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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

Existing TRPA Code	Proposed TRPA Code Deed restricted housing only
Maximum Density: 25 units/acre Maximum Coverage: 70% Maximum Height: 56 feet Parking: Local jurisdiction standards apply (1-2 spaces per unit)	Maximum Density: No maximum Maximum Coverage: No maximum (with stormwater treatment system) Maximum Height: 65 feet Parking: Allow project to provide alternative strategies to meet parking demand (with parking analysis)

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 Deed restricted housing only
<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>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 VIIf)	<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 VIIg)	<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 VIIla)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (CEQA VIIlb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

TRPA Questions 2.a-2.d:

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

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

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

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

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

TRPA Question 2.e:

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

TRPA Threshold Indicators:

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

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

CEQA Questions 2.1-2.6:

All responses are “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:

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

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

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

Housing (CEQA Checklist Questions)

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

Discussion

TRPA Question 12.a:

The proposed amendments are intended to increase the amount of 100 percent deed-restricted affordable, moderate and achievable housing in the region, including housing affordable to lower and very-low-income households. By making multi-family and accessory dwelling unit housing types more affordable to build, housing projects will become more competitive for state and federal grants. Projects that receive government grant funding, such as the recently approved Sugar Pine Village, are more likely to provide affordable housing for the

lower income levels. Use of the remaining 946 residential bonus units to supply local residents with 100 percent deed-restricted affordable, moderate, and achievable housing units is anticipated to relieve pressure on the extremely limited rental market, allowing households to move into appropriately sized and priced units, and opening up more supply at lower rates.

It is possible that proposed density, height and land coverage amendments available for 100 percent deed-restricted housing units, including achievable, could encourage future developers to demolish existing housing units being rented at affordable 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

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 IId)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (CEQA IIe)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

CEQA Questions 21.1, 21.2 and 21.5

The locations where housing development may occur under the proposed amendments are partially developed and not located in an area identified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency.

CEQA Questions 21.3, 21.4 and 21.5

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

22. Cumulative/Synergistic Impacts

The Regional Plan, Code of Ordinances and adopted local jurisdiction Area Plans are a collection of both short- and long-term goals, policies, and measures designed to guide development and support the Region in attaining environmental thresholds and other important objectives. These goals, policies, and measures are inherently cumulative in nature as they are applied over a long-term basis, for the planning area as a whole, and in compliance with local jurisdiction and TRPA goals, policies, measures, and thresholds.

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

23. Findings of Significance

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

Discussion

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

All of these responses are “no” 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.

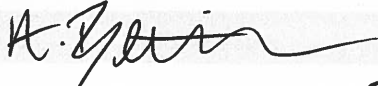
TRPA Question 23.c:

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 though 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	The amendments do not alter remedial action plan requirements.
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	
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 though 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	The amendments do not alter remedial action plan requirements.
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><tr><th>LAND CAPABILITY DISTRICT</th><th>MAXIMUM ALLOWED LAND COVERAGE</th></tr><tr><td>1a</td><td>1 percent</td></tr><tr><td>1b</td><td>1 percent</td></tr><tr><td>1c</td><td>1 percent</td></tr><tr><td>2</td><td>1 percent</td></tr><tr><td>3</td><td>5 percent</td></tr><tr><td>4</td><td>20 percent</td></tr><tr><td>5</td><td>25 percent</td></tr><tr><td>6</td><td>30 percent</td></tr><tr><td>7</td><td>30 percent</td></tr></table> <p>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</p> <p>B. In the case of existing planned unit 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>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>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:

<u>Parcel Size (Square Feet)</u>	<u>Land Coverage</u>
0 - 4,000	Base Land Coverage as Set Forth in <i>Policy LU-2.10</i>
4,001 - 9,000	1,800 sq. ft.

		<p><u>Parcel Size (Square Feet)</u></p> <p>9,001 - 14,000</p> <p>14,001 - 16,000</p> <p>16,001 - 20,000</p> <p>20,001 - 25,000</p> <p>25,001 - 30,000</p> <p>30,001 - 40,000</p> <p>40,001 - 50,000</p> <p>50,001 - 70,000</p> <p>70,001 - 90,000</p> <p>90,001 - 120,000</p> <p>120,001 - 150,000</p> <p>150,001 - 200,000</p> <p>200,001 - 400,000</p>	<p><u>Land Coverage</u></p> <p>20 percent</p> <p>2,900 sq. ft.</p> <p>3,000 sq. ft.</p> <p>3,100 sq. ft.</p> <p>3,200 sq. ft.</p> <p>3,300 sq. ft.</p> <p>3,400 sq. ft.</p> <p>3,500 sq. ft.</p> <p>3,600 sq. ft.</p> <p>3,700 sq. ft.</p> <p>3,800 sq. ft.</p> <p>3,900 sq. ft.</p> <p>4,000 sq. ft.</p>
		<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. Commercial and Mixed Use Facilities in a Community Plan: 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.L. <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 moderate-income housing, <u>accessory dwelling</u> units and long-term 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	[MODIFY EXISTING SECTION] Remove number of stories from height allowance to rely on maximum number of feet.		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]								

