 of the Code.
129	Prescribed Burning: <i>Code of Ordinances</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	
133	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	WQ, Veg	N	
134	Handbook of Best Management Practices	WQ, Soils/SEZ, Veg, Fish	N	The Handbook of Best Management Practices will continue to be used to design and construct BMPs.
135	Shorezone protection	WQ, Soils/SEZ, Veg	N	See response to Compliance Measures 43 through 50.
136	Project Review	WQ, Veg	N	The amendments do not make any changes to the project review process or compliance inspections.
137	Compliance inspections	Veg	N	
138	Development Standards in the Backshore	WQ, Soils/SEZ, Veg, Wildlife, Scenic	N	See response to Compliance Measures 43 through 50.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
139	Land Coverage Standards: <i>Code of Ordinances</i> Chapter 30	WQ, Veg, Wildlife, Fish, Scenic	Y	See response to Compliance Measure 11.
140	Grass Lake, Research Natural Area	WQ, Veg, Wildlife, Fish, Scenic	N	N/A
141	Conservation Element, Vegetation Subelement: Goals and Policies	Veg, Wildlife, Fish	N	The amendments are consistent with the 2012 Regional Plan, including the Conservation Element and Vegetation Subelement Goals and Policies.
142	Late Successional Old Growth (LSOG): <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Fish	N	The amendments do not make any changes to provisions of Lake Successional Old Growth and Stream Environment Zone Vegetation.
143	Stream Environment Zone Vegetation: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife, Fish	N	
144	Tahoe Yellow Cress Conservation Strategy	Veg	N	The amendments do not impact efforts to conserve the Tahoe Yellow Cress.
145	Control and/or Eliminate Noxious Weeds	Veg, Wildlife	N	The amendments will not impact efforts to control or eliminate noxious weeks.
146	Freel Peak Cushion Plant Community Protection	Veg	N	N/A
VEGETATION – SUPPLEMENTAL				
147	Deepwater Plant Protection	WQ, Veg	N	See response to Compliance Measures 16 and 17 and 43 through 50.
WILDLIFE - IN PLACE				
148	Wildlife Resources: <i>Code of Ordinances</i> Chapter 62	Wildlife, Noise	N	See response to Compliance Measures 16 and 17.
149	Stream Restoration Program	WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic	N	The amendments do not include any changes to the Stream Restoration Program.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
150	BMP and revegetation practices	WQ, Veg, Wildlife, Fish, Scenic	N	The amendments do not include any changes to existing BMP and revegetation requirements.
151	OHV limitations	WQ, Soils/SEZ, AQ, Wildlife, Noise, Rec	N	The amendments do not include any changes to OHV limitations.
152	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	Wildlife	N	See response to Compliance Measure 133.
153	Project Review	Wildlife	N	See response to Compliance Measure 136 and 137.
FISHERIES - IN PLACE				
156	Fish Resources: <i>Code of Ordinances</i> Chapter 63	WQ, Fish	N	See response to Compliance Measures 16 and 17.
157	Tree Removal: <i>Code of Ordinances</i> Chapter 61	Wildlife, Fish	N	The 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	
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	See response to Compliance Measures 16 and 17.
162	SEZ Restoration Program	WQ, Soils/SEZ, Fish	N	See response to Compliance Measure 14.
163	Stream restoration program	WQ, Soils/SEZ, Fish	N	See response to Compliance Measures 16 and 17.
164	Riparian restoration	WQ, Soils/SEZ, Fish	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
165	Livestock: <i>Code of Ordinances</i> Chapter 64	WQ, Soils/SEZ, Fish	N	
166	BMP and revegetation practices	WQ, Fish	N	See response to Compliance Measures 1 through 4.
167	Fish habitat study	Fish	N	See response to Compliance Measures 16 and 17.
168	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	Fish	N	See response to Compliance Measure 133.
169	Mitigation Fee Requirements: <i>Code of Ordinances</i> Chapter 86	Fish	N	The mitigation fee requirements formerly in Chapter 86 of the TRPA Code of Ordinances (now in the Rules of Procedure) are not being modified.
170	Compliance inspection	Fish	N	The amendments are not modifying existing compliance or inspection programs or provisions.
171	Public Education Program	Wildlife, Fish	N	The amendments do not make any changes to education and outreach efforts for wildlife and fish.
NOISE - IN PLACE				
172	Airport noise enforcement program	Wildlife, Fish	N	The amendments are not modifying existing enforcement programs.
173	Boat noise enforcement program	Wildlife, Fish, Rec	N	
174	Motor vehicle/motorcycle noise enforcement program: <i>Code of Ordinances</i> Chapters 5 and 23	Wildlife, Fish	N	
175	ORV restrictions	AQ, Wildlife, Noise, Rec	N	The amendments are not modifying existing ORV or snowmobile conditions.
176	Snowmobile Restrictions	WQ, Wildlife, Noise, Rec	N	
177	Land use planning and controls	Wildlife, Noise	N	See response to Compliance Measure 9. There are no changes to allowed uses.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
178	Vehicle trip reduction programs	Trans, Noise	N	The amendments do not make any changes to vehicle trip reduction programs. Developments may provide trip reduction strategies as part of the project in order to reduce the demand for parking.
179	Transportation corridor design criteria	Trans, Noise	N	The amendments do not make any changes to transportation corridor design criteria.
180	Airport Master Plan South Lake Tahoe	Trans, Noise	N	N/A
181	Loudspeaker restrictions	Wildlife, Noise	N	The amendments are not modifying loudspeaker restrictions.
182	Project Review	Noise	N	See response to Compliance Measures 136 and 137.
183	Complaint system: <i>Code of Ordinances</i> Chapters 5 and 68	Noise	N	Existing complaint systems are not being modified by the amendments.
184	Transportation corridor compliance program	Trans, Noise	N	None of these compliance measures will be modified with the proposal.
185	Exemptions to noise limitations	Noise	N	
186	TRPA's Environmental Improvement Program (EIP)	Noise	N	
187	Personal watercraft noise controls	Wildlife, Noise	N	
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 this set of amendments.
RECREATION - IN PLACE				
189	Allocation of Development: <i>Code of Ordinances</i> Chapter 50	Rec	N	See response to Compliance Measures 10 and 18. There are no changes to the allocation of development.
190	Master Plan Guidelines: <i>Code of Ordinances</i> Chapter 14	Rec, Scenic	N	No changes to master plans requirements are included as part of this amendment.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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 amendments are not altering provisions regarding public outdoor recreation in sensitive lands.
193	Hiking and riding facilities	Rec	N	The amendments are not altering where hiking and riding facilities are permissible. See also Compliance Measure 40.
194	Scenic quality of recreation facilities	Rec, Scenic	N	The amendments do not include any changes to provisions related to scenic quality of recreation facilities.
195	Density standards	Rec	Y	The amendments exempt 100% deed restricted affordable, moderate, or achievable housing developments that use bonus units from existing density standards in Table 31.3.2.
196	Bonus incentive program	Rec	N	The amendments do not change the amount of bonus units available or where they can be distributed. The amendments would encourage more dense bonus unit distribution in town centers and areas already zoned for multi-family.
197	Required Findings: <i>Code of Ordinances</i> Chapter 4	Rec	N	The amendments do not affect required findings.
198	Lake Tahoe Recreation Sign Guidelines	Rec, Scenic	N	The amendments will not impact the Lake Tahoe Recreation Sign Guidelines.
199	Annual user surveys	Rec	N	The amendments will not affect user surveys.
RECREATION – SUPPLEMENTAL				
200	Regional recreational plan	Rec	N	The amendments do not modify any portion of the Goals and Policies in the Regional Recreation Plan, which is the Recreation Element in the Regional Plan.
201	Establish fairshare resource capacity estimates	Rec	N	The amendments do not establish or alter fair share resource capacity estimates, alter reservations of additional resource capacity, or include economic modeling.
202	Reserve additional resource capacity	Rec	N	
203	Economic Modeling	Rec	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
SCENIC - IN PLACE				
204	Project Review and Exempt Activities: <i>Code of Ordinances</i> Chapter 2	Scenic	N	See response to Compliance Measures 136 and 137.
205	Land Coverage Limitations: <i>Code of Ordinances</i> Chapter 30	WQ, Scenic	Y	See response to Compliance Measure 11.
206	Height Standards: <i>Code of Ordinances</i> Chapter 37	Scenic	Y	The amendments would allow an additional nine feet of height in town centers, an additional 11 feet of height on parcels adjacent and contiguous to town centers and more flexible roof pitch in areas zoned for multi-family housing. Projects must make specific findings that prevent view obstruction and scenic impacts, require building articulation and step backs, and prevent shadows on adjacent buildings.
207	Driveway and Parking Standards: <i>Code of Ordinances</i> Chapter 34	Trans, Scenic	Y	See response to compliance measure 84-87.
208	Signs: <i>Code of Ordinances</i> Chapter 38	Scenic	N	The amendments do not make changes to design standards and guidelines relating to signage.
209	Historic Resources: <i>Code of Ordinances</i> Chapter 67	Scenic	N	See response to Compliance Measures 16 and 17.
210	Design Standards: <i>Code of Ordinances</i> Chapter 36	Scenic	Y	The amendments add design standards in Chapter 36 for mixed-use developments with a residential component that is 100% deed restricted affordable, moderate, or achievable. The standards ensure that the ground floor of the development is public, and promotes pedestrian accessibility and parking is designed to limit pedestrian conflict.
211	Shorezone Tolerance Districts and Development Standards: <i>Code of Ordinances</i> Chapter 83	Scenic	N	See response to Compliance Measures 43 through 50.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
212	Development Standards Lakeward of Highwater: <i>Code of Ordinances</i> Chapter 84	WQ, Scenic	N	
213	Grading Standards: <i>Code of Ordinances</i> Chapter 33	WQ, Scenic	N	Grading and vegetation protection during construction shall continue to meet the provisions of the TRPA Code of Ordinances, Chapter 33, Grading and Construction.
214	Vegetation Protection During Construction: <i>Code of Ordinances</i> Chapter 33	AQ, Veg, Scenic	N	
215	Revegetation: <i>Code of Ordinances</i> Chapter 61	Scenic	N	See response to Compliance Measures 16 and 17.
216	Design Review Guidelines	Scenic	N	The amendments do not make any changes to the Design Review Guidelines. Projects will continue to be subject to the Design Review Guidelines during application review.
217	Scenic Quality Improvement Program(SQIP)	Scenic	N	The amendments do not conflict with the SQIP and are not anticipated to impact scenic ratings. The recommendations could improve scenic quality ratings as new projects undergoing redevelopment along scenic resource areas will provide an opportunity to improve scenic quality ratings.
218	Project Review Information Packet	Scenic	N	
219	Scenic Quality Ratings, Features Visible from Bike Paths and Outdoor Recreation Areas Open to the General Public	Trans, Scenic	N	
220	Nevada-side Utility Line Undergrounding Program	Scenic	N	N/A
SCENIC – SUPPLEMENTAL				
221	Real Time Monitoring Program	Scenic	N	No changes to the real time monitoring program are being proposed.
222	Integrate project identified in SQIP	Scenic	N	The amendment does not include projects identified in the SQIP.

