



STAFF REPORT

Date: January 17, 2024

To: TRPA Regional Planning Committee

From: TRPA Staff

Subject: A Public Hearing to Consider Recommendation of Economic Sustainability and Housing Amendments to Placer County's Tahoe Basin Area Plan

Summary and Staff Recommendation:

Placer County will provide an overview of the proposed amendments to the Tahoe Basin Area Plan (TBAP). Staff and the Advisory Planning Commission (APC) both recommend that the Governing Board find the proposed amendments conform with the Regional Plan and will have no significant environmental impact beyond the impact already analyzed and mitigated in the 2016 TBAP EIR/EIS. Staff seeks Regional Planning Committee (RPC) discussion and a recommendation to the TRPA Governing Board that they approve and adopt the proposed area plan amendments.

Required Motions:

To recommend adoption of the area plan amendments, the RPC must make the following motion(s), based on the staff summary:

- 1) A motion to recommend approval of the Required Findings, as described in Attachment D, including a Finding of No Significant Effect, for adoption of the Area Plan amendment as described in the staff summary; and
- 2) A motion to recommend adoption of Ordinance 2024-___, amending Ordinance 2021-02, to amend the Tahoe Basin Area Plan as shown in Attachment C.

An affirmative vote of a majority of the quorum present is required for a motion to pass.

Project Description/Background:

The 2012 Regional Plan amendments established the ability for local jurisdictions to develop area plans to replace the former local planning documents that were prepared by TRPA: plan area statements and community plans. Area plans are collaborative documents which become a component of both the Regional Plan and the city or county's comprehensive plan. They represent a paradigm shift for TRPA since they enable TRPA to transition its focus to regional issues while allowing local jurisdictions greater autonomy to define and manage their own local land use.

The TRPA Governing Board approved the TBAP on January 25, 2017. The plan encompasses Placer County's entire jurisdiction in the Tahoe Basin. The plan includes two town center districts to accommodate mixed-use and higher density development in the area: the Tahoe City and Kings Beach Town Center Districts. The proposed TBAP amendments focus on specific changes to facilitate

appropriate development and redevelopment in these town center districts along with standards and policies applying across the plan area.

Placer County's proposed amendment package is intended to provide a systematic approach to encouraging desired investment (i.e., environmentally and economically beneficial redevelopment and affordable workforce housing) in the Tahoe portion of Placer County. The proposed amendments are based on analysis and adaptive management after five years of using the Area Plan's goals and policies and implementing regulations. The following key studies completed between 2019 and 2022 and a robust stakeholder engagement process serve as the basis for this proposed amendment package:

- [Tahoe Basin Town Center Economic Sustainability Needs Analysis](#) (2019)
- [Placer County Tahoe Basin Town Center Economic Sustainability Analysis](#) (2020)
- [Baseline Report for the Tahoe Basin](#) (2021)
- [Community Report for the Tahoe Region](#) (2022)
- [Envision Tahoe Prosperity Playbook](#) (2022)

Placer County is proposing a comprehensive package of amendments to TBAP policies and implementing regulations based on the studies listed above and stakeholder engagement.

Proposed Policy Amendments:

- Sustainable town center redevelopment and protection of scenic resources
- Expanded hardening, green waste, and defensible space incentives
- High-speed broadband and childcare facilities to meet the needs of local workers
- Allocation and conversion of TRPA development rights to maximize community benefit
- Frontage improvements including, sidewalks, curbs, gutters, and parking management
- Development of mixed-use, business park, and light industrial space in town centers
- Public art by local artists
- Adaptive reuse of underutilized properties
- Development of affordable, moderate, and achievable housing

Proposed Implementing Regulation Amendments (presented below in categories and in more detail within Attachment C):

- Mobile vending
- Streamlined permitting for uses within a defined maximum square footage
- Building length and height
- Groundwater interception
- Parking exemptions
- Barriers to affordable housing including setbacks, articulation, massing, and parking requirements
- Incentives for affordable housing
- Inclusionary zoning for new condominium subdivisions in Town Centers
- Street frontage improvements
- Signs
- Shorezone permitting
- Other miscellaneous cleanup

Placer County staff have held workshops with the Placer County Planning Commission, North Lake Tahoe Resort Association, North Tahoe Business Association, and Tahoe City Downtown Association to refine and build support for this amendment package. The proposed amendments were presented to the Placer County Planning Commission on August 10, 2023. An ordinance adopting the amendments was approved by the Placer County Board of Supervisors on October 31, 2023 (Attachment A). The Advisory Planning Commission (APC) unanimously recommended adoption of the amendments at their December 6, 2023, meeting. County staff provided a detailed summary of the proposed amendments included as Attachment B to this packet. Additionally, County staff provided a status report on the implementation of the TBAP (Attachment K) and a detailed response to public comments (Attachment M).

Following the RPC's recommendation, Placer County and TRPA staff will forward the amendment package to the Governing Board for a final determination on the proposed amendments.

Environmental Review:

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

Regional Plan Compliance:

TRPA staff completed a Regional Plan Conformance Review Checklist (Attachment F) and determined that the proposed amendment is in conformance with the Regional Plan. Recommendations of the APC and RPC will be considered by the Governing Board in determining whether to find the Area Plan amendment in compliance with the Regional Plan.

Contact Information:

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

Attachments:

- A. Placer County Adopting Ordinance
- B. Placer County Staff Report
- C. TRPA Adopting Ordinance
 - Exhibit A—Proposed Policy Amendment Language
 - Exhibit B—Proposed Implementing Regulation Amendment Language
- D. Findings
- E. IEC
- F. Conformity Checklist
- G. Compliance Measures
- H. Table of Amendments
- K. TBAP Implementation Report
- M. Response to Comments

Attachment A
Placer County Adopting Ordinance

Before the Board of Supervisors County of Placer, State of California

In the matter of:

A RESOLUTION TO REPEAL AND REPLACE IN ITS ENTIRETY, THE PLACER COUNTY TAHOE BASIN AREA PLAN WHICH INCLUDES AMENDMENTS TO THE POLICY DOCUMENT PART 2, 3, 4, AND 8 PERTAINING TO ECONOMIC SUSTAINABILITY AND HOUSING (PLN22-00490)

Resolution No.: 2023-257


The following Resolution was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held on October 31, 2023, by the following vote:

Ayes: GORE, LANDON, JONES, GUSTAFSON, HOLMES

Noes: NONE

Absent: NONE

THE FOREGOING INSTRUMENT IS A CORRECT
COPY OF THE ORIGINAL ON FILE IN THIS OFFICE
ATTEST

MEGAN WOOD
Clerk of the Board of Supervisors, County
of Placer, State of California

Deputy Clerk

Signed and approved by me after its passage.


Chairperson, Board of Supervisors

Attest:


Clerk of said Board

WHEREAS, the Tahoe Basin Area Plan and Implementing Regulations (TBAP) were adopted by the Placer County Board of Supervisors on December 6, 2016, and by the Tahoe Regional Planning Agency on January 25, 2017; and

WHEREAS, the TBAP was amended by the Board of Supervisors on December 15, 2020, to further support workforce housing needs in the Tahoe Basin; and

WHEREAS, in 2019, the County contracted with BAE Urban Economics, Inc. to prepare the Placer County Tahoe Basin Town Center Economic Sustainability Needs Analysis to identify the causal forces and the financial feasibility needs/gaps behind the lack of private investment, and to

identify potential local government regulatory updates and incentives that could be tailored to attract environmentally and economically beneficial re-investment in the County's Tahoe Basin Town Centers; and

WHEREAS, the amendments to the TBAP are in response to the Placer County Tahoe Basin Town Center Economic Sustainability Needs Analysis, which recommended process, policy, and code improvements to facilitate development, scale back requirements, and better understand and alleviate constraints and challenges in the development process, including zoning and building requirements and fees, collaborating with TRPA, updating parking standards and creating parking districts, and increasing workforce housing allowances; and

WHEREAS, the Tahoe Prosperity Center prepared and released several reports documenting the economics of the Tahoe Basin from Fall 2021 to Summer 2022: the Baseline Report for the Tahoe Basin in September 2021, the Community Report for the Tahoe Region in March 2022, and the Envision Tahoe Prosperity Playbook in June 2022; and

WHEREAS, the amendments to the TBAP respond to the Tahoe Prosperity Center's reports, which include action goals and tactical approaches aimed at improving the economic viability of the Tahoe Basin; and

WHEREAS, the amendments to the TBAP aim to further implement existing policies aimed at supporting additional housing at affordable price levels, construction of workforce housing, and providing assistance for economic development and environmental redevelopment, including the following:

Policy SE-P-3 Opportunities for economic development outside Town Centers should be pursued in a manner consistent with the Regional Plan.

Policy SE-P-4 Whenever feasible, Placer County should provide assistance to property owners seeking to complete projects on priority redevelopment sites through public-private partnerships and other forms of assistance.

Policy SE-P-5 Placer County supports efforts to promote environmental redevelopment in mixed use areas within and outside Town Centers, including the Village Centers identified in this Area Plan.

Policy SE-P-6 Continue efforts to address the existing job-housing imbalance and provide additional housing at affordable price levels should be pursued.

Policy HS-P-6 Pursue TRPA-Certified Local Governing Moderate-Income Housing Programs pursuant to Sections, 52.3.4 and 52.3.6 of the TRPA Code of Ordinances to provide additional opportunities for deed-restricted affordable and moderate income housing.

Policy HS-P-7 Evaluate housing needs in the region in coordination with TRPA. Consistent with Regional Plan Housing Policy HS-3.1, update TRPA policies and ordinances as necessary to achieve state, local and regional housing goals. Future housing efforts should seek to remove identified barriers preventing the construction of necessary affordable housing in the region including, but not limited to, workforce and moderate-income housing, secondary residential units and long-term residency in motel units.

WHEREAS, the Board further finds that the amendments to the TBAP are consistent with the applicable requirements of State law, and are in compliance with the provisions of the General Plan, including but not limited to the following:

- Policy 1.B.2. The County shall encourage the concentration of multi-family housing in and near downtowns, village centers, major commercial areas, and neighborhood commercial centers.
- Policy A-4. The County shall encourage mixed-use and transit-oriented development projects where housing is provided in conjunction with compatible non-residential uses.
- Policy A-7. The County shall encourage the development of multi-family dwellings in locations where adequate infrastructure and public services are available.
- Policy B-7. The County shall facilitate expanded housing opportunities that are affordable to the workforce of Placer County.
- Policy H-1. The County shall promote housing opportunities for all persons regardless of race, religion, color, ancestry, national origin, sex, disability, family status, income, sexual orientation, or other barriers that prevent choice in housing.

WHEREAS, the amendments to the TBAP include revisions intended to further support workforce housing needs in the Tahoe Basin and to encourage environmentally beneficial redevelopment in Town Centers; and

WHEREAS, the work program for the amendments to the TBAP involved public outreach that included multiple public meetings, including two information presentations and one action item presentation to the Placer County - North Tahoe Regional Advisory Committee, a Planning Commission workshop, presentations before the North Tahoe Community Alliance (formerly known as the North Tahoe Resort Association), the Tahoe City Downtown Association, and the North Tahoe Business Association; and

WHEREAS, an addendum to the Placer County Tahoe Basin Area Plan and Tahoe City Lodge Project Environmental Impact Statement/Environmental Impact Report (Area Plan EIR) (certified and adopted by the Placer County Board of Supervisors on December 6, 2016, California State Clearinghouse #2014072039; and adopted by the Tahoe Regional Planning Agency (TRPA) on January 25, 2017), was prepared pursuant to CEQA Guidelines Section 15164 and Placer County Environmental Review Ordinance Section 18.20.110, and was adopted by the Board on

WHEREAS, on August 10, 2023, the Planning Commission held a noticed public hearing pursuant to Placer County Code Chapter 17, Article 17.58, Section 17.58.200(E)(1) and Article 17.60, Section 17.60.140 to consider the amendments to the TBAP, and pursuant to Placer County Code Chapter 17, Article 17.60, Section 17.60.090(C), the Planning Commission has made recommendations to the Board related thereto; and

WHEREAS, notice of a public hearing was given in compliance with Placer County Code Chapter 17, Article 17.60, Section 17.60.140, and on _____, the Board held the duly noticed public hearing pursuant to Placer County Code Chapter 17, Article 17.60, Section 17.60.090(D) to consider the recommendations of the Planning Commission and to receive public input regarding the amendments to the TBAP; and

WHEREAS, the Board finds the amendments to the TBAP will serve to protect and enhance the health, safety, and general welfare of the communities within the Tahoe Basin portion of Placer County and the County as a whole; and

WHEREAS, notice of all hearings required has been given and all hearings have been held as required by County ordinance and State law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER that the Tahoe Basin Area Plan is hereby repealed in its entirety and replaced with the Tahoe Basin Area Plan as set forth in Exhibit 1.

BE IT FURTHER RESOLVED that this resolution shall take effect and be in full force upon the effective date of the Ordinance to repeal and replace the Tahoe Basin Area Plan Implementing Regulations.

EXHIBIT 1

Placer County Tahoe Basin Area Plan

(Note: The Area Plan is on file with the Community Development Resources Agency and the Clerk of the Board and available here: <https://www.placer.ca.gov/tahoebasinareaplan>)

Before the Board of Supervisors County of Placer, State of California

In the matter of:

AN ORDINANCE TO REPEAL AND
REPLACE IN ITS ENTIRETY, THE
PLACER COUNTY TAHOE BASIN
AREA PLAN IMPLEMENTING
REGULATIONS WHICH INCLUDES
AMENDMENTS TO CHAPTERS 1, 2,
AND 3 PERTAINING TO ECONOMIC
SUSTAINABILITY AND HOUSING
(PLN22-00490)

Ordinance No.: 6230-B

The following Ordinance was duly passed by the Board of Supervisors of the County of Placer at
a regular meeting held on October 31, 2023, by the following vote:

Ayes: GORE, LANDON, JONES, GUSTAFSON, HOLMES

Noes: NONE

Absent: NONE

THE FOREGOING INSTRUMENT IS A CORRECT
COPY OF THE ORIGINAL ON FILE IN THIS OFFICE
ATTEST

MEGAN WOOD
Clerk of the Board of Supervisors, County
of Placer, State of California

Deputy Clerk

Signed and approved by me after its passage.


Chair, Board of Supervisors

Attest


Clerk of said Board

WHEREAS, the Tahoe Basin Area Plan and Implementing Regulations (TBAP) were adopted by the Placer County Board of Supervisors on December 6, 2016, and by the Tahoe Regional Planning Agency on January 25, 2017; and

WHEREAS, the TBAP was amended by the Board of Supervisors on December 15, 2020, to further support workforce housing needs in the Tahoe Basin; and

WHEREAS, in 2019 the County contracted with BAE Urban Economics, Inc. to prepare the Placer County Tahoe Basin Town Center Economic Sustainability Needs Analysis to identify the causal forces and the financial feasibility needs/gaps behind the lack of private investment, and to identify potential local government regulatory updates and incentives that could be tailored to attract

environmentally and economically beneficial re-investment in the County's Tahoe Basin Town Centers; and

WHEREAS, the amendments to the TBAP Implementing Regulations are in response to the Placer County Tahoe Basin Town Center Economic Sustainability Needs Analysis, which recommended process, policy, and code improvements to facilitate development, scale back requirements, and better understand and alleviate constraints and challenges in the development process, including zoning and building requirements and fees, collaborating with TRPA, updating parking standards and creating parking districts, and increasing workforce housing allowances; and

WHEREAS, the Tahoe Prosperity Center prepared and released several report documenting the economics of the Tahoe Basin from Fall 2021 to Summer 2022: the Baseline Report for the Tahoe Basin in September 2021, the Community Report for the Tahoe Region in March 2022, and the Envision Tahoe Prosperity Playbook in June 2022; and

WHEREAS, the amendments to the TBAP Implementing Regulations respond to the Tahoe Prosperity Center's reports, which include action goals and tactical approaches aimed at improving the economic viability of the Tahoe Basin; and

WHEREAS, the amendments to the TBAP Implementing Regulations aim to further implement existing policies aimed at supporting additional housing at affordable price levels, construction of workforce housing, and providing assistance for economic development and environmental redevelopment, including the following:

Policy SE-P-3 Opportunities for economic development outside Town Centers should be pursued in a manner consistent with the Regional Plan.

Policy SE-P-4 Whenever feasible, Placer County should provide assistance to property owners seeking to complete projects on priority redevelopment sites through public-private partnerships and other forms of assistance.

Policy SE-P-5 Placer County supports efforts to promote environmental redevelopment in mixed use areas within and outside Town Centers, including the Village Centers identified in this Area Plan.

Policy SE-P-6 Continue efforts to address the existing job-housing imbalance and provide additional housing at affordable price levels should be pursued.

Policy HS-P-6 Pursue TRPA-Certified Local Governing Moderate-Income Housing Programs pursuant to Sections, 52.3.4 and 52.3.6 of the TRPA Code of Ordinances to provide additional opportunities for deed-restricted affordable and moderate income housing.

Policy HS-P-7 Evaluate housing needs in the region in coordination with TRPA. Consistent with Regional Plan Housing Policy HS-3.1, update TRPA policies and ordinances as necessary to achieve state, local and regional housing goals. Future housing efforts should seek to remove identified barriers preventing the construction of necessary affordable housing in the region including, but not limited to, workforce and moderate-income housing, secondary residential units and long-term residency in motel units.

WHEREAS, the Board further finds that the amendments to the TBAP Implementing Regulations are consistent with the applicable requirements of State law, and are in compliance with the provisions of the General Plan, including but not limited to the following:

- Policy 1.B.2. The County shall encourage the concentration of multi-family housing in and near downtowns, village centers, major commercial areas, and neighborhood commercial centers.
- Policy A-4. The County shall encourage mixed-use and transit-oriented development projects where housing is provided in conjunction with compatible non-residential uses.
- Policy A-7. The County shall encourage the development of multi-family dwellings in locations where adequate infrastructure and public services are available.
- Policy B-7. The County shall facilitate expanded housing opportunities that are affordable to the workforce of Placer County.
- Policy H-1. The County shall promote housing opportunities for all persons regardless of race, religion, color, ancestry, national origin, sex, disability, family status, income, sexual orientation, or other barriers that prevent choice in housing.

WHEREAS, the amendments to the TBAP Implementing Regulations include revisions intended to further support workforce housing needs in the Tahoe Basin and to encourage environmentally beneficial redevelopment in Town Centers; and

WHEREAS, the work program for the amendments to the TBAP involved public outreach that included multiple public meetings, including two information presentations and one action item presentation to the Placer County - North Tahoe Regional Advisory Committee, a Planning Commission workshop, presentations before the North Tahoe Community Alliance (formerly known as the North Tahoe Resort Association), the Tahoe City Downtown Association, and the North Tahoe Business Association; and

WHEREAS, an addendum to the Placer County Tahoe Basin Area Plan and Tahoe City Lodge Project Environmental Impact Statement/Environmental Impact Report (Area Plan EIR) (certified and adopted by the Placer County Board of Supervisors on December 6, 2016, California State Clearinghouse #2014072039; and adopted by the Tahoe Regional Planning Agency (TRPA) on January 25, 2017), was prepared pursuant to CEQA Guidelines Section 15164 and Placer County Environmental Review Ordinance Section 18.20.110, and was adopted by the Board on _____.

WHEREAS, on August 10, 2023, the Planning Commission held a noticed public hearing pursuant to Placer County Code Chapter 17, Article 17.58, Section 17.58.200(E)(1) and Article 17.60, Section 17.60.140 to consider the amendments to the TBAP Implementing Regulations, and pursuant to Placer County Code Chapter 17, Article 17.60, Section 17.60.090(C), the Planning Commission has made recommendations to the Board related thereto; and

WHEREAS, notice of a public hearing was given in compliance with Placer County Code Chapter 17, Article 17.60, Section 17.60.140, and on _____, the Board held the duly noticed public hearing pursuant to Placer County Code Chapter 17, Article 17.60, Section 17.60.090(D) to consider the recommendations of the Planning Commission and to receive public input regarding the amendments to the TBAP Implementing Regulations; and

WHEREAS, the Board finds the amendments to the TBAP Implementing Regulations will serve to protect and enhance the health, safety, and general welfare of the communities within the Tahoe Basin portion of Placer County and the County as a whole; and

WHEREAS, notice of all hearings required has been given and all hearings have been held as required by County ordinance and State law.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER
ORDAINS AS FOLLOWS:

Section 1: The Placer County Tahoe Basin Area Plan Implementing Regulations are hereby repealed in its entirety and replaced with the Tahoe Basin Area Plan Implementing Regulations as set forth in Exhibit 1.

