



STAFF REPORT

Date: April 17, 2024

To: TRPA Regional Planning Committee

From: Jacob Stock, Senior Planner

Subject: Adaptive Improvements to the Code of Ordinances Supporting Climate Resilience, Affordable Housing Requirements for Condominiums, and Design Standards for Mixed-Use Development

Project Summary:

Staff will present an overview of proposed amendments to the TRPA Code of Ordinances to implement best practices for climate resilience and adaptation, address the need for mixed-use minimum standards to encourage walkable communities, and take an interim step to address the impacts of condominium subdivision on affordable housing needs in our region. These proposed amendments build on the work of the Phase 2 Housing Amendments, Sustainability Action Plan, and lessons learned from local area planning and Code implementation.

Staff requests that the Regional Planning Committee (RPC) discuss the proposed amendments and consider a motion to recommend approval of the proposed amendments to the Code of Ordinances.

Required Motions:

To recommend adoption of the proposed amendments to the Code of Ordinances, RPC must make the following motion(s), based on the staff summary:

- 1) A motion to recommend approval of the Required Findings, as described in Attachment B, including a Finding of No Significant Effect, for adoption of the Code of Ordinances amendments as described in the staff summary; and
- 2) A motion to recommend adoption of Ordinance 2024-___, amending Ordinance 87-9, to amend the Code of Ordinances as shown in Attachment A.

Project Description/Background:

Climate Resilience:

In December 2013, the TRPA Sustainability Action Plan was adopted to guide TRPA and local jurisdictions in developing and implementing climate sustainability strategies and actions under a consistent regional framework. Since the plan's adoption, TRPA and partners have fully or partially implemented more than 80 percent of recommended actions in the plan. These planning efforts resulted in approximately 198 climate resilience-related projects across the Region. TRPA staff are directed to implement the remaining actions of the Sustainability Action Plan as they relate to standards in the Code of Ordinances.

During the summer of 2022, a graduate student intern from the University of California, Davis, Kamryn Kubose, completed a research project exploring best practices for land use regulation in climate-smart

communities. Her project resulted in a 100-page memo covering traffic congestion; energy conservation; energy generation; zero-emissions vehicles; waste diversion; sustainable construction and development; water conservation; carbon sequestration, forestry practices, and vegetation; adaptation and resilience; and workforce housing. She and her TRPA supervisors presented to the TRPA Governing Board and facilitated a work planning and prioritization workshop in October 2022. The Governing Board directed staff to develop regulatory code amendments supporting complete implementation of the Sustainability Action Plan including amendments addressing traffic mitigation, solar energy generation, electric vehicle charging, and dark sky preservation that could be completed on an initial environmental checklist.

Beginning in January 2023, Ms. Kubose was joined by a team of UC-Davis graduate students to develop proposed code language following the Governing Board's direction. The graduate student team conducted detailed code research, facilitated stakeholder engagement, and wrote draft code amendments. On May 24, 2023, TRPA staff and the graduate student team provided an informational presentation on their recommendations to Regional Planning Committee. TRPA staff have since addressed RPC's recommendations and worked closely with stakeholders from local government, the development and private consulting industry, and Liberty Energy, along with Permitting staff to develop the current proposal (Exhibits B and C to Attachment A). The proposal includes new requirements for traffic mitigation planning at temporary events, strategies to streamline rooftop solar installation while maintaining scenic threshold protections, provisions supporting the continued development of appropriate EV charging infrastructure, and a reorganization of the Code's exterior lighting requirements including new provisions for dark sky preservation. Staff drew from a range of best practices to develop this proposal including successful local codes, the California Building Standards Code, Dark Sky Alliance recommendations, and Leadership in Energy and Environmental Design (LEED) standards.

Affordable Housing Requirements for Subdivisions and Design Standards for Mixed-Use Development: The mixed-use and affordable housing elements of this proposal were adapted at the Governing Board's direction from an amendment to the Washoe Tahoe Area Plan (TAP).

On March 8 and March 22, 2023, respectively, the Advisory Planning Commission (APC) and RPC considered a proposed Washoe County TAP amendment to allow subdivision of buildings in Special Area 1 of Incline Village's commercial town center. Both bodies found that the Area Plan and Code of Ordinances did not fully address standards for mixed-use development and the impact of condominium subdivision on the need for affordable housing. They recommended that the County consider policies to encourage affordable and workforce housing and a more specific definition and minimum standards for mixed-use development before the amendment was applied to the remainder of Special Area 1. Following APC and RPC's recommendation, staff developed mitigation measures to define and set minimum standards for mixed-use development and to ensure that a portion of new condominiums in Special Area-1 would be deed-restricted with a mix of affordable and moderate housing. On June 28, 2023, the Governing Board approved the amendments to the TAP, including mitigation measures, directing staff to explore regional standards for mixed-use and deed-restricted condominium housing.

TRPA staff has since researched best practices to define and set minimum standards for mixed-use development that could also apply at the regional level and support walkable communities. On May 24, 2023, TRPA staff initiated the process to set regional standards, presenting to RPC on mixed-use standards for the basin as a whole, including a mixed-use definition and regional standards that include the proportion and location of residential and non-residential uses in a structure, permitted uses, mix of affordable and market-rate units, density, parking, and minimum design standards. These proposed

amendments follow Governing Board direction to develop regional standards for mixed-use and propose regional conditions to ensure that new condominium development includes a 10 percent mix of affordable and moderate-income housing on or off site (Exhibit A to Attachment A). Additionally, the proposed amendments adapt Section 39.2 (Subdivision Standards) to ensure consistency with existing definitions for affordable- and moderate-income housing.

The requirement for 10 percent deed-restricted housing in condominium developments reflects the mitigation measures the Board adopted into the Washoe Tahoe Area Plan in June 2023. This requirement responds to the need for local workforce housing created by new market-rate development along with the existing gap in housing units affordable to local workers. Needs assessments by the Mountain Housing Council and Tahoe Prosperity Center found a gap of just over five thousand workforce housing units for lower and moderate-income residents. This gap represents roughly 10 percent of the total units in the basin. A 10 percent deed-restriction requirement is also consistent with Placer County's affordable housing ordinance and the City of South Lake Tahoe's inclusionary zoning ordinance. This proposal would not replace these existing local ordinances, but rather would apply to jurisdictions that do not have an equivalent program. Developers could use bonus units to obtain development rights and incentives for the deed-restricted housing. Staff plans to explore more comprehensive measures to mitigate the impact of market-rate housing on workforce housing through the next phase of the Tahoe Living Strategic Initiative.

Environmental Review:

TRPA staff completed an Initial Environmental Checklist (IEC) pursuant to Chapter 3: Environmental Documentation of the TRPA Code of Ordinances and Article VI of the Rules of Procedure (Attachment C). Staff experts reviewed the IEC and completed revisions. The IEC finds that the proposed amendments would not result in significant effects on the environment.

Regional Plan Compliance:

TRPA staff completed a Regional Plan Compliance Measures Checklist (Attachment D) and determined that the proposed amendments are in compliance with the Regional Plan. The proposed amendment will be reviewed by the Advisory Planning Commission (APC) and RPC. Recommendations of the APC and RPC will then be considered by the Governing Board in determining whether to find the Area Plan amendment in compliance with the Regional Plan.

Additionally, staff advise that the proposed amendments will advance the following goals and policies of the Regional Plan:

- The Regional Plan Housing Element.
- Goal 1 of the Transportation Element which seeks to protect and enhance the environment by promoting energy conservation and reducing greenhouse gas emissions including through support for mixed-use and transit-oriented development.
- The Sustainability Action Plan goals and policies including establishing efficient light standards (4-10), standards for renewable energy (4-13), supporting EV charging networks (4-18), and addressing event impacts (4-32).

Opportunities for Public Input:

To-Date:

Climate Resilience:

- October 2022—Workshop with the TRPA Governing Board to prioritize amendments

- Winter/Spring 2023—Stakeholder workshops with representatives from local government, the development and private consulting industry, and Liberty Energy
- May 2023—Presentation and feedback from the Regional Planning Committee
- November 2023—Stakeholder review of proposal draft
- February 14, 2024—APC informational presentation
- March 27, 2024—RPC Informational Presentation

Mixed-Use:

- May 2023—Presentation and Feedback from Regional Planning Committee
- June 2023—Governing Board adoption of amendments to the Washoe Tahoe Area Plan including elements of this proposal
- November 2023—Stakeholder review of proposal draft
- February 14, 2024—APC informational presentation
- March 27—RPC Informational Presentation

Planned:

- April 24, 2024—RPC Hearing
- May 8, 2024—APC hearing
- June 26, 2024—Governing Board hearing and consideration of approval

Contact Information:

For questions regarding this agenda item, please contact Jacob Stock, AICP, Senior Planner, at (775) 589-5221 or jstock@trpa.org. To submit a written public comment, email publiccomment@trpa.gov with the appropriate agenda item in the subject line. Written comments received by 4 p.m. the day before a scheduled public meeting will be distributed and posted to the TRPA website before the meeting begins. TRPA does not guarantee written comments received after 4 p.m. the day before a meeting will be distributed and posted in time for the meeting.