Attachment B
Table of Phase 2 Housing Amendments and Rationale

Regional Plan Amendments

Section	Rationale	Proposed Code Language <u>(new language shown in Track Changes)</u>																				
LU-2.11	Amend coverage policies to allow higher than 70% coverage in centers with transfer of coverage.	<p>LU-2.10 Allowed Base Land Coverage for all new projects and activities shall be calculated by applying the Bailey Coefficients, as shown below, to the applicable area within the parcel boundary, or as otherwise set forth in A, B, and C, of this policy.</p> <table border="1" data-bbox="758 467 1772 997"> <thead> <tr> <th data-bbox="758 467 1373 558">LAND CAPABILITY DISTRICT</th> <th data-bbox="1377 467 1772 558">MAXIMUM ALLOWED LAND COVERAGE</th> </tr> </thead> <tbody> <tr> <td data-bbox="758 561 1373 607">1a</td> <td data-bbox="1377 561 1772 607">1 percent</td> </tr> <tr> <td data-bbox="758 610 1373 656">1b</td> <td data-bbox="1377 610 1772 656">1 percent</td> </tr> <tr> <td data-bbox="758 659 1373 704">1c</td> <td data-bbox="1377 659 1772 704">1 percent</td> </tr> <tr> <td data-bbox="758 708 1373 753">2</td> <td data-bbox="1377 708 1772 753">1 percent</td> </tr> <tr> <td data-bbox="758 756 1373 802">3</td> <td data-bbox="1377 756 1772 802">5 percent</td> </tr> <tr> <td data-bbox="758 805 1373 850">4</td> <td data-bbox="1377 805 1772 850">20 percent</td> </tr> <tr> <td data-bbox="758 854 1373 899">5</td> <td data-bbox="1377 854 1772 899">25 percent</td> </tr> <tr> <td data-bbox="758 902 1373 948">6</td> <td data-bbox="1377 902 1772 948">30 percent</td> </tr> <tr> <td data-bbox="758 951 1373 997">7</td> <td data-bbox="1377 951 1772 997">30 percent</td> </tr> </tbody> </table> <p data-bbox="1801 496 2072 1024"> A. In the case of subdivisions approved by TRPA in conformance with the coefficients coverages assigned to individual lots shall be the allowed base coverage for those lots. A list of such TRPA-approved subdivisions appears in Attachment 2 B. In the case of existing planned unit </p> <p data-bbox="835 1032 2072 1130"> developments (PUDs) not in conformance with the coefficients, the coefficients shall apply to the entire project area minus public rights-of-way, and the allowed base coverage shall be apportioned to the individual lots or building sites, and common area facilities. A list of such PUDs appears in Attachment 3 </p> <p data-bbox="789 1138 2072 1308"> C. After December 31, 1988, for vacant residential parcels evaluated under the Individual Parcel Evaluation System (IPES), the allowable base land coverage shall be a function of a parcel's combined score under the IPES criteria for relative erosion hazard and runoff potential as correlated with the above coefficients and applied to the designated evaluation area. The method of calculation of allowed land coverages shall be detailed in the implementing ordinances consistent with the above policy. </p> <p data-bbox="737 1349 1955 1414"> LU-2.11 The allowed coverage in policy LU-2.10 may be increased by transfer of land coverage within hydrologically related areas up to the limits as set forth in this policy: </p>	LAND CAPABILITY DISTRICT	MAXIMUM ALLOWED LAND COVERAGE	1a	1 percent	1b	1 percent	1c	1 percent	2	1 percent	3	5 percent	4	20 percent	5	25 percent	6	30 percent	7	30 percent
LAND CAPABILITY DISTRICT	MAXIMUM ALLOWED LAND COVERAGE																					
1a	1 percent																					
1b	1 percent																					
1c	1 percent																					
2	1 percent																					
3	5 percent																					
4	20 percent																					
5	25 percent																					
6	30 percent																					
7	30 percent																					

Special provisions for additional coverage, such as exceptionally long driveways, pervious coverage, public trails and access for the disabled, may also be allowed, Ordinances shall specifically limit and define these programs.

Land coverage may be transferred through programs that are further described in the implementation element. Notwithstanding the limitation stated above, land coverage may be transferred across hydrologically related areas when existing hard or soft coverage is transferred and retired from sensitive land transferred to non-sensitive land further than 300 feet from the high water line of Lake Tahoe, or on the landward side of Highways 28 or 89 in the Tahoe City of Kings Beach Town Centers.

The intent of the land coverage transfer programs is to allow greater flexibility in the placement of land coverage. Such programs include the use of land banks, lot consolidation, land coverage restoration programs, [programs to encourage concentration of development](#), and transfer programs based on the calculation of land coverage on non-contiguous parcels. The coverage transfer programs allow for coverage over base coverage to be permitted and still be consistent with the soils threshold and Goal LU-2 of this Subelement.

- A. Single Family Residential: The maximum land coverage allowed (Base + Transfer) on a parcel through a transfer program shall be as set forth below:

Parcel Size (Square Feet)

Land Coverage

0 - 4,000

Base Land Coverage
as Set Forth in *Policy LU-2.10*

4,001 - 9,000

1,800 sq. ft.

		<u>Parcel Size (Square Feet)</u>	<u>Land Coverage</u>
		9,001 - 14,000	20 percent
		14,001 - 16,000	2,900 sq. ft.
		16,001 - 20,000	3,000 sq. ft.
		20,001 - 25,000	3,100 sq. ft.
		25,001 - 30,000	3,200 sq. ft.
		30,001 - 40,000	3,300 sq. ft.
		40,001 - 50,000	3,400 sq. ft.
		50,001 - 70,000	3,500 sq. ft.
		70,001 - 90,000	3,600 sq. ft.
		90,001 - 120,000	3,700 sq. ft.
		120,001 - 150,000	3,800 sq. ft.
		150,001 - 200,000	3,900 sq. ft.
		200,001 - 400,000	4,000 sq. ft.
		<p>For lots in planned unit developments, the maximum coverage allowed (Base + Transfer) shall be up to 100 percent of the proposed building envelope but shall not exceed 2,500 square feet. Lots in subdivisions with TRPA-approved transfer programs may be permitted the coverage specified by that approval.</p>	
		<p>B. <u>Facilities in Centers</u>: Except as provided in Subsections A, F, I, J, and K, <u>and L</u> of this Policy, the maximum coverage (Base + Transfer) allowed on a parcel through a transfer program shall be 70 percent of the land in capability districts 4 - 7, provided such parcel is within a Center of a Conforming Area Plan. Coverage transfers to increase coverage from the base coverage up to the maximum coverage allowed shall be at a ratio of 1:1 for coverage transfers from sensitive lands. For transfer of coverage from non-sensitive lands, coverage shall be transferred at a gradually increasing ratio from 1:1 to 2:1, as further specified in the Code of Ordinances.</p>	
		<p>C. <u>Commercial and Mixed Use Facilities in a Community Plan</u>: The maximum coverage (Base + Transfer) allowed on an existing undeveloped parcel through a transfer program, shall be 70 percent of the land in capability districts 4 - 7, provided the parcel is within an approved community plan. For existing developed parcels, the maximum land coverage allowed is 50 percent. Coverage transfers to increase coverage from the base coverage up to the maximum coverage allowed, shall be at a ratio of 1:1 for</p>	