Section 2: This ordinance shall take effect and be in full force thirty (30) days after the date of its passage. The Clerk is directed to publish this ordinance, or a summary thereof, within fifteen (15) days in accordance with Government Code section 25124.

EXHIBIT 1

Placer County Tahoe Basin Area Plan Implementing Regulations

(Note: The Area Plan is on file with the Community Development Resources Agency and the Clerk of the Board and available here: <https://www.placer.ca.gov/tahoebasinareaplan>)

Before the Board of Supervisors County of Placer, State of California

In the matter of:

AN ORDINANCE TO AMEND PLACER
COUNTY CODE, CHAPTER 12,
ARTICLE 12.08, SECTION 12.08.020

Ordinance No.: 6231-B

The following Ordinance was duly passed by the Board of Supervisors of the County of Placer
at a regular meeting held on October 31, 2023, by the following vote:

Ayes: GORE, LANDON, JONES, GUSTAFSON, HOLMES

Noes: NONE

Absent: NONE

THE FOREGOING INSTRUMENT IS A CORRECT
COPY OF THE ORIGINAL ON FILE IN THIS OFFICE
ATTEST

MEGAN WOOD

Clerk of the Board of Supervisors, County
of Placer, State of California

Deputy Clerk

Signed and approved by me after its passage.


Chair, Board of Supervisors

Attest:


Clerk of said Board

WHEREAS, the Tahoe Basin Area Plan and Implementing Regulations (TBAP) were adopted by the Placer County Board of Supervisors on December 6, 2016, and by the Tahoe Regional Planning Agency on January 25, 2017; and

WHEREAS, Placer County Code, Chapter 12, Article 12.08, "Street Improvements," identifies where street frontage and access improvements are required countywide, describes county review and approval processes, and restricts building permit issuance until requirements are met; and

WHEREAS, Section 12.08.020 describes where street improvements are required, and subdivision (A) identifies old zoning designations that are no longer in use and need to be updated to reflect current community and area plan zoning areas, including the TBAP; and

WHEREAS, an amendment to Section 12.08.020 is sought to remove outdated zoning area references, clarify where Countywide street improvements are required, and to add single-family detached dwellings as subject to street improvement requirements to align with Tahoe Basin Area Plan pedestrian mobility goals; and

WHEREAS, an addendum to the Placer County Tahoe Basin Area Plan and Tahoe City Lodge Project Environmental Impact Statement/Environmental Impact Report (Area Plan EIR) (certified

and adopted by the Placer County Board of Supervisors on December 6, 2016, California State Clearinghouse #2014072039; and adopted by the Tahoe Regional Planning Agency (TRPA) on January 25, 2017), was prepared pursuant to CEQA Guidelines Section 15164 and Placer County Environmental Review Ordinance Section 18.20.110, and under PRC Section 21080.17 and CEQA Guidelines Section 15282 subsection (h), CEQA does not apply to the adoption of an ordinance by a city or county to implement the provisions of Section 65852.2 of the Government Code (the state accessory dwelling unit law); and

WHEREAS, the Board finds the proposed Ordinance containing an amendment to Placer County Code Chapter 12, Article 12.08, Section 12.08.020 will serve to protect and enhance the health, safety, and general welfare of the communities within the Tahoe Basin portion of Placer County and the county as a whole; and

WHEREAS, notice of all hearings required has been given and all hearings have been held as required by County ordinance and State law.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER
ORDAINS AS FOLLOWS:

Section 1: Placer County Code, Chapter 12, Article 12.08, Section 12.08.020 is amended as follows:

12.08.020 Improvements required.

A. Street improvements shall not be required for in areas that allow for commercial, industrial, business park, office and professional, highway service, motel, resort, airport, multi-family, and mixed use. ~~s~~Single-family residential detached dwellings are excluded except within the Tahoe Basin Area Plan zoning districts where street improvements are specifically required but shall be required in the following zoned areas: R-2, R-3, C-1, C-2, C-1 and 2, C-3, C-4, M, M-P, S-C, APT and HS, whether or not combined with any other district.

Section 2: This ordinance shall take effect and be in full force thirty (30) days after the date of its passage. The Clerk is directed to publish this ordinance, or a summary thereof, within fifteen (15) days in accordance with Government Code Section 25124.

Attachment B
Placer County Staff Report

TO: TRPA Regional Planning Committee **DATE:** November 27, 2023
FROM: Crystal Jacobsen, Acting Community Development Resource Agency Director
BY: Emily Setzer, Principal Planner and Stacy Wydra, Principal Planner
SUBJECT: Tahoe Basin Area Plan – Economic Sustainability and Housing Amendments

ACTIONS REQUESTED

1. Conduct a public hearing to consider the following items:
 - a. Recommendation to adopt the Addendum and the Errata to the Tahoe Basin Area Plan Environmental Impact Report.
 - b. Recommendation to adopt a Resolution approving amendments to the Tahoe Basin Area Plan policy document.
 - c. Recommendation to adopt an Ordinance amending the Tahoe Basin Area Plan implementing regulations.
 - d. Recommendation to adopt an Ordinance amending Placer County Code, Chapter 12, Article 12.08, Section 12.08.020(A).
2. Close the public hearing, take tentative action on the above and continue the item to October 31, 2023 at 2:00pm for final action.

BACKGROUND

Planning Services Division staff proposes changes to the Placer County Tahoe Basin Area Plan (TBAP) to promote economic sustainability and production of new housing. Staff recommends that the Board of Supervisors (Board) consider adoption of a Resolution and Ordinance to repeal and replace the TBAP in its entirety and adoption of an Ordinance amending Placer County Code Chapter 12, Article 12.08, Section 12.08.020(A) to remove outdated zoning area references, clarify where countywide street improvements are required, and to add single-family detached dwellings as subject to street improvement requirements to align with TBAP pedestrian mobility goals. The proposed replacement of the TBAP would amend Parts 2.6, 2.7, 3.4, 3.5, 4.3, 4.7 and 8.2 of the TBAP, and Chapters 1, 2, and 3 of the TBAP Implementing Regulations to refine policy and code sections aimed at supporting workforce housing, as well as encouraging lodging and mixed-use redevelopment in Town Centers. The amendment package focuses on diversifying land uses across a variety of sectors, streamlining land use processes and reducing barriers for new businesses in the Town Centers, and providing additional opportunities for a greater variety of housing types, including workforce housing, throughout North Tahoe.

Tahoe Basin Area Plan

As stated, the TBAP was originally adopted by the Board on December 6, 2016, and by the Tahoe Regional Planning Agency (TRPA) Governing Board on January 25, 2017. The TBAP replaced all previous community plans, general plans, land use regulations, development standards and guidelines, and Plan Area Statements within the Tahoe Basin. The TBAP includes both a Policy document and an Implementing Regulations document, which serves as the zoning code for the Tahoe Basin.

Area plans are a central part of the TRPA Lake Tahoe Regional Plan and an important strategy to accelerate attainment of TRPA environmental thresholds. The TBAP sets forth the regulations that implement the Lake Tahoe Regional Plan in the Placer County portion of the Lake Tahoe region. Since adoption of the TBAP, the State of California has passed housing legislation in each legislative session that limits the ability of local governments to regulate housing development. State Housing laws have sought to reduce and limit local permitting processes, moving toward a ministerial approval model for housing in an effort to reduce barriers to housing production. The State laws obligate local government to undertake updates in their housing plans and plan for growth, among other requirements. Also, since the TBAP adoption, multiple efforts have been underway to address the lack of redevelopment and revitalization of the Town Centers and Village Centers.

Purpose of Proposed Amendments

The proposed TBAP amendments are targeted at economic development and housing in response to 1) a lack of new development/redevelopment, particularly lodging, in the Town Centers, 2) a lack of workforce housing, and 3) a decreasing population.

Although North Tahoe has undergone significant public infrastructure investment and community and governing body approval of comprehensive plans and visions for the future, the Tahoe City and Kings Beach Town Centers have yet to see significant private sector investment resulting in projects in the ground. A few sizable, proposed redevelopment projects in the Town Centers have been proposed in the past year and are in the planning stages; however, even those projects are struggling to meet various onerous existing TBAP development standards.

Due to the lack of high-quality lodging in the Town Centers, lodging has shifted to the neighborhoods in the form of short-term rentals. This, in combination with second homes, has drastically decreased the availability of workforce housing. The North Tahoe region has seen very few new multifamily workforce or “missing middle” housing projects, defined as house-scale buildings with multiple units in walkable environments, often targeted at those who earn above the typical 60 percent Area Median Income limits deemed as “affordable” but still can’t afford to purchase homes in the region.

East Placer currently has approximately 19,000 residential units, 12 percent of which are owner-occupied fulltime, 15 percent are used as short-term rentals, while the remaining 73 percent sit mostly vacant as private vacation homes/second homes, some of which are used as long-term rentals. The North Tahoe-Truckee Regional Housing Implementation Plan prepared for the Mountain Housing Council in October 2021 estimated that about one third of North Tahoe and Truckee’s housing was used for workforce housing, which combines housing used as long-term rentals and housing owned and occupied by local workers.

In addition, the 2020 American Community Survey five-year estimates predict that only eight percent of the housing units in the Tahoe Truckee Unified School District geographical boundary (which covers North Tahoe and Truckee) are renter-occupied. The lack of housing options has led to a decrease in population. In the Placer County portion of the Tahoe Basin, the population decreased by 2,000 residents between 2000 and 2020. This lack of year-round economic stability has made it challenging for businesses to thrive.

Since adoption of the TBAP, a variety of studies have been released that connect the regional economic base with workforce housing needs in the Tahoe-Truckee region. Two of these studies, the Placer County Tahoe Basin Town Center Economic Sustainability Needs Analysis (Attachment I) conducted by Placer County and BAE Urban Economics, Inc. (BAE) in 2019, as well as a series

of economic reports collectively called “Envision Tahoe” released by the Tahoe Prosperity Center (Attachment H), are included with this report package and further discussed below.

Additionally, many community groups have commented about the desire for quality hotels in the Town Centers, ways to make the approval process for small business start-ups more simplified, and the overwhelming demand for workforce housing. These groups include the North Lake Tahoe Resort Association, the North Tahoe Business Association, the Tahoe City Downtown Association, and the Mountain Housing Council. The overall theme has centered around shifting lodging from short-term rentals in residential neighborhoods to quality hotels in Town Centers, creating vibrant Town Centers with a unique sense of place, and the need for a variety of workforce housing units.

Placer County Tahoe Basin Town Center Economic Sustainability Needs Analysis

In 2019, the Placer County Executive Office (CEO) contracted with a real estate advisory consulting firm BAE Urban Economics to identify the causal forces and the financial feasibility needs/gaps behind the lack of private sector investment, and to identify potential local government regulatory updates and incentives that could be tailored and utilized to attract environmentally and economically beneficial re-investment in the Town Centers. BAE was also asked to develop recommendations to address a number of issues identified in the analysis. The results of BAE’s analysis were incorporated into the Placer County Tahoe Basin Town Center Economic Sustainability Analysis, finalized in March 2020. The analysis examined four prototypes of projects that had been trending or which the County would prefer to see built:

1. Mixed-Use Residential
2. For-Sale Residential Condominium
3. Limited-Service Hotel
4. Full-Service Condotel

Based on a range of factors, the only prototype that proved within the range of market acceptable financial feasibility was the For-Sale Residential Condominium. It is important to note that while the TBAP allows this type of use in the Town Centers, area residents do not believe it is consistent with either the Kings Beach or Tahoe City vision documents, which preceded the TBAP. Barriers to investment in desired development types include:

- High construction material and labor costs
- High cost to meet parking requirements
- Utility costs
- Infeasible employee housing requirement
- Uncertain and prolonged entitlement and construction permitting process
- Complex and prescriptive regulatory requirements
- Detailed and expensive plan sets required for pre-entitlement
- Vehicle miles traveled (VMT) thresholds
- Town Center incentives not designed for smaller infill projects
- Lack of catalyst, proof of concept, projects
- Lack of available parcels large enough for development
- Anticipated developer and lender caution about a real estate market dip

The report's recommendations were built around four broad findings outlined in the document:

1. High Cost of Development
2. Uncertainty, Risk and Indirect Costs Associated with a Complex Entitlement and Permitting Process
3. Complex and Prescriptive Requirements Hinder Project Feasibility
4. Local Conditions Create Perception of Increased Risk

Staff recommended a multi-pronged approach in moving forward with the concepts proposed in the BAE study including the following:

1. Updates to the North Lake Tahoe Economic Incentives Program to include a Transient Occupancy Tax (TOT) incentive program, addition of TRPA development rights, and an enhanced infrastructure finance district.
2. Process, policy, and code improvements to facilitate development, scale back requirements, and better understand and alleviate constraints and challenges in the development process, including zoning and building requirements and fees, collaborating with TRPA, updating parking standards and creating parking districts, and increasing workforce housing allowances.
3. Relaxing workforce housing mitigation and allocate funding to implement programs to attract and retain permanent residents.

Since that time, staff has made significant strides towards implementing the improvements outlined in the study including:

- CEO staff updated the North Lake Tahoe Economic Incentives Program (Incentives Program) in June 2022.
- CDRA and CEO staff are coordinating on amendments to the Incentives Program to include an allocation and priority process for distribution of TRPA development rights.
- CDRA staff is evaluating the creation of Enhanced Infrastructure Finance Districts, particularly for the Kings Beach “Grid” neighborhood, to complete frontage improvements such as sidewalks.
- CDRA staff brought forward programs such as the Workforce Housing Preservation Program (adopted by the Board on February 26, 2021, and launched Summer 2021) and the Lease to Locals Program (adopted by the Board on July 26, 2022, and launched August 1, 2022) to facilitate down payment assistance while preserving housing for the workforce and to incentivize long-term rentals.
- CDRA staff also brought forward an updated Affordable Housing and Employee Accommodation Ordinance, adopted by the Board on October 27, 2020, and a fee, most recently approved on April 19, 2022.

Envision Tahoe

The Tahoe Prosperity Center prepared and released several reports documenting the economics of the Tahoe Basin from Fall 2021 to Summer 2022: the Baseline Report for the Tahoe Basin in September 2021, the Community Report for the Tahoe Region in March 2022, and the Envision

Tahoe Prosperity Playbook in June 2022. The three documents focused on a number of key findings for the Tahoe Basin as a whole:

- Population:
 - Tahoe's 20-year population decline changed direction in 2019 and population growth accelerated in 2020 but is still lower than the population count in 2000.
 - K-12 public school enrollment data shows an overall decline in student population over the past five years, including the pandemic years.
 - The number of residents with advanced degrees has steadily increased over the past 10 years, suggesting a knowledgeable and skilled talent pool is available to be tapped in Tahoe to support existing and/or new businesses.
- Housing Availability & Affordability:
 - The total number of housing units increased in the Basin 1.35 percent from 2010 to 2020.
 - The median average income in Tahoe is \$53,165 while real estate reports show the median home price in January 2022 has risen to \$950,000.
- Economy:
 - Tahoe's economic base has become more concentrated in a few areas since 2010. Three industry clusters (and the businesses that support them) contribute 95 percent of all economic output in the Tahoe Basin: visitor services, environmental innovation, and health and wellness. All three sectors experienced flat or declining job growth and economic output over the past 10 years.
 - Visitor-related businesses increased from 40 percent to 62 percent of all economic activity in the Basin over the past 10 years, is subject to wide seasonal swings in employment, and is highly susceptible to disruption.
 - Construction has seen a steady increase in jobs over the past 10 years. Since 2010, construction has grown by 57 percent to more than 4,000 jobs today, or 12 percent of the job base. Like tourism, construction is subject to boom and bust cycles driven by economic swings and available consumer spending.
 - With the rise of economic, social, and environmental disruptions caused by climate change, pandemics, and rapid economic and technological shifts, the importance of economic diversification is rising as a central element in economic development planning at the regional, state, and national level.

The Envision Tahoe Prosperity Playbook focuses on four action goals and tactical approaches:

Action Goals:

1. Strengthen key industries: Support tourism-related job shift to sectors such as health and wellness and environmental innovation.
2. Build skill pathways for upward mobility: Explore ways to build region-wide skills programs and curriculums.
3. Jump start the innovation system: Support entrepreneurship and local chambers and business associations to help launch new businesses.
4. Shape the enabling environment: Quantify the business and community advantages that could result from a well-coordinated branding and global marketing strategy focused on health, wellness, recreation and the outdoors, environmental innovation,

and the connections between them; and energize and scale up present conversations about improved public-private sector alignment and shared governance across the Tahoe-Truckee region.

Tactical Approaches:

1. Accelerate workforce housing in the Tahoe-Truckee region.
2. Improve and fund Tahoe transportation and mobility.

Outreach and Stakeholder Engagement

The proposed TBAP amendments have been informed from years of ongoing feedback from a variety of stakeholders and community groups in the region, including:

- North Tahoe Business Association Board and its Economic Vitality Committee
- Tahoe City Downtown and its Business Advocacy Committee
- North Tahoe Community Alliance
- Mountain Housing Council
- TRPA Living Working Group
- Applicants to the Community Development Resource Agency
- Planner feedback from customer interactions

Additionally, staff sought input from seven professionals from the Tahoe Basin business and development community, including designers/architects, small business owners, and developers, regarding their experiences bringing forward new business and/or development in the Town Centers and to formulate potential modifications. Staff met with those individuals from May to June in 2021 to better understand the factors that contribute to the lack of investment, development and/or redevelopment in the Town Centers and to gain a better understanding regarding their experiences related to the development and/or processing of a project within the Town Centers. Staff documented their feedback which included topics such as processing barriers, strict development standards and/or required site improvements, zoning restrictions, etc. The proposed amendments of the TBAP are intended to address as many of these topics as possible.

Staff also presented these amendments to the following groups to conduct outreach and seek feedback:

- Placer County Planning Commission informational workshop - September 22, 2022
- North Lake Tahoe Resort Association – October 5, 2022
- North Tahoe Regional Advisory Council informational item – October 13, 2022
- North Tahoe Business Association – October 17, 2022
- Tahoe City Downtown Association – October 18, 2022
- North Tahoe Regional Advisory Council workshop – November 9, 2022 (see summaries below)
- North Tahoe Regional Advisory Council action item – November 30, 2022 (see summaries below)
- Planning Commission Hearing – December 8, 2022 (see summary below)

- TRPA Regional Plan Implementation Committee informational workshop – December 14, 2022
- TBAP Community Workshop - March 9, 2023
- TBAP Town Hall Meeting – August 1, 2023

North Tahoe Regional Advisory Council Meeting Overview

On October 13, 2022, and November 9, 2022, staff presented the proposed TBAP amendments as an informational item to the North Tahoe Regional Advisory Council (NTRAC). At the November 9, 2022, NTRAC meeting, 26 members of the public provided comments on the proposed amendments. Of the 26 members who spoke, 15 of them provided positive comments in support of the amendments proposed. Comments included support for frontage improvements, including addressing sidewalks; parking for both developments and enforcement (overflows into neighborhoods); concerns that density is increasing; address short term rentals impacts; fire impacts and evacuation; the need for walkability; the need for housing; the need for workforce housing and deed restrictions extended beyond 50 years; acknowledgement that these amendments target small businesses and the challenges that they face; concerns with the height amendments and exceptions; impact fees and hinderance to development – should consider different fees for difference projects/number of units; short term rentals impacting the neighborhoods; balance of environmental improvements and development; concerns with existing boarded-up buildings and difficulty for redevelopment of existing structures; provide incentives to make it easier to build smaller homes, more affordable; majority of housing inventory is large, second homes; consider utilizing campgrounds as alternative for housing opportunities (during the winter months); process is difficult and challenging; need to require workforce housing first; discourage more population; need to improve incentives; support for mixed-use development, tiny houses, community kitchens; need for RV parks year-round; exemptions of coverage need to be considered; concerns with mobile vendors and noise impacts; wealth and inequality is the bigger issue; concerns with environmental impacts to existing conditions; need to look at transportation issues; cannot continue to do nothing, need to make some changes.

The proposed TBAP amendments were brought forward for recommendation at the November 30, 2022, NTRAC meeting, where six of the eight NTRAC members voted in support of a recommendation of approval with a few considerations:

- Height: Remain at 56-FT with allowance of additional height for appurtenances and roof-top uses.
- Consider Transition Zones: Between Town Center and Adjoining Residential Zone Districts.
- Review of Fire Evacuation and Egresses – Updates to the 2016 review.
- Efforts to support redevelopment over new development.
- Development Right Manual. Requested community input, develop a program, i.e., Stakeholder Working Group.