Attachments:

- A. TRPA Ordinance 2024-__
 - Exhibit A: Proposed Mixed Use Code Amendments Table
 - Exhibit B: Proposed Climate Code Amendments Table
 - Exhibit C: Proposed Exterior Lighting Standards
- B. Required Findings/Rationale
- C. Initial Environmental Checklist
- D. Compliance Measures Checklist

Attachment A
TRPA Ordinance 2024-__

Attachment A

TAHOE REGIONAL PLANNING
AGENCY ORDINANCE 2024-__

AN AMENDMENT TO ORDINANCE NO. 87-9, AS AMENDED, TO AMEND THE TRPA CODE OF ORDINANCES, CHAPTERS 2, 13, 21, 22, 30, 34, 36, 37, 39, AND 90 REGARDING STANDARDS FOR CLIMATE RESILIENCE, DARK SKY PRESERVATION, AFFORDABLE HOUSING REQUIREMENTS FOR CONDOMINIUMS, AND DESIGN STANDARDS FOR MIXED-USE DEVELOPMENT.

The Governing Board of the Tahoe Regional Planning Agency does ordain as follows:

Section 1.00 Findings

- 1.10 It is desirable to amend TRPA Ordinance 87-9, as previously amended, by amending the TRPA Code of Ordinances to further implement the Regional Plan pursuant to Article VI (a) and other provisions of the Tahoe Planning Compact.

- 1.20 The TRPA Code of Ordinances amendments were the subject of an Initial Environmental Checklist (IEC), which was processed in accordance with Chapter 3: *Environmental Documentation* of the TRPA Code of Ordinances and Article VI of the Rules of Procedure. The TRPA Code of Ordinances amendments have been determined not to have a significant effect on the environment and are therefore exempt from the requirement of an Environmental Impact Statement (EIS) pursuant to Article VII of the Compact.

- 1.30 The Advisory Planning Commission (APC), Regional Plan Committee (RPC), and Governing Board have each conducted a noticed public hearing on the proposed TRPA Code of Ordinances amendments. The APC and RPC have recommended Governing Board adoption of the necessary findings and adopting ordinance. At these hearings, oral testimony and documentary evidence were received and considered.

- 1.40 The Governing Board finds that the TRPA Code of Ordinances amendments adopted hereby will continue to implement the Regional Plan, as amended, in a manner that achieves and maintains the adopted environmental threshold carrying capacities as required by Article V (c) of the Compact.

- 1.50 Prior to the adoption of this ordinance, the Governing Board made findings required by Section 4.6 of the TRPA Code of Ordinances, and Article V (g) of the Compact.

- 1.60 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.00 TRPA Code of Ordinances Amendments

Ordinance 87-9, as previously amended, is hereby amended by amending Chapters 2, 13, 21, 22, 30, 34, 36, 37,39, and 90 of the TRPA Code of Ordinances, as set forth in Exhibits A, B, and C to this Ordinance.

Section 3.00 Interpretation and Severability

The provisions of this ordinance amending the TRPA Code of Ordinances adopted hereby shall be liberally construed to affect their purposes. If any section, clause, provision, or portion thereof is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance and the amendments to the Regional Plan Package shall not be affected thereby. For this purpose, the provisions of this ordinance and the amendments to the Regional Plan Package are hereby declared respectively severable.

Section 4.00 Effective Date

The provisions of this ordinance amending the TRPA Code of Ordinances shall become effective sixty (60) days following adoption of this ordinance.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held on June 26, 2024, by the following vote:

Ayes:

Nays:

Abstentions:

Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency,
Governing Board

Attachment A
Exhibit A: Proposed Mixed Use Code Amendments Table

EXHIBIT A TO ATTACHMENT A
PROPOSED MIXED-USE (MU) CODE LANGUAGE

Code Section	Rationale	Proposed Code Language
36.14	Design standards for MU, including market rate. This amendment separates design standards applying to all M-U from standards specific to 100 percent deed-restricted developments. Standards specific to 100 percent deed-restricted developments were approved in the Phase 2 Housing Amendments.	<p><u>36.14 Mixed-Use Design Standards</u></p> <p>Mixed-use developments <u>approved after [effective date]</u> shall meet the definition of mixed-use in Chapter 90 and the following design standards:</p> <p><u>a. The ground floor shall include one or more permissible pedestrian-oriented non-residential uses that include, but are not limited to, retail, restaurant, personal services, office, and entertainment uses.</u></p> <p><u>b. Mixed-use developments shall must 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 street frontage area or 60 percent of the ground floor area.</u></p> <p>a-c. <u>Deed-restricted affordable and moderate housing units may be substituted for non-residential uses on the ground floor.</u></p> <p>b-d. <u>Parking and vehicle access shall be designed to limit conflict with pedestrian circulation along the ground floor frontage and shall be located off of the main frontage whenever possible;</u></p> <p><u>e. 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 at exterior grade, sidewalks, and other pedestrian improvements.</u></p> <p><u>e. An Area Plan may propose alternative standards for mixed-use developments that promote pedestrian-oriented design.</u></p>

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39.2.3.B	Additions to existing 1:1 replacement requirement to include affordable housing.	<p>B. Existing Affordable and Moderate-Income Housing Existing residential units that are <u>affordable- or moderate-income housing, either de-facto or deed-restricted as defined by Chapter 90: Definitions</u>, shall not be subdivided unless mitigation is provided on a unit for unit basis for the loss of <u>affordable- or moderate-income housing</u>. Mitigation shall be in the form of construction of an equal number of <u>affordable- or moderate-income units</u>, conversion of other structures to <u>affordable- or moderate-income housing</u>, <u>deed-restriction</u> of subdivided units to <u>affordable- or moderate-income housing units</u>, or a combination of the above.</p> <ol style="list-style-type: none"> 1. To determine whether a unit is <u>affordable- or moderate-income housing</u>, the applicant shall submit a rental/sale history for each unit for the previous five years. TRPA shall review the history and determine whether the unit has, on the whole, been available as <u>affordable- or moderate income housing</u>. TRPA shall utilize the appropriate state and federal data on median income and rental rates and mortgages for moderate- to very low-income households in making the determination. If a rental or sale history is unavailable or incomplete, an appraisal of the structure prepared by a qualified appraiser shall be submitted by the applicant. 2. Restriction of subdivided units to <u>affordable- or moderate-income housing</u> shall include recordation of deed restrictions running with the land that requires compliance with Section 52.3.4.D.
39.2.3.M	See above	<p>M. Substitution of Local Housing Plans If a local jurisdiction adopts and implements a program that addresses the need for <u>affordable- and moderate-income housing</u> within its jurisdiction, then TRPA may by ordinance exempt projects within that jurisdiction from the provisions of subparagraph 39.2.3.B.</p>
39.2.5.F	Require 10% deed-restricted housing as a condition of subdivision for pre- and post-1987	<p>F. Affordable and Moderate-Income Housing <u>1. Subdivisions of post-1987 residential projects in plan areas designated preferred affordable housing areas.</u> Approval of subdivisions after December 31, 1995, of post-1987 residential projects <u>in designated preferred</u></p>

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	<p>structures. Jurisdictions with inclusionary zoning requirements are exempt.</p>	<p>affordable housing areas that do not qualify as affordable housing shall be prohibited until TRPA finds the city or county, with zoning jurisdiction, has demonstrated its commitment to assume its "fair share" responsibility to provide lower and very low income housing within existing urban areas pursuant to Policy HS-1.2 of the TRPA Housing Subelement of the Regional Plan Goals and Policies.</p> <p>2. Subdivision of eligible structures greater than 4 unit that are not subject to subsection 39.2.3.B shall only be permitted if there is an affordable and moderate-income housing component. No less than 10 percent of residential units in a subdivided structure or at least one unit, whichever is greater, shall be deed-restricted affordable or a mix of affordable and moderate-income housing. Where there is an even number of deed-restricted units, affordable and moderate-income housing may be deed-restricted on a 1:1 basis. Where there is an odd number of deed-restricted units, the majority shall be deed-restricted affordable. Deed-restricted units shall be substantially similar to the project's mix of units, size, and design of units. However, two or more smaller affordable deed-restricted units may be substituted for any required larger deed-restricted unit if the combined square footage is similar. Deed-restricted units may be built on site or elsewhere within a center. Deed-restricted units must be completed before market rate units can be occupied. Jurisdictions with alternative requirements that are based on a financial feasibility study and are approved by the governing body of that jurisdiction shall be exempt from this provision.</p>
90.2	<p>Amend the definition of mixed-use to allow a broader mix of uses including tourist accommodation.</p>	<p>Mixed-Use Development Developments fostering the integration of compatible residential and non-residential uses on a single site that are designed to promote pedestrian circulation. Permissible pedestrian-oriented nonresidential uses include, but are not limited to, residential, tourist accommodation, retail, restaurant, personal services, office, and entertainment uses. Lobbies, gymnasiums, and project offices may be included if they are open to the public.</p>

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Attachment A
Exhibit B: Proposed Climate Code Amendments Table

EXHIBIT B TO ATTACHMENT A

PROPOSED CLIMATE CODE LANGUAGE

Traffic reduction associated with temporary events

Code Section	Rationale	Proposed Code Language
22.7.6.	<p>Temporary activity transportation plan as a requirement of temporary use permits to require that large events consider how to reduce automobile traffic and increase the use of alternative modes.</p> <p>See City of South Lake Tahoe additional requirements for temporary events (CSLT Code, 6.55.230.A.c.i).</p> <p>TRPA permitting staff noted that requirements for Ch. 22 temporary permits could benefit from additional requirements supporting traffic reduction.</p>	<p>22.7.6. Traffic Mitigation</p> <p>A. For a temporary activity that includes the closure of a traffic lane or intersection of a state or federal highway for more than one hour, or the closure of U.S. 50 at any point between the South Y and Kingsbury Grade for any period of time, the applicant shall submit a traffic control plan.</p> <p>B. A temporary event transportation plan must be prepared for any event with the potential for more than 500 attendees. A temporary event transportation plan shall include a map of fixed route public transit stops, pedestrian access, and bike access, bike parking (existing and/or temporary) and materials for communicating alternative transportation options to event participants. The plan must include strategies for encouraging the use of alternatives to personal automobiles and should include plans for bike valet, shuttle services, and rideshare drop off locations.</p>