		<p>coverage transfers from sensitive lands. For coverage transfers from non-sensitive lands, coverage shall be transferred at a gradually increasing ratio from 1:1 to 2:1, as further specified in the Code of Ordinances.</p> <p>D. Tourist Accommodation Facilities, Multi-Residential Facilities of 5 Units or More, Public Service Facilities, and Recreational Facilities in a Community Plan: The maximum coverage (Base + Transfer) allowed on a parcel through a transfer program shall be 50 percent of the land in capability districts 4 - 7, provided such parcel is within an approved community plan. The coverage transfer ratio to increase coverage from the base coverage to 50 percent shall be at a ratio of 1:1.</p> <p>E. Other Multi-Residential Facilities: The maximum coverage (Base + Transfer) allowed on a parcel through a transfer of coverage programs shall be the amounts set forth in Subsection A, above, except for residential developments made up of deed-restricted affordable, moderate, or achievable housing.</p> <p>F. Linear Public Facilities and Public Health and Safety Facilities: Such public facilities defined by ordinance and whose nature requires special consideration, are limited to transferring the minimum coverage needed to achieve their public purpose.</p> <p>G. Public Service Facilities Outside a Community Plan or Center: The maximum coverage (Base + Transfer) allowed on a parcel through a transfer program shall be 50 percent land coverage provided TRPA determines there is a demonstrated need and requirement to locate such a facility outside a Community Plan or Center, and there is no feasible alternative which would reduce land coverage.</p> <p>H. Other Facilities Outside of Community Plans and Centers, Facilities Within Community Plans Before the Community Plan is Approved, and Facilities within Centers before Conforming Area Plans are approved: Other than the exceptions in Subsections A, E, F, and G, the maximum land coverage allowed shall be the base land coverage as set forth in Policy LU-2.10.</p> <p>I. Notwithstanding Subsection A above, when existing development is relocated to Centers and the prior site is restored and retired, non-conforming coverage may be maintained with the relocation as long as the new site is developed in accordance with all other TRPA Policies and Ordinances.</p> <p>J. Conforming Area Plans may include a comprehensive coverage management system as an alternative to the parcel level coverage requirements outlined in Subsection A-H above. In order to be found in conformance with the Regional Plan, the comprehensive coverage management system shall reduce</p>
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		<p>coverage overall, reduce coverage in land capability districts 1 and 2 compared to the parcel level limitations in the Regional Plan and Code of Ordinances and not increase allowed coverage within 300 feet of Lake Tahoe (excluding those areas landward of Highways 28 and 89 in Kings Beach and Tahoe City Town Centers within that zone).</p> <p><u>K.</u> Additional land coverage limitations shall be implemented within 300 feet of Lake Tahoe, as further described in the Code of Ordinances.</p> <p>K.<u>L.</u> <u>Residential developments that comprise 100% affordable, moderate, or achievable units, located in land capability districts 4 through 7 and within an approved area plan, may increase maximum land coverage above 70% in centers if they demonstrate participation in a stormwater collection and treatment system that is consistent with TRPA requirements and approved by the applicable state water quality agency (I.e., LRWQCB or NDEP depending on where it is located), where required. Coverage transfers to increase coverage from the base coverage up to the maximum coverage allowed shall be in conformance with the ratios set forth in Section 30.4.3 of the Code of Ordinances.</u></p>
HS-3.1	New Regional Plan language for deed-restricted affordable, moderate, and achievable housing with local option for differing standards when housing need can be achieved	<p>HS-3.1 TRPA shall regularly review its policies and regulations to remove identified barriers preventing the construction of necessary affordable housing in the region. TRPA staff will work with local jurisdictions to address issues including, but not limited to, workforce, <u>low-</u> and <u>moderate-</u>income housing, <u>accessory dwelling</u> units and <u>long-term</u> residency in motel units in accordance with the timeline outlined in the implementation element. <u>Due to the challenges of building affordable and workforce housing in the Tahoe Basin, TRPA and/or the local jurisdictions shall set density, height, and parking standards to promote projects that include deed-restricted affordable, moderate, and achievable housing units through the following options:</u></p> <p><u>A. TRPA shall adopt development standards to promote 100% deed-restricted affordable, moderate and achievable housing that supersede local jurisdiction’s standards, including in approved area plans; or</u></p> <p><u>B. Local jurisdictions may propose within an area plan, alternative development standards for deed-restricted affordable, moderate or achievable housing that adjust TRPA’s standards if the jurisdiction demonstrates that the alternative standards are at least as effective as TRPA standards in facilitating the construction of deed-restricted affordable, moderate, and achievable housing in the applicable jurisdiction.</u></p>

Chapter 13: Area Plans

Code Section	Rationale	Proposed Code Language										
13.5.3.1	<p>[MODIFY EXISTING SECTION]</p> <p>Remove number of stories from height allowance to rely on maximum number of feet.</p>	TABLE 13.5.3-1: MINIMUM DEVELOPMENT STANDARDS FOR AREA PLANS										
		Regional Land Use Districts	Wilderness	Backcountry	Conservation	Recreation	Resort Recreation	Residential	Tourist	Town Center Overlay	Regional Center Overlay	High-Density Tourist District Overlay
		Height [3]	N/A	Sec. 37.4						Up to 4 stories or (56 ft) max. [1]	Up to 6 stories (95 ft) max. [1]	Up to 197' max. [2]
		Density SFD		Sec. 31.3								
		Density MFD [3]	N/A	Sec. 31.3						With adoption of an Area Plan: - Residential: 25 units/acre (max.); Tourist: 40 units/acre (max.)		
Land Coverage		Sec. 30.4 or Alternative Comprehensive Coverage Management System [See 13.5.3.B.1]										

		<p>Complete Streets</p>	<p>Sec. 36.5</p>	<p>[4]</p>
<p>[1] With adoption of an Area Plan. To ensure compatibility with adjacent uses and viewshed protection, the findings in Sec. 37.7.16 shall apply.</p> <p>[2] Limited to replacement structures, provided, the structures to be demolished and replaced are an existing casino hotel, with existing structures of at least eight stories, or 85 feet of height as measured from the lowest point of natural grade. Such structures shall also comply with Sec. 37.7.17.</p> <p>[3] Areas of Community Plans outside of Centers shall not be eligible for the alternative height and density allowances authorized in Area Plans for Centers. Any existing project density approved pursuant to Section 31.4.3 may be retained in an Area Plan.</p> <p>[4] Plan for sidewalks, trails, and other pedestrian amenities providing safe and convenient non-motorized circulation within Centers, as applicable, and incorporating the Regional Bike and Pedestrian Plan.</p>				
<p>13.5.3.I</p>	<p>[NEW CODE SECTION]</p> <p>Allows up to 65' for deed-restricted housing in centers. Allows additional height on multi-family zoned parcels depending on slope of the parcel, roof pitch, and if adjacent and contiguous to a town center boundary.</p>	<p><u>13.5.3.I Height and Density Standards for Affordable, Moderate, and Achievable Housing in Centers Effective in Area Plans</u></p> <p><u>A. The maximum height specified in table 13.5.3-1 may be increased for residential or mixed-use developments with a residential component that is 100% deed-restricted affordable, moderate, or achievable housing, as described in subsection 36.13. The maximum height shall be no greater than 65', provided the additional height is stepped back one foot for each additional foot of height, the building is designed to minimize shade on adjacent roads and structures between 10:00am and 2:00pm on December 21, as demonstrated in a shade analysis, and TRPA makes findings 1, 2, 3, 8, and 14, as set forth in Section 37.7. The project shall incorporate community design features such as pitched roofs, articulated facades, articulated roof planes, and the use of earth tone colors, consistent with the Design Review Guidelines.</u></p> <p><u>B. Residential or mixed-use developments with a residential component that is 100% deed-restricted affordable, moderate, or achievable, as described in subsection 36.13, are exempt from the density maximums in Table 13.5.3.1 and Section 31.3.</u></p>		

	Removes density maximums for deed-restricted housing in centers and multi-family zoned parcels. Local jurisdictions can adopt different standards as long as they can show it will provide sufficient affordable and workforce housing.	<p><u>C. Local jurisdictions may propose alternative height and density allowances from what is permitted in sections A and B above, and Table 13.5.3.1, provided the jurisdiction:</u></p> <ol style="list-style-type: none"> <u>1. Demonstrates that the alternative standards are at least as effective as TRPA standards in facilitating the construction of deed-restricted affordable, moderate, and achievable housing in the applicable jurisdiction; or</u> <u>2. Has an approved inclusionary housing ordinance.</u>
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Chapter 30: Coverage