		<div>Complete Streets</div> <div>Sec. 36.5</div> <div>[4]</div> <div> <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> </div>
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><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>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:</p> <p>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</p> <p>2. Has an approved inclusionary housing ordinance.</p>
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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>

		<p><u>30.4.2.B.5 Affordable, Moderate, and Achievable Housing outside Centers</u></p> <p><u>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:</u></p> <ul style="list-style-type: none"><u>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</u><u>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.</u><u>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.</u><u>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.</u>
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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>

		contributing to alternative transportation methods. Mixed-use projects shall meet local parking requirements for the non-residential portion of the development.
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Chapter 36: Design Standards

36.13	<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>

		is then infiltrated or discharged from the system into the receiving environment (groundwater table, ponds, streams, waterways, etc.).
Chapter 90	Add new definition of Mixed-Use Development.	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.

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><tr><th>LAND CAPABILITY DISTRICT</th><th>MAXIMUM ALLOWED LAND COVERAGE</th></tr><tr><td>1a</td><td>1 percent</td></tr><tr><td>1b</td><td>1 percent</td></tr><tr><td>1c</td><td>1 percent</td></tr><tr><td>2</td><td>1 percent</td></tr><tr><td>3</td><td>5 percent</td></tr><tr><td>4</td><td>20 percent</td></tr><tr><td>5</td><td>25 percent</td></tr><tr><td>6</td><td>30 percent</td></tr><tr><td>7</td><td>30 percent</td></tr></table> <p>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</p> <p>B. In the case of existing planned unit 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>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>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																					

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		<p>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.</p> <p>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.</p> <p>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.</p> <p>A. Single Family Residential: The maximum land coverage allowed (Base + Transfer) on a parcel through a transfer program shall be as set forth below:</p> <table><tr><th><u>Parcel Size (Square Feet)</u></th><th><u>Land Coverage</u></th></tr><tr><td>0 - 4,000</td><td>Base Land Coverage as Set Forth in <i>Policy LU-2.10</i></td></tr><tr><td>4,001 - 9,000</td><td>1,800 sq. ft.</td></tr></table>	<u>Parcel Size (Square Feet)</u>	<u>Land Coverage</u>	0 - 4,000	Base Land Coverage as Set Forth in <i>Policy LU-2.10</i>	4,001 - 9,000	1,800 sq. ft.
<u>Parcel Size (Square Feet)</u>	<u>Land Coverage</u>							
0 - 4,000	Base Land Coverage as Set Forth in <i>Policy LU-2.10</i>							
4,001 - 9,000	1,800 sq. ft.							

		<p><u>Parcel Size (Square Feet)</u></p> <p>9,001 - 14,000</p> <p>14,001 - 16,000</p> <p>16,001 - 20,000</p> <p>20,001 - 25,000</p> <p>25,001 - 30,000</p> <p>30,001 - 40,000</p> <p>40,001 - 50,000</p> <p>50,001 - 70,000</p> <p>70,001 - 90,000</p> <p>90,001 - 120,000</p> <p>120,001 - 150,000</p> <p>150,001 - 200,000</p> <p>200,001 - 400,000</p>	<p><u>Land Coverage</u></p> <p>20 percent</p> <p>2,900 sq. ft.</p> <p>3,000 sq. ft.</p> <p>3,100 sq. ft.</p> <p>3,200 sq. ft.</p> <p>3,300 sq. ft.</p> <p>3,400 sq. ft.</p> <p>3,500 sq. ft.</p> <p>3,600 sq. ft.</p> <p>3,700 sq. ft.</p> <p>3,800 sq. ft.</p> <p>3,900 sq. ft.</p> <p>4,000 sq. ft.</p>
		<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. Commercial and Mixed Use Facilities in a Community Plan: 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.L. <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 moderate-income housing, <u>accessory dwelling</u> units and long-term 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	[MODIFY EXISTING SECTION] Remove number of stories from height allowance to rely on maximum number of feet.	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]								

		<div>Complete Streets</div> <div>Sec. 36.5</div> <div>[4]</div> <div> <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> </div>
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><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>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:</p> <p>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</p> <p>2. Has an approved inclusionary housing ordinance.</p>
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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>

		<p><u>30.4.2.B.5 Affordable, Moderate, and Achievable Housing outside Centers</u></p> <p><u>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:</u></p> <ul style="list-style-type: none"><u>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</u><u>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.</u><u>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.</u><u>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.</u>
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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>

		contributing to alternative transportation methods. Mixed-use projects shall meet local parking requirements for the non-residential portion of the development.
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Chapter 36: Design Standards

36.13	<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>

		is then infiltrated or discharged from the system into the receiving environment (groundwater table, ponds, streams, waterways, etc.).
Chapter 90	Add new definition of Mixed-Use Development.	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.

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