Electric vehicle (EV) charging

Code Section	Rationale	Proposed Code Language
90.2	Define electric vehicle charging stations and related terms in code. Additional terms and detail added to definitions from permitting improvement amendments.	<p>Electric vehicle charger</p> <p>Off-board charging equipment used to charge an electric vehicle. <u>An “electric vehicle charger level 2” means a 208–240-volt electric vehicle charger. A “direct current (DC) fast charger” means a 400-volt or greater electric vehicle charger.</u></p> <p>Electric Vehicle (EV) charging space</p> <p><u>A parking space intended for use of EV charging equipment and charging of electric vehicles.</u></p> <p>Electric vehicle charging station (EVCS)</p> <p>One or more electric vehicle charging spaces served <u>by electric vehicle supply equipment (EVSE) receptacles by electric vehicle charger(s) or other charging equipment allowing charging of electric vehicles.</u></p> <p>Electric vehicle supply equipment (EVSE)</p> <p><u>The conductors, including the underground, grounded and equipment grounding conductors and the electric vehicle connectors, attachments, plugs, personnel protection system, and all other fittings, devices, power outlets or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.</u></p> <p>Electric Vehicle (EV) capable spaces</p> <p><u>A vehicle space with electrical panel space and load capacity to support a branch circuit and necessary raceways to support EV charging.</u></p> <p>EV ready spaces</p>

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		A vehicle space which is provided with a branch circuit; any necessary raceways to accommodate EV charging, terminating in a receptacle or a charger.
Table 21.4-A	<p>Include electric vehicle charging station as a primary use under service station and vehicle storage and parking.</p> <p>Tesla, Inc. expressed their intentions to develop EV charging as a primary use. This and other proposed code aims to allow charging as a primary use while encouraging more distributed accessory EV charging.</p>	<p>Service Stations</p> <p>Retail trade establishments primarily engaged in the sale of gasoline and/or electric vehicle charging, which may also provide lubrication, oil change and tune-up services, and the sale of automotive products incidental to gasoline sales. The use may also include as accessory uses towing, mechanical repair services, car washing and waxing, and trailer rental. The use does not include storage of wrecked or abandoned vehicles, paint spraying body and fender work, and retail sale of gasoline as an accessory use to food and beverage retail sales when limited to not more than two pumps.</p> <p>Vehicle storage & parking</p> <p>Service establishments primarily engaged in the business of storing operative cars, buses, or other motor vehicles. The use includes both day use and long-term public and commercial garages, parking lots, and structures. Outside storage or display is included as part of the use. The use includes electric vehicle charging. The use does not include wrecking yards (see “Recycling and Scrap”)</p>
34.4.1	<p>EV capable language for commercial, multi-family and hotel/motels with more than 40 spaces.</p> <p>Encourage distributed EV charging in integrated mix of uses.</p>	<p>34.4.1. Electric Vehicle Capable Parking Spaces</p> <p>Twenty (20) percent of the total number of parking spaces on a building site with a minimum of 20 (twenty) spaces provided for all types of parking facilities shall be electric vehicle capable spaces (EV spaces) capable of supporting future electric vehicle supply equipment. Electrical load calculations shall demonstrate that the electrical panel service capacity and electrical system, including any on-site distribution transformer(s), have sufficient capacity to</p>

	<p>Borrowed from Cal Green (5.106.5.3). Cal Green requires 20% in lot's with 10 spaces or more. See Cal Green Table 5.106.5.3.1.</p>	<p><u>simultaneously charge all EVs at all required EV spaces at a minimum of 40 amperes. EV spaces will count toward the total amount of parking spaces.</u></p> <ol style="list-style-type: none"> <u>1. The development of electric vehicle supply equipment applies to new development and redevelopment when the project requires a permit for parking lot grading.</u> <u>2. Developments with 100 percent deed restricted housing shall be exempt from the above requirement.</u>
<p>30.4.2.A.6</p>	<p>Allow limited coverage exemption and transfer of coverage.</p> <p>Permitting Improvement amendments include Sec. 30.4.6.A allowing 30 sqft. coverage exemption for EV, solar and other "small utility installations".</p> <p>Aims to encourage installation on existing coverage by allowing limited exemption with the option to transfer coverage is preferable to a large exemption.</p>	<p><u>6. Solar Energy Generation and Electric Vehicle Charging Facilities</u></p> <p><u>Transfers of land coverage may be permitted for electric vehicle chargers, solar energy systems, and related small utility installations.</u></p> <p><u>The maximum land coverage transferred shall be consistent with the following standards:</u></p> <ol style="list-style-type: none"> <u>(1) Transferred coverage shall be the minimum amount necessary to achieve the purpose of the facility;</u> <u>(2) Coverage shall not be transferred to sensitive land;</u> <u>(3) Receiving parcels shall have installed and maintained BMPs meeting TRPA requirements and the transferred coverage shall also have BMPs installed and maintained to meet TRPA requirements;</u> <u>(4) When feasible alternatives exist, TRPA may require the relocation of on-site coverage for some or all of the coverage needed. On-site coverage relocation is appropriate for parcels with non-essential coverage areas that can be reduced in size or replaced with pervious alternatives without significant structural modifications or significant impacts to the usability of the parcel.</u>

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Solar energy generation

Code Section	Rationale	Proposed Code Language
90.2	Define active, passive, and solar mounting devices.	<p>Active solar energy system A solar energy system with a primary purpose to harvest energy by transforming solar energy into another form of energy or transferring heat from a solar collector to another medium using mechanical, electrical, or chemical means.</p> <p><u>Photovoltaic (PV) System</u> An active solar energy system that converts solar energy directly into electricity.</p> <p><u>Passive Solar Energy System</u> A solar energy system that captures solar light or heat without transforming it to another form of energy or transferring the energy via a heat exchanger. Examples of passive solar may include skylights, passive solar water heating systems such as flat-plate collectors, or structure design and/or orientation maximizing solar energy capture and retention.</p> <p><u>Solar Mounting Devices</u> Racking, frames, or other devices that allow the mounting of a solar collector onto a roof, the ground, or other surface.</p>
2.3.6.A.12.	Qualified exemption for rooftop and parking lot solar energy systems. Require predictable scenic threshold standards when in scenic threshold travel routes and shoreland. QE from scenic review if system meets reflective standard. 3% reflectivity qualifier comes from the highest score given for windows in the shorezone.	<p><u>12. Installation of Roof-mounted Photovoltaic (PV) Systems or PV Systems Mounted Over Parking Lots</u></p> <p><u>The installation of pPhotovoltaic (PV) systems on the rooftops of existing structures or over parking lots that are deemed to be qualified exempt provided:</u></p> <ul style="list-style-type: none"> a) <u>Solar roof-mounting devices do not extend beyond the rooftop perimeter and mounting devices do not intrude into setback standards established in 36.5.4.</u> b) <u>Structure does not create height greater than that allowed by Chapter 37.</u> c) <u>If the structure is located inside of a Scenic Travel Corridor, the</u>

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		<p><u>Shoreland, or visible from Lake Tahoe, then solar panels shall be constructed of non-reflective material not to exceed 3 percent reflectivity.</u></p> <p>d) <u>The panel trim and mounting devices are designed to reduce reflectivity and blend with the panel and/or surrounding materials.</u></p>
Table 21.4-A	Expand primary use "Power Generating" to include solar facilities.	<p>Power generating</p> <p>Establishments engaged in the generation of electrical energy for sale to consumers, including biofuel facilities, hydro facilities, gas facilities, <u>solar facilities</u>, and diesel facilities. Outside storage or display is included as part of the use. The use does not include biofuel <u>or solar</u> facilities accessory to a primary use. Transmission lines located off the site of the power plant are included under "Pipelines and Power Transmission." Electrical substations are included under "Public Utility Centers."</p>
36.5.4.A.1.		Decks (except decks for off street parking), stairs, canopies, building, <u>solar mounting structures</u> , or roof overhangs shall not intrude into the 20-foot setback established in this subparagraph.
36.6.1.C.	Remove requirement for project-level assessment for roof-mounted solar. This is a barrier that complicates review of solar proposals. Scenic impacts of solar panels addressed through reflectivity standard.	<p>C. Alternative Energy Production</p> <p>Solar <u>panels-energy systems</u> or other alternative energy equipment may be exempted from the requirements of 36.6.1.A and B if <u>they are constructed of non-reflective material not to exceed 3 percent reflectivity, a project level assessment demonstrates that scenic threshold standards will not be adversely impacted.</u></p>
37.4.3.A.	Expand the height exemptions to include solar energy systems.	Chimneys, flues, vents, antennas, <u>solar energy systems</u> , and similar appurtenances may be erected to a height ten percent greater than the otherwise permissible maximum height of a building, or a height of six feet, whichever is less. <u>Height exemptions for solar energy systems shall not exceed the minimum height necessary for the solar energy system to function.</u>