Code Section	Rationale	Proposed Code Language
30.4.2.B.5	<p>[NEW CODE SECTION]</p> <p>Allow up to 70% coverage outside of town centers within areas that are zoned for multi-family for 100% deed-restricted affordable, moderate, or achievable housing, provided the development is on high capability land.</p>	<p>30.4.2 Transferred Land Coverage Requirements</p> <p>In addition to the base land coverage prescribed by subsection 30.4.1, land coverage may be transferred to a parcel pursuant to subsection 30.4.3. Parcels and uses eligible for transfer of land coverage are identified in this subsection. For purposes of this subsection, the “maximum land coverage” equals the base land coverage plus the transferred land coverage. Land coverage shall not exceed base land coverage for parcels and uses that are not identified in this subsection. The aggregate of base land coverage and transferred land coverage shall not exceed the limits set forth in this subsection.</p> <p>B. Location -Specific Standards</p>

30.4.2.B.5 Affordable, Moderate, and Achievable Housing outside Centers

The maximum land coverage allowed on a parcel for multi-residential developments, mixed-use developments with a residential component as described in subsection 36.13, or accessory dwelling units, provided they are 100 percent deed-restricted affordable, moderate, or achievable and utilize bonus units, shall be limited to 70 percent of the project area that is located within Land Capability Districts 4 through 7, subject to the following standards:

- a. All runoff from the project area must be treated by a stormwater collection and treatment system if a system is available for the project area. The stormwater collection and treatment system must be consistent with TRPA requirements, be owned and operated by a county or city, a utility, a community service or improvement district, or similar public entity, and must be permitted by the applicable state water quality agency or agencies (i.e., LRWQCB or NDEP depending on where it is located), as required; or
- b. If a stormwater collection and treatment system is not available for the project area, water quality treatment consistent with Chapter 60 of the TRPA Code of Ordinances may be approved by TRPA provided that local jurisdictions verify and are responsible for ongoing BMP maintenance of the project area through a deed restriction running with the land.
- c. To transfer in coverage above the base allowable coverage, the project shall not construct any parking spaces above the parking minimums set by local or state standards, except when required to meet Americans with Disabilities Act requirements or to provide parking for bicycles.
- d. The additional coverage for accessory dwelling units is limited to 1,200 square feet or 70 percent of the project area, whichever is less, that is located within Land Capability Districts 4 through 7 or on parcels that are buildable based on their IPES score. Additional land coverage shall be used only for the accessory dwelling unit, and includes decks and walkways associated with the accessory dwelling unit. This coverage shall not be used for parking.

30.4.2.B.6	<p>[NEW CODE SECTION]</p> <p>New code section to allow higher than 70 percent coverage for deed-restricted affordable, moderate, and achievable housing on high capability lands in centers. The project must show that stormwater will be treated either onsite through BMPs or offsite through area-wide stormwater treatment and is managed and maintained by a public entity.</p>	<p><u>30.4.2.B.6 Stormwater Collection and Treatment Systems for Affordable, Moderate, and Achievable Housing</u></p> <p><u>Multi-residential developments, mixed-use developments with a residential component, as described in subsection 36.13, or accessory dwelling units, provided the units are 100 percent deed-restricted affordable, moderate, and achievable, utilize bonus units and are located in Land Capability Districts 4 through 7 and within an approved area plan, may increase maximum land coverage above 70 percent in centers, subject to the following standards:</u></p> <p><u>a. All runoff from the project area must be treated by a stormwater collection and treatment system, provided it is consistent with TRPA requirements, is owned and operated by a county or city, a utility, a community service or improvement district, or similar public entity, and must be permitted by the applicable state water quality agency or agencies (i.e., LRWQCB or NDEP depending on where it is located), as required.</u></p> <p><u>b. To transfer in coverage above 70 percent, the project shall not construct any parking spaces above the parking minimums set by local or state standards, except when required to meet Americans with Disabilities Act requirements or to provide parking for bicycles.</u></p>
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Chapter 31: Density

Code Section	Rationale	Proposed Code Language
31.4.1.C	<p>[NEW CODE SECTION]</p> <p>New Code section that exempts density maximums for deed-restricted projects within centers.</p>	<p>31.4 Increases to Maximum Density</p> <p>31.4.1 Affordable, Moderate, and Achievable Housing</p> <p><u>A. Affordable Housing</u></p> <p><u>Affordable housing projects meeting TRPA requirements may be permitted to increase the maximum density established in Section 31.3 by up to 25 percent, provided TRPA finds that:</u></p> <ol style="list-style-type: none"> <u>1. The project, at the increased density, satisfies a demonstrated need for additional affordable housing; and</u> <u>2. The additional density is consistent with the surrounding area.</u>

		<p><u>B. Affordable Housing within Kings Beach Commercial Community Plan</u> Affordable housing projects meeting TRPA requirements and located in designated special areas for affordable housing within the Kings Beach Commercial Community Plan may be permitted to increase the maximum density established in Section 31.3 by 100 percent, provided TRPA finds that:</p> <ol style="list-style-type: none"> 1. The project, at the increased density, satisfies a demonstrated need for additional affordable housing; 2. The additional density is consistent with the surrounding area; and 3. The project meets the Kings Beach Commercial Community Plan improvement requirements and special policies of the Special Area. <p><u>A. Affordable, Moderate, and Achievable Housing</u> Residential developments or mixed-use developments with a residential component that is 100% deed-restricted affordable, moderate, or achievable, as described in subsection 36.13, and utilize bonus units are exempt from the density maximums in Section 31.3.</p>
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Chapter 34: Driveway and Parking Standards

Code Section	Rationale	Proposed Code Language
34.4.1	<p>[NEW CODE SECTION]</p> <p>New Code section that limits the amount of vehicle parking local jurisdictions can require for deed-restricted housing.</p>	<p><u>34.4.1 Parking for Deed-Restricted Affordable, Moderate, or Achievable Housing</u> No vehicle parking minimums shall apply to residential or mixed-use developments made up of 100 percent deed-restricted affordable, moderate, or achievable housing units, as described in subsection 36.13 if located within a Town Center, Regional Center, or High-Density Tourist District as defined in the Regional Plan. Outside of centers, parking minimums shall be no greater than .75 spaces per unit, on average. In either case, in order to deviate from existing local parking minimums, the project applicant shall demonstrate that parking demand generated by the project, as determined by a parking analysis or information from similarly situated projects, will be accommodated. The applicant may demonstrate compliance through parking management strategies, including but not limited to executed shared parking agreements or providing, unbundling parking and rent, or</p>

		<p>contributing to alternative transportation methods. Mixed-use projects shall meet local parking requirements for the non-residential portion of the development.</p>
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Chapter 36: Design Standards

<p>36.13</p>	<p>[NEW CODE SECTION]</p> <p>New Code section that applies to mixed-use developments with a residential component that is 100% deed-restricted.</p>	<p>36.13 Mixed-Use with Affordable, Moderate, and Achievable Housing</p> <p>A. Mixed-use developments with a residential component that is 100 percent deed-restricted as affordable, moderate, or achievable housing and utilizes bonus units shall be subject to the coverage and height standards for affordable, moderate, and achievable housing set forth in sections 13.5.3.I, 30.4.2.B.5, 30.4.2.B.6, 31.4.1.C, and 37.5.5, respectively, provided the commercial component is no greater than fifty percent of the total development square footage.</p> <p>B. Mixed-use developments shall meet the definition of mixed-use in Chapter 90 and the following design standards:</p> <ul style="list-style-type: none"> a. Mixed-use developments accommodate pedestrian-oriented non-residential uses on the ground floor street frontage at a minimum average depth of 40 feet and a minimum depth of 25 feet covering a minimum of 60 percent of the ground floor area; b. Parking and vehicle access shall be designed to limit conflict with pedestrian circulation along the ground floor frontage; c. The ground floor and street frontage shall be designed to promote pedestrian accessibility, including but not limited to, transparent façade, ground floor ceiling height no less than 10 feet, pedestrian-oriented street-facing entry, sidewalks, and other pedestrian improvements.
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Chapter 37: Height

Code Section	Rationale	Proposed Code Language
37.5.5	Allow deed-restricted multi-family developments to have additional height up to the maximum for building slope shown in Table 37.4.4-1, with a roof pitch of at least 3:12.	<p>37.5.5 Additional Building Height for Affordable, <u>Moderate</u>, or <u>Achievable</u> Housing Projects</p> <p><u>A. Residential and mixed-use projects that are 100% deed-restricted to affordable, moderate, or achievable as described in subsection 36.13 and utilize bonus units may have additional building height, up to the maximum for the slope of the building site set forth in Table 37.4.4-1, with a roof pitch greater than or equal to 3:12, provided the applicants makes findings 1, 2, and 8 as set forth in Section 37.7; or</u></p> <p><u>B. Residential and mixed-use projects that are 100% deed-restricted to affordable, moderate, or achievable, as described in subsection 36.13, utilize bonus units, and are located on a parcel that is within 500 feet and adjacent and contiguous to a center may have an additional 11 feet above what is permissible in Table 37.4.4-1, provided the additional height is stepped back one foot for each additional foot of height, the building is designed to minimize shade on adjacent roads and structures between 10:00am and 2:00pm on December 21, as demonstrated in a shade analysis, and TRPA makes findings 1, 2, 3, 8, and 14, as set forth in Section 37.7. The project shall incorporate community design features such as pitched roofs, articulated facades, articulated roof planes, and the use of earth tone colors consistent with the Design Review Guidelines.</u></p> <p>The maximum height specified in Table 37.4.1-1 may be increased for affordable housing projects located in special areas designated for affordable housing within the Kings Beach Commercial Community Plan. The maximum height in Table 37.4.1-1 may be increased by up to 15 feet, but not to exceed a total building height of 48 feet, provided that the project incorporates community design features such as pitched roofs, articulated facades, articulated roof planes, and the use of earth tone colors consistent with the Design Review Guidelines, and TRPA makes finding 14 of Section 37.7.</p>