Planning Commission Overview and Modifications to the Proposal

On December 8, 2022, the Planning Commission considered the TBAP Amendment package. Due to substantial public comment received, the meeting largely focused on building height and length and perceived density increases. The Planning Commission voted (5 Yes, 0 No, 2 Absent) to continue the item to a future date. Commissioners Woodward and DeMattei were absent from the meeting.

After the Planning Commission meeting, increases to height and length allowances were eliminated from this Amendment proposal (see Building Length and Building Height sections below). Transition Zones currently exist within the TBAP, and no changes are proposed to those existing zones. However, in both Town Centers, building length transitions have been incorporated to ensure compatibility with residential zone districts. Buildings are proposed to be a maximum of 75 feet on all parcel frontages directly facing residential zone districts (see Building Length section below). An Addendum was prepared for the proposed amendments and the review of Fire Evacuation and Egresses was evaluated. The Addendum concluded that these proposed Amendments would not hamper emergency response or evacuation plans and would result in a less than significant impact, in accordance with the TBAP Environmental Impact Report (EIR) (pgs. 18-23). The Amendments are focused on the redevelopment of our Town Centers and those efforts are demonstrated through the proposed amendments. Lastly, the County will conduct a public process for the Development Right Manual when that work program is initiated.

At the August 10, 2023 Planning Commission hearing, the Planning Commission considered the proposed TBAP Amendment package with revisions. Thirty-five (35) members of the public commented on the proposed TBAP Amendments. Comments received included but were not limited to cumulative impacts, traffic, transportation, parking, wildfire evacuation, housing. Commissioner Woodward expressed concerns about the Addendum, asking questions about the cumulative analysis. In response, an Errata was prepared. Commissioner Ronten had questions regarding density, however, after staff responded to his questions, he expressed satisfaction with the analysis of the Addendum and support of the goals to reinvest and shift development into Town Centers. Commissioner Dahlgren commented on the amendments noting they were minor in nature and not significant and was satisfied with the analysis of the Addendum. Following deliberations, the Planning Commission voted (5 Yes, 0 No, 2 Absent) to recommend approval to the Board. Commissioners Herzog and DeMattei were absent from the meeting.

Implementation Report.

As a result of comments received regarding the implementation of the TBAP, staff have prepared the Implementation Report, Attachment K, summarizing the county's efforts to implement the TBAP, the TRPA Regional Plan and to achieve regional goals. The report outlines the County's implementation efforts related to: transportation and mobility, housing, Total Daily Maximum Load, and the TBAP goals and policies, implementation plan, and mitigation measures identified in the TBAP EIR.

Overview of Proposed Area Plan Changes

The proposed TBAP Amendments are targeted at the final recommendations related to process, policy, and code improvements identified in the Placer County Tahoe Basin Town Center Economic Sustainability Needs Analysis, and are particularly focused on lodging, mixed-use, and workforce housing. The amendments also focus on diversifying land uses across a variety of sectors, with the intent of diversifying the business sector and a variety of housing types, as identified in the Envision Tahoe reports. Therefore, the proposed amendments are designed to round out the implementation of recommendations outlined in the study, particularly focused on process, policy and code improvements to facilitate and encourage revitalization projects in the Town Centers and workforce housing throughout North Tahoe.

1. Tahoe Basin Area Plan – Policy Document Proposed Amendments

To align the Area Plan policies with updated regional and County goals, additional policies and revisions have been included to the following sections: Scenic Resources, Vegetation,

Socio Economic, Land Use, Mixed-use, Town Centers, Community Design, Redevelopment, and Housing. The policies are based off recommendations in the BAE study as well as community feedback and regional partner goals. A summary is provided below.

- Scenic Resources: These policy amendments are intended to support the evaluation of scenic requirements to achieve private reinvestment in Town Centers targeted for redevelopment and/or new development in a manner that improves environmental conditions, creates a more efficient, sustainable and less auto-dependent land use pattern, and provides for economic opportunities.
- Vegetation: A new policy was added to support implementation of new or expanded home hardening programs (i.e., replacing wood shake roofs to protect structures from falling embers during a wildfire), green waste, and defensible space incentive and/or rebate programs.
- Socio Economic: Policies were added to support high-speed broadband infrastructure capacity and to support childcare facilities to meet the needs of the local workforce. Policy was also added to address the prevention of blight.
- Land Use: Policies were added to support the development of a reservation and conversion manual for the allocation and conversion of TRPA development rights. Policies were added to address land uses in the Town Centers. Policies are included to support funding sources for a frontage improvement implementation plan to achieve the Area Plan infrastructure and streetscape features such as sidewalks, curbs, and gutters, as well as implementing parking management plans, community-wide snow storage plans, and development of a reservation and conversion manual as described below.
- Mixed-use: Policies have been added to support the development of mixed-use, business park, and light industrial space and encourage residential components in industrial and commercial development.
- Town Centers: New policies have been added that would allow groundwater interception for mixed-use projects in Town Centers, supporting simplified permit processes for mixed-use projects, encouraging active ground floor uses, facilitating mobile vendors and food trucks in Town Centers, supporting the retention and expansion of businesses within the North Tahoe-Truckee region, supporting relocations of industrial and public utility land uses in the Town Centers to free up Town Center sites, as well as supporting parking maximums and creative parking solutions.
- Community Design: Policies to support and promote local artists and public art in North Tahoe have been included.
- Redevelopment: New policies to support and encourage adaptive reuse of vacant or underutilized retail and office space, support redevelopment of aging lodging products and encourage revitalization and creation of new high-quality lodging, allow multipurpose and flexible gathering spaces in private and public parking areas where events could be held during off-peak hours, expedite building permit processes, and support the development of new business innovation space and flexible light industrial spaces to diversify the local economy.
- Housing: Additional policies have been included to support streamlining affordable, moderate, and achievable housing, require that 50 percent of units converted from multifamily to condominiums be deed restricted to affordable, moderate or achievable housing, address the job-housing imbalance in the region, monitor and track housing data in the region, and to support adaptive management of the short-term rental inventory to

balance housing availability with short-term rentals as new lodging products are added to the region. Policies have been added to explore opportunities for local worker overnight camping in public and private parking lots, as well as to support local worker housing to be constructed above public and private parking lots.

Additionally, planned environmental improvement projects have been modified to support coordination with TRPA to address Town Center development as it relates to TRPA scenic standards and to develop a reservation and conversion manual to guide the conversion and allocation of TRPA development rights in North Lake Tahoe by prioritizing them towards the most community-benefitting and high priority projects that align with the policies in this Area Plan and the Lake Tahoe Regional Plan.

Changes are also proposed to the Area Plan Implementing Regulations document, including amendments in Chapters 1) Introduction and General Provisions, 2) District Standards, as well as 3) Area-Wide Standards and Guidelines. A summary of the proposed Implementing Regulations amendments are described below.

2. Tahoe Basin Area Plan - Implementing Regulations Proposed Amendments

Town Centers:

Mobile Vendors

On September 17, 2018, the Governor signed Senate Bill 946 (the “Safe Sidewalk Vending Act”), which establishes requirements for local regulation of sidewalk vending. The law became effective January 1, 2019. The purpose of SB 946 is to legalize and decriminalize sidewalk vending across the state. SB 946 defines “sidewalk vendor” as a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack or other nonmotorized conveyance, or from one’s person, on a public sidewalk or other pedestrian path. A sidewalk vendor can be “a roaming sidewalk vendor,” which is defined as moving from place to place and stopping only to complete a transaction, or “a stationary vendor,” which is defined as vending from a fixed location. SB 946 applies only to public sidewalks and paths, not private property. The law allows local authorities to adopt regulations governing sidewalk vending or amend existing regulations. If the local authority wishes to regulate sidewalk vending, those regulations need to be consistent with SB 946. A local authority may adopt additional requirements regulating the time, place, and manner of sidewalk vending if the requirements are directly related to objective health, safety, or welfare concerns, including a sidewalk vending permit or valid business license, as well as a valid California Department of Tax and Fee Administration seller’s permit. Placer County has not adopted additional sidewalk vending laws and current County Code is not compliant with SB 946.

In the Tahoe Basin, mobile vendors such as sidewalk vendors and food trucks have been considered outdoor retail sales per the TRPA Code of Ordinances, which required a minor use permit under the TBAP. As of the time of publishing the BAE study, the North Tahoe area had not seen the establishment of many new brick and mortar food related businesses in the past decade. While a few have experienced success by starting as a food truck and transitioning later to a commercial space, staff had heard anecdotally that the use permit process significantly deterred these types of businesses from starting in the area. The proposed amendments would allow food trucks and mobile vendors in the Town Centers and would comply with SB 946 requirements. These uses still require approval through the County’s Environmental Health division. These amendments are intended to simplify and

facilitate food related startup businesses to strengthen the economic vitality of the Town Centers while being compatible with State law.

Land Use Allowances

The Town Centers currently require use permits for a variety of land uses that are commonly desired in a Town Center to promote walkability and support a year round economy. These include the following:

- Hotels, Motels and other Transient Dwelling Units
- Eating and drinking facilities
- Building materials and hardware stores
- Repair services

The proposed amendments would allow certain land uses by right based on a certain maximum square footage or allowed with a use permit if a larger size. To calculate these size thresholds, staff used the maximum square footage listed for each land use in the TRPA Project Impact Assessment (PIA) which calculates maximum sizes based on the vehicle miles traveled for each land use type. For example, a hotel may be allowed in certain Town Center zone districts based on the maximum size threshold as specified in the PIA. Additionally, the proposed amendments separate eating and drinking facilities into subcategories based off the traffic generation rates found in the Institute of Transportation Engineers Manual (Drinking Place, Fast Casual Restaurant, Quality Restaurant, High-Turnover Sit-Down Restaurant, and Fast-Food Restaurant without Drive Thru Window) to allow a specified maximum commercial floor area for each type of facility listed in the use tables. If the maximums differ from the PIA, the PIA threshold would take precedence. The goal of these changes is to incentivize new lodging products, restaurants, retail, and local-serving land uses and encourage these types of land uses in the Town Centers.

Building Length

Following the December 8, 2022 Planning Commission meeting, staff removed the additional building height and length allowances in the Town Centers. Any future projects that would like to request additional building height and/or length would have to be analyzed through a separate TBAP amendment process.

Tables 2.04.A-4, Building Form Guidelines for the Greater Tahoe City Mixed-Use Subdistricts, and 2.04.B-4, Building Form Guidelines for the North Tahoe East Mixed-Use Subdistricts of the Area Plan, have been revised to further clarify building modulation requirements, ensure compatibility between mixed use and residential zone districts, and to define maximum building lengths for proposed structures in the mixed-use Town Center zone districts in Kings Beach and to add maximum building lengths in Tahoe City where there were no existing maximums.

- Building length is reduced in MU-TOR near Stateline from 350 feet to 200 feet to align with maximum building lengths in other mixed-use subdistricts.
- In Greater Tahoe City Mixed-Use Subdistricts, maximum building length has been added where there was none before to align with development standards in North Tahoe East Mixed-Use Subdistricts.

- In both Town Centers, building length transitions have been incorporated to ensure compatibility with residential zone districts. Buildings are proposed to be a maximum of 75 feet on all parcel frontages directly facing residential zone districts.
- Building modulation requirements for any buildings over 75 feet wide have been refined to make the requirements in North Tahoe East Mixed-Use Subdistricts align with those in the Greater Tahoe City Mixed-Use Subdistricts, and to clarify the use of facades, modulations, and other articulation features.

Building Height

A potential amendment to increase building height (from the existing allowed 56 feet to 72.7 feet) and length allowances of up to 500 feet in the Town Centers was originally suggested. At the March 9, 2023 workshop the proposed height allowances were decreased to a maximum of 61 feet. To be eligible for the extra height and building length, projects would have been required to construct deed restricted achievable housing, at least one public art component, and comply with scenic and design standards. Following that workshop, due to a majority of feedback that was not supportive of extra building height or length, staff removed those height and building length increases from this set of amendments.

Section 2.09, Overlay Districts, of the TBAP has been revised in coordination with TRPA staff to allow for a few adjustments to building height. These changes are intended to provide flexibility in the number of stories and clarity to maximum building heights in Special Planning Area Overlay Districts. All projects would still be required to comply with TRPA scenic thresholds.

1. The TBAP currently includes maximum height in both feet and number of stories. The amendments dictate maximum building height by feet rather than by the number of stories (e.g., 56 feet in Core Areas instead of four stories and 46 feet in Transition Areas instead of three stories). The maximum height in feet remains the same.
2. The maximum height in Special Planning Areas has been added to provide clarity.
 - a. In the Tahoe City Western Entry Special Planning Area, maximum height on the mountainside has been adjusted to match that of the Core Areas, 56 feet, due to its location in front of a tall ridgeline and that parcels in that area have been identified as potential housing opportunity sites.
 - b. Height maximums matching the Transition Areas have been added to the Tahoe City River District Special Planning Area where there were none before, matching those of the Transition Areas.
 - c. Height maximums have been specified for the portion of the Tahoe City Golf Course Special Planning Area that is not within a Core or Transition Area, matching those of the Transition Areas.
 - d. Height maximums have been specified for the Truckee River Corridor Special Planning Area where there were none before, matching those of the Transition Areas.
 - e. Height maximums have been specified for the Kings Beach Entry Special Planning Area where there were none before, matching those of the Transition Areas.

- f. Height maximums have been specified for the North Stateline Special Planning Area where there were none before, matching those of the Transition Areas.

Groundwater

To facilitate the redevelopment desired in Town Centers and allow for below grade parking which reduces coverage, the proposed amendments include exceptions to groundwater interception to projects proposing below grade parking. When such exceptions are granted, the applicant must demonstrate that the project impacts have been mitigated to be equal to or better than the original impacts.

Parking

On February 9, 2021, the Board approved a two-year pilot parking exemption program for the North Lake Tahoe Town Centers. The purpose was to support exemptions to parking requirements to spur redevelopment in the Town Centers and support strategies identified in the Resort Triangle Transportation Plan (RTTP), which was approved by the Board in October 2020, and which outlines strategies to increase mobility and reduce VMT in the Tahoe region. The pilot parking exemption program allows for the following:

- Expands eligible applicants to include all development/redevelopment proposed in Town Centers.
- Allows for tourist accommodation and residential uses to be considered in the program, whereas these uses currently were previously excluded.
- Removes the existing limitation in the Area Plan that project sites eligible for the exemption shall be 25,000 square feet or less.
- Expands financial mitigations beyond establishment of a transit County Service Area Zone of Benefit to include financial support for transit service enhancements or other alternative transportation projects that support multi-modal transportation and/or strategies noted in the RTTP.

At the end of the two-year period, staff agreed to bring forward permanent TBAP amendments for consideration that support RTTP strategies and provide permanent expanded parking exemptions for Town Center development. Therefore, the proposed amendments have incorporated these changes to permanently provide greater flexibility for property owners and businesses in Town and Village Centers and to encourage alternative modes of transportation.

Housing:

Opticos Missing Middle Recommendations

On January 18, 2021, missing middle housing consulting firm, Opticos, provided recommendations to TRPA, on how to better facilitate missing middle housing development in the Tahoe Basin (Attachment I). The Tahoe-Truckee region's housing stock predominantly consists of single-family housing with a handful of affordable lower-income apartments. To facilitate more development of missing middle housing, such as smaller homes, townhouses, duplexes and triplexes, which are intended to be more affordable by design for middle income worker whose incomes exceed affordable rental income limits but cannot afford the majority of houses on the open market, staff incorporated the following recommendations into the proposed amendments:

- Removing setbacks and articulation and massing requirements which limit building square footage and are not possible to enforce over time. Such requirements are challenging to implement because the setbacks are based on the interior land use, which can change over time. For example, a mixed-use building may be built in the Town Center that includes commercial on the second floor and would require a smaller setback than residential uses. However, a future owner could want to convert that commercial use to residential and would therefore require a greater setback than would be infeasible to create.
- Reducing or removing parking requirements for residential multifamily. The proposed amendments would 1) reduce multifamily parking standards to better align with single-family parking standards and 2) reduce single-family parking standards to accommodate smaller single-family development. Per Opticos, these changes would make multifamily less burdensome and costly to develop. For example, Opticos states that changing the required number of parking spaces from one to two per unit increases the average monthly rent per bedroom from \$993 to \$1,404 and the income required for affordability from \$36,000 to \$51,000.
- Allowing multifamily by right with no use permit. Opticos recommends that an easier process be provided for multifamily projects by preparing standards with enough clarity and predictability about what the standards will generate.
- Density. Opticos has had economists tell them that in order to sustain neighborhood- serving shops and services within a short walking distance, a rule of thumb is that the immediate area (5-to-10-minute walking distance) have an overall density of 16 units per acre. While the proposed amendments do not increase the overall density in any zone districts, the amendments do refine minimum lot size and width which has prohibited projects from achieving the maximum density.
- Reducing minimum lot width. Opticos recommends reducing lot widths to better accommodate small lot development which is more affordable by design, and which would accommodate attached multifamily such as duplexes, triplexes, and fourplexes. The proposed amendments include reduced minimum lot widths for certain zone districts. Similarly, staff also removed minimum lot area per dwelling unit in all residential zone districts to accommodate smaller dwelling units.

Preferred Affordable, Moderate and Achievable Areas

The TBAP included 21 zone districts that were listed as Preferred Affordable, Moderate and Achievable Areas but did not include any development standards to incentivize or encourage the production of housing. In most of these zone districts, multifamily required a minor use permit while single family housing was allowed. In these zone districts the following changes have been proposed:

- Where not otherwise allowed by right, the proposed amendments would allow multifamily and employee housing by right with no use permit if 100 percent of units are deed restricted to affordable, moderate or achievable housing per TRPA Code of Ordinances Chapter 90: Definitions, for achievable, moderate income or affordable housing. This is intended to encourage development of multifamily housing by reducing costs and time delays associated with use permits.
- In seven residential zone districts listed as Preferred Affordable, Moderate and Achievable Areas, the minimum lot size was reduced to 2,904 square feet to

accommodate existing densities of 15 dwelling units per acre and minimum lot widths were reduced to 25 feet to accommodate smaller lots that are more affordable by design, and which match existing lot sizes in many areas of the Area Plan. Side setbacks were also reduced to five feet minimum, except when adjoining another unit on adjacent property, which would require zero feet on one side and 10 feet on the other to accommodate duplex style developments.

Town Center: Single Family Land Use

The TBAP allowed single-family development in Town Centers, if already existing. Previous development proposals have spurred considerable community feedback opposing new single-family development in Town Centers. The proposed amendments would only allow new single-family over one unit, including townhomes and condominiums, if single-family encompasses 25 percent or less of the entire project or if at least 50 percent of the single-family residential units are deed restricted to affordable, moderate or achievable housing per TRPA Code of Ordinances Chapter 90: Definitions, for achievable, moderate-income or affordable housing. The intent is to facilitate mixed-use development and allow some single-family units to offset costs of workforce housing or commercial uses while still achieving the goals of the Area Plan and community.

Tiny Houses

The proposed amendments refer to the countywide housing code amendments that were adopted by the Board on June 14, 2022, to allow for tiny houses as primary or accessory dwelling units as well as employee housing and tiny house communities. Moveable tiny houses and moveable tiny house communities would comply with definitions and development standards in Placer County's Zoning Ordinance. Staff has coordinated with TRPA to determine that the County regulates these uses in the Tahoe Basin rather than TRPA.

Miscellaneous Housing Cleanups

In the Fairway Tract Northeast Subdistrict, multiple family density was adjusted from eight to 15 dwelling units per acre to clean up inconsistency with the already existing density allowances for similar zone districts. In all other residential subdistricts, the density allowances for employee housing and multiple family housing were the same.

Other:

Street Frontage Improvements

Street Frontage Improvements are requirements of the Tahoe City Mixed-Use Subdistricts, North Tahoe East Mixed-Use Subdistricts, and the North Tahoe West Mixed-Use Subdistricts. The proposed amendments are designed to provide consistency throughout the Area Plan in identifying the requirements of street frontage improvements and to also provide reference to the applicable standards contained in the Area Plan, i.e., Section 3.06 "Streetscape and Roadway Design Standards" and Table 3.06.A "Future Streetscape and Roadway Design Characteristics". Specifically, amendments are sought to Placer County Code Chapter 12, Article 12.08, Section 12.8.020A, to add single-family detached dwellings, as subject to street improvements requirements, to align with the TBAP pedestrian mobility goals.