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Standards to reduce light pollution

Code Section	Rationale	Proposed Code Language
36.8.1.	Update TRPA's lighting standards, include color temperature, shielding, and other standards to comply with international dark sky standards. Reorganize exterior lighting section for improved legibility.	[See Exhibit C]
13.5.3.F.5	Move lighting standards to single location in chapter 36. Reference 36.8.1.	<p>5. Lighting Lighting increases the operational efficiency of a site. In determining the lighting for a project, the standards set forth in Section 36.8.1.E.1 shall following should be required.:</p> <p>a. Exterior lighting should be minimized to protect dark sky views, yet adequate to provide for public safety, and should be consistent with the architectural design.</p> <p>b. Exterior lighting should utilize cutoff shields that extend below the lighting element to minimize light pollution and stray light.</p> <p>c. Overall levels should be compatible with the neighborhood light level. Emphasis should be placed on a few, well-placed, low intensity lights.</p> <p>d. Lights should not blink, flash, or change intensity except for temporary public safety signs.</p>

Attachment A
Exhibit C: Proposed Exterior Lighting Standards

EXHIBIT C
TO ATTACHMENT A
PROPOSED EXTERIOR LIGHTING STANDARDS

36.8. EXTERIOR LIGHTING STANDARDS

36.8.1. General Standards

- A. Exterior lighting shall be minimized to protect dark sky views, yet adequate to provide for public safety, and should be consistent with the architectural design.
- B. Outdoor lighting shall be used for purposes of illumination only, and shall not be designed for, or used as, an advertising display.
- C. Outdoor lighting must serve a functional safety purpose including the illumination of entrances and pathways. Illumination for aesthetic or dramatic purposes of any building or surrounding landscape utilizing exterior light fixtures projected above the horizontal is prohibited, except as set forth in Subsection 36.8.5 paragraph E.3, below.
- A.D. Exterior lights shall not blink, flash, or change intensity except for temporary public safety signs. String lights, building or roofline tube lighting, reflective, or luminescent wall surfaces are prohibited.
- B.E. Exterior lighting shall not be attached to trees except for the Christmas season.
- C.F. Parking lot, walkway, and building lights shall be directed downward.
- G. Fixture mounting height shall be appropriate to the purpose. The height shall not exceed the limitations set forth in Chapter 37.
- D.H. The commercial operation of spot search lights for advertising or any other purpose is prohibited.
- I. Seasonal lighting displays and lighting for special events that conflict with other provisions of this section may be permitted on a temporary basis pursuant to Chapter 22: *Temporary Uses, Structures, and Activities*.

36.8.2. Outdoor Lighting—Lighting Design

The placement, including height, of all outdoor lighting shall be appropriate to serve a functional safety purpose. Exterior lighting shall utilize cutoff shields that extend below the lighting element to minimize stray light. Light shall be directed downward with no

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light emitted above the horizontal plane of the fixture and no splay of light offsite. Outdoor lighting shall be located to minimize impact on adjacent properties.

36.8.3 Lighting Levels

Outdoor lighting levels shall respond to the anticipated use and shall not exceed the amount of light required by users. The maximum color temperature of outdoor lighting is 3,000 degrees Kelvin. TRPA may authorize outdoor lighting with a color temperature up to 5,000 degrees Kelvin when required for public safety.

36.8.4 Commercial Lighting

Outdoor lighting for commercial uses shall not exceed 2,500 Lumens per light and the total lighting shall not exceed 100,000 Lumens per acre. Commercial uses shall reduce outdoor lighting to 50 percent or less of operational lighting levels after business hours. Motion detection lighting, activated by motion on site, may increase lighting levels to 100 percent temporarily. TRPA staff may authorize exceptions for public safety.

36.8.5 Cemetery Lighting

F.

~~1-36.8.3.1.1 Outdoor lighting shall be used for purposes of illumination only, and shall not be designed for, or used as, an advertising display.~~

~~2-36.8.3.1.1 Illumination for aesthetic or dramatic purposes of any building or surrounding landscape utilizing exterior light fixtures projected above the horizontal is prohibited, except as set forth in Subparagraph F.3, below.~~

3. Within the veterans' section of an existing cemetery, the United State flag may be illuminated subject to the following limitations:

a.A. Where it may not be possible to reliably or consistently illuminate with downward lighting, upward lighting may be used only in the form of spotlights which confine the illumination to the flag.

B. Lighting shall be the minimum necessary to properly illuminate the flag. In no case shall any lighting source exceed 2,500 lumens in output.

36.8.6 Outdoor Lighting Plan

The applicant for any project in connection with proposed work involving outdoor lighting fixtures shall submit, as part of the application, evidence that the proposed lighting will comply with subsection 36.8. The submission shall contain the following:

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b-

1. Plans indicating the location on the premises, and the type of illumination devices, fixtures, lamps, supports, reflectors, and construction details;
2. Description of illuminating devices, fixtures, lamps, supports, reflectors, and other devices. The description may include, but is not limited to, catalog cuts by manufacturers, and drawings; and
3. A table showing the total number of proposed exterior lights by fixture type, degrees Kelvin, Lumens per fixture, and lamp type.

~~G-36.8.3.1 The commercial operation of searchlights for advertising or any other purpose is prohibited.~~

~~H-36.8.3.1 Seasonal lighting displays and lighting for special events that conflict with other provisions of this section may be permitted on a temporary basis pursuant to Chapter 22: Temporary Uses, Structures, and Activities.~~

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Attachment B
Required Findings/Rationale

ATTACHMENT B
REQUIRED FINDINGS / RATIONALE

TRPA Code of Ordinances Section 3.3—Determination of Need to Prepare an Environmental Impact Statement

Finding: TRPA finds the proposed Code amendments will not have a significant effect on the environment.

Rationale: An Initial Environmental Checklist (IEC) was prepared to evaluate the effects of the proposed amendments to the Code of Ordinances (see Attachment C). The IEC found that the proposed Code amendments would not have a significant effect on the environment. The IEC was prepared to evaluate the potential environmental impact of the proposed amendments to specific sections of the Code related to mixed-use zoning, workforce housing, alternative power sources, electric vehicle capabilities, and outdoor lighting standards within the following chapters of the TRPA Code of Ordinance:

- Chapter 2: General Provisions
- Chapter 13: Area Plans
- Chapters 21 and 22: Land Uses
- Chapters 30,34, 36, 37, and 39: Site Development
- Chapter 90: Definitions

The proposed amendments are consistent with and will implement the aforementioned chapters of the TRPA Code of Ordinance and the Regional Plan. The amendments are not anticipated to result in significant environmental effects. As demonstrated in the accompanying IEC finding of no significant effect, amendments to these chapters will not result in a significant impact on the environment or cause the environmental threshold carrying capacities to be exceeded.

TRPA Code of Ordinances Section 4.4—Threshold-Related Findings

1. Finding: The amendments to the Code of Ordinances are consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, plan area statements and maps, the Code, and other TRPA plans and programs;

Rationale: The proposed code amendments will not have significant environmental impacts and will improve TRPA’s ability to implement the TRPA Code of Ordinance chapters listed above in Section 3.3. The amendments will also implement key goals, policies and actions of the Regional Plan including:

- The Regional Plan Housing Element

- Goal 1 of the Transportation Element which seeks to protect and enhance the environment by promoting energy conservation and reducing greenhouse gas emissions including through support for mixed-use and transit-oriented development.
- The Sustainability Action Plan goals and policies including establishing efficient lighting standards (4-10), standards for renewable energy (4-13), supporting EV charging networks (4-18), and addressing event impacts (4-32).

The Code amendments are consistent with and advance the Regional Plan policies and goals and all implementing elements of the Regional Plan.

2. Finding: The proposed amendments will not cause the environmental threshold carrying capacities to be exceeded; and

Rationale: The proposed amendments are consistent with the threshold attainment strategies in the Regional Plan. As demonstrated in the IEC finding of no significant effect, these amendments will not cause the environmental threshold carrying capacities to be exceeded.

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

Rationale: The proposed amendments would not exceed any state, federal, or local standards. The amendments are intended to lessen emissions by allowing appropriate solar power systems and electric vehicle charging facilities, by requiring strategies to reduce emissions from temporary events, and by facilitating mixed-use development that minimizes reliance on personal automobiles. The amendments will not result in negative environmental impacts and will result in cumulative environmental benefits.

TRPA Code of Ordinances Section 4.6—findings Necessary to Amend or Adopt TRPA Ordinances, Rules, or Other TRPA Plans and Programs.

Finding: 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 thresholds.

Rationale: As discussed in Sections 4.4 above, the Regional Plan and all of its elements, as amended, achieves and maintains thresholds. The proposed amendments will support and improve implementation of the TRPA Code of Ordinances chapters listed in Section 3.3 and the relevant Regional Plan goals and policies listed in Section 4.4. Future redevelopment projects would be subject to project-level environmental review and permitting at which time the proposals would be required to demonstrate compliance with all federal, state, and TRPA regulations. Therefore, implementation of the proposed amendment would result in achievement and maintenance of the thresholds.