Code Section	Rationale	Proposed Code Language
52.3.4.G Affordable, Moderate, and Achievable- Income Housing	Clarify fine amount for non-compliance.	<p>52.3.4. Affordable, Moderate, and Achievable-Income Housing</p> <p>All projects receiving a residential bonus unit for affordable, moderate, or achievable housing development as defined in Chapter 90: <i>Definitions</i> shall comply with criteria in Section 52.3.4A-F. TRPA shall report to the TRPA Governing Board biennially on the implementation of the residential bonus unit program for affordable, moderate, and achievable housing development. This report shall include, but is not limited to, the number of housing developments and units awarded and constructed bonus units, number of bonus units awarded to and constructed in each income category, number of bonus units awarded to and constructed in single and multi-family housing developments, location of housing developments, and compliance with the program.</p> <ul style="list-style-type: none"> A. Residential bonus units may be awarded to single or multi-family housing developments. B. The owner of the parcel, through a deed restriction running with the land, shall restrict the unit for which the bonus unit was awarded from being used as a second home or a vacation rental. C. A bonus unit may be used for an accessory dwelling unit as defined by Section 21.3.2, notwithstanding 52.3.4.A above, provided it is consistent with all provisions of the applicable area plan or this Code of Ordinances. D. The owner of the parcel, through a deed restriction running with the land, shall limit the unit for which the bonus unit was awarded to the approved use and restrict the occupants' household income to affordable, moderate, or achievable housing limits set forth in Chapter 90: <i>Definitions</i>, depending on the applicable income level for which the bonus unit was awarded. The restriction shall also include the requirement to disclose the restrictions associated with the unit at the time of sale of the unit, the requirement to submit an annual compliance report to TRPA, and the potential to be fined up to <u>\$5,000.00 per day 1/10 of the current cost of a residential unit of use annually</u> for failure to submit the compliance report or comply with these requirements.

		<p>E. An owner-occupant of a unit who has provided all required annual compliance reports and who has had an increase in income so that they are no longer eligible for the bonus unit may apply to TRPA and receive an exemption to the income requirement until the unit is sold. The owner must continue to be the occupant, provide annual compliance reports to remain eligible for the exemption and not be subject to the annual fine, rent the unit only to an income qualified renter if no longer the occupant, or sell the unit only to an income qualified buyer.</p> <p>F. The project awarded a residential bonus unit shall be within ½ mile of a designated Town Center; within ½ mile of an existing transit stop or a transit stop that will be existing concurrent with the completion of the project; or located in an area where multi-family dwellings are an allowed or special use.</p>
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Chapter 90: Definitions

Code Section	Rationale	Proposed Code Language
Chapter 90	Add new definition for Stormwater Collection and Treatment System.	<p><u>Stormwater Collection and Treatment System:</u></p> <p><u>Stormwater collection includes ditches, storm drains, and water pipes designed to remove surface runoff and transport it to the location or locations where it will be treated. Streets, curbs and gutters can be included as part of the collection system.</u></p> <p><u>Stormwater treatment is the process of improving stormwater runoff quality, reducing runoff volume, and reducing runoff peak flow. Debris and solids are filtered out, followed by a sedimentation process. Water</u></p>

		<p>is then infiltrated or discharged from the system into the receiving environment (groundwater table, ponds, streams, waterways, etc.).</p>
Chapter 90	Add new definition of Mixed-Use Development.	<p>Mixed-Use Development: Developments fostering the integration of compatible residential and non-residential uses on a single site that are designed to promote pedestrian circulation. Permissible pedestrian-oriented non-residential uses include, but are not limited to, retail, restaurant, personal services, office, and entertainment uses. Lobbies, gymnasiums, and project offices may be included if they are open to the public.</p>

Regional Plan Amendments

Section	Rationale	Proposed Code Language <u>(new language shown in Track Changes)</u>																				
LU-2.11	Amend coverage policies to allow higher than 70% coverage in centers with transfer of coverage.	<p>LU-2.10 Allowed Base Land Coverage for all new projects and activities shall be calculated by applying the Bailey Coefficients, as shown below, to the applicable area within the parcel boundary, or as otherwise set forth in A, B, and C, of this policy.</p> <table border="1" data-bbox="758 467 1772 997"> <thead> <tr> <th data-bbox="758 467 1373 558">LAND CAPABILITY DISTRICT</th> <th data-bbox="1377 467 1772 558">MAXIMUM ALLOWED LAND COVERAGE</th> </tr> </thead> <tbody> <tr> <td data-bbox="758 561 1373 607">1a</td> <td data-bbox="1377 561 1772 607">1 percent</td> </tr> <tr> <td data-bbox="758 610 1373 656">1b</td> <td data-bbox="1377 610 1772 656">1 percent</td> </tr> <tr> <td data-bbox="758 659 1373 704">1c</td> <td data-bbox="1377 659 1772 704">1 percent</td> </tr> <tr> <td data-bbox="758 708 1373 753">2</td> <td data-bbox="1377 708 1772 753">1 percent</td> </tr> <tr> <td data-bbox="758 756 1373 802">3</td> <td data-bbox="1377 756 1772 802">5 percent</td> </tr> <tr> <td data-bbox="758 805 1373 850">4</td> <td data-bbox="1377 805 1772 850">20 percent</td> </tr> <tr> <td data-bbox="758 854 1373 899">5</td> <td data-bbox="1377 854 1772 899">25 percent</td> </tr> <tr> <td data-bbox="758 902 1373 948">6</td> <td data-bbox="1377 902 1772 948">30 percent</td> </tr> <tr> <td data-bbox="758 951 1373 997">7</td> <td data-bbox="1377 951 1772 997">30 percent</td> </tr> </tbody> </table> <p data-bbox="1808 496 2062 1024"> A. In the case of subdivisions approved by TRPA in conformance with the coefficients coverages assigned to individual lots shall be the allowed base coverage for those lots. A list of such TRPA-approved subdivisions appears in Attachment 2 B. In the case of existing planned unit </p> <p data-bbox="835 1032 2062 1130"> developments (PUDs) not in conformance with the coefficients, the coefficients shall apply to the entire project area minus public rights-of-way, and the allowed base coverage shall be apportioned to the individual lots or building sites, and common area facilities. A list of such PUDs appears in Attachment 3 </p> <p data-bbox="789 1138 2062 1308"> C. After December 31, 1988, for vacant residential parcels evaluated under the Individual Parcel Evaluation System (IPES), the allowable base land coverage shall be a function of a parcel's combined score under the IPES criteria for relative erosion hazard and runoff potential as correlated with the above coefficients and applied to the designated evaluation area. The method of calculation of allowed land coverages shall be detailed in the implementing ordinances consistent with the above policy. </p> <p data-bbox="741 1349 1955 1414"> LU-2.11 The allowed coverage in policy LU-2.10 may be increased by transfer of land coverage within hydrologically related areas up to the limits as set forth in this policy: </p>	LAND CAPABILITY DISTRICT	MAXIMUM ALLOWED LAND COVERAGE	1a	1 percent	1b	1 percent	1c	1 percent	2	1 percent	3	5 percent	4	20 percent	5	25 percent	6	30 percent	7	30 percent
LAND CAPABILITY DISTRICT	MAXIMUM ALLOWED LAND COVERAGE																					
1a	1 percent																					
1b	1 percent																					
1c	1 percent																					
2	1 percent																					
3	5 percent																					
4	20 percent																					
5	25 percent																					
6	30 percent																					
7	30 percent																					

Special provisions for additional coverage, such as exceptionally long driveways, pervious coverage, public trails and access for the disabled, may also be allowed, Ordinances shall specifically limit and define these programs.

Land coverage may be transferred through programs that are further described in the implementation element. Notwithstanding the limitation stated above, land coverage may be transferred across hydrologically related areas when existing hard or soft coverage is transferred and retired from sensitive land transferred to non-sensitive land further than 300 feet from the high water line of Lake Tahoe, or on the landward side of Highways 28 or 89 in the Tahoe City of Kings Beach Town Centers.