The revisions to Section 3.06 and Table 3.06.A, specifically, will provide clarity to project applicants which is intended to result in fewer design exceptions and variance requests. Minor changes were made to the text of the TBAP to eliminate redundancy and/or to provide clarity and consistency. For example, in the Kings Beach Residential zone district, street frontage

improvements were required of commercial or multifamily developments but not of single-family, which further incentivized development of second homes rather than multifamily or new commercial development. The proposed amendments would require streetscape and frontage improvements of all development as identified in Table 3.06.A. CDRA staff intends to bring forward a comprehensive sidewalk improvement financing plan to offset the costs and burdens on individual development at a later date.

Signs

The proposed amendments eliminate the sign regulations contained in the TBAP under Section 3.11 and direct the reader to refer to the TRPA Code of Ordinance Chapter 38 “Signs.” This amendment is intended to simplify signage requirements and will make the TBAP consistent with the TRPA Code of Ordinances, thereby eliminating the need for future amendments to the TBAP should the TRPA modify Chapter 38 of the Code of Ordinance.

Shorezone

The proposed amendments to the TBAP are intended to reflect the changes made to Placer County Code Chapter 12, Article 12.32, “Lake Tahoe Shorezone” adopted by the Board in February of 2021. In August 2019, TRPA amended its Code of Ordinances, including shorezone regulations contained in Chapters 80 through 85. With the 2019 amendment, Section 12.32 of the Placer County Code was no longer in alignment with TRPA and contained conflicting permitting requirements. Therefore, staff proposed a complete replacement of the original ordinance with updated ordinance text to eliminate duplicate permitting processes, align with the TRPA ordinance, limit the County’s permitting role, and primarily rely on the Memorandum of Understanding between the California State Lands Commission and TRPA for shorezone related permitting. While the shorezone is primarily governed by TRPA and the State Lands Commission, the proposed amendments reflect the changes adopted by the Board in February of 2021. These comprise adding text to reference the Placer County Code Article 12.32 “Lake Tahoe Shorezone” and adjusting the applicable land use table to notify the reader that certain accessory structures shall also comply with the requirements of Article 12.32.

Miscellaneous Cleanup

The proposed amendments also included several “cleanups” recommended by staff that are intended to provide more clarity across the document and address typos or other minor errors.

Next Steps for Project Approval

On October 16, 2023, the Placer County Board of Supervisors considered public testimony and closed the public hearing and continued the item to October 31, 2023 at 2:00pm for final action. Once approved by the Board, it will also be presented to the TRPA Advisory Planning Commission and the TRPA Regional Plan Implementation Committee prior to being presented to and considered by the TRPA Governing Board for final action by TRPA.

ENVIRONMENTAL IMPACT

Addendum to the EIR

An Addendum (Attachment D) to the TBAP and Tahoe City Lodge Project Environmental Impact Statement/EIR (certified and adopted by the Board on December 6, 2016, California State Clearinghouse #2014072039; and adopted by the TRPA on January 25, 2017), was prepared pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15164 and Placer County Environmental Review Ordinance Section 18.20.110.

The Addendum demonstrates that while some modifications and refinements are necessary to adopt and implement the TBAP amendments, none of the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR have occurred. The Addendum concludes that the proposed TBAP amendments would not result in any new or substantially more severe significant effects than were identified in the EIR.

Consistent with the requirements of CEQA Guidelines Section 15162, the County must determine whether the proposed changes to the EIR trigger the need for a modified EIR. Under CEQA Section 15162, when an EIR has been adopted for a project, no subsequent EIR shall be prepared for the project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

1. Substantial changes are proposed in the amendments which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the amendments are undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted, shows any of the following:
 - a. The amendments will have one or more significant effects not discussed in the previous EIR;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures would substantially reduce one or more significant effects of the amendments, but the project amendments decline to adopt the mitigation measure; or
 - d. Mitigation measures which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the amendments decline to adopt the mitigation measure.

If only minor technical changes or additions are necessary or none of the triggers set forth above have occurred, then the County can prepare an addendum pursuant to CEQA Guidelines Section 15164, explaining why “some changes or additions” to the adopted EIR “are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.”

The County, as Lead Agency, prepared the Addendum pursuant to CEQA Guidelines Section 15164 to evaluate the environmental resource categories in terms of a “changed condition” (i.e., changed circumstances, project changes, or new information of substantial importance) that may result in environmental impact significance conclusions different from those found in the previously adopted EIR. The Addendum Checklist is a convenient tool for disclosing the County’s evidence and reasoning for determining the project’s consistency with the previously adopted EIR. Staff concluded through preparation of the Addendum that the proposed project is consistent with the EIR and there are no new or substantially more severe significant effects which are peculiar to the amendments and that the amendments meet the criteria in Public Resources Code Section 21166 and the CEQA Guidelines Section 15162 through 15164.

Errata to the Addendum

In addition to the Addendum prepared for the Amendments, an Errata (Attachment E) to the Addendum was prepared subsequent to an August 10, 2023 Planning Commission hearing on the TBAP Amendments. The Errata provides additional clarity on the cumulative impact evaluation in the Area Plan EIR. The Errata includes additional discussion on the cumulative impacts of the proposed Tahoe Basin Area Plan Amendments as they relate to the cumulative analysis in the 2016 Area Plan EIR, the changes to cumulative conditions in the Tahoe Basin and changes to cumulative conditions outside the Tahoe Basin. The information outlined in the Errata does not result in any new significant impacts or a substantial increase in the severity of an environmental impact identified in the Area Plan EIR and none of the conditions described in State CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR have occurred. The proposed TBAP Amendments (TBAP Amendments or Area Plan Amendments) would not result in any new or substantially more severe significant effects than were identified in the Area Plan EIR, which was certified by the Board on December 6, 2016. The information contained in the Errata is for clarification purposes only and does not alter the conclusions of the EIR addendum.

Tahoe Regional Planning Agency – Initial Environmental Checklist

In addition to the Addendum and Errata prepared for CEQA, draft documents: an Initial Environmental Checklist, Compliance Measures, a Conformity Checklist and Findings were prepared for the Amendments to comply with the environmental review requirements of the TRPA.

RECOMMENDATIONS

Based on the discussion and analysis in this report, staff recommends that the Board approve the following items:

1. Adopt the Addendum and Errata to the Tahoe Basin Area Plan EIR prepared for the project as set forth in Attachment D and Attachment E, respectively, and supported by the following findings:
 - A. The Placer County Tahoe Basin Area Plan and Tahoe City Lodge Project Environmental Impact Statement/Environmental Impact Report (Area Plan EIR) (certified and adopted by the Placer County Board of Supervisors on December 6, 2016, California State Clearinghouse #2014072039; and adopted by the Tahoe Regional Planning Agency on January 25, 2017), and Addendum and Errata to the Area Plan EIR have been considered prior to approval of this project. Together they are determined to be adequate to serve as the environmental documentation for this project and satisfy all the requirements of CEQA. The Addendum to the Area Plan EIR did not raise important new issues about the significant effects on the environment.
 - B. The Addendum and the Errata to the Area Plan EIR were prepared pursuant to CEQA Guidelines Section 15164 and Placer County Environmental Review Ordinance Section 18.20.110. Pursuant to CEQA Guidelines Section 15162 through 15164, no changes have occurred in the amendments or to existing circumstance that would warrant additional environmental analysis for the TBAP Amendments requested.
 - C. The proposed amendments to the TBAP modify policies to achieve housing and Town Center redevelopment which were already considered under the TBAP and therefore the policy changes would not have the potential to cause a significant effect on the environment.
 - D. Under PRC Section 21080.17 and CEQA Guidelines Section 15282 subsection (h), CEQA does not apply to the adoption of an ordinance by a city or county to implement the provisions of Section 65852.2 of the Government Code (the state accessory

dwelling unit law). The proposed amendments implement Government Code Section 65852.2 and 65852.22 within unincorporated Placer County in a manner that is consistent with the requirements of state law.

2. Adopt a Resolution approving amendments to the Tahoe Basin Area Plan policy document based on the following findings:

A. The proposed amendments to the Tahoe Basin Area Plan policy document are consistent with the objectives, policies, general land uses and programs specified in the Placer County General Plan and Tahoe Basin Area Plan, and the amendments are internally consistent with the remaining provisions of the 2017 approved Tahoe Basin Area Plan. Specifically these amendments will address process, policy, and code improvements to facilitate development, scale back requirements, and better understand and alleviate constraints and challenges in the development process, including zoning and building requirements and fees, collaborating with TRPA, updating parking standards and creating parking districts, and increasing workforce housing allowances; will include action goals and tactical approaches aimed at improving the economic viability of the Tahoe Basin; and contains amendments aimed to further implement existing policies aimed at supporting additional housing at affordable price levels, construction of workforce housing, and providing assistance for economic development and environmental redevelopment and are consistent with the goals, objectives and policies of the Placer County General Plan and the Tahoe Basin Area Plan since they are in accordance with the following:

- i. TBAP Policy SE-P-3. Opportunities for economic development outside Town Centers should be pursued in a manner consistent with the Regional Plan.
- ii. TBAP Policy SE-P-4. Whenever feasible, Placer County should provide assistance to property owners seeking to complete projects on priority redevelopment sites through public-private partnerships and other forms of assistance.
- iii. TBAP Policy SE-P-5. Placer County supports efforts to promote environmental redevelopment in mixed-use areas within and outside Town Centers, including the Village Centers identified in this Area Plan.
- iv. TBAP Policy SE-P-6. Continue efforts to address the existing job-housing imbalance and provide additional housing at affordable price levels should be pursued.
- v. TBAP Policy HS-P-6. Pursue TRPA-Certified Local Governing Moderate-Income Housing Programs pursuant to Sections, 52.3.4 and 52.3.6 of the TRPA Code of Ordinances to provide additional opportunities for deed-restricted affordable and moderate-income housing.
- vi. TBAP Policy HS-P-7. Evaluate housing needs in the region in coordination with TRPA. Consistent with Regional Plan Housing Policy HS-3.1, update TRPA policies and ordinances as necessary to achieve state, local and regional housing goals. Future housing efforts should seek to remove identified barriers preventing the construction of necessary affordable housing in the region including, but not limited to, workforce and moderate-income housing, secondary residential units and long-term residency in motel units.
- vii. General Plan Policy 1.B.2. The County shall encourage the concentration of multi-family housing in and near downtowns, village centers, major commercial areas, and neighborhood commercial centers.
- viii. Housing Element – Policy HE-A-2. The County shall continue efforts to streamline and improve the development review process based on object design standards, and to eliminate any unnecessary delays in the processing of development applications.

- ix. Housing Element – Policy HE-A-3. The County shall strive to remove barriers to new housing production including advancing adaptive policies, regulations, and procedures, as well as addressing market constraints as admissible.
 - x. Housing Element Policy HE-A-4. The County shall encourage mixed-use and transit-oriented development projects where housing is provided in conjunction with compatible non-residential uses.
 - xi. Housing Element Policy HE A-6. The County shall encourage the development of multi-family dwellings in locations where adequate infrastructure and public services are available.
 - xii. Housing Element Policy HE-B-1. The County shall facilitate expanded housing opportunities that are affordable to the workforce of Placer County.
 - xiii. Housing Element Policy HE-G-1. The County shall promote housing opportunities for all persons regardless of race, religion, color, ancestry, national origin, sex, disability, family status, income, sexual orientation, or other barriers that prevent choice in housing.
 - xiv. Housing Element Policy HE-E-2. The County shall encourage the TRPA to strengthen the effectiveness of existing incentive programs for the production of affordable housing and encourage Accessory Dwelling Units.
- B. The Area Plan as amended is not within the area of any airport land use plan.
- C. Notices of all hearings required by Section 17.60.140 have been given and all hearings required pursuant to Section 17.58.200 have been held.
3. Adopt an Ordinance approving amendments to the Tahoe Basin Area Plan Implementing Regulations based on the following findings:
- A. The proposed amendments to the Tahoe Basin Area Plan Implementing Regulations are consistent with Placer County General Plan and Tahoe Basin Area Plan. Specifically these amendments are in response to the Placer County Tahoe Basin Town Center Economic Sustainability Needs Analysis, which recommended process, policy, and code improvements to facilitate development, scale back requirements, and better understand and alleviate constraints and challenges in the development process, including zoning and building requirements and fees, collaborating with TRPA, updating parking standards and creating parking districts, and increasing workforce housing allowances; responds to the Tahoe Prosperity Center’s reports, which include action goals and tactical approaches aimed at improving the economic viability of the Tahoe Basin; and aim to further implement existing policies aimed at supporting additional housing at affordable price levels, construction of workforce housing, and providing assistance for economic development and environmental redevelopment consistent with the goals, objectives and policies of the Placer County General Plan and the Tahoe Basin Area Plan since they are in accordance with the following:
 - i. TBAP Policy SE-P-3. Opportunities for economic development outside Town Centers should be pursued in a manner consistent with the Regional Plan.
 - ii. TBAP Policy SE-P-4. Whenever feasible, Placer County should provide assistance to property owners seeking to complete projects on priority redevelopment sites through public-private partnerships and other forms of assistance.
 - iii. TBAP Policy SE-P-5. Placer County supports efforts to promote environmental redevelopment in mixed-use areas within and outside Town Centers, including the Village Centers identified in this Area Plan.

- iv. TBAP Policy SE-P-6. Continue efforts to address the existing job-housing imbalance and provide additional housing at affordable price levels should be pursued.
 - v. TBAP Policy HS-P-6. Pursue TRPA-Certified Local Governing Moderate-Income Housing Programs pursuant to Sections, 52.3.4 and 52.3.6 of the TRPA Code of Ordinances to provide additional opportunities for deed-restricted affordable and moderate income housing.
 - vi. TBAP Policy HS-P-7. Evaluate housing needs in the region in coordination with TRPA. Consistent with Regional Plan Housing Policy HS-3.1, update TRPA policies and ordinances as necessary to achieve state, local and regional housing goals. Future housing efforts should seek to remove identified barriers preventing the construction of necessary affordable housing in the region including, but not limited to, workforce and moderate-income housing, secondary residential units and long-term residency in motel units.
 - vii. General Plan Policy 1.B.2. The County shall encourage the concentration of multi-family housing in and near downtowns, village centers, major commercial areas, and neighborhood commercial centers.
 - viii. Housing Element – Policy HE-A-2. The County shall continue efforts to streamline and improve the development review process based on object design standards, and to eliminate any unnecessary delays in the processing of development applications.
 - ix. Housing Element – Policy HE-A-3. The County shall strive to remove barriers to new housing production including advancing adaptive policies, regulations, and procedures, as well as addressing market constraints as admissible.
 - x. Housing Element Policy HE-A-4. The County shall encourage mixed-use and transit-oriented development projects where housing is provided in conjunction with compatible non-residential uses.
 - xi. Housing Element Policy HE-A-6. The County shall encourage the development of multi-family dwellings in locations where adequate infrastructure and public services are available.
 - xii. Housing Element Policy HE-B-1. The County shall facilitate expanded housing opportunities that are affordable to the workforce of Placer County.
 - xiii. Housing Element Policy HE-G-1. The County shall promote housing opportunities for all persons regardless of race, religion, color, ancestry, national origin, sex, disability, family status, income, sexual orientation, or other barriers that prevent choice in housing.
 - xiv. Housing Element Policy HE-E-2. The County shall encourage the TRPA to strengthen the effectiveness of existing incentive programs for the production of affordable housing and encourage Accessory Dwelling Units.
- B. The proposed amendments to the Tahoe Basin Area Plan Implementing Regulations are consistent with and implement the Area Plan, as approved in 2017 and as herein amended.
- C. The proposed amendments to the Tahoe Basin Area Plan Implementing Regulations will implement the Tahoe Basin Area Plan policies and goals and will ensure orderly development of the Plan Area.
4. Adopt an Ordinance amending the Placer County Code, Chapter 12, Article 12.08, Section 12.08.020(A).

Attachment C
TRPA Adopting Ordinance

TAHOE REGIONAL PLANNING AGENCY
ORDINANCE 2024-__

AN AMENDMENT TO ORDINANCE NO. 2021-02 TO ADOPT
TAHOE BASIN AREA PLAN AMENDMENTS

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

Section 1.00 Findings

- 1.10 It is desirable to amend TRPA Ordinance 2021-02 by amending the Tahoe Basin Area Plan to further implement the Regional Plan pursuant to Article VI (a) and other applicable provisions of the Tahoe Regional Planning Compact.
- 1.20 The Tahoe Basin Area Plan amendments were the subject of an Initial Environmental Checklist (IEC), which was processed in accordance with Chapter 3: *Environmental Documentation* of the TRPA Code of Ordinances and Article VI of the Rules of Procedure. The Tahoe Basin Area Plan amendments have been determined not to have a significant effect on the environment and are therefore exempt from the requirement of an Environmental Impact Statement (EIS) pursuant to Article VII of the Compact.
- 1.30 The Advisory Planning Commission (APC) and the Governing Board have each conducted a noticed public hearing on the proposed Tahoe Basin Area Plan amendments. The APC has recommended Governing Board adoption of the necessary findings and adopting ordinance. At these hearings, oral testimony and documentary evidence were received and considered.
- 1.40 The Governing Board finds that the Tahoe Basin Area Plan amendments adopted hereby will continue to implement the Regional Plan, as amended, in a manner that achieves and maintains the adopted environmental threshold carrying capacities as required by Article V(c) of the Compact.
- 1.50 Prior to the adoption of these amendments, the Governing Board made the findings required by TRPA Code of Ordinances Section 4.5, and Article V(g) of the Compact.
- 1.60 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.00 TRPA Code of Ordinances Amendments

Ordinance 2021-02 is hereby amended by amending the Tahoe Basin Area Plan as set forth in the exhibits to this ordinance.

Section 3.00 Interpretation and Severability

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

Section 4.00 Effective Date

The provisions of this ordinance amending the Tahoe Basin Area Plan shall become effective on adoption.

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

Ayes:

Nays:

Abstentions:

Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency,
Governing Board

Attachment C

[Exhibit A—Proposed Policy Amendment Language](#) (link)

Attachment C

[Exhibit B—Proposed Implementing Regulation Amendment Language](#) (link)

Attachment D
Findings

REQUIRED FINDINGS FOR AN AMENDMENT TO PLACER COUNTY'S TAHOE BASIN AREA PLAN

This document contains required findings per Chapters 3, 4, and 13 of the TRPA Code of Ordinances (Code) for the amendments to Placer County's Tahoe Basin Area Plan (Area Plan):

Chapter 3 Findings: The following finding must be made prior to amending the Area Plan:

1. Finding: The proposed Area Plan amendments could not have a significant effect on the environment and a finding of no significant effect shall be prepared in accordance with TRPA's Rules of Procedure.

Rationale: Based on the completed Initial Environmental Checklist (IEC), no significant environmental impacts have been identified as a result of the proposed amendments. The IEC was prepared to evaluate the potential environmental impacts of the proposed amendments and tiers from programmatic analyses contained in the following environmental review documents:

- Placer County Tahoe Basin Area Plan and Tahoe City Lodge Project Environmental Impact Statement/Environmental Impact Report (Area Plan EIS/EIR) (California State Clearinghouse (SCH) Number 20140720039)
- Tahoe Regional Plan Update Environmental Impact Statement (RPU EIS) (California SCH Number 2007092027; Nevada SCH Number E2008-124)

These program-level environmental documents include regional cumulative scale analyses and a framework of mitigation measures that provide a foundation for subsequent, site-specific environmental review documents as individual planning, redevelopment and other projects are proposed. The IEC is tiered from the Area Plan EIS/EIR and RPU EIS in accordance with Section 6.12 of the TRPA Rules of Procedure. The Area Plan EIS/EIR and RPU EIS are programmatic environmental documents prepared pursuant to Article VI of the TRPA Rules of Procedure (Environmental Impact Statements) and Chapter 3 (Environmental Documentation) of the TRPA Code.

The RPU EIS evaluates a comprehensive plan that establishes growth limits, provides policy direction, and enacts development and environmental standards. The Area Plan EIS/EIR evaluates a comprehensive land use plan that implements the Regional Plan and includes greater specificity within the Placer County portion of the Tahoe Region. The Area Plan EIS/EIR analyzes full implementation of uses and physical development proposed under the Area Plan, and it identifies measures to mitigate the significant adverse program-level and cumulative impacts associated with that growth. The Area Plan is an

element of the growth that was anticipated in the 2012 Tahoe Regional Plan Update RPU and evaluated in the 2012 RPU EIS. By tiering from the Area Plan EIS/EIR and RPU EIS, the IEC relies on these documents for the following:

- background and setting information for environmental topic areas,
- regional growth-related issues,
- issues that were evaluated in sufficient detail in the Area Plan EIS/EIR or RPU EIS for which there is no significant new information or change in circumstances that would require further analysis, and
- assessment of cumulative impacts.