Attachment C
Initial Environmental Checklist

INITIAL ENVIRONMENTAL CHECKLIST FOR DETERMINATION OF ENVIRONMENTAL IMPACT

PROJECT INFORMATION

Project Name: Adaptive Improvements to the Code of Ordinances Supporting Climate Resilience, Affordable Housing Requirements for Condominiums, and Design Standards for Mixed-Use Development

Project Assessor's Parcel Number (APN): Not Applicable

Project Address: Not Applicable

County/City: Not Applicable

Project Description: The Tahoe Regional Planning Agency (TRPA) is proposing a package of amendments to the Code of Ordinances aimed at implementing key goals, policies, and actions of the Regional Plan and Sustainability Action Plan. The proposal includes amendments to implement climate resilience best-practices, support dark sky preservation, facilitate appropriate mixed-use development, and mitigate the impact of market-rate condominium development on affordable housing. These amendments were developed through a robust process including Governing Board and stakeholder workshops, best practice and adaptive management analysis by University of California, Davis graduate students and TRPA staff, and additional stakeholder draft review. The proposed amendments are summarized below and detailed in Attachments A and B to this packet.

The proposed climate code amendments bring new language and revise existing language to address electrical vehicle charging and related uses, Photovoltaic (PV) as an alternative power source, exterior lighting design and standards, a traffic mitigation plan for temporary events, and define new terminology. The new proposed climate code language creates additional sections in the Code of Ordinances that requires electric vehicle capable parking spaces for new development or redevelopment of facilities with 20 or more parking spaces (Section 34.4.1); allows limited transfer of coverage for solar energy generation and electric vehicle charging facilities (Section 30.4.2.A.6); sets parameters for a qualified exemption of PV systems installed on roof tops, over parking lots or within a scenic route (Section 2.3.6.A.12); and requires a transportation plan for large event temporary use permits to encourage reduced automobile traffic and increase use of alternative modes of transportation (Section 22.7.6). Additional climate code amendments propose revising existing language to include electric vehicle charging station as a primary use under "Service Stations" and "Vehicle Storage and Parking" uses (Table 21.4-A); expand the primary use "Power Generating" to include solar facilities (Table 21.4-A); include solar mounting structures in setbacks under "Site Design Standards" (Section 36.5.4.A.1); remove the requirement for project-level assessment for roof mounted solar energy systems under "Alternative Energy Production" (Section 36.6.1.C); and to codify solar energy systems as rooftop appurtenances (Section 37.4.3.A).

The Code amendments proposed for the Exterior Lighting Standards (Section 36.8) involve reorganization of this section in Chapter 36, proposed new language, and revision of existing language. Additional proposed amendments to Code Section (36.8) Exterior Lighting Standards create new subsections that

address Lighting Design (Section 36.8.2), Lighting Levels (Section 36.8.3), Commercial Lighting (Section 36.8.4), and Outdoor Lighting Plan (Section 36.8.6) based on recommendations from the Dark Sky Alliance and Leadership in Energy and Environmental Design. The proposed design standards include placement, height, and shields to minimize stray light. The proposed lighting levels work in tandem with the design standards, where color temperature is measured by degrees Kelvin with a maximum of 3,000 degrees Kelvin. The proposed standards for commercial lighting target total lumens, which cannot exceed 2,500 Lumens per light, 100,000 Lumens per acre, and must reduce total lighting to 50% or more after business hours.

Other proposed code amendments contain clarifying and new language that addresses design standards for mixed-use developments (Section 36.14), the replacement mitigation requirement for affordable housing (Section 39.2.3.B), a new condition for subdivision of pre- and post-1987 structures (Section 39.2.5.F), and define "mixed-use" to allow a broader mix of uses including tourist accommodation (Section 90.2). The proposed code amendment to the subdivision standards for pre- and post-1987 structures requires that new developments greater than four units deed-restrict 10 percent of subdivided units as affordable or moderate-income housing units.

The following questionnaire was completed by TRPA staff based on an analysis of the proposed amendments. All "Yes" and "No, With Mitigation" answers include further written comments.

For information on the status of TRPA environmental thresholds click on the links to the Threshold Dashboard.

I. ENVIRONMENTAL IMPACTS

1. LAND

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"/>

Discussion:

The proposed amendments will not impact impervious land cover or Stream Environment Zones. Any future project developed pursuant to the amendment must first be an approved project, compliant with TRPA's existing land coverage, excavation, grading, and temporary and permanent BMP standards prescribed for soil conservation.

2. AIR QUALITY

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"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
b. Deterioration of ambient (existing) air quality?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
c. The creation of objectionable odors?	<input type="checkbox"/>	X	<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"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
e. Increased use of diesel fuel?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

The following proposed Code amendment supports the reduction of emissions:

The proposed amendment to Code Section 22.7.6 addresses the preparation of a transportation plan in conjunction with a temporary use permit for an event having the potential for more than 500 attendees. The plan must include strategies to reduce automobile traffic and encourage the use of alternative modes of travel, such as bicycles, shuttle services, or rideshare. TRPA permitting staff also noted that temporary permits could benefit from additional requirements supporting traffic reduction.

The proposed amendments will not negatively impact air quality. Any future project developed pursuant to the amendment must first be an approved project and compliant with TRPA's emission standards for the protection of air quality.

3. WATER QUALITY

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"/>	X	<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"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
c. Alterations to the course or flow of 100-yearflood waters?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
d. Change in the amount of surface water in any water body?	<input type="checkbox"/>	X	<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"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
f. Alteration of the direction or rate of flow of ground water?	<input type="checkbox"/>	X	<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"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
h. Substantial reduction in the amount of water otherwise available for public water supplies?	<input type="checkbox"/>	X	<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"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
j. The potential discharge of contaminants to the groundwater or any alteration of groundwater quality?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
k. Is the project located within 600 feet of a drinking water source?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

Proposed amendment to Code Section 30.4.2.A.6 addresses the transfer of land coverage for electrical vehicle chargers, solar energy systems, and related small utility installations. These standards aim to encourage installation on existing coverage by limiting exempted and transferred coverage for new installations. Both receiving parcels and transferred coverage must have TRPA approved installed and maintained BMPs. TRPA may also require the relocation of on-site coverage for parcels with non-essential coverage areas that can be reduced in size or replaced with pervious alternatives without structural modifications or impacts to the usability of the parcel. Ultimately, these standards are designed to accommodate appropriate energy installations on limited coverage, reducing the potential impact of these installations on future water quality.

The proposed amendments do not change building standards that could lead to changes in water resources and will not impact water quality.

4. VEGETATION

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

Discussion:

The proposed amendments do not include any changes that could have a significant adverse effect on vegetative resources. Any future project developed pursuant to the amendment must first be an approved project and compliant with TRPA's standards for the protection of vegetation and other biological resources.

5. WILDLIFE

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"/>

Discussion:

The proposed amendments could not have a significant adverse effect on wildlife species or habitat. Any future project developed pursuant to the amendment must first be an approved project and compliant with TRPA's existing standards for wildlife preservation.

6. NOISE

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"/>

Discussion:

TRPA's noise ordinances apply to single noise event from aircraft, watercraft, motor vehicles, motorcycles, off-road vehicles and snow mobiles and to community noise levels. The proposed amendments could not have a significant impact on TRPA's noise thresholds since the proposed amendments do not generate single noise events or increase community noise levels.

7. LIGHT AND GLARE

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"/>

Discussion:

The proposed amendments will support the reduction of light pollution and glare. The following proposed amendments encourage the reduction of illumination levels on exterior lighting while providing for public safety.

Proposed amendment to Code Section 36.8.1.A requires that exterior lighting shall be minimized to protect dark sky views, yet adequate to provide for public safety, and should be consistent with the architectural design.

Proposed amendment to Code Section 36.8.1.C requires that the addition of Outdoor lighting must serve a functional safety purpose including the illumination of entrances and pathways.

Proposed amendment to Code Section 36.8.2 requires that the placement, including height, of all outdoor lighting shall be appropriate to serve a functional safety purpose. This section requires that exterior lighting utilize cutoff shields that extend below the lighting element to minimize stray light and directed downward with no light emitted above the horizontal plane of the fixture and no splay of light offsite. The proposal also requires that outdoor lighting shall be located to minimize impact on adjacent properties.

Proposed amendment to Code Section 36.8.3 states that outdoor lighting shall not exceed the amount of light required by users. The maximum color temperature of outdoor lighting is limited to 3,000 degrees Kelvin, limiting the impact of exterior lights on dark sky resources.

Proposed amendment to Code Section 36.8.4 requires that commercial outdoor lighting not exceed 2,500 Lumens per light and the total lighting shall not exceed 100,000 Lumens per acre. Commercial uses shall also reduce outdoor lighting to 50 percent or less of operational lighting levels after business hours. While TRPA staff may authorize exceptions for public safety, these new standards will greatly reduce the impact of commercial lighting on light pollution over time.

Proposed amendment to Code Section 2.3.6.A.12 sets a reflectivity limit for rooftop solar panels in scenic areas at 3 percent. This limit is consistent with reflectivity levels already approved in scenic areas. As a result, these new standards will ensure that no new sources of glare are created by rooftop solar panels.

8. LAND USE

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?	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Expand or intensify an existing non-conforming use?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

TRPA must regularly reevaluate use definitions in response to changing development practices and technologies. Often resulting changes effectively codify Code interpretations and existing permitting practices. The amendments propose to expand use definitions for service stations, and vehicle storage and parking to include electric vehicle charging facilities; as well as the definition of power generating facilities to include solar panels. The proposal also includes new Chapter 90 definitions related to solar and electric vehicle charging. While these facilities were not previously listed in the use table or Chapter 90 definitions of the Code of Ordinances, they update the Code to codify existing permitting practice and do not propose changing existing permitting practice.