The intent of the land coverage transfer programs is to allow greater flexibility in the placement of land coverage. Such programs include the use of land banks, lot consolidation, land coverage restoration programs, [programs to encourage concentration of development](#), and transfer programs based on the calculation of land coverage on non-contiguous parcels. The coverage transfer programs allow for coverage over base coverage to be permitted and still be consistent with the soils threshold and Goal LU-2 of this Subelement.

- A. Single Family Residential: The maximum land coverage allowed (Base + Transfer) on a parcel through a transfer program shall be as set forth below:

Parcel Size (Square Feet)

Land Coverage

0 - 4,000

Base Land Coverage
as Set Forth in *Policy LU-2.10*

4,001 - 9,000

1,800 sq. ft.

		<u>Parcel Size (Square Feet)</u>	<u>Land Coverage</u>
		9,001 - 14,000	20 percent
		14,001 - 16,000	2,900 sq. ft.
		16,001 - 20,000	3,000 sq. ft.
		20,001 - 25,000	3,100 sq. ft.
		25,001 - 30,000	3,200 sq. ft.
		30,001 - 40,000	3,300 sq. ft.
		40,001 - 50,000	3,400 sq. ft.
		50,001 - 70,000	3,500 sq. ft.
		70,001 - 90,000	3,600 sq. ft.
		90,001 - 120,000	3,700 sq. ft.
		120,001 - 150,000	3,800 sq. ft.
		150,001 - 200,000	3,900 sq. ft.
		200,001 - 400,000	4,000 sq. ft.
		<p>For lots in planned unit developments, the maximum coverage allowed (Base + Transfer) shall be up to 100 percent of the proposed building envelope but shall not exceed 2,500 square feet. Lots in subdivisions with TRPA-approved transfer programs may be permitted the coverage specified by that approval.</p>	
		<p>B. <u>Facilities in Centers</u>: Except as provided in Subsections A, F, I, J, and K, <u>and L</u> of this Policy, the maximum coverage (Base + Transfer) allowed on a parcel through a transfer program shall be 70 percent of the land in capability districts 4 - 7, provided such parcel is within a Center of a Conforming Area Plan. Coverage transfers to increase coverage from the base coverage up to the maximum coverage allowed shall be at a ratio of 1:1 for coverage transfers from sensitive lands. For transfer of coverage from non-sensitive lands, coverage shall be transferred at a gradually increasing ratio from 1:1 to 2:1, as further specified in the Code of Ordinances.</p>	
		<p>C. <u>Commercial and Mixed Use Facilities in a Community Plan</u>: The maximum coverage (Base + Transfer) allowed on an existing undeveloped parcel through a transfer program, shall be 70 percent of the land in capability districts 4 - 7, provided the parcel is within an approved community plan. For existing developed parcels, the maximum land coverage allowed is 50 percent. Coverage transfers to increase coverage from the base coverage up to the maximum coverage allowed, shall be at a ratio of 1:1 for</p>	

		<p>coverage transfers from sensitive lands. For coverage transfers from non-sensitive lands, coverage shall be transferred at a gradually increasing ratio from 1:1 to 2:1, as further specified in the Code of Ordinances.</p> <p>D. Tourist Accommodation Facilities, Multi-Residential Facilities of 5 Units or More, Public Service Facilities, and Recreational Facilities in a Community Plan: The maximum coverage (Base + Transfer) allowed on a parcel through a transfer program shall be 50 percent of the land in capability districts 4 - 7, provided such parcel is within an approved community plan. The coverage transfer ratio to increase coverage from the base coverage to 50 percent shall be at a ratio of 1:1.</p> <p>E. Other Multi-Residential Facilities: The maximum coverage (Base + Transfer) allowed on a parcel through a transfer of coverage programs shall be the amounts set forth in Subsection A, above, except for residential developments made up of deed-restricted affordable, moderate, or achievable housing.</p> <p>F. Linear Public Facilities and Public Health and Safety Facilities: Such public facilities defined by ordinance and whose nature requires special consideration, are limited to transferring the minimum coverage needed to achieve their public purpose.</p> <p>G. Public Service Facilities Outside a Community Plan or Center: The maximum coverage (Base + Transfer) allowed on a parcel through a transfer program shall be 50 percent land coverage provided TRPA determines there is a demonstrated need and requirement to locate such a facility outside a Community Plan or Center, and there is no feasible alternative which would reduce land coverage.</p> <p>H. Other Facilities Outside of Community Plans and Centers, Facilities Within Community Plans Before the Community Plan is Approved, and Facilities within Centers before Conforming Area Plans are approved: Other than the exceptions in Subsections A, E, F, and G, the maximum land coverage allowed shall be the base land coverage as set forth in Policy LU-2.10.</p> <p>I. Notwithstanding Subsection A above, when existing development is relocated to Centers and the prior site is restored and retired, non-conforming coverage may be maintained with the relocation as long as the new site is developed in accordance with all other TRPA Policies and Ordinances.</p> <p>J. Conforming Area Plans may include a comprehensive coverage management system as an alternative to the parcel level coverage requirements outlined in Subsection A-H above. In order to be found in conformance with the Regional Plan, the comprehensive coverage management system shall reduce</p>
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		<p>coverage overall, reduce coverage in land capability districts 1 and 2 compared to the parcel level limitations in the Regional Plan and Code of Ordinances and not increase allowed coverage within 300 feet of Lake Tahoe (excluding those areas landward of Highways 28 and 89 in Kings Beach and Tahoe City Town Centers within that zone).</p> <p><u>K.</u> Additional land coverage limitations shall be implemented within 300 feet of Lake Tahoe, as further described in the Code of Ordinances.</p> <p>K.<u>L.</u> <u>Residential developments that comprise 100% affordable, moderate, or achievable units, located in land capability districts 4 through 7 and within an approved area plan, may increase maximum land coverage above 70% in centers if they demonstrate participation in a stormwater collection and treatment system that is consistent with TRPA requirements and approved by the applicable state water quality agency (I.e., LRWQCB or NDEP depending on where it is located), where required. Coverage transfers to increase coverage from the base coverage up to the maximum coverage allowed shall be in conformance with the ratios set forth in Section 30.4.3 of the Code of Ordinances.</u></p>
HS-3.1	New Regional Plan language for deed-restricted affordable, moderate, and achievable housing with local option for differing standards when housing need can be achieved	<p>HS-3.1 TRPA shall regularly review its policies and regulations to remove identified barriers preventing the construction of necessary affordable housing in the region. TRPA staff will work with local jurisdictions to address issues including, but not limited to, workforce, <u>low-</u> and <u>moderate-</u>income housing, <u>accessory dwelling</u> units and <u>long-term</u> residency in motel units in accordance with the timeline outlined in the implementation element. <u>Due to the challenges of building affordable and workforce housing in the Tahoe Basin, TRPA and/or the local jurisdictions shall set density, height, and parking standards to promote projects that include deed-restricted affordable, moderate, and achievable housing units through the following options:</u></p> <p><u>A. TRPA shall adopt development standards to promote 100% deed-restricted affordable, moderate and achievable housing that supersede local jurisdiction’s standards, including in approved area plans; or</u></p> <p><u>B. Local jurisdictions may propose within an area plan, alternative development standards for deed-restricted affordable, moderate or achievable housing that adjust TRPA’s standards if the jurisdiction demonstrates that the alternative standards are at least as effective as TRPA standards in facilitating the construction of deed-restricted affordable, moderate, and achievable housing in the applicable jurisdiction.</u></p>

Chapter 13: Area Plans

Code Section	Rationale	Proposed Code Language										
13.5.3.1	<p>[MODIFY EXISTING SECTION]</p> <p>Remove number of stories from height allowance to rely on maximum number of feet.</p>	TABLE 13.5.3-1: MINIMUM DEVELOPMENT STANDARDS FOR AREA PLANS										
		Regional Land Use Districts	Wilderness	Backcountry	Conservation	Recreation	Resort Recreation	Residential	Tourist	Town Center Overlay	Regional Center Overlay	High-Density Tourist District Overlay
		Height [3]	N/A	Sec. 37.4						Up to 4 stories or (56 ft) max. [1]	Up to 6 stories (95 ft) max. [1]	Up to 197' max. [2]
		Density SFD		Sec. 31.3								
		Density MFD [3]	N/A	Sec. 31.3						With adoption of an Area Plan: - Residential: 25 units/acre (max.); Tourist: 40 units/acre (max.)		
Land Coverage		Sec. 30.4 or Alternative Comprehensive Coverage Management System [See 13.5.3.B.1]										