Nothing in the IEC in any way alters the obligations of Placer County or TRPA to implement the mitigation measures adopted as part of the Area Plan or RPU, as documented in the Area Plan EIS/EIR or RPU EIS. Consequently, Placer County would adhere to all applicable adopted mitigation measures required by the Area Plan and Regional Plan as a part of the proposed Area Plan amendments.

Adoption of the proposed amendments would amend policies in the TBAP Policy document and the Area Plan Implementing Regulations. The proposed Area Plan amendments focus on process, policy, and code improvements to support appropriate lodging, mixed-use developments, and a variety of housing types, including workforce housing. The amendments also focus on diversifying land uses, with the intent of streamlining planning processes and increasing the diversity of business and housing types. Therefore, the proposed amendments are designed to implement recommendations outlined in the Economic Sustainability Needs Assessment, particularly those focused on process, policy, and code improvements that will facilitate and streamline revitalization projects in the Town Centers and workforce housing throughout North Tahoe. Taken together, these changes seek to accelerate implementation of the goals and policies of the Regional Plan. The proposed Area Plan Policy document changes are summarized in Table 1 of the IEC and the proposed Area Plan Implementing Regulations are summarized in Table 2 of the IEC. The effects of these amendments were evaluated in detail in the IEC and found to be less than significant.

All aspects of the Regional Plan, Area Plan, and TRPA Code not specifically affected by the proposed amendments would continue to apply throughout the plan area. As such, future projects proposed within the plan area would be required to comply with all applicable provisions of the TRPA Code, including requirements for site development, growth management, and resource management and protection, as well as

applicable TRPA standard conditions of approval. Proposed projects within the plan area would be reviewed through applicable TRPA and CEQA environmental review requirements and, if necessary, project revisions or mitigation measures necessary to avoid significant environmental impacts would continue to be required as a condition of approval.

Chapter 4 Findings: The following findings must be made prior to amending the Area Plan:

1. Finding: The proposed Area Plan amendments are consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable goals and policies, community plans/plan area statements, the TRPA Code, and other TRPA plans and programs.

Rationale: The Area Plan consists of a Policy document and Implementation Regulations (ordinances) that conform to the Regional Plan. The adopted land use and zoning maps are consistent with Regional Plan Map 1, Conceptual Regional Land Use Map. No modifications to the Area Plan boundaries are proposed.

The proposed amendments to the Area Plan were prepared in conformance with the substantive and procedural requirements of the Regional Plan goals and policies, as implemented through TRPA Code, Chapter 13, "Area Plans." The Area Plan is consistent with the Tahoe Regional Plan and TRPA Code, as shown in the Area Plan Finding of Conformity Checklist and as demonstrated in the IEC. The proposed amendments focus on process, policy, and code improvements to support appropriate lodging, mixed-use developments, and a variety of housing types, including workforce housing. The amendments also focus on diversifying land uses, with the intent of streamlining planning processes and increasing the diversity of business and housing types.

Pursuant to TRPA Code Section 4.4.2, TRPA considers, as background for making the Section 4.4.1.A through C findings, the proposed project's effects on compliance measures (those implementation actions necessary to achieve and maintain thresholds), supplemental compliance measures (actions TRPA could implement if the compliance measures prove inadequate to achieve and maintain thresholds), the threshold indicators (adopted measurable physical phenomena that relate to the status of threshold attainment or maintenance), additional factors (indirect measures of threshold status, such as funding levels for Environmental Improvement Program [EIP] projects), and interim and target dates for threshold achievement. TRPA identifies and reports on threshold compliance measures, indicators, factors, and targets in the threshold evaluation reports prepared pursuant to TRPA Code, Chapter 16, "Regional Plan and Environmental Threshold Review."

TRPA relies upon a project's accompanying environmental documentation, staff's professional analyses, and prior plan level documentation, including findings and environmental documentation, to reach the fundamental conclusions regarding a project's consistency with the Regional Plan and thresholds. A project that is consistent with all aspects of the Regional Plan and that does not adversely affect any threshold is, by definition, consistent with compliance measures, indicators, and targets.

To increase its analytical transparency, TRPA has prepared worksheets related specifically to the TRPA Code Section 4.4.2 considerations, which set forth the 222 compliance and supplemental compliance measures. Effects of the proposed project (here the amendments to support appropriate lodging, mixed-use developments, and a variety of housing types, including workforce housing, and that are intended to streamline planning processes and increase the diversity of business and housing types) on these items, if any, are identified and to the extent possible described.

TRPA cannot identify target dates, status, and trends for some threshold indicators because of a lack of available information. TRPA may still determine whether the project will affect the TRPA Code Section 4.4.2 considerations (and ultimately consistency with the Regional Plan and impact on thresholds) based on the project's specific environmental impacts related to those threshold indicators.

Based on the IEC prepared for the proposed amendments, Area Plan EIS, Area Plan findings made by the TRPA Governing Board, TRPA Code Section 4.4.2 staff analyses, and using applicable measurement standards consistent with the available information, the proposed amendments will not adversely affect applicable compliance and supplemental compliance measures, indicators, additional factors, and attainment of targets by the dates identified in the 2019 Threshold Evaluation. The Area Plan incorporates and/or implements relevant compliance measures, and with implementation of the measures with respect to development within the Area Plan, the effects are not adverse, and with respect to some measures, are positive.

TRPA anticipates that implementation of the proposed amendments could accelerate threshold gains to the extent that it leads to environmental redevelopment in an aging town center.

Section 4.4.2.B also requires TRPA to disclose the impact of the proposed project on its cumulative accounting of units of use (e.g., residential allocations, commercial floor area, tourist accommodation units). The proposed Area Plan amendments do not affect the cumulative accounting of units of use as no additional residential, commercial, tourist, or recreation allocations are proposed or allocated as part of the Area Plan amendments. The proposed amendments promote diversifying land uses, with the intent of streamlining planning processes and increasing the diversity of business and housing types. The proposed process, policy, and code improvements will facilitate and streamline revitalization projects in the Town Centers and

workforce housing throughout North Tahoe but would not increase the number of allowable units of use in the plan area.

Similarly, TRPA Code Section 4.4.2.C requires TRPA to confirm whether the proposed project is within the remaining capacity for development (e.g., water supply, sewage, electrical service) identified in the environmental documentation for the Regional Plan. The amendments do not affect the amount of the remaining capacities available, identified and discussed in the RPU EIS. The Area Plan does not allocate capacity or authorize any particular development.

TRPA therefore finds that the amendments are consistent with and will not adversely affect implementation of the Regional Plan, including all applicable goals and policies, community plans, plan area statements, the TRPA Code, and other TRPA plans and programs.

2. Finding: The proposed Area Plan amendment will not cause the environmental threshold carrying capacities to be exceeded.

Rationale: As demonstrated in the completed IEC, no significant environmental effects were identified as a result of the proposed amendments, and the IEC did not find any thresholds that would be adversely affected or exceeded. As found above, the Area Plan, as amended, is consistent with the Regional Plan.

TRPA reviewed the proposed amendments in conformance with the adopted Threshold Standards and 222 compliance measures and supplemental compliance measures. The amendments will not adversely affect applicable compliance measures, indicators, additional factors, and supplemental compliance measures and target dates as identified in the 2019 Threshold Evaluation indicator summaries. Pursuant to Chapter 13 of the TRPA Code, TRPA will monitor all development projects within the Area Plan through quarterly and annual reports. These reports will be used to evaluate the status and trend of the thresholds every 4 years.

The proposed Area Plan amendments do not affect the cumulative accounting of units of use as no additional residential, commercial, tourist, or recreation allocations are proposed or allocated as part of the Area Plan amendments. The proposed amendments promote diversifying land uses, with the intent of streamlining planning processes and increasing the diversity of business and housing types. The proposed process, policy, and code improvements will facilitate and streamline revitalization projects in the Town Centers and workforce housing throughout North Tahoe but would not increase the number of allowable units of use in the plan area.

The amendments do not affect the amount of the remaining capacity available, as the remaining capacity for water supply, sewage collection and treatment, recreation and vehicle miles travelled have been identified and evaluated in the Area Plan EIS/EIR. No changes to the overall capacity are proposed in the proposed amendments. TRPA therefore finds that the amendments will not cause the thresholds to be exceeded.

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

Rationale: Based on the following: (1) Area Plan Amendments IEC, (2) Area Plan EIS/EIR, and (3) the 2019 Threshold Evaluation Report, adopted by the Governing Board, no applicable federal, state, or local air and water quality standard will be exceeded by adoption of the amendment. The proposed amendments do not affect or change the federal, state, or local air and water quality standards that apply to the Region. Projects developed under the Area Plan will meet the strictest applicable air quality standards and implement water quality improvements consistent with TRPA Best Management Practices (BMPs) requirements, the Lake Tahoe Total Maximum Daily Load (TMDL), Middle Truckee River Watershed TMDL, and the County's Pollutant Load Reduction Plan (PLRP). Federal, state, and local air and water quality standards remain applicable for all parcels in the Area Plan, thus ensuring environmental standards will be achieved or maintained pursuant to the Bi-State Compact.

The proposed amendments to Policy TC-P-10 in the Area Plan and Section 3.09 of the Implementing Regulations would allow groundwater interceptions for mixed-use projects proposing below-grade parking. When such exceptions are granted, the applicant would be required to demonstrate that the project's impacts have been mitigated to be equal to or better than the original impacts from the proposed project. This policy would strengthen the intent of the Area Plan to condense development in Town Centers and limit impermeable surfaces at street level. The revised policy was guided by Section 33.3.6 of the TRPA Code of Ordinances for mixed use projects in Town Centers.

The amendments to policies and implementing regulations would support implementation of the goals and policies in the existing Area Plan by continuing to promote compact redevelopment of Town Centers and minimizing the environmental impacts from development on water quality and habitat. The amendments that would allow groundwater interception for mixed-use projects would require design approaches to ensure the project does not interfere with groundwater flow or quality. Because these policies would further support implementation of the land use patterns identified in the Area Plan while maintaining regional water quality, the amendments would not result in any new or more severe impacts to water quality.

4. Finding: The Regional Plan and all of its elements, as amended, achieves and maintains the thresholds.

Rationale: **I. Introduction**

In 1980, Congress amended the Compact to accelerate the pace of environmental progress in the Tahoe region by tasking TRPA with adopting a regional plan and implementing regulations that protect the unique national treasure that is Lake Tahoe. First, Article V(b) required that TRPA, in collaboration with Tahoe's other regulatory agencies, adopt "environmental threshold carrying capacities"

(“thresholds” or “standards”) establishing goals for a wide array of environmental criteria, including water quality, air quality, and wildlife. Second, Article V(c) directed TRPA to adopt a “regional plan” that “achieves and maintains” the thresholds, and to “continuously review and maintain” implementation of the plan.

The 1980 Compact inaugurated an era of establishing and enforcing rigorous controls on new development. In 1982, TRPA adopted the necessary thresholds for the Tahoe Region. These thresholds are a mix of both long- and short-term goals for the Tahoe Region. The Region was “in attainment” of a number of these thresholds shortly after the adoption of the Regional Plan and remains in attainment today. Other thresholds address more intractable problems; for example, TRPA established numeric water quality standards that, even under best-case conditions, could not be attained for decades. *See, e.g., League to Save Lake Tahoe v. Tahoe Reg’l Planning Agency*, 739 F. Supp. 2d 1260, 1265 (E.D. Cal. 2010).

The second phase in this process was establishing a regional plan that, when implemented through rules and regulations, would ultimately “achieve and maintain” the thresholds over time. In 1987, following years of negotiation and litigation, TRPA adopted its Regional Plan. The 1987 Regional Plan employed a three-pronged approach to achieve and maintain the adopted environmental thresholds. First, the plan established a ceiling on development in Tahoe and restricted the placement, timing, and extent of new development. Second, the plan sought to prevent new harm to the environment as well as repair the environmental damage caused by existing development, particularly for projects that pre-dated TRPA’s existence (i.e., correcting the “sins of the past”); to this end, the plan created incentives to redevelop urbanized sites under more protective regulations and to transfer development out of sensitive areas that would then be restored. Third, TRPA adopted a capital investment program that was largely, but not exclusively, publicly funded to achieve and maintain thresholds by improving infrastructure and repairing environmental damage. In 1997, TRPA replaced this program with its EIP. In subsequent years, TRPA generated investments of well over \$1 billion in public and private money to restore ecosystems and improve infrastructure under the EIP. Recent litigation confirmed that the Regional Plan as established in 1987 and subsequently amended over time will achieve and maintain the adopted environmental thresholds. *Sierra Club v. Tahoe Reg’l Planning Agency*, 916 F.Supp.2d 1098 (E.D. Cal. 2013) [Homewood litigation].

Regional Plan Update Process

Even though implementation of the 1987 Regional Plan would achieve and maintain the thresholds, in 2004 TRPA began public outreach and analysis of the latest science and monitoring results to identify priority areas in which the Regional Plan could be comprehensively strengthened to accelerate the rate of threshold attainment. TRPA’s policymakers realized that the challenges facing the region differed from those confronting the agency when it adopted its original Regional Plan in 1987. Uncontrolled new growth that had been the primary threat decades earlier had been brought into check by the strict growth limitations in the 1987 Regional Plan. Today’s problems differed, resulting from the continuing deterioration and lack of upgrades

to existing “legacy” development. In essence, to make the greatest environmental difference, the Tahoe region needed to fix what was already in place. In addition, TRPA realized some existing land-use controls could be improved to remove barriers to redevelopment that would address ongoing environmental degradation caused by sub-standard development constructed before TRPA had an adopted Regional Plan or even came into existence. Land use regulations and public and private investment remain essential to attaining the thresholds for Lake Tahoe.

Furthermore, TRPA recognized that the social and economic fabric of the Tahoe Region could not support the level of environmental investment needed. The economic foundation of gaming had fallen away, and the level of environmental investment needed could not be supported solely by an enclave of second homes for the wealthy. Businesses and the tourism sector were faltering. Affordable housing and year-round jobs were scarce. Local schools were closing, and unemployment was unusually high. In light of these realities, TRPA sponsored an ongoing outreach program to obtain input on how to advance TRPA’s environmental goals. Between 2004 and 2010, TRPA conducted over 100 public meetings, workshops, and additional outreach. More than 5,000 people provided input regarding their “vision” for TRPA’s updated Regional Plan. Based on this input, TRPA identified a number of priorities to be addressed by the updated Regional Plan, including:

1. Accelerating water quality restoration and other ecological benefits by supporting environmental redevelopment opportunities and EIP investments.
2. Changing land-use patterns by focusing development in compact, walkable communities with increased alternative transportation options.
3. Transitioning to more permitting by local governments to create “one-stop” and “one permit” for small to medium sized projects, where local government wanted to assume these duties.

On December 12, 2012, TRPA’s 9-year effort culminated with the approval of the RPU.

Regional Plan Update Amendments

The RPU uses multiple strategies targeting environmental improvements to accelerate achieving and maintaining threshold standards in the Region. First, the RPU maintained both regulatory and implementation programs that have proven effective in protecting Lake Tahoe’s environment. TRPA’s regional growth control regulatory system, strict environmental development standards, and inter-agency partnerships for capital investment and implementation (e.g., EIP) remain in place.

Second, the RPU promotes sensitive land restoration, redevelopment, and increases the availability of multi-modal transportation facilities. The implementation of the RPU will facilitate transferring existing development from outlying, environmentally sensitive areas into existing urbanized community centers. The RPU provides incentives so that private capital can be deployed to speed this transformation.

Third, the RPU authorizes the area plan process for communities and land management agencies in the Tahoe Region to eliminate duplicative and unpredictable land use regulations that deterred improvement projects. Area plans, created pursuant to Chapter 13 of the TRPA Code, also allow TRPA and local, state, federal, and tribal governments to expand the types of projects for which local, state, federal, and tribal governments apply TRPA rules to proposed projects within the Tahoe Region. After approval of an area plan by TRPA, this process allows a single government entity to review, permit, and inspect projects in their jurisdiction. All project approvals delegated to other government entities may be appealed to TRPA for final decision. In addition, the performance of any government receiving delegated authority will be monitored quarterly and audited annually to ensure proper application of TRPA rules and regulations.

As noted above, a variety of strategies in the Regional Plan will work together to accelerate needed environmental gains in the categories where threshold benefits are most needed – water quality, restoration of sensitive lands, scenic quality advances in developed scenic units, and efforts to continue maintenance and attainment of air quality standards. Area plans that include “Centers” play a key role in the Regional Plan’s overall strategy by activating environmental redevelopment incentives (e.g., increases in density and height) that also provide the receiving capacity for transfers of units from sensitive lands.

The next section of this finding establishes how the Amended Placer County Tahoe Basin Area Plan fulfills the role anticipated by the RPU and the expected threshold gain resulting from its implementation.

II. Area Plan Amendment and Threshold Gain

The proposed Area Plan amendments would maintain programs in the existing Area Plan that could accelerate threshold gain, including water quality restoration, scenic quality improvement, and other ecological benefits. To the extent that the amendments lead to environmental redevelopment in aging town centers, it would accelerate threshold gain. An increase in redevelopment will likewise increase the rate of threshold gain by accelerating the application of controls designed to enhance water quality, air quality, soil conservation, and scenic quality improvements.

As described in more specific detail below, the amendments will have a potentially beneficial effect on multiple threshold areas.

A. Water Quality

The 2019 Threshold Evaluation found that the trend in reduced lake clarity has been slowed. The continued improvement is a strong indication that the actions of partners in the region are contributing to improved clarity and helping TRPA attain one of its signature goals.

The proposed revisions to Policy TC-P-10 in the Area Plan and Section 3.09 of the Implementing Regulations will allow groundwater interceptions for mixed-use projects proposing below-grade parking. When such exceptions are granted, the

applicant would be required to demonstrate that the project's impacts have been mitigated to be equal to or better than the original impacts from the proposed project. This policy would strengthen the Area Plan's intent to condense development in Town Centers and limit impermeable surfaces at street level. The revised policy was guided by Section 33.3.6 of the TRPA Code of Ordinances for mixed-use projects in Town Centers.

The amendments to policies and implementing regulations would support implementation of the goals and policies in the existing Area Plan by continuing to promote compact redevelopment of Town Centers and minimizing the environmental impacts from development on water quality and habitat. The amendments that would allow groundwater interception for mixed-use projects would require design approaches to ensure the project does not interfere with groundwater flow or quality. Because these revised policies would further support implementation of the land use patterns identified in the Area Plan while maintaining regional water quality.

Potential environmental redevelopment within the amended Area Plan will result in accelerated water quality benefits. Each redevelopment project is required to comply with strict development standards, including water quality BMPs and coverage mitigation requirements, and will provide additional opportunities for implementing area wide water quality systems.

B. Air Quality

The 2019 Threshold Evaluation found that the majority of air quality standards are in attainment and observed changes suggest that conditions are improving or stable. Actions implemented to improve air quality in the Tahoe Region occur at the national, state, and regional scale. The US Environmental Protection Agency has established vehicle tail-pipe emission standards and industrial air pollution standards. These actions have resulted in substantial reductions in the emissions of harmful pollutants at state-wide and national scales and likely have contributed to improvement in air quality at Lake Tahoe. At a regional scale, TRPA has established ordinances and policies to encourage alternative modes of transportation and to reduce vehicle idling by prohibiting the creation of new drive-through window establishments and limiting idling during project construction.

Facilitating projects within the approved area plans is an integral component in implementing regional air quality strategies and improvements at a community level. (TRPA Goals and Policies: Chapter 2, "Land Use"). The Area Plan was adopted to implement and achieve the environmental improvement and redevelopment goals of the Regional Plan, and the proposed amendments would further that goal. A primary function of the Amended Area Plan is to consolidate applicable local and regional plans to facilitate implementation of the Regional Plan. Because implementation of the Area Plan would lead to implementation of the Regional Plan, it would directly contribute to achieving and maintaining the air quality threshold.

TRPA's 2020 RTP includes an analysis of its conformity with the California State Implementation Plan to ensure that the RTP remains consistent with state and local

air quality planning work to achieve and/or maintain the national ambient air quality standards (NAAQS). The proposed amendments do not propose substantial changes to land use assumptions and would not change the conformity determination by state regulators.