The proposed amendments do not expand or intensify existing non-conforming uses.

9. NATURAL RESOURCES

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"/>

Discussion:

The proposed amendments would not change building standards, add uses that consume resources at a greater rate than existing permissible uses, or increase development potential that could deplete resources. The potential impacts on natural resources of any project proposed as a result of these amendments would be evaluated and mitigated if necessary. As a result, the proposed amendments could not have a significant effect on natural resources.

10. RISK OF UPSET

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"/>

Discussion:

Any future project proposed pursuant to the amendment must first be an approved project and compliant with TRPA's building standards. The proposed amendment will not impact emergency evacuation or involve a risk of explosion or releasing hazardous materials.

11. POPULATION

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 type="checkbox"/>	<input checked="" 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"/>

Discussion:

The proposed amendments do not change the amount or distribution of residential development allowed in the Tahoe Region and thus does not alter the location, distribution, or growth rate of residential units planned for the Region or displace residents. The amendments could reduce displacement of low and moderate income residents by requiring that market-rate development deed-restrict a portion of new condominium development.

12. HOUSING

Will the proposal:	Yes	No	No, with mitigation	Data insufficient
a. Affect existing housing, or create a demand for additional housing? <i>To determine if the proposal will affect existing housing or create a demand for additional housing, please answer the following questions:</i>				
1. Will the proposal decrease the amount of housing in the Tahoe Region?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposal decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

The proposed amendments will not decrease housing or decrease the amount of housing historically or currently being rented at rates affordable by lower and very-low income households in the Region. Rather, the proposed amendments actively support the preservation of existing affordable housing and development of future affordable units. The proposed amendments require a condition that new subdivided structures provide no less than 10 percent of units or at least one unit, whichever is greater, as deed-

restricted affordable and moderate-income housing units, ensuring that at least a portion of housing is provided for the local workforce (Code Section 39.2.5.F). Additionally, the proposed amendment to Section 39.2.3.B incorporates “affordable housing” throughout this section, expanding housing protections for those impacted by the conversion of de facto affordable housing.

13. TRANSPORTATION / CIRCULATION

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"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
b. Changes to existing parking facilities, or demand for new parking?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
c. Substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
d. Alterations to present patterns of circulation or movement of people and/or goods?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
e. Alterations to waterborne, rail or air traffic?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
f. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

The proposed amendments will not increase the daily Vehicle Miles Travelled, the demand for additional parking, impact existing transportation systems, alter waterborne, rail, or air traffic, nor increase traffic hazards. Any alteration to present patterns of circulation or movement of people and/or goods could occur on a temporary basis. The proposed amendment to Code Section 22.7.6 addresses the preparation of a transportation plan in conjunction with a temporary use permit for an event having the potential for more than 500 attendees. The plan must include strategies to reduce automobile traffic and encourage the use of alternative modes of travel, such as bicycles, shuttle services, or rideshare. TRPA staff noted that temporary permit requirements could support reduction of auto trips. Additionally, the proposed amendments add electric vehicle charging to the definition for parking and vehicle storage and adds Section 34.4.1, requiring EV capable spaces in parking lots with 20 spaces or greater, supporting greenhouse gas reduction goals.

14. PUBLIC SERVICES

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"/>

Discussion:

The proposed amendments will not impact public facilities.

15. ENERGY

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"/>

Discussion:

The proposed amendments do not add uses, such as industrial uses, that might substantially increase the demand for energy. While electric vehicle charging stations will consume energy, these facilities are already being developed in response to existing demand and will continue to do so with or without the proposed amendments. Rather, the proposed amendments seek to ensure that these facilities are developed appropriately and consistent with the Regional Plan. Proposed standards for solar energy generation could increase the supply of locally generated electricity.

16. UTILITIES

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"/>

Discussion:

The proposed code amendment 34.4.1 encourages new development or redevelopment involving parking lot grading with 20 or more parking spaces to make 20% of parking spaces capable of supporting electric vehicle charging. An electrical load calculation shall demonstrate that the electrical panel service capacity and electrical system including any on-site distribution transformer(s) have sufficient capacity and would not result in the need for additional public utilities. Thus, the proposed amendments will not result in the need for any new or altered utility systems.

17. HUMAN HEALTH

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:

The proposed amendments will not create any health hazard or expose people to potential hazard.

18. SCENIC RESOURCES / COMMUNITY DESIGN

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"/>

Discussion:

The proposed amendments would not change scenic standards that could lead to changes or a significant adverse impact on scenic resources or community design. Any future project proposed pursuant to the amendment must first be an approved project and compliant with TRPA's scenic standards and thresholds. Instead, the proposed amendments include specific requirements aimed at protecting scenic resources and community design.

Proposed amendment to Code Section 2.3.6.A.12 applies a qualified exemption of the installation of rooftop or parking lot photovoltaic (PV) systems. The rooftop PV systems cannot intrude into setback standards, exceed heights greater than allowed in Code Chapter 37, must meet reflective standards, and must abide by the scenic threshold standards when within a Scenic Travel Corridor, the shoreland, or visible from Lake Tahoe. This section specifically requires that solar panels meet a 3% reflectivity rating in scenic areas, providing a clear threshold for enforcing scenic requirements, consistent with current interpretations of the thresholds and Regional Plan.

19. RECREATION

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"/>

Discussion:

The proposed amendments require preparation of a transportation plan in conjunction with a temporary use permit for an event having the potential for more than 500 attendees. The plan must include strategies to reduce automobile traffic and encourage the use of alternative modes of travel, such as bicycles, shuttle services, or rideshare. No impact to recreation facilities, except to encourage usage of alternative modes of transportation. The proposed amendments would not have an adverse negative impact on recreation and may benefit recreation events by reducing associated traffic.

20. ARCHAEOLOGICAL / HISTORICAL

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"/>

Discussion:

The proposed amendments would not change protections for historic resources or lead to greater burdens on known archaeological or historic resources. Additions, modifications, or demolition of structures greater than 50 years old requires review for historic significance under the TRPA Code. The proposed amendments do not alter that requirement. The proposed amendments could not have a significant impact on archaeological or historic resources.

II. FINDINGS OF SIGNIFICANCE

	Yes	No	No, with mitigation	Data insufficient
a. 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"/>
b. 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:

The proposed amendment will have no significant impact.

III. 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:



Michelle Brown	at	3/14/2024
Person preparing application	County	Date

Applicant Written Comments:

The proposed amendments to the Code of Ordinances build on a robust stakeholder process and adapt TRPA’s implementing regulations to better achieve the goals, policies, and actions of the Sustainability Action Plan and Regional Plan. The amendments do not have the potential to degrade the environment and instead apply national best practices for the climate resilience planning to facilitate “climate smart” development choices, including the transition from fossil fuels to alternative fuels and local energy production. These amendments take a long-range view of the region’s climate resilience and affordable housing needs and cumulatively increase regional resilience. Finally, the amendments will cause no direct or indirect human harm and may result in reduced displacement, fewer vehicle trips and greater resilience, reducing harm overall and in the long-term.

TRPA staff recommend approval of the proposed amendments.

IV. 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 3/14/2024

Associate Long Range Planner
Title of Evaluator

Attachment D
Compliance Measures Checklist

Compliance Measures Affected by the

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
WATER QUALITY/SEZ - IN PLACE				
1	BMP requirements, new development: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	The proposed amendments will not impact the BMP implementation program for water quality and SEZs.
2	BMP implementation program -- existing streets and highways: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Trans, Fish	N	
3	BMP implementation program -- existing urban development: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	
4	BMP implementation program -- existing urban drainage systems: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Trans, Fish	N	
5	Capital Improvement Program for Erosion and Runoff Control	WQ, Soils/SEZ, Trans, Fish	N	The proposed amendments will not impact capital improvements for erosion control.
6	Excess coverage mitigation program: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	The proposed amendments do not impact excess coverage mitigation requirements.
7	Effluent limitations: California (SWRCB, Lahontan Board) and Nevada (NDEP): <i>Code of Ordinances</i> Chapter 5	WQ, Soils/SEZ, Fish	N	No change to effluent discharge.
8	Limitations on new subdivisions: (See the Goals and Policies: Land Use Element)	WQ, Soils/SEZ, Rec, Scenic	N	No impact on subdivision limitation.

Compliance Measures Affected by the

Tracking Number	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	N	The proposed amendments will not impact land use planning and controls. The proposed amendments increase housing opportunities by adding additional mixed-use design standards and mitigation measures to include affordable housing needs through the subdivision process. This will expand options for residential development within Town Centers and could increase the likelihood of achieving walkable, bikeable communities.
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	No change to residential development priorities or IPES.
11	Limits on land coverage for new development: Goals and Policies: Land Use Element and Code of Ordinances Chapter 30	WQ, Soils/SEZ, Scenic	N	The proposed amendments expand the list of eligible uses for transfer of land coverage to include solar energy generation and electric vehicle charging facilities. The proposed amendments encourage installation on existing coverage and transfer the minimum amount necessary for the facility. No change to limits on land coverage for new development.
12	Transfer of development: Goals and Policies: Land Use Element and Implementation Element	WQ, Soils/SEZ	N	The proposed amendments do not change the Goals and Policies from the Land Use Element or Implementation Element of the Regional Plan regarding the transfer of development.
13	Restrictions on SEZ encroachment and vegetation alteration: <i>Code of Ordinances</i> Chapters 30 and 61	WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic	N	The proposed amendments will not alter existing restrictions on SEZ encroachment or vegetation alteration.
14	SEZ restoration program: Environmental Improvement Program.	WQ, Soils/SEZ, Veg, Wildlife, Fish, Scenic	N	No changes to the SEZ restoration program are proposed with the amendment.