		Complete Streets	Sec. 36.5	[4]	
13.5.3.I	<p>[NEW CODE SECTION]</p> <p>Allows up to 65' for deed-restricted housing in centers. Allows additional height on multi-family zoned parcels depending on slope of the parcel, roof pitch, and if adjacent and contiguous to a town center boundary.</p>		<p>[1] With adoption of an Area Plan. To ensure compatibility with adjacent uses and viewshed protection, the findings in Sec. 37.7.16 shall apply.</p> <p>[2] Limited to replacement structures, provided, the structures to be demolished and replaced are an existing casino hotel, with existing structures of at least eight stories, or 85 feet of height as measured from the lowest point of natural grade. Such structures shall also comply with Sec. 37.7.17.</p> <p>[3] Areas of Community Plans outside of Centers shall not be eligible for the alternative height and density allowances authorized in Area Plans for Centers. Any existing project density approved pursuant to Section 31.4.3 may be retained in an Area Plan.</p> <p>[4] Plan for sidewalks, trails, and other pedestrian amenities providing safe and convenient non-motorized circulation within Centers, as applicable, and incorporating the Regional Bike and Pedestrian Plan.</p>		
			<p><u>13.5.3.I Height and Density Standards for Affordable, Moderate, and Achievable Housing in Centers Effective in Area Plans</u></p> <p><u>A. The maximum height specified in table 13.5.3-1 may be increased for residential or mixed-use developments with a residential component that is 100% deed-restricted affordable, moderate, or achievable housing, as described in subsection 36.13. The maximum height shall be no greater than 65', provided the additional height is stepped back one foot for each additional foot of height, the building is designed to minimize shade on adjacent roads and structures between 10:00am and 2:00pm on December 21, as demonstrated in a shade analysis, and TRPA makes findings 1, 2, 3, 8, and 14, as set forth in Section 37.7. The project shall incorporate community design features such as pitched roofs, articulated facades, articulated roof planes, and the use of earth tone colors, consistent with the Design Review Guidelines.</u></p> <p><u>B. Residential or mixed-use developments with a residential component that is 100% deed-restricted affordable, moderate, or achievable, as described in subsection 36.13, are exempt from the density maximums in Table 13.5.3.1 and Section 31.3.</u></p>		

	Removes density maximums for deed-restricted housing in centers and multi-family zoned parcels. Local jurisdictions can adopt different standards as long as they can show it will provide sufficient affordable and workforce housing.	<p><u>C. Local jurisdictions may propose alternative height and density allowances from what is permitted in sections A and B above, and Table 13.5.3.1, provided the jurisdiction:</u></p> <ol style="list-style-type: none"> <u>1. Demonstrates that the alternative standards are at least as effective as TRPA standards in facilitating the construction of deed-restricted affordable, moderate, and achievable housing in the applicable jurisdiction; or</u> <u>2. Has an approved inclusionary housing ordinance.</u>
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Chapter 30: Coverage

Code Section	Rationale	Proposed Code Language
30.4.2.B.5	<p>[NEW CODE SECTION]</p> <p>Allow up to 70% coverage outside of town centers within areas that are zoned for multi-family for 100% deed-restricted affordable, moderate, or achievable housing, provided the development is on high capability land.</p>	<p>30.4.2 Transferred Land Coverage Requirements</p> <p>In addition to the base land coverage prescribed by subsection 30.4.1, land coverage may be transferred to a parcel pursuant to subsection 30.4.3. Parcels and uses eligible for transfer of land coverage are identified in this subsection. For purposes of this subsection, the “maximum land coverage” equals the base land coverage plus the transferred land coverage. Land coverage shall not exceed base land coverage for parcels and uses that are not identified in this subsection. The aggregate of base land coverage and transferred land coverage shall not exceed the limits set forth in this subsection.</p> <p>B. Location -Specific Standards</p>

30.4.2.B.5 Affordable, Moderate, and Achievable Housing outside Centers

The maximum land coverage allowed on a parcel for multi-residential developments, mixed-use developments with a residential component as described in subsection 36.13, or accessory dwelling units, provided they are 100 percent deed-restricted affordable, moderate, or achievable and utilize bonus units, shall be limited to 70 percent of the project area that is located within Land Capability Districts 4 through 7, subject to the following standards:

- a. All runoff from the project area must be treated by a stormwater collection and treatment system if a system is available for the project area. The stormwater collection and treatment system must be consistent with TRPA requirements, be owned and operated by a county or city, a utility, a community service or improvement district, or similar public entity, and must be permitted by the applicable state water quality agency or agencies (i.e., LRWQCB or NDEP depending on where it is located), as required; or
- b. If a stormwater collection and treatment system is not available for the project area, water quality treatment consistent with Chapter 60 of the TRPA Code of Ordinances may be approved by TRPA provided that local jurisdictions verify and are responsible for ongoing BMP maintenance of the project area through a deed restriction running with the land.
- c. To transfer in coverage above the base allowable coverage, the project shall not construct any parking spaces above the parking minimums set by local or state standards, except when required to meet Americans with Disabilities Act requirements or to provide parking for bicycles.
- d. The additional coverage for accessory dwelling units is limited to 1,200 square feet or 70 percent of the project area, whichever is less, that is located within Land Capability Districts 4 through 7 or on parcels that are buildable based on their IPES score. Additional land coverage shall be used only for the accessory dwelling unit, and includes decks and walkways associated with the accessory dwelling unit. This coverage shall not be used for parking.

30.4.2.B.6	<p>[NEW CODE SECTION]</p> <p>New code section to allow higher than 70 percent coverage for deed-restricted affordable, moderate, and achievable housing on high capability lands in centers. The project must show that stormwater will be treated either onsite through BMPs or offsite through area-wide stormwater treatment and is managed and maintained by a public entity.</p>	<p><u>30.4.2.B.6 Stormwater Collection and Treatment Systems for Affordable, Moderate, and Achievable Housing</u></p> <p><u>Multi-residential developments, mixed-use developments with a residential component, as described in subsection 36.13, or accessory dwelling units, provided the units are 100 percent deed-restricted affordable, moderate, and achievable, utilize bonus units and are located in Land Capability Districts 4 through 7 and within an approved area plan, may increase maximum land coverage above 70 percent in centers, subject to the following standards:</u></p> <p><u>a. All runoff from the project area must be treated by a stormwater collection and treatment system, provided it is consistent with TRPA requirements, is owned and operated by a county or city, a utility, a community service or improvement district, or similar public entity, and must be permitted by the applicable state water quality agency or agencies (i.e., LRWQCB or NDEP depending on where it is located), as required.</u></p> <p><u>b. To transfer in coverage above 70 percent, the project shall not construct any parking spaces above the parking minimums set by local or state standards, except when required to meet Americans with Disabilities Act requirements or to provide parking for bicycles.</u></p>
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Chapter 31: Density

Code Section	Rationale	Proposed Code Language
31.4.1.C	<p>[NEW CODE SECTION]</p> <p>New Code section that exempts density maximums for deed-restricted projects within centers.</p>	<p>31.4 Increases to Maximum Density</p> <p>31.4.1 Affordable, Moderate, and Achievable Housing</p> <p><u>A. Affordable Housing</u></p> <p><u>Affordable housing projects meeting TRPA requirements may be permitted to increase the maximum density established in Section 31.3 by up to 25 percent, provided TRPA finds that:</u></p> <ol style="list-style-type: none"> <u>1. The project, at the increased density, satisfies a demonstrated need for additional affordable housing; and</u> <u>2. The additional density is consistent with the surrounding area.</u>

		<p><u>B. Affordable Housing within Kings Beach Commercial Community Plan</u> Affordable housing projects meeting TRPA requirements and located in designated special areas for affordable housing within the Kings Beach Commercial Community Plan may be permitted to increase the maximum density established in Section 31.3 by 100 percent, provided TRPA finds that:</p> <ol style="list-style-type: none"> 1. The project, at the increased density, satisfies a demonstrated need for additional affordable housing; 2. The additional density is consistent with the surrounding area; and 3. The project meets the Kings Beach Commercial Community Plan improvement requirements and special policies of the Special Area. <p><u>A. Affordable, Moderate, and Achievable Housing</u> Residential developments or mixed-use developments with a residential component that is 100% deed-restricted affordable, moderate, or achievable, as described in subsection 36.13, and utilize bonus units are exempt from the density maximums in Section 31.3.</p>
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Chapter 34: Driveway and Parking Standards

Code Section	Rationale	Proposed Code Language
34.4.1	<p>[NEW CODE SECTION]</p> <p>New Code section that limits the amount of vehicle parking local jurisdictions can require for deed-restricted housing.</p>	<p><u>34.4.1 Parking for Deed-Restricted Affordable, Moderate, or Achievable Housing</u> <u>No vehicle parking minimums shall apply to residential or mixed-use developments made up of 100 percent deed-restricted affordable, moderate, or achievable housing units, as described in subsection 36.13 if located within a Town Center, Regional Center, or High-Density Tourist District as defined in the Regional Plan. Outside of centers, parking minimums shall be no greater than .75 spaces per unit, on average. In either case, in order to deviate from existing local parking minimums, the project applicant shall demonstrate that parking demand generated by the project, as determined by a parking analysis or information from similarly situated projects, will be accommodated. The applicant may demonstrate compliance through parking management strategies, including but not limited to executed shared parking agreements or providing, unbundling parking and rent, or</u></p>

		<p>contributing to alternative transportation methods. Mixed-use projects shall meet local parking requirements for the non-residential portion of the development.</p>
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Chapter 36: Design Standards