The proposed Area Plan amendments would not change the development potential within the plan area, so the location, amount, and type of construction activities within the plan area would not change substantially. Operational emissions would also not change substantially because the Area Plan Amendments would not change air quality regulatory requirements, increase vehicle use, or alter the amount or type of development possible within the plan area. The proposed amendments could affect the land use pattern by encouraging redevelopment of Town Centers; promoting mixed-use projects; encouraging shared parking; encouraging affordable, moderate, or achievable housing; allowing food trucks and mobile vendors; and supporting the Resort Triangle Transportation Plan. Taken together, these changes would encourage more concentrated development within Town Centers with less development outside of the Town Centers. This land use pattern would create residences near commercial uses and potentially generate the shorter trip lengths and reduce vehicle miles traveled (VMT) needed to meet the Air Quality Thresholds.

C. Soil Conservation

The 2019 Threshold Evaluation found negligible change in the total impervious cover in the Region over the last 5 years and the majority of soil conservation standards in attainment. While the permitting process of partners has been effective in focusing development on less sensitive lands and encouraging removal of impervious cover from sensitive areas, there is still much work to be done. Plans for large scale stream environment zone (SEZ) restoration, recent improvements in the development rights program, and implementation of the area plans will continue to help achieve SEZ restoration goals.

As summarized in Table 3-1 of the IEC, the plan area exceeds the amount of coverage allowed in land capability districts 1b and 2. This indicates that future redevelopment would be required to implement excess land coverage mitigation strategies and relocation of development from sensitive land consistent with the Regional Plan. Furthermore, redevelopment permitting would require these properties to incorporate modern site design standards, including landscaping, BMPs, and setbacks. These standards would likely result in the removal of existing land coverage for properties that are overcovered. Any projects on over-covered parcels implemented within the amended Area Plan would include excess land coverage mitigation. The coverage limits and policies in the proposed Area Plan would not be changed by the proposed amendments and the proposed developed allocation system would clarify allowable coverage for future projects. This would support attainment of TRPA Threshold Standards related to land coverage consistent with the limits allowed by the land capability and Individual Parcel Evaluation System systems. Therefore, the amendments will help to accelerate threshold gain through soil conservation.

D. Scenic Quality

The 2019 Threshold Evaluation found that scenic gains were achieved in developed areas along roadways and scenic resources along the lake's shoreline, the areas most in need of additional scenic improvement. Overall, 93 percent of the evaluated scenic resource units met the threshold standard and no decline in scenic quality was documented in any indicator category.

TRPA-designated scenic travel units within the Area Plan include those along State Route (SR) 89, SR 28, and Lake Tahoe. The proposed amendments to Area Plan policies and Implementing Regulations include clarification of existing scenic requirements, support for public art, and slightly more compact development within Town Centers, due to incentives for affordable housing, changes to setbacks, and allowances for tiny homes. Most of the existing design standards would continue to apply, which have been demonstrated to result in improved scenic quality and community character as older, non-conforming development is replaced with new buildings consistent with current standards (TRPA 2023). Therefore, it is reasonable to expect that redevelopment under the Area Plan, as amended, would continue to result in incremental improvements in scenic quality and a built environment that is consistent with the community character. Any subsequent projects carried out under the amended Area Plan would be required to make project-specific findings, as well as the Chapter 4 threshold findings and Chapter 37 height findings in the TRPA Code.

Consistent with the Regional Plan, the Area Plan allows for changes in the built environment through use of remaining allocations, use of newly authorized allocations, and implementation of design standards and guidelines and Code provisions that ultimately affect the form of new development and redevelopment. The Area Plan implements, and is consistent with, the provisions of the Regional Plan (such as increased density and height in community centers) intended to incentivize redevelopment, while protecting scenic resources. The Area Plan Area-wide Standards and Guidelines (Implementing Regulations, Chapter 3) are designed to guide development that would reflect the character of the area, protect viewsheds, and substantially improve the appearance of redevelopment projects.

E. Vegetation

The 2019 Threshold Evaluation found that vegetation in the Region continues to recover from the impacts of legacy land use. The majority of vegetation standards that are currently not in attainment relate to common vegetation in the Region. This finding is consistent with those of past threshold evaluations. As the landscape naturally recovers from the impacts of historic logging, grazing, and ground-disturbance activities over the course of this century, many of the standards are expected to be attained.

The plan area includes extensive undeveloped areas primarily characterized by the dominant vegetation habitat types of Sierran Mixed conifer, Jeffery pine (*Pinus jeffreyi*), white fir (*Abies concolor*), and perennial grasslands. The urban zones are along the shoreline and lower canyons surrounded by mixed conifer forests. The

proposed Area Plan amendments would not change land use classifications or allow new uses that would be more likely to require vegetation removal. These amendments would facilitate more concentrated redevelopment in existing Town Centers, which could reduce the potential for development on vacant lands containing native vegetation because a higher proportion of future growth would likely occur in already developed Core Areas. The proposed amendments would not alter or revise the regulations pertaining to native vegetation protection during construction. Consistent with existing conditions, individual projects implemented under the Area Plan are required to comply with Section 33.6, "Vegetation Protection During Construction," of the TRPA Code. Protective requirements include installation of temporary construction fencing, standards for tree removal and tree protection, standards for soil and vegetation protection, and revegetation of disturbed areas.

The proposed amendments would not result in direct tree or vegetation removal. Future projects are subject to project-level environmental review and the removal of native, live, dead, or dying trees must be implemented consistent with Chapter 61, "Vegetation and Forest Health," of the TRPA Code.

F. Recreation

The 2019 Threshold Evaluation found that land acquisition programs and the Lake Tahoe EIP have contributed to improved access and visitor and resident satisfaction with the quality and spectrum of recreation opportunities. Partner agencies have improved existing recreation facilities and created new ones, including providing additional access to Lake Tahoe, hiking trailheads, and bicycle trails. Today's emerging concerns are transportation access to recreation sites and maintaining quality recreation experiences as demand grows, concerns that may require the Region to revisit policies and goals for the recreation threshold standards.

The plan area contains numerous recreational opportunities within its boundaries. Tahoe City Public Utility District (TCPUD) and North Tahoe Public Utility District (NTPUD) manage recreation facilities throughout the plan area, including beaches, day-use areas, lakeside parks, hiking and biking trails, and boat launch facilities. Some of the other agencies and organizations that contribute to the development and management of recreational facilities within the plan area include the US Forest Service, California Tahoe Conservancy, California Department of Parks and Recreation, Tahoe Rim Trail Association, Tahoe Fund, and the County.

The proposed amendments do not alter regulations related to recreation or approve changes to existing recreation facilities that would affect access or visitor and resident satisfaction with the quality and spectrum of recreation opportunities.

Although the proposed Area Plan amendments could modestly increase the pace of construction within the plan area, they would not increase the potential for growth in the plan area beyond that which could already occur under the existing Area Plan. As such, because potential future growth in the plan area is limited, the demand for recreation facilities would not substantially increase. The existing Area Plan already includes appropriate strategies to provide additional recreation capacity consistent

with demand. The proposed Area Plan amendments do not approve any projects that would affect recreation demand or capacity and all future projects would be assessed for their impact on access to or the quality of existing recreation opportunities.

The approval of any project proposing the creation of additional recreational capacity would be subject to subsequent project-level environmental review and permitting and, if applicable, would be subject to the Persons At One Time (PAOT) system of recreation allocations administered by TRPA as described in Section 50.9, "Regulation of Additional Recreation Facilities," of the TRPA Code. No additional PAOTs are proposed by the amendment.

In addition, the existing Area Plan is consistent with applicable plans that guide existing and proposed recreation uses, which would be unchanged.

G. Fisheries

While the 2019 Threshold Evaluation found standards for fisheries to generally be in attainment, the standards focus on physical habitat requirements that may not reflect the status of native fish populations. Recent population surveys in Lake Tahoe suggest significant declines in native fish species in parts of the nearshore. Declines are likely the result of impacts from the presence of aquatic invasive species in the lake. While efforts to prevent new invasive species from entering the lake have been successful, mitigating the impact of previously introduced existing invasive species remains a high priority challenge. Invasive species control projects are guided by a science-based implementation plan. Ensuring native fish can persist in the region and the restoration of the historic trophic structure to the lake will likely require partners to explore novel methods to control invasive species and abate the pressure they are placing on native species. Climate change driven shifts in the timing and form of precipitation in the Region pose a longer-term threat to native fish that may need to be monitored.

BMPs required for project development would improve water quality and thus could contribute to improved riparian and lake conditions in receiving water bodies. The Area Plan amendments will not alter the resource management and protection regulations, Chapters 60 through 68 of the TRPA Code. Chapter 63, "Fish Resources," includes the provisions to ensure the protection of fish habitat and provide for the enhancement of degraded habitat. Development within the Area Plan could benefit the fisheries threshold through goals and policies aimed at the restoration of SEZs and implementation of BMPs.

H. Wildlife

The 2019 Threshold Evaluation found that 12 of the 16 wildlife standards are in attainment. Over 50 percent of the land area in the Tahoe region is designated for protection of listed special-status species. Populations of special interest species are either stable or increasing.

Future redevelopment projects in the Area Plan would be subject to project-level environmental review and permitting at which time the proposals would be required

to demonstrate compliance with all federal, state, and TRPA regulations pertaining to the protection of animal species in accordance with Section 62.4 of the TRPA Code. Therefore, implementation of the proposed amendments would not result in the reduction in the number of any unique, rare, or endangered species of animals, including waterfowl.

I. Noise

The 2019 Threshold Evaluation found that ambient noise levels in seven of nine land-use categories are in attainment with standards, but because of the proximity of existing development to roadways just two of seven transportation corridors are in attainment with ambient targets. Due to insufficient data, status determinations were not possible for nearly half of the single event noise standards. Limited noise monitoring resources were prioritized towards collecting more robust information to analyze ambient noise standards, which are more conducive to influence by management actions than are single event sources. TRPA continues to update and evaluate its noise monitoring program to ensure standards are protective and realistically achievable.

As discussed in the IEC, the Area Plan amendments would not alter noise policies and the adopted TRPA CNEL threshold standards, and Regional Plan noise policies would continue to be applied. Future projects within the plan area would be evaluated at a project level and Placer County or TRPA would enforce CNEL standards on a project-by-project basis pursuant to the noise limitations in TRPA Code Chapter 68, "Noise Limitations." Through the project-level analysis, TRPA or Placer County would only approve projects that can demonstrate compliance with TRPA's threshold standards (i.e., CNEL standards). The existing Area Plan CNEL standards are consistent with the TRPA's threshold standards; thus, future projects under the amendments would only be approved by TRPA or Placer County if they can demonstrate compliance with these CNEL standards.

III. Conclusion

Based on the foregoing: completion of the IEC, previously certified Area Plan EIR/EIS, and the findings made on January 25, 2017, TRPA finds the Area Plan, as amended by the project achieves and maintains the thresholds. As described above in more detail, the Area Plan as amended actively promotes threshold achievement and maintenance by (1) potentially incentivizing environmentally beneficial redevelopment, (2) requiring the installation of BMP improvements for all projects in the Area Plan, (3) requiring conformance with the Area-wide Standards and Guidelines that will result in improvements to scenic quality and water quality, (4) facilitating redevelopment in proximity to alternative modes of transportation to reduce VMT; and (5) incorporating projects identified in the County's PLRP to guarantee the assigned reductions necessary to meet water quality objectives. In addition, as found in Chapter 4 Findings 1 through 3 and the Chapter 13 Findings, no element of the proposed amendments interferes with the efficacy of any of the other elements of the Area Plan. Thus, the Regional Plan, as amended by the Amended

Area Plan, will continue to achieve and maintain the thresholds.

Chapter 13 Finding: The following findings must be made prior to amending the Area Plan:

1. Finding: The proposed Area Plan amendment is consistent with and furthers the goals and policies of the Regional Plan.

Rationale: Regional Plan Land Use Policy 4.6 encourages the development of area plans that supersede existing plan area statements and community plans or other TRPA regulations to be responsive to the unique needs and opportunities of communities. The proposed Area Plan amendments were found to be consistent with the goals and policies of the Regional Plan and would accelerate implementation of Regional Plan goals and policies, as described in the Area Plan Finding of Conformity Checklist (Attachment F to the staff summary), and as described in Chapter 4, Finding #1, above.

The finding of no significant effect based on the IEC can be found on the subsequent page.

FINDING OF NO SIGNIFICANT EFFECT

Project Description: Proposed amendments to the Placer County Tahoe Basin Area Plan.

Staff Analysis: In accordance with Article IV of the Tahoe Regional Planning Compact, as amended, and Section 6.6 of the TRPA Rules of Procedure, TRPA staff reviewed the information submitted with the subject project.

Determination: Based on the Initial Environmental Checklist, Agency staff found that the subject project will not have a significant effect on the environment.

TRPA Executive Director/Designee

Date

Attachment E
[IEC](#) (Link)

Attachment F
Conformity Checklist

Tahoe Regional Planning Agency

Area Plan Finding of Conformity Checklist

AREA PLAN INFORMATION

Area Plan Name: Placer County Tahoe Basin Area Plan Amendments
Lead Agency: Placer County
Submitted to TRPA: July 27, 2023
TRPA File No: N/A

CONFORMITY REVIEW

Review Stage: Final Review - After Local Adoption
Conformity Review Date: November 15, 2023
TRPA Reviewer: Jacob Stock

HEARING DATES

Lead Agency Approval: October 31, 2023
APC: December 6, 2023
RPIC: December 13, 2023
Governing Board: January 27, 2024
Appeal Deadline: N/A
MOU Approval Deadline: N/A

CHARACTERISTICS

Geographic Area and Description: The Placer County Tahoe Basin Area Plan addresses that portion of Placer County that is also within the jurisdiction of TRPA, encompassing an area of 46,162 acres (72.1 square miles) that includes the communities of Kings Beach/Stateline, Tahoe City, Carnelian Bay, Dollar Point, Sunnyside, Homewood, Tahoe Vista, and Tahoma.

Land Use Classifications: Residential, Recreation, Mixed-Use, Tourist, Backcountry, Conservation, Town Center

**Area Plan Amendment
Summary:**

The proposed Area Plan amendments focus on process, policy, and code improvements to support appropriate lodging, mixed-use developments, and a variety of housing types, including workforce housing. The amendments also focus on diversifying land uses, with the intent of streamlining planning processes and increasing the diversity of business and housing types. Therefore, the proposed amendments are designed to implement recommendations outlined in the Economic Sustainability Needs Assessment, particularly those focused on process, policy, and code improvements that will facilitate and streamline revitalization projects in the Town Centers and workforce housing throughout North Tahoe. Tables 1 through 3 summarize the proposed amendments to the Tahoe Basin Area Plan (TBAP) policy document, implementing regulations, and height and building length limits in Town Centers, respectively.

Table 1. Summary of Proposed Policy Document Changes

Area Plan Element	Proposed Change	Summary of Change
Scenic Resources	Changed policy language in policies SR-P-3, SR-P-4, and added policy SR-P-10.	The policy amendments are intended to support the evaluation or reevaluation of scenic requirements to facilitate private reinvestment in Town Centers targeted for redevelopment and/or new development under the Area Plan. The intent is to generate development that improves environmental conditions, creates a more efficient, sustainable, and less auto-dependent land use pattern, and provides for economic opportunities.
Vegetation	Changed policy language in policy VEG-P-6 and added policy VEG-P-7	A new policy was added to support implementation of new or expanded hardening, green waste, and defensible space incentive and/or rebate programs.
Socio-Economic	Removed policy SE-P-5 and added policies SE-P-6 and SE-P-7	Former Policy SE-P-5 was removed from the Area Plan, which related to addressing the job-housing imbalance and providing housing at various affordable levels. Policies were added to support high-speed broadband infrastructure capacity and to support childcare facilities to meet the needs of the local workforce.
Land Use	Added policies LU-P-19, LU-P-20, LU-P-21, LU-P-22, and LU-P-23.	New policies were added to help achieve the objectives of the Placer County North Lake Tahoe Economic Development Incentive Program, which prioritizes development rights to the most community-benefitting projects that align with the Area Plan and Regional Plan. Policies were added to support the allocation and conversion of TRPA development rights, and to address land uses in the Town Centers. Policies were also included to support funding sources for a frontage improvement implementation plan to achieve area plan infrastructure such as sidewalks, curbs, and gutters, as well as implementing parking management plans and developing a reservation and conversion manual for development rights.
Mixed Use	Added policies MU-P-7, MU-P-8, and MU-P-9.	Policies were added to ensure the availability and development of mixed use, business park, and light industrial space, and to encourage potential residential components in such development.
Town Centers	Changed policy language in policy TC-P-5, and added policies TC-P-10, TC-P-11, TC-P-12, TC-P-13, TC-P-14, TC-P-15, TC-P-16, TC-P-17, TC-P-18, and TC-P-19.	New policies were added that would allow groundwater interception for mixed-use projects in Town Centers, supporting streamlined permit processes for mixed use projects, encouraging active ground floor uses, facilitating mobile vendors and food trucks in Town Centers, supporting the retention and expansion of businesses from the North Tahoe-Truckee region, supporting relocations of industrial and public utility land uses in

Area Plan Element	Proposed Change	Summary of Change
		the Town Centers to free up Town Center sites, as well as supporting parking maximums and other parking solutions.
Community Design	Added policies CD-P-14, CD-P-15, CD-P-16, and CD-P-17.	Policies to support and promote local artists and public art in North Tahoe were included.
Redevelopment	Added policies DP-P-5, DP-P-6, DP-P-7, DP-P-8, DP-P-9, DP-P-10, and DP-P-11.	New policies support and encourage adaptive reuse of vacant or underutilized retail and office space, support redevelopment of aging lodging products and encourage revitalization and creation of new high-quality lodging, allow multipurpose and flexible gathering spaces in private and public parking areas where events could be held during off-peak hours, expedite building permit processes, and support the development of new business innovation space and flexible light industrial spaces to diversify the local economy.
Housing	Added policies HS-P-8, HS-P-9, HS-P-10, HS-P-11, HS-P-12,	Additional policies were included to support streamlining affordable, moderate, and achievable housing, require that 50 percent of units converted from multifamily to condominiums be deed restricted to affordable, moderate or achievable housing, address the job-housing imbalance in the region, monitor and track housing data in the region, and support adaptive management of the short-term rental inventory to balance housing availability with short-term rentals as new lodging products are added to the region.