Compliance Measures Affected by the

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
15	SEZ setbacks: <i>Code of Ordinances</i> Chapter 53	WQ, Soils/SEZ, Veg, Wildlife, Fish	N	SEZ setback requirements in the TRPA Code of Ordinances, Chapter 53, IPES, Section 53.9, were not altered by the proposed amendments. No changes are proposed.
16	Fertilizer reporting requirements: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish, Rec	N	The proposed amendments will not alter or change the Resource Management and Protection regulations in the TRPA Code, including fertilizer reporting and water quality mitigation requirements.
17	Water quality mitigation: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	The proposed amendments will not alter or change the Resource Management and Protection regulations in the TRPA Code, including fertilizer reporting and water quality mitigation requirements.
18	Restrictions on rate and/or amount of additional development	WQ, Soils/SEZ, Wildlife, Scenic	N	The proposed amendments require newly subdivided structures to provide no less than 10 percent of units or at least one unit, whichever is greater, as deed-restricted affordable and moderate-income housing units. Also, the proposed amendments incorporate “affordable housing” into the 1 to 1 ratio replacement requirement, expanding housing protections for those impacted by the conversion of de facto affordable housing. No changes to the rate of development are proposed with these amendments.
19	Improved BMP implementation/enforcement program	WQ, Soils/SEZ	N	The proposed amendments will not impact the BMP implementation or enforcement program for water quality and SEZs.
20	Increased funding for EIP projects for erosion and runoff control	WQ, Soils/SEZ	N	The proposed amendments do not increase funding for EIP erosion and runoff control projects but may help to accelerate implementation. No changes are proposed with these amendments.
21	Artificial wetlands/runoff treatment program	WQ, Soils/SEZ	N	The proposed amendments do not alter the artificial wetlands/runoff treatment program. No changes are proposed with these proposed amendments.

Compliance Measures Affected by the

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
22	Transfer of development from SEZs	WQ, Soils/SEZ, Scenic	N	The proposed amendments maintain the RPU's incentives to hasten the transfer of development rights from sensitive lands, including SEZs, or outlying areas. No changes are proposed with these proposed amendments.
23	Improved mass transportation	WQ, Trans, Noise	N	The proposed amendments do not impact mass transportation.
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 proposed amendments encourage redevelopment within a Town Center and within close proximity to services and transit. This will expand options and could increase the likelihood of achieving walkable, bikeable communities.
25	Combustion heater rules, stationary source controls, and related rules: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	The proposed amendment will not impact water quality, soil or SEZ protection measures related to utilities.
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	

Compliance Measures Affected by the

Tracking Number	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 proposed amendment will not impact water quality, soil or SEZ protection measures related to transportation, recreation, livestock, or pesticides.
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	
40	Land use planning and controls -outdoor recreation: <i>Code of Ordinances</i> Chapter 21	WQ, Soils/SEZ, Wildlife, Noise, Rec, Scenic	N	
41	Land use planning and controls--ORV use: Goals and Policies: Recreation Element	WQ, Soils/SEZ, AQ, Wildlife, Fish, Noise, Rec, Scenic	N	No impact to land use planning controls.

Compliance Measures Affected by the

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments	
42	Control of encroachment and coverage in sensitive areas	WQ, Soils/SEZ, Wildlife, Rec, Scenic	N	No change to control of encroachment and coverage in sensitive areas.	
43	Control on shorezone encroachment and vegetation alteration: <i>Code of Ordinances</i> Chapter 83	WQ, Soils/SEZ, Scenic	N	The proposed amendments will not make any new changes to existing programs.	
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		
50	Controls on anti-fouling coatings: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N		
51	Modifications to list of exempt activities	WQ, Soils/SEZ	N		The proposed amendments create a qualified exemption for rooftop solar. This QE will not impact water quality, soils, or SEZ protections.
WATER QUALITY/SEZ - SUPPLEMENTAL					
52	More stringent SEZ encroachment rules	WQ, Soils/SEZ, Wildlife, Fish	N	The proposed amendments will not add or alter any restrictions, controls or programs in Compliance Measures 52 though 61.	
53	More stringent coverage transfer requirements	WQ, Soils/SEZ	N		

Compliance Measures Affected by the

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
54	Modifications to IPES	WQ, Soils/SEZ	N	
55	Increased idling restrictions	WQ, Soils/SEZ, AQ	N	
56	Control of upwind pollutants	WQ, Soils/SEZ, AQ	N	
57	Additional controls on combustion heaters	WQ, Soils/SEZ, AQ	N	
58	Improved exfiltration control program	WQ, Soils/SEZ	N	
59	Improved infiltration control program	WQ, Soils/SEZ	N	
60	Water conservation/flow reduction program	WQ, Soils/SEZ, Fish	N	
61	Additional land use controls	WQ, Soils/SEZ, Wildlife	N	

AIR QUALITY/TRANSPORTATION - IN PLACE

62	Fixed Route Transit - South Shore: STAGE	Trans, Rec	N	The proposed amendments require preparation of a transportation plan in conjunction with a temporary use permit for an event having the potential for more than 500 attendees. The plan must include strategies to reduce automobile traffic and encourage the use of alternative modes of travel, such as bicycles, shuttle services, or rideshare. No impact to transportation services or facilities, except to encourage usage of alternative modes of transportation.
64	Demand Responsive Transit	Trans	N	
65	Seasonal Transit Services	Trans, Rec	N	
66	Social Service Transportation	Trans	N	
67	Shuttle programs	Trans, Rec	N	
69	Intercity bus services	Trans	N	
70	Passenger Transit Facilities	Trans	N	
71	Bikeways, Bike Trails	Trans, Noise, Rec, Scenic	N	
72	Pedestrian facilities	Trans, Rec, Scenic	N	
73	Wood heater controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	No change to air or water quality controls related to Compliance Measures 73 through 75.

Compliance Measures Affected by the

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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	No impact to mail service delivery.
77	Indirect source review/air quality mitigation: <i>Code of Ordinances</i> Chapter 65	WQ, AQ, Trans	N	No change to air or water quality controls related to Compliance Measures 77 through 78.
78	Idling Restrictions: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
79	Vehicle Emission Limitations(State/Federal)	WQ, AQ	N	No change to vehicle emissions limitations.
80	Open Burning Controls: <i>Code of Ordinances</i> Chapters 61 and Chapter 65	WQ, AQ, Scenic	N	No change to burning controls.
81	BMP and Revegetation Practices	WQ, AQ, Wildlife, Fish	N	No impact on BMP's for water quality or revegetation practices.
82	Employer-based Trip Reduction Programs: <i>Code of Ordinances</i> Chapter 65	Trans	N	No impact on employer-based trip reduction or vehicle rental programs.
83	Vehicle rental programs: <i>Code of Ordinances</i> Chapter 65	Trans	N	
84	Parking Standards	Trans	N	The proposed amendments require preparation of a transportation plan in conjunction with a temporary use permit for an event having the potential for more than 500 attendees. The plan must include strategies to reduce automobile traffic and encourage the use of alternative modes of travel, such as bicycles, shuttle services, or rideshare. No impact to parking and transportation management, except to encourage usage of alternative modes of transportation.
85	Parking Management Areas	Trans	N	
86	Parking Fees	Trans	N	
87	Parking Facilities	Trans	N	
88	Traffic Management Program - Tahoe City	Trans	N	
89	US 50 Traffic Signal Synchronization - South Shore	Trans	N	
90	General Aviation, The Lake Tahoe Airport	Trans, Noise	N	

Compliance Measures Affected by the

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
91	Waterborne excursions	WQ, Trans, Rec	N	The proposed amendments set standards to facilitate appropriate development of electric vehicle charging infrastructure.
92	Waterborne transit services	WQ, Trans, Scenic	N	
93	Air Quality Studies and Monitoring	WQ, AQ	N	
94	Alternate Fueled Vehicle - Public/Private Fleets and Infrastructure Improvements	Trans	Y	
95	Demand Responsive Transit - North Shore	Trans	N	
96	Tahoe Area Regional Transit Maintenance Facility	Trans	N	
97	Heavenly Ski Resort Gondola	Trans	N	

AIR QUALITY/TRANSPORTATION - SUPPLEMENTAL

98	Demand Responsive Transit - North Shore	Trans	N	The proposed amendments require preparation of a transportation plan in conjunction with a temporary use permit for an event having the potential for more than 500 attendees. The plan must include strategies to reduce automobile traffic and encourage the use of alternative modes of travel, such as bicycles, shuttle services, or rideshare. The proposed amendments will not change or impact existing air quality or transportation policies, programs or services except to encourage alternative modes.
99	Coordinated Transit System - South Shore	Trans	N	
100	Transit Passenger Facilities	Trans	N	
101	South Shore Transit Maintenance Facility - South Shore	Trans	N	
102	Transit Service - Fallen Leaf Lake	WQ, Trans	N	
103	Transit Institutional Improvements	Trans	N	
104	Transit Capital and Operations Funding Acquisition	Trans	N	
105	Transit/Fixed Guideway Easements - South Shore	Trans	N	
106	Visitor Capture Program	Trans	N	
107	Pedestrian and Bicycle Facilities-- South Shore	Trans, Rec	N	
108	Pedestrian and Bicycle Facilities-- North Shore	Trans, Rec	N	
109	Parking Inventories and Studies Standards	Trans	N	
110	Parking Management Areas	Trans	N	
111	Parking Fees	Trans	N	