<p>36.13</p>	<p>[NEW CODE SECTION]</p> <p>New Code section that applies to mixed-use developments with a residential component that is 100% deed-restricted.</p>	<p>36.13 Mixed-Use with Affordable, Moderate, and Achievable Housing</p> <p>A. Mixed-use developments with a residential component that is 100 percent deed-restricted as affordable, moderate, or achievable housing and utilizes bonus units shall be subject to the coverage and height standards for affordable, moderate, and achievable housing set forth in sections 13.5.3.I, 30.4.2.B.5, 30.4.2.B.6, 31.4.1.C, and 37.5.5, respectively, provided the commercial component is no greater than fifty percent of the total development square footage.</p> <p>B. Mixed-use developments shall meet the definition of mixed-use in Chapter 90 and the following design standards:</p> <ul style="list-style-type: none"> a. Mixed-use developments accommodate pedestrian-oriented non-residential uses on the ground floor street frontage at a minimum average depth of 40 feet and a minimum depth of 25 feet covering a minimum of 60 percent of the ground floor area; b. Parking and vehicle access shall be designed to limit conflict with pedestrian circulation along the ground floor frontage; c. The ground floor and street frontage shall be designed to promote pedestrian accessibility, including but not limited to, transparent façade, ground floor ceiling height no less than 10 feet, pedestrian-oriented street-facing entry, sidewalks, and other pedestrian improvements.
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Chapter 37: Height

Code Section	Rationale	Proposed Code Language
37.5.5	Allow deed-restricted multi-family developments to have additional height up to the maximum for building slope shown in Table 37.4.4-1, with a roof pitch of at least 3:12.	<p>37.5.5 Additional Building Height for Affordable, <u>Moderate</u>, or <u>Achievable</u> Housing Projects</p> <p><u>A. Residential and mixed-use projects that are 100% deed-restricted to affordable, moderate, or achievable as described in subsection 36.13 and utilize bonus units may have additional building height, up to the maximum for the slope of the building site set forth in Table 37.4.4-1, with a roof pitch greater than or equal to 3:12, provided the applicants makes findings 1, 2, and 8 as set forth in Section 37.7; or</u></p> <p><u>B. Residential and mixed-use projects that are 100% deed-restricted to affordable, moderate, or achievable, as described in subsection 36.13, utilize bonus units, and are located on a parcel that is within 500 feet and adjacent and contiguous to a center may have an additional 11 feet above what is permissible in Table 37.4.4-1, provided the additional height is stepped back one foot for each additional foot of height, the building is designed to minimize shade on adjacent roads and structures between 10:00am and 2:00pm on December 21, as demonstrated in a shade analysis, and TRPA makes findings 1, 2, 3, 8, and 14, as set forth in Section 37.7. The project shall incorporate community design features such as pitched roofs, articulated facades, articulated roof planes, and the use of earth tone colors consistent with the Design Review Guidelines.</u></p> <p>The maximum height specified in Table 37.4.1-1 may be increased for affordable housing projects located in special areas designated for affordable housing within the Kings Beach Commercial Community Plan. The maximum height in Table 37.4.1-1 may be increased by up to 15 feet, but not to exceed a total building height of 48 feet, provided that the project incorporates community design features such as pitched roofs, articulated facades, articulated roof planes, and the use of earth tone colors consistent with the Design Review Guidelines, and TRPA makes finding 14 of Section 37.7.</p>

Code Section	Rationale	Proposed Code Language
52.3.4.G Affordable, Moderate, and Achievable- Income Housing	Clarify fine amount for non-compliance.	<p>52.3.4. Affordable, Moderate, and Achievable-Income Housing</p> <p>All projects receiving a residential bonus unit for affordable, moderate, or achievable housing development as defined in Chapter 90: <i>Definitions</i> shall comply with criteria in Section 52.3.4A-F. TRPA shall report to the TRPA Governing Board biennially on the implementation of the residential bonus unit program for affordable, moderate, and achievable housing development. This report shall include, but is not limited to, the number of housing developments and units awarded and constructed bonus units, number of bonus units awarded to and constructed in each income category, number of bonus units awarded to and constructed in single and multi-family housing developments, location of housing developments, and compliance with the program.</p> <ul style="list-style-type: none"> A. Residential bonus units may be awarded to single or multi-family housing developments. B. The owner of the parcel, through a deed restriction running with the land, shall restrict the unit for which the bonus unit was awarded from being used as a second home or a vacation rental. C. A bonus unit may be used for an accessory dwelling unit as defined by Section 21.3.2, notwithstanding 52.3.4.A above, provided it is consistent with all provisions of the applicable area plan or this Code of Ordinances. D. The owner of the parcel, through a deed restriction running with the land, shall limit the unit for which the bonus unit was awarded to the approved use and restrict the occupants' household income to affordable, moderate, or achievable housing limits set forth in Chapter 90: <i>Definitions</i>, depending on the applicable income level for which the bonus unit was awarded. The restriction shall also include the requirement to disclose the restrictions associated with the unit at the time of sale of the unit, the requirement to submit an annual compliance report to TRPA, and the potential to be fined up to <u>\$5,000.00 per day 1/10 of the current cost of a residential unit of use annually</u> for failure to submit the compliance report or comply with these requirements.

		<p>E. An owner-occupant of a unit who has provided all required annual compliance reports and who has had an increase in income so that they are no longer eligible for the bonus unit may apply to TRPA and receive an exemption to the income requirement until the unit is sold. The owner must continue to be the occupant, provide annual compliance reports to remain eligible for the exemption and not be subject to the annual fine, rent the unit only to an income qualified renter if no longer the occupant, or sell the unit only to an income qualified buyer.</p> <p>F. The project awarded a residential bonus unit shall be within ½ mile of a designated Town Center; within ½ mile of an existing transit stop or a transit stop that will be existing concurrent with the completion of the project; or located in an area where multi-family dwellings are an allowed or special use.</p>
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Chapter 90: Definitions

Code Section	Rationale	Proposed Code Language
Chapter 90	Add new definition for Stormwater Collection and Treatment System.	<p><u>Stormwater Collection and Treatment System:</u></p> <p><u>Stormwater collection includes ditches, storm drains, and water pipes designed to remove surface runoff and transport it to the location or locations where it will be treated. Streets, curbs and gutters can be included as part of the collection system.</u></p> <p><u>Stormwater treatment is the process of improving stormwater runoff quality, reducing runoff volume, and reducing runoff peak flow. Debris and solids are filtered out, followed by a sedimentation process. Water</u></p>

		<p><u>is then infiltrated or discharged from the system into the receiving environment (groundwater table, ponds, streams, waterways, etc.).</u></p>
Chapter 90	Add new definition of Mixed-Use Development.	<p><u>Mixed-Use Development:</u> <u>Developments fostering the integration of compatible residential and non-residential uses on a single site that are designed to promote pedestrian circulation. Permissible pedestrian-oriented non-residential uses include, but are not limited to, retail, restaurant, personal services, office, and entertainment uses. Lobbies, gymnasiums, and project offices may be included if they are open to the public.</u></p>

Attachment C
Adopting Ordinance for Amendments to the TRPA Regional Plan and TRPA Code of Ordinances

TAHOE REGIONAL PLANNING AGENCY
ORDINANCE 2023-___

AN ORDINANCE AMENDING ORDINANCE 87-9, AS AMENDED, TO
AMEND TRPA'S CODE OF ORDINANCES AND OTHER MATTERS RELATED
THERE TO

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

Section 1.0 Findings

- 1.10 The Tahoe Regional Planning Compact (P. L. 96-551, 94 Stat. 3233, 1980) created the Tahoe Regional Planning Agency (TRPA) and empowered it to set forth environmental threshold carrying capacities ("threshold standards") for the Tahoe Region.
- 1.15 The Compact directs TRPA to adopt and enforce a Regional Plan that, as implemented through agency ordinances, rules and regulations, will achieve and maintain such threshold standards while providing opportunities for orderly growth and development consistent with such thresholds.
- 1.20 The Compact further requires that the Regional Plan attain and maintain federal, state, or local air and water quality standards, whichever are strictest, in the respective portions of the region for which the standards are applicable.
- 1.25 Compact Art. V(c) states that the TRPA Governing Board and Advisory Planning Commission shall continuously review and maintain the Regional Plan.
- 1.30 In June 1987, the TRPA Governing Board adopted Ordinance 87-9, which established the Regional Plan and included, amongst other things, the Goals & Policies and the Code of Ordinances ("Code").
- 1.40 TRPA has made the necessary findings required by Article V of the Compact, Chapter 4 of the Code, and all other applicable rules and regulations, and incorporates these findings fully herein.
- 1.55 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.0 Amendment of the TRPA Code of Ordinances

- 2.10 Ordinance 87-9, as previously amended, is hereby amended as shown in Attachment B.

Section 3.0 Interpretation and Severability

3.10 The provisions of this ordinance adopted hereby shall be liberally construed to affect their purpose. If any section, clause, provision, or portion thereof is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby. For this purpose, the provisions of this ordinance are hereby declared respectively severable.

Section 4.0 **Effective Date**

4.10 This ordinance shall be effective 60 days after adoption.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held _____ by the following vote:

Ayes:

Nays:

Abstain:

Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency
Governing Board