Table 2. Summary of Proposed Implementing Regulations Changes

Proposed Change	Summary of Change
Global changes to the Implementing Regulations to adopt and incorporate the TRPA Shorezone Ordinances.	The proposed amendments to the area plan are intended to reflect the changes made to Placer County Code Chapter 12, Article 12.32, "Lake Tahoe Shorezone" adopted by the Board of Supervisors in February of 2021. In August 2019, TRPA amended its Code of Ordinances, including shorezone regulations contained in Chapters 80 through 85.
Additions have been made to Chapter 1.04 Administration, Design Review Required for Commercial, Tourist Accommodation, and Multi-Family Dwelling Residential Development, and All Development in Designated Scenic Areas. Tourist Accommodation was added to the review requirement and an exemption was added.	Tourist Accommodation development has been added and would therefore be subject to Design Review. Multi-Family Residential Development with 15 units or fewer and not in a designated scenic area is exempt from the Design Review requirements under this part. Additionally, the process for Design Review has been modified to provide for lesser environmental review if project is exempt per applicable CEQA Guidelines exemptions or other California streamlining exemptions.
Residential Subdistrict Development Standards revised to reduce or remove setbacks, articulation, massing requirements, minimum lot widths, and minimum lot area.	Setbacks and articulation and massing requirements limiting building capacity would be removed and/or reduced. The proposed amendments would also include reduced minimum lot widths for some zone districts. The minimum lot area per dwelling unit in all residential zone districts would also be removed to accommodate smaller dwelling units. In seven of the 21 residential zone districts listed as Preferred Affordable, Moderate and Achievable Areas, the minimum lot size was reduced to 2,904 square feet to accommodate existing densities of 15 dwelling units per acre, and minimum lot widths were reduced to 25 feet to accommodate smaller lots that can promote smaller and more affordable houses, and which match existing lot sizes. Street side setbacks for corner lots are introduced. Side setbacks were also reduced to 5 feet minimum, except when adjoining another unit on

Proposed Change	Summary of Change
	adjacent property, which would require 0 feet on one side and 10 feet on the other to accommodate duplex-style developments.
Residential Subdistrict Land Use Regulations revised to change multiple family and multi-person dwellings and employees housing to an Allowed Use.	In the 21 residential zone districts listed as Preferred Affordable, Moderate, and Achievable Areas, where not otherwise allowed by right, the proposed amendments would allow multifamily and employee housing by right with no use permit if 100 percent of units are deed restricted to affordable, moderate, or achievable housing per TRPA Code of Ordinances Chapter 90: Definitions, for achievable, moderate-income, or affordable housing. This is intended to encourage development of multifamily housing by reducing costs and time delays associated with use permits and provide clear standards and requirements that must be met.
Mixed-Use Districts Tables 2.04.A-1 for Greater Tahoe City Mixed Use and 2.04.B-1 and North Tahoe East Residential Uses	Multifamily, multi-person, and employee housing would be allowed by right if 100% of the units are deed restricted to affordable, moderate, or achievable housing per TRPA Code of Ordinances Chapter 90: Definitions, for achievable, moderate-income or affordable housing. New attached single-family residential units of more than one unit, would only be allowed if single family encompasses 25% or less of the entire project or if at least 50% of the units are deed restricted to affordable, moderate or achievable housing per TRPA Code of Ordinances Chapter 90: Definitions, for achievable, moderate-income or affordable housing.
Mixed-Use Districts Tables 2.04.A-3 for Greater Tahoe City Mixed Use and 2.04.B-3 and North Tahoe East	Side and rear setbacks were reduced to 0 ft to encourage mixed use development in the Town Centers.
Table 2.04.A-4, Building Form Guidelines for the Greater Tahoe City Mixed-Use Subdistricts has been revised.	Revisions refine maximum building lengths for proposed structures in the mixed-use Town Center zone districts in Tahoe City where there were no existing maximums. These changes are proposed to assist in guiding building design and massing. See Table 2-3, below.
Table 2.04.B-4, Building Form Guidelines for the North Tahoe East Mixed-Use Subdistricts has been revised.	Revisions refine maximum building lengths for proposed structures in the mixed-use Town Center zone districts in Kings Beach. These changes are proposed to assist in guiding building design and massing. See Table 2-3, below.
Section 2.09, Overlay Districts, has been revised to clarify building height standards.	The proposed changes below incorporate clarifications on maximum height allowances in Town Centers and transition areas. All projects would still be required to comply with TRPA scenic requirements.
Land Use Regulations for Mixed-Use Subdistricts have been revised.	<p>Amendments would allow food trucks and mobile vendors in Town Centers as an allowed use in compliance with Senate Bill (SB) 946. SB 946 established requirements for local regulation of sidewalk vending, legalizing sidewalk vending across the state.</p> <p>The proposed amendments would also offer an avenue to some types of land uses that currently require use permits to be pursued as an allowed use if below a defined maximum square footage. The following land uses would be eligible:</p> <ul style="list-style-type: none"> Hotels, Motels, and other Transient Dwelling Units Eating and drinking facilities Building materials and hardware stores Repair services <p>Additionally, the proposed amendments separate eating and drinking facilities into subcategories based on the Institute of Transportation Engineers Manual (Drinking Place, Fast Casual Restaurant, Quality Restaurant, High-Turnover Sit-Down Restaurant, and Fast-Food Restaurant without Drive Thru Window) to allow a specified maximum commercial floor area for each type of facility listed in the use table.</p>

Proposed Change	Summary of Change
	The goal of these changes is to incentivize and streamline new lodging products, restaurants, retail, and local-serving land that would strengthen the year-round economic vitality of Town Centers and make the Implementing Regulations compatible with state law.
Section 3.01, "Permissible Uses," has been amended to incorporate Moveable Tiny Houses.	The proposed amendments refer to the countywide housing code amendments that were adopted by the Board of Supervisors on June 14, 2022, to allow for tiny houses as primary or accessory dwelling units as well as employee housing and tiny house communities. Moveable tiny houses and moveable tiny house communities would comply with definitions and development standards in Placer County's Zoning Ordinance.
Section 3.06 "Streetscape and Roadway Design Standards" and Table 3.06.A "Future Streetscape and Roadway Design Characteristics" have been revised.	The proposed amendments are designed to provide consistency throughout the Area Plan in identifying the requirements of street frontage improvements and to provide reference to other applicable standards contained in the area plan. The proposed amendments would require street frontage improvements of all development. Minor changes were made to the text to eliminate redundancy and provide clarity and consistency.
Section 3.07, "Parking and Access," has been revised to permanently adopt the parking pilot program for North Lake Tahoe Town Centers.	<p>These changes support exemptions to parking and spur redevelopment in the Town Centers and support strategies identified in the Resort Triangle Transportation Plan (RTTP), which was approved by the TRPA Board of Supervisors in October 2020 and outlines strategies to increase mobility and reduce VMT in the Tahoe region. Changes include:</p> <p>Expanding eligible applicants to include all development/redevelopment proposed in Town Centers.</p> <p>Allowing further collaboration with tourist accommodation and residential uses to be considered.</p> <p>Removing the existing limitation in the area plan that project sites eligible for the exemption shall be 25,000 square feet or less.</p> <p>Expanding financial mitigations beyond establishment of a transit County Service Area Zone of Benefit to include financial support for transit service enhancements or other alternative transportation projects that support multi-modal transportation and/or strategies noted in the RTTP.</p> <p>Revised single-family and multi-family dwelling parking requirements.</p>
Section 3.09, "Design Standards and Guidelines," has been revised to include exceptions for groundwater interception.	<p>The proposed amendment exempts groundwater interception to projects proposing below-grade parking. When such exceptions are granted, the applicant must demonstrate that the project impacts have been mitigated to be equal to or better than the original impacts. This amendment is intended to facilitate the redevelopment desired in Town Centers and allow for below-grade parking, which reduces coverage.</p> <p>The proposed amendments would restrict new attached single family in Town Centers of over one unit, including townhomes and condominiums, if single family encompasses 25 percent or less of the entire project or if at least 50 percent of the single-family residential units are deed restricted to affordable, moderate, or achievable housing per TRPA Code of Ordinances Chapter 90: Definitions, for achievable, moderate-income, or affordable housing. The intent is to facilitate mixed use development and allow some single family to offset costs of workforce housing or commercial uses while still achieving the goals of the area plan and community.</p>
Section 3.11, "Signs," has been removed.	Updates refer to the TRPA Code of Ordinance Chapter 38 "Signs." This amendment is intended to streamline signage requirements and will make the Basin Area Plan consistent with the TRPA Code of Ordinances, thereby eliminating the need for future amendments to the area plan should TRPA modify Chapter 38 of the Code of Ordinance.

Table 3. Updates to Building Length and Height in Town Centers

Proposed Change	Summary of Change
Building Length – Kings Beach Town Center	Building length is reduced in MU-TOR from 350 ft to 200 ft. To ensure compatibility with residential zone districts, any buildings directly facing residential zone districts are proposed to be a maximum of 75 ft long.
Building Length – Tahoe City Town Center	Building length transitions have been incorporated where there were none before to ensure consistency between Kings Beach and Tahoe City mixed use zone districts. To ensure compatibility with residential zone districts, any buildings directly facing residential zone districts are proposed to be a maximum of 75 ft long.
Building Height – Town Centers	The maximum building height is currently measured in stories, which would change to feet (e.g., 56 feet instead of four stories). Maximum building heights have been incorporated for the special planning area overlay districts where there were none before.

Conformity Checklist

		TRPA Code Section	Conformity YES NO N/A		
A. Contents of Area Plans					
1	General	13.5.1	●		
2	Relationship to Other Code Sections	13.5.2	●		
B. Development and Community Design Standards					
Building Height					
1	Outside of Centers	13.5.3	●		
2	Within Town Centers	13.5.3	●		
3	Within the Regional Center	13.5.3			●
4	Within the High-Density Tourist District	13.5.3			●
Density					
5	Single-Family Dwellings	13.5.3	●		
6	Multiple-Family Dwellings outside of Centers	13.5.3	●		
7	Multiple-Family Dwellings within Centers	13.5.3	●		
8	Tourist Accommodations	13.5.3	●		
Land Coverage					
9	Land Coverage	13.5.3	●		
10	Alternative Comprehensive Coverage Management	13.5.3.B.1			●
Site Design					
11	Site Design Standards	13.5.3	●		
Complete Streets					
12	Complete Streets	13.5.3	●		
C. Alternative Development Standards and Guidelines Authorized in an Area Plan					
1	Alternative Comprehensive Coverage Management System	13.5.3.B.1	●		
2	Alternative Parking Strategies	13.5.3.B.2	●		
3	Areawide Water Quality Treatments and Funding Mechanisms	13.5.3.B.3			●
4	Alternative Transfer Ratios for Development Rights	13.5.3.B.4			●

		TRPA Code Section	Conformity YES NO N/A		
D. Development Standards and Guidelines Encouraged in Area Plans					
1	Urban Bear Strategy	13.5.3.C.1	●		
2	Urban Forestry	13.5.3.C.2	●		
E. Development on Resort Recreation Parcels					
1	Development on Resort Recreation Parcels	13.5.3.D			●
F. Greenhouse Gas Reduction					
1	Greenhouse Gas Reduction Strategy	13.5.3.E	●		
G. Community Design Standards					
1	Development in All Areas	13.5.3.F.1.a	●		
2	Development in Regional Center or Town Centers	13.5.3.F.1.b	●		
3	Building Heights	13.5.3.F.2	●		
4	Building Design	13.5.3.F.3	●		
5	Landscaping	13.5.3.F.4	●		
6	Lighting	13.5.3.F.5	●		
7	Signing – Alternative Standards	13.5.3.F.6			●
8	Signing – General Policies	13.5.3.F.6	●		
H. Modification to Town Center Boundaries					
1	Modification to Town Center Boundaries	13.5.3.G			●
I. Conformity Review Procedures for Area Plans					
1	Initiation of Area Planning Process by Lead Agency	13.6.1	●		
2	Initial Approval of Area Plan by Lead Agency	13.6.2	●		
3	Review by Advisory Planning Commission	13.6.3	●		
4	Approval of Area Plan by TRPA	13.6.4	●		
J. Findings for Conformance with the Regional Plan					
General Review Standards for All Area Plans					
1	Zoning Designations	13.6.5.A.1	●		
2	Regional Plan Policies	13.6.5.A.2	●		

		TRPA Code Section	Conformity		
			YES	NO	N/A
3	Regional Plan Land Use Map	13.6.5.A.3	●		
4	Environmental Improvement Projects	13.6.5.A.4	●		
5	Redevelopment	13.6.5.A.5	●		
6	Established Residential Areas	13.6.5.A.6	●		
7	Stream Environment Zones	13.6.5.A.7	●		
8	Alternative Transportation Facilities and Implementation	13.6.5.A.8	●		
<i>Load Reduction Plans</i>					
9	Load Reduction Plans	13.6.5.B	●		
<i>Additional Review Standards for Town Centers and the Regional Center</i>					
10	Building and Site Design Standards	13.6.5.C.1	●		
11	Alternative Transportation	13.6.5.C.2	●		
12	Promoting Pedestrian Activity	13.6.5.C.3	●		
13	Redevelopment Capacity	13.6.5.C.4	●		
14	Coverage Reduction and Stormwater Management	13.6.5.C.5	●		
15	Threshold Gain	13.6.5.C.6	●		
<i>Additional Review Standards for the High-Density Tourist District</i>					
16	Building and Site Design	13.6.5.D.1			●
17	Alternative Transportation	13.6.5.D.2			●
18	Threshold Gains	13.6.5.D.3			●
K. Area Plan Amendments					
1	Conformity Review for Amendments to an Area Plan	13.6.6	●		
2	Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan – Notice	13.6.7.A			●
3	Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan – Timing	13.6.7.B			●
L. Administration					
1	Effect of Finding of Conformance of Area Plan	13.6.8			●

		TRPA Code Section	Conformity		
			YES	NO	N/A
2	Procedures for Adoption of Memorandum of Understanding	13.7			●
3	Monitoring, Certification, and Enforcement of an Area Plan	13.8			●
4	Appeal Procedure	13.9			●

Conformity Review Notes

A. CONTENTS OF AREA PLANS

1. General

☒ YES ☐ NO ☐ N/A

Citation 13.5.1

Requirement An Area Plan shall consist of applicable policies, maps, ordinances, and any other related materials identified by the lead agency, sufficient to demonstrate that these measures, together with TRPA ordinances that remain in effect, are consistent with and conform to TRPA's Goals and Policies and all other elements of the Regional Plan. In addition to this Section 13.5, additional specific requirements for the content of Area Plans are in subsection 13.6.5.A. The Memorandum of Understanding (MOU) that is associated with an approved Area Plan is a separate, but related, approval and is not part of the Area Plan.

Notes The Placer County Tahoe Basin Area Plan (TBAP) consists of applicable policies, maps, ordinances, and related materials that conform to the Regional Plan. These policies, maps, and ordinances were developed with the specific intent of conforming with the Regional Plan. Development of the TBAP included close collaboration between Placer County and TRPA staff, members of the public, and other stakeholders over approximately five years. TRPA determined that TBAP was in conformance with the Regional Plan and adopted the existing TBAP in December 2016.
The proposed amendments focus on process, policy, and code improvements to support appropriate lodging, mixed use, and workforce housing within the TBAP plan area.

2. Relationship to Other Sections of the Code

☒ YES ☐ NO ☐ N/A

Citation 13.5.2

Requirement This section is intended to authorize development and design standards in Area Plans that are different than otherwise required under this Code. In the event of a conflict between the requirements in this section and requirements in other parts of the Code, the requirements in this section shall apply for the purposes of developing Area Plans. Except as otherwise specified, Code provisions that apply to Plan Area Statements (Chapter 11), Community Plans (Chapter 12), and Specific and Master Plans (Chapter 14) may also be utilized in a Conforming Area Plan. If an Area Plan proposes to modify any provision that previously applied to Plan Area

Statements, Community Plans, or Specific and Master Plans, the proposed revision shall be analyzed in accordance with Code Chapters 3 and 4.

Notes The existing TBAP modified provisions that previously applied to Plan Area Statements and Community Plans consistent with Code Section 13.5.2. The proposed amendments include targeted revisions to include substitute development and design standards including standards related to setbacks, building length, lot size. These changes have been evaluated in an Initial Environmental Checklist consistent with the Tahoe Regional Planning Compact, Chapter 3 of the Code of Ordinances, and the rules of procedure.

B. DEVELOPMENT AND COMMUNITY DESIGN STANDARDS

Area plans shall have development standards that are consistent with those in Table 13.5.3-1

MAXIMUM BUILDING HEIGHT

1. **Outside of Centers** ☒ YES ☐ NO ☐ N/A

Citation 13.5.3

Requirement Building height standards shall be consistent with Code Section 37.4.

Notes Building heights are defined in Placer County Tahoe Basin Area Plan and comply with the TRPA Code of Ordinances. The proposed amendment clarifies that building heights are measured in feet rather than stories, but makes no change to maximum building heights.

2. **Within Town Centers** ☒ YES ☐ NO ☐ N/A

Citation 13.5.3

Requirement Building height is limited to a maximum of 4 stories and 56 feet.

Notes Building heights are defined in Placer County Tahoe Basin Area Plan and comply with the TRPA Code of Ordinances. The proposed amendment limits building height in Town Centers to 56 feet.

3. **Within the Regional Center** ☐ YES ☐ NO ☒ N/A

Citation 13.5.3

Requirement Building height is limited to a maximum of 6 stories and 95 feet.

Notes The TBAP does not include the Regional Center.

4. **Within the High-Density Tourist District** ☐ YES ☐ NO ☒ N/A

Citation 13.5.3

Requirement Building height is limited to a maximum of 197 feet.

Notes The TBAP does not include the High-Density Tourist District

DENSITY

5. Single-Family Dwellings

☒ YES ☐ NO ☐ N/A

Citation 13.5.3

Requirement Single-family dwelling density shall be consistent with Code Section 31.3.

Notes The TBAP proposed density standards for single-family dwellings is consistent with Section 31.3 (see TBAP Implementing Regulations Section 3.04). The proposed amendments do not change existing single-family dwelling density.

6. Multiple-Family Dwellings outside of Centers

☒ YES ☐ NO ☐ N/A

Citation 13.5.3

Requirement Multiple-family dwelling density outside of Centers shall be consistent with Code Section 31.3.

Notes The TBAP proposed density standards for multiple-family dwellings outside of Town Centers is consistent with Section 31.3 (see TBAP Implementing Regulations Section 3.04). The proposed amendments do not change existing multiple-family dwelling density.

7. Multiple-Family Dwellings within Centers

☒ YES ☐ NO ☐ N/A

Citation 13.5.3

Requirement Multiple-family dwelling density within Centers shall be a maximum of 25 units per acre.

Notes The TBAP proposed density standards for multiple-family dwellings outside of Town Centers is consistent with Section 31.3 (see TBAP Implementing Regulation Section 3.04). The proposed amendments do not change existing multiple-family dwelling density.

8. Tourist Accommodations

☒ YES ☐ NO ☐ N/A

Citation 13.5.3

Requirement Tourist accommodations (other than bed and breakfast) shall have a maximum density of 40 units per acre.

Notes The TBAP proposed density standards for multiple-family dwellings outside of Town Centers is consistent with Section 31.3 (see TBAP Implementing Regulation Section 3.04). The proposed amendments do not change tourist accommodation density.

LAND COVERAGE

9. Land Coverage

☒ YES ☐ NO ☐ N/A

Citation 13.5.3

Requirement Land coverage standards shall be consistent with Section 30.4 of the TRPA Code.

Notes

The TBAP land coverage standards are consistent with Section 30.4. Maximum transferred coverage limits within Town Centers are consistent with Code section 30.4.2.B (see TBAP Implementing Regulations Section 3.03). The proposed amendments would not change coverage standards.

10. Alternative Comprehensive Coverage Management System

☐ YES ☐ NO ☒ N/A

See Section C.1 of this document.

SITE DESIGN

11. Site Design Standards

☒ YES ☐ NO ☐ N/A

Citation 13.5.3

Requirement Area plans shall conform to Section 36.5 of the TRPA Code.

Notes

The proposed amendments to the TBAP conforms to Section 36.5 of the TRPA Code of Ordinances. It includes detailed design standards and guidelines. These standards address retention of natural features; building placement that is compatible with adjacent properties and considers sun, climate, noise, safety, and privacy; and site planning that includes a drainage, infiltration, and grading plan that meets water quality standards (see PCTBAP Implementing Regulations Section 3.09). The PCTBAP also includes detailed parking and access design standards that are logical and consistent with the transportation element of the Regional Plan (See PCTBAP Implementing Regulations Section 3.07).

The amendments would modify Section 3.06 "Streetscape and Roadway Design Standards" to clarify requirements of street frontage improvements. They would also modify Section 3.09, "Design Standards and Guidelines," to allow mixed use developments to intercept groundwater when grading for below grade parking if all impacts are mitigated. The amendments would also add to Section 1.04 "Administration for Design Review" to require design review for tourist accommodation uses and exclude multi-family residential developments with 15 units or fewer that are not in designated scenic areas. These proposed amendments were evaluated in an IEC and would remain consistent with Code Section 36.5.

COMPLETE STREETS

12. Complete Streets

☒ YES ☐ NO ☐ N/A

Citation 13.5.3

Requirement Within Centers, plan for sidewalks, trails, and other pedestrian amenities providing safe and convenient non-motorized circulation within Centers, as applicable, and incorporation of the Regional Bike and Pedestrian Plan.

Notes

The TBAP conforms with the complete streets provisions of Section 36.5, and provides additional requirements to implement complete street concepts. The TBAP includes streetscape design standards (See TBAP Implementing Regulations Section 3.06), development standards that require complete street improvements with new development and substantial alteration of existing properties (see TBAP Implementing Regulations Sections 2.04.A.4.a; 2.04.B.4.a; 2.04.C.4.a; and 2.04.D.4.a), as well as design guidelines that promote street frontage designs that are compatible with complete streets concepts (see PCTBAP Implementing Regulations Section 2.04.A.5.a and 2.04.B.5.a). The TBAP amendments include additional polices to support funding sources for a frontage improvement implementation plan to achieve area plan infrastructure such as sidewalks, curbs, and gutters, as well as implementing parking management plans (See Implementing Regulations 3.06).