Compliance Measures Affected by the

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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	

VEGETATION - IN PLACE

127	Vegetation Protection During Construction: <i>Code of Ordinances</i> Chapter 33	WQ, AQ, Veg, Scenic	N	No impact on vegetation protection.
128	Tree Removal: <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Scenic	N	No impact to vegetation management.
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	

Compliance Measures Affected by the

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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	No change to remedial action plans.
134	Handbook of Best Management Practices	WQ, Soils/SEZ, Veg, Fish	N	No change to BMP handbook.
135	Shorezone protection	WQ, Soils/SEZ, Veg	N	The proposed amendments will not make any new changes to shorezone protection.
136	Project Review	WQ, Veg	N	The proposed amendments do not change the permit review process or compliance requirements for the issuance of a permit.
137	Compliance inspections	Veg	N	
138	Development Standards in the Backshore	WQ, Soils/SEZ, Veg, Wildlife, Scenic	N	The proposed amendments will not make any changes to backshore development standards.
139	Land Coverage Standards: <i>Code of Ordinances</i> Chapter 30	WQ, Veg, Wildlife, Fish, Scenic	N	The proposed amendments do not change land coverage standards.
140	Grass Lake, Research Natural Area	WQ, Veg, Wildlife, Fish, Scenic	N	The proposed amendment does not impact the Grass Lake Research Area.
141	Conservation Element, Vegetation Subelement: Goals and Policies	Veg, Wildlife, Fish	N	No change to the conservation element, vegetation subelement.
142	Late Successional Old Growth (LSOG): <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Fish	N	No impact on LSOG or SEZ vegetation.

Compliance Measures Affected by the

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
143	Stream Environment Zone Vegetation: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife, Fish	N	
144	Tahoe Yellow Cress Conservation Strategy	Veg	N	No impact on Tahoe Yellow Cress Conservation Strategy.
145	Control and/or Eliminate Noxious Weeds	Veg, Wildlife	N	No impact on noxious weed control or elimination.
146	Freel Peak Cushion Plant Community Protection	Veg	N	No impact to Freel Peak Cushion Plant protection.
VEGETATION - SUPPLEMENTAL				
147	Deepwater Plant Protection	WQ, Veg	N	No impact to deepwater plant protection.
WILDLIFE - IN PLACE				
148	Wildlife Resources: <i>Code of Ordinances</i> Chapter 62	Wildlife, Noise	N	No impact to wildlife resources.
149	Stream Restoration Program	WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic	N	No change to stream restoration program.
150	BMP and revegetation practices	WQ, Veg, Wildlife, Fish, Scenic	N	No impact to BMP or revegetation practices.
151	OHV limitations	WQ, Soils/SEZ, AQ, Wildlife, Noise, Rec	N	No change to OHV limitations.
152	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	Wildlife	N	No change to remedial action plans.
153	Project Review	Wildlife	N	The proposed amendments do not change the permit review process or compliance requirements for the issuance of a permit.
FISHERIES - IN PLACE				
156	Fish Resources: <i>Code of Ordinances</i> Chapter 63	WQ, Fish	N	No impact on fish resources.

Compliance Measures Affected by the

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
157	Tree Removal: <i>Code of Ordinances</i> Chapter 61	Wildlife, Fish	N	No impact on tree removal.
158	Shorezone BMPs	WQ, Fish	N	The proposed amendment will not make any changes to standards for new shorezone structures.
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	No impact to SEZ encroachment or vegetation.
162	SEZ Restoration Program	WQ, Soils/SEZ, Fish	N	No change to SEZ restoration program.
163	Stream restoration program	WQ, Soils/SEZ, Fish	N	No impact on stream or riparian restoration programs.
164	Riparian restoration	WQ, Soils/SEZ, Fish	N	
165	Livestock: <i>Code of Ordinances</i> Chapter 64	WQ, Soils/SEZ, Fish	N	No impact to livestock management practices.
166	BMP and revegetation practices	WQ, Fish	N	No impact on BMP or revegetation.
167	Fish habitat study	Fish	N	No change to fish habitat study.
168	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	Fish	N	No impact on remedial action plans.
169	Mitigation Fee Requirements: <i>Code of Ordinances</i> Chapter 86	Fish	N	No change to mitigation fee requirements.
170	Compliance inspection	Fish	N	No change to compliance inspections.

Compliance Measures Affected by the

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
171	Public Education Program	Wildlife, Fish	N	No impact to Public Education Program.
NOISE - IN PLACE				
172	Airport noise enforcement program	Wildlife, Fish	N	No change to noise 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	No change to vehicle restrictions.
176	Snowmobile Restrictions	WQ, Wildlife, Noise, Rec	N	
177	Land use planning and controls	Wildlife, Noise	N	No change to land use planning or controls.
178	Vehicle trip reduction programs	Trans, Noise	N	No change to vehicle trip reduction programs. The proposed amendments encourage the use of alternative modes of transportation.
179	Transportation corridor design criteria	Trans, Noise	N	No change to transportation corridor design criteria.
180	Airport Master Plan South Lake Tahoe	Trans, Noise	N	No impact on Airport Master plan.
181	Loudspeaker restrictions	Wildlife, Noise	N	No change to loudspeaker restrictions.
182	Project Review	Noise	N	The proposed amendments do not change the permit review process or compliance requirements for the issuance of a permit.
183	Complaint system: <i>Code of Ordinances</i> Chapters 5 and 68	Noise	N	No change to complaint system.
184	Transportation corridor compliance program	Trans, Noise	N	No change to noise limitations or compliance programs.

Compliance Measures Affected by the

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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	No impact to interagency noise enforcement MOU.
RECREATION - IN PLACE				
189	Allocation of Development: <i>Code of Ordinances</i> Chapter 50	Rec	N	No impact to allocation of development.
190	Master Plan Guidelines: <i>Code of Ordinances</i> Chapter 14	Rec, Scenic	N	No change to master plan guidelines.
191	Permissible recreation uses in the shorezone and lake zone: <i>Code of Ordinances</i> Chapter 81	WQ, Noise, Rec	N	No change to permissible recreation uses in shorezone or lakezone.
192	Public Outdoor recreation facilities in sensitive lands	WQ, Rec, Scenic	N	No impact to outdoor recreation facilities on sensitive lands.
193	Hiking and riding facilities	Rec	N	No impact to hiking or riding facilities.
194	Scenic quality of recreation facilities	Rec, Scenic	N	The amendment will not alter the existing scenic quality of recreation facilities.
195	Density standards	Rec	N	No change to density standards.
196	Bonus incentive program	Rec	N	No change to bonus incentive program.
197	Required Findings: <i>Code of Ordinances</i> Chapter 4	Rec	N	No change to required findings.
198	Lake Tahoe Recreation Sign Guidelines	Rec, Scenic	N	No change to recreation sign guidelines.
199	Annual user surveys	Rec	N	No impact to annual user surveys.
RECREATION - SUPPLEMENTAL				
200	Regional recreational plan	Rec	N	No impact to regional recreation plan.
201	Establish fair share resource capacity estimates	Rec	N	No change to resource capacity.
202	Reserve additional resource capacity	Rec	N	

Compliance Measures Affected by the

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
203	Economic Modeling	Rec	N	
SCENIC - IN PLACE				
204	Project Review and Exempt Activities: <i>Code of Ordinances</i> Chapter 2	Scenic	Y	The proposed amendments add rooftop solar installations as a qualified exempt activity conditional on the specific scenic requirements including color and reflectivity standards.
205	Land Coverage Limitations: <i>Code of Ordinances</i> Chapter 30	WQ, Scenic	N	No change to coverage limitations.
206	Height Standards: <i>Code of Ordinances</i> Chapter 37	Scenic	N	No change to height standards.
207	Driveway and Parking Standards: <i>Code of Ordinances</i> Chapter 34	Trans, Scenic	N	No change to driveway parking standards.
208	Signs: <i>Code of Ordinances</i> Chapter 38	Scenic	N	No impact on sign regulations.
209	Historic Resources: <i>Code of Ordinances</i> Chapter 67	Scenic	N	No impact on historic resources.
210	Design Standards: <i>Code of Ordinances</i> Chapter 36	Scenic	N	No change to design standards.
211	Shorezone Tolerance Districts and Development Standards: <i>Code of Ordinances</i> Chapter 83	Scenic	N	No change to development standards.
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	No impact on grading standards or vegetation protection.
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	No impact on revegetation.
216	Design Review Guidelines	Scenic	N	The amendment will not alter the existing scenic quality or impact design review guidelines.

Compliance Measures Affected by the

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
217	Scenic Quality Improvement Program(SQIP)	Scenic	N	The proposed amendments do not alter the project review packet, SQIP, or 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	No impact to Nevada-side Utility Line Undergrounding Program.
SCENIC - SUPPLEMENTAL				
221	Real Time Monitoring Program	Scenic	N	No change to real time monitoring program.
222	Integrate project identified in SQIP	Scenic	N	No impact to SQIP.