C. ALTERNATIVE DEVELOPMENT STANDARDS AND GUIDELINES AUTHORIZED IN AREA PLANS

1. Alternative Comprehensive Coverage Management System

☐ YES ☐ NO ☒ N/A

Citation 13.5.3.B.1

Requirement An Area Plan may propose a comprehensive coverage management system as an alternative to the parcel-level coverage requirements outlined in Sections 30.4.1 and 30.4.2, provided that the alternative system shall: 1) reduce the total coverage and not increase the cumulative base allowable coverage in the area covered by the comprehensive coverage management system; 2) reduce the total amount of coverage and not increase the cumulative base allowable coverage in Land Capability Districts 1 and 2; and 3) not increase the amount of coverage otherwise allowed within 300 feet of high water of Lake Tahoe (excluding those areas landward of Highways 28 and 89 in Kings Beach and Tahoe City Town Centers within that zone). For purposes of this provision, “total” coverage is the greater of existing or allowed coverage.

Notes

The TBAP does not propose an alternative comprehensive coverage management system. Future development of an alternative development comprehensive coverage management system would require an amendment to the TBAP and approval by TRPA.

2. Alternative Parking Strategies

☒ YES ☐ NO ☐ N/A

Citation 13.5.3.B.2

Requirement An Area Plan is encouraged to include shared or area-wide parking strategies to reduce land coverage and make more efficient use of land for parking and pedestrian uses. Shared parking strategies may consider and include the following:

- Reduction or relaxation of minimum parking standards;
- Creation of maximum parking standards;
- Shared parking;
- In-lieu payment to meet parking requirements;
- On-street parking;
- Parking along major regional travel routes;
- Creation of bicycle parking standards;
- Free or discounted transit;
- Deeply discounted transit passes for community residents; and
- Paid parking management

Notes The TBAP amendments include parking strategies intended to reduce land coverage, make more efficient use of land, and encourage non-auto transportation modes (See TBAP Implementing Regulations 3.06 and 3.09.B.1.e). These changes support exemptions to parking and spur redevelopment in the Town Centers and support strategies identified in the Resort Triangle Transportation Plan, which was approved by the TRPA in October 2020 and outlines strategies to increase mobility and reduce VMT. Other specific parking strategies include, allowing groundwater interception in mixed use projects for underground parking options which follows TRPA Section 33.3.6.A.2 (see TBAP Implementing Regulations Section 3.07.A.3 and Table 3.07.A-1).

3. Areawide Water Quality Treatments and Funding Mechanisms

☐ YES ☐ NO ☒ N/A

Citation 13.5.3.B.3

Requirement An Area Plan may include water quality treatments and funding mechanisms in lieu of certain site-specific BMPs, subject to the following requirements:

- Area-wide BMPs shall be shown to achieve equal or greater effectiveness and efficiency at achieving water quality benefits to certain site-specific BMPs and must infiltrate the 20-year, one-hour storm.;
- Plans should be developed in coordination with TRPA and applicable state agencies, consistent with applicable TMDL requirements;
- Area-wide BMP project areas shall be identified in Area Plans and shall address both installation and ongoing maintenance;
- Strong consideration shall be given to areas connected to surface waters;
- Area-wide BMP plans shall consider area-wide and parcel level BMP requirements as an integrated system;
- Consideration shall be given to properties that have already installed and maintained parcel-level BMPs, and financing components or area-wide BMP plans shall reflect prior BMP installation in terms of the charges levied against

projects that already complied with BMP requirements with systems that are in place and operational in accordance with applicable BMP standards; and

- Area-wide BMP Plans shall require that BMPs be installed concurrent with development activities. Prior to construction of area-wide treatment facilities, development projects shall either install parcel-level BMPs or construct area-wide improvements.

Notes The existing TBAP does not include an area-wide water quality treatment programs in-lieu of site-specific BMPs. The proposed amendments do not propose any changes to water quality treatment programs in-lieu of site-specific BMPs. The proposed amendments do not change provisions regarding BMPs.

4. Alternative Transfer Ratios for Development Rights

☐ YES ☐ NO ☒ N/A

Citation 13.5.3.B.4

Requirement Within a Stream Restoration Plan Area as depicted in Map 1 in the Regional Plan, an Area Plan may propose to establish alternative transfer ratios for development rights based on unique conditions in each jurisdiction, as long as the alternative transfer ratios are determined to generate equal or greater environment gain compared to the TRPA transfer ratios set forth in Chapter 51: Transfer of Development.

Notes The TBAP does not propose alternative transfer ratios for development rights within a Stream Restoration Plan Area. The proposed amendment would not change alternative transfer ratios for development rights.

D. DEVELOPMENT STANDARDS AND GUIDELINES ENCOURAGED IN AREA PLANS

1. Urban Bear Strategy

☒ YES ☐ NO ☐ N/A

Citation 13.5.3.C.1

Requirement In Area Plans, lead agencies are encouraged to develop and enforce urban bear strategies to address the use of bear-resistant solid waste facilities and related matters.

Notes The TBAP includes policies to manage bear populations. The proposed amendments do not change these provisions.

2. Urban Forestry

☒ YES ☐ NO ☐ N/A

Citation 13.5.3.C.2

Requirement In Area Plans, lead agencies are encouraged to develop and enforce urban forestry strategies that seek to reestablish natural forest conditions in a manner that does not increase the risk of catastrophic wildfire.

Notes The TBAP includes vegetative policies to support forest health and maintain healthy vegetation in urban areas. A proposed amendment encourages implementation of new or

expanded hardening, green waste, and defensible space incentive and/or rebate programs for residential and commercial land uses to expand these existing efforts. The efforts would aim to promote healthy urban forest conditions in a manner that does not increase the risk of catastrophic wildfire as per TRPA Code 13.5.3.C.2.

E. DEVELOPMENT ON RESORT RECREATION PARCELS

1. Development on Resort Recreation Parcels

☐ YES ☐ NO ☒ N/A

Citation 13.5.3.D

Requirement In addition to recreation uses, an Area Plan may allow the development and subdivision of tourist, commercial, and residential uses on the Resort Recreation District parcels depicted on Map 1 of the Regional Plan and subject to the following conditions:

- The parcels must become part of an approved Area Plan;
- Subdivisions shall be limited to “air space condominium” divisions with no lot and block subdivisions allowed;
- Development shall be transferred from outside the area designated as Resort Recreation; and
- Transfers shall result in the retirement of existing development.

Notes There are no Resort Recreation parcels within the TBAP plan area.

F. GREENHOUSE GAS REDUCTION

1. Greenhouse Gas Reduction Strategy

☒ YES ☐ NO ☐ N/A

Citation 13.5.3.E

Requirement To be found in conformance with the Regional Plan, Area Plans shall include a strategy to reduce emissions of Greenhouse Gases from the operation or construction of buildings. The strategy shall include elements in addition to those included to satisfy other state requirements or requirements of this code. Additional elements included in the strategy may include but are not limited to the following:

- A local green building incentive program to reduce the energy consumption of new or remodeled buildings;
- A low interest loan or rebate program for alternative energy projects or energy efficiency retrofits;
- Modifications to the applicable building code or design standards to reduce energy consumption; or
- Capital improvements to reduce energy consumption or incorporate alternative energy production into public facilities.

Notes The TBAP amendments do not propose any changes to Greenhouse Gas (GHG) Reduction Strategy programs or air quality policies, which is currently in compliance with TRPA Code (See TBAP Section 2.5). Proposed amendments for complete streets, modified parking requirements, and emphasis on redevelopment projects in core areas would limit vehicle trips necessary in Town Centers and may reduce GHG emissions from vehicle trips in the plan area. Section 3.07, Parking and Access, has been revised to permanently adopt the parking pilot program for North Lake Tahoe Town Centers and provide more flexibility to encourage alternative transportation modes.

G. COMMUNITY DESIGN STANDARDS

To be found in conformance with the Regional Plan, Area Plans shall require that all projects comply with the design standards in this subsection. Area Plans may also include additional or substitute requirements not listed below that promote threshold attainment.

1. Development in All Areas

☒ YES ☐ NO ☐ N/A

Citation 13.5.3.F.1.a

Requirement All new development shall consider, at minimum, the following site design standards:

- Existing natural features retained and incorporated into the site design;
- Building placement and design that are compatible with adjacent properties and designed in consideration of solar exposure, climate, noise, safety, fire protection, and privacy;
- Site planning that includes a drainage, infiltration, and grading plan meeting water quality standards, and
- Access, parking, and circulation that are logical, safe, and meet the requirements of the transportation element.

Notes The TBAP amendments proposes minor changes in site design standards set by TRPA. Tourist accommodations would now require a design review to be reviewed for design standards and multi-Family dwelling units of less than 15 units would be exempt from design review. Amendments are proposed to reduce setbacks in mixed-use subdistricts to accommodate duplex style houses and limit distance of buildings from roadways if the changes would allow the area to remain in compliance with TRPA scenic standards (See Implementing Regulations 3.09).

Proposed amendment to Section 3.09.B.E would allow groundwater interception for mixed-use projects if the project mitigates all groundwater impacts. Section 3.07, Parking and Access, of the Implementing Regulations is proposed to be modified to permanently adopt the parking pilot program for North Lake Tahoe Town Centers. The changes support exemptions to parking and spur redevelopment in Town Centers and is a strategy to reduce VMT in the region. The proposed amendments are in compliance with Code Section 13.5.3.F.1.a.

2. Development in Regional Center or Town Centers

☒ YES ☐ NO ☐ N/A

Citation 13.5.3.F.1.b

Requirement In addition to the standards above, development in Town Centers or the Regional Center shall address the following design standards:

- Existing or planned pedestrian and bicycle facilities shall connect properties within Centers to transit stops and the Regional Bicycle and Pedestrian network.
- Area Plans shall encourage the protection of views of Lake Tahoe.
- Building height and density should be varied with some buildings smaller and less dense than others.
- Site and building designs within Centers shall promote pedestrian activity and provide enhanced design features along public roadways. Enhanced design features to be considered include increased setbacks, stepped heights, increased building articulation, and/or higher quality building materials along public roadways.
- Area Plans shall include strategies for protecting undisturbed sensitive lands and, where feasible, establish park or open space corridors connecting undisturbed sensitive areas within Centers to undisturbed areas outside of Centers.

Notes

The TBAP proposed amendments would not alter plans for a comprehensive network of existing and planned pedestrian and bicycle facilities that connect properties within Centers to other multi-modal transportation options (See TBAP Figures 5-3 through 5-5). Proposed amendments clarify complete street and frontage requirements that incorporate alternative transportation options (See Implementing Regulations 3.06).

The TBAP amendments would continue to include project requirements to comply with the TRPA threshold scenic requirements on Highways and for views of Lake Tahoe (See Implementing Regulations 1.04).

Detailed design standards are included in the TBAP, which addresses pedestrian activity and enhanced design features along public roadways in Town Centers. The standards address building articulation, street frontage landscaping, stepped heights, and other building form requirements. The exact standards vary by Town Center.

The amendments do not change the density or coverage allowances in the plan area. The proposed amendments do not change special planning area requirements for open space, restoring disturbed SEZs, or creating open space corridors connecting undisturbed sensitive areas within Town Centers to undisturbed areas outside of Town Centers (See TBAP Implementing Regulations Sections 2.09.B.1, 3, and 5).

3. Building Heights

☒ YES ☐ NO ☐ N/A

Citation 13.5.3.F.2

Requirement • Area Plans may allow building heights up to the maximum limits in Table 13.5.3-1 of the Code of Ordinances

- Building height limits shall be established to ensure that buildings do not project above the forest canopy, ridge lines, or otherwise detract from the viewshed.
- Area Plans that allow buildings over two stories in height shall, where feasible, include provisions for transitional height limits or other buffer areas adjacent to areas not allowing buildings over two stories in height.

Notes

The TBAP amendments would not change building height allowances from the approved TBAP, which are within the limits allowed in Table 13.5.3-1 of the Code. Within portions of Town Centers designated as core areas and overlay districts, building heights would comply with TRPA Code Ordinance Chapter 37 Section 37.7.16 (see TBAP Implementing Regulations Section 2.09.A & B). Existing TRPA height standards in Chapter 37 of the TRPA Code would continue to remain in effect outside of Town Centers (see TBAP Implementing Regulations Section 3.10).

In addition, TBAP Implementing Regulations sections 2.09.A.1,2, and 3, and section 3.09.A require that buildings in Town Centers shall meet the findings listed in Section 37.7.16 of the TRPA Code of Ordinances; and the project must continue to comply with the Design Standards and Guidelines and Noise Standards of the Tahoe Basin Area Plan and TRPA scenic threshold standards.

4. Building Design

☒ YES ☐ NO ☐ N/A

Citation 13.5.3.F.3

Requirement Standards shall be adopted to ensure attractive and compatible development. The following shall be considered:

- Buffer requirements should be established for noise, snow removal, aesthetic, and environmental purposes.
- The scale of structures should be compatible with existing and planned land uses in the area.
- Viewsheds should be considered in all new construction. Emphasis should be placed on lake views from major transportation corridors.
- Area Plans shall include design standards for building design and form. Within Centers, building design and form standards shall promote pedestrian activity.

Notes

The TBAP includes detailed standards for building design and form that have been developed to ensure attractive and compatible development. These standards address compatibility with adjacent properties, including scale and design for noise, snow removal, aesthetic, and environmental purposes (see TBAP Implementing Regulations Section 3.09). Section 3.09.A.2 requires the consideration of viewsheds in the design of buildings, and the TBAP. The proposed amendments would reduce setback requirements in some locations in order to promote more compact Town Center redevelopment. These amendments were evaluated in an IEC and are consistent with Code Section 13.5.3.F.3.

The proposed amendments to the TBAP would also defer to the Lake Tahoe Shoreline Plan (TRPA Code Chapters 80 through 85) for design standards for shoreline structures.

5. Landscaping

☒ YES ☐ NO ☐ N/A

Citation 13.5.3.F.4

Requirement The following should be considered with respect to this design component of a project:

- Native vegetation should be utilized whenever possible, consistent with Fire Defensible Space Requirements.
- Vegetation should be used to screen parking, alleviate long strips of parking space, and accommodate stormwater runoff where feasible.
- Vegetation should be used to give privacy, reduce glare and heat, deflect wind, muffle noise, prevent erosion, and soften the line of architecture where feasible.

Notes The existing TBAP includes landscaping standards and guidelines that require the use of vegetation on the TRPA Recommended Native and Adapted Plant List, except for accent plantings. The standards require consistency with defensible space requirements, and encourages the use of vegetation to create and separate spaces, give privacy, screen heat and glare, deflect wind, muffle noise, articulate circulation, inhibit erosion, purify air, and soften the lines of architecture and paving (See PCTBAP Implementing Regulations Section 3.09.C). Additional design standards and guidelines require parking lot landscaping to screen parking, break up long strips of parking, and accommodate stormwater (See PCTBAP Implementing Regulations Section 3.07.C).

The TBAP amendments include policies supporting the expansion of building hardening, green waste management, and defensible space incentive and rebate programs (See TBAP Veg-P-7 and Implementing Regulations Section 3.09.C).

6. Lighting

☒ YES ☐ NO ☐ N/A

Citation 13.5.3.F.5

Requirement Lighting increases the operational efficiency of a site. In determining the lighting for a project, the following should be required:

- Exterior lighting should be minimized to protect dark sky views, yet adequate to provide for public safety, and should be consistent with the architectural design.
- Exterior lighting should utilize cutoff shields that extend below the lighting element to minimize light pollution and stray light.
- Overall levels should be compatible with the neighborhood light level. Emphasis should be placed on a few, well-placed, low-intensity lights.
- Lights should not blink, flash, or change intensity except for temporary public safety signs.

Notes The TBAP Section 3.09.D "Lighting" includes detailed lighting standards that are more stringent than required by TRPA Code section 13.5.3.D.5. The TBAP proposed amendments do not change the standards related to lighting.

7. Signing – Alternative Standards

☐ YES ☐ NO ☒ N/A

Citation 13.5.3.F.6

Requirement Area Plans may include alternative sign standards. For Area Plans to be found in conformance with the Regional Plan, the Area Plan shall demonstrate that the sign standards will minimize and mitigate significant scenic impacts and move toward attainment or achieve the adopted scenic thresholds for the Lake Tahoe region.

Notes

The proposed amendments would remove Section 3.11, “Signs” from the implementing regulations. The amended TBAP would not include substitute sign standards and would instead defer signage standards to the TRPA Code Chapter 38 “Signs” to streamline future regional signage updates.

8. Signing – General Policies

☐ YES ☐ NO ☒ N/A

Citation 13.5.3.F.6

Requirement In the absence of a Conforming Area Plan that addresses sign standards, the following policies apply, along with implementing ordinances:

- Off-premise signs should generally be prohibited; way-finding and directional signage may be considered where scenic impacts are minimized and mitigated.
- Signs should be incorporated into building design;
- When possible, signs should be consolidated into clusters to avoid clutter.
- Signage should be attached to buildings when possible; and
- Standards for number, size, height, lighting, square footage, and similar characteristics for on-premise signs shall be formulated and shall be consistent with the land uses permitted in each district.

Notes

The proposed amendments would remove substitute sign standards and would defer to the TRPA Code which is consistent with TRPA Code Section 13.5.3.F.6.

H. MODIFICATION TO TOWN CENTER BOUNDARIES

1. Modification to Town Center Boundaries

☐ YES ☐ NO ☒ N/A

Citation 13.5.3.G

Requirement When Area Plans propose modifications to the boundaries of a Center, the modification shall comply with the following:

- Boundaries of Centers shall be drawn to include only properties that are developed, unless undeveloped parcels proposed for inclusion have either at least three sides of their boundary adjacent to developed parcels (for four-sided parcels), or 75 percent of their boundary adjacent to developed parcels (for non-four-sided parcels). For purposes of this requirement, a parcel shall be considered developed if it includes any of the following: 30 percent or more

of allowed coverage already existing on site or an approved but unbuilt project that proposes to meet this coverage standard.

- Properties included in a Center shall be less than ¼ mile from existing Commercial and Public Service uses.
- Properties included in a Center shall encourage and facilitate the use of existing or planned transit stops and transit systems.

Notes The proposed amendments would not modify a Town Center boundary.

I. CONFORMITY REVIEW PROCEDURES FOR AREA PLANS

1. Initiation of Area Planning Process by Lead Agency ☒ YES ☐ NO ☐ N/A

Citation 13.6.1

Requirement The development of an Area Plan shall be initiated by a designated lead agency. The lead agency may be TRPA or a local, state, federal, or tribal government. There may be only one lead agency for each Area Plan.

Notes Placer County is the lead agency for development of the TBAP and is the lead agency seeking the amendments that are the subject of this application.

2. Initial Approval of Area Plan by Lead Agency ☒ YES ☐ NO ☐ N/A

Citation 13.6.2

Requirement If the lead agency is not TRPA, then the Area Plan shall be approved by the lead agency prior to TRPA's review of the Area Plan for conformance with the Regional Plan under this section. In reviewing and approving an Area Plan, the lead agency shall follow its own review procedures for plan amendments. At a minimum, Area Plans shall be prepared in coordination with local residents, stakeholders, public agencies with jurisdictional authority within the proposed Area Plan boundaries, and TRPA staff.

If the lead agency is TRPA, the Area Plan shall require conformity approval under this section by TRPA only. No approval by any other government, such as a local government, shall be required.

Notes The TBAP amendments were prepared by Placer County staff to clean up Area Plan policies to streamline economic development opportunities and increase affordable housing in the plan area.

3. Review by Advisory Planning Commission ☒ YES ☐ NO ☐ N/A

Citation 13.6.3

Requirement The TRPA Advisory Planning Commission shall review the proposed Area Plan and make recommendations to the TRPA Governing Board. The commission shall obtain and consider the recommendations and comments of the local

government(s) and other responsible public agencies, as applicable. jurisdictional authority within the proposed Area Plan boundaries, and TRPA staff.

Notes The Advisory Planning Commission (APC) will review the amendments on December 8, 2023.

4. Approval of Area Plan by TRPA

☒ YES ☐ NO ☐ N/A

Citation 13.6.4

Requirement For Area Plans initiated and approved by a lead agency other than TRPA, the Area Plan shall be submitted to and reviewed by the TRPA Governing Board at a public hearing. Public comment shall be limited to issues raised by the public before the Advisory Planning Commission and issues raised by the Governing Board. The TRPA Governing Board shall make a finding that the Area Plan, including all zoning and development Codes that are part of the Area Plan, is consistent with and furthers the goals and policies of the Regional Plan. This finding shall be referred to as a finding of conformance and shall be subject to the same voting requirements as approval of a Regional Plan amendment.

Notes The TRPA Governing Board is scheduled to review the TBAP and act regarding a finding of conformance on January 27, 2024. Following review by the Regional Plan Implementation Committee and the Advisory Planning Commission. The Governing Board will need to find the amendment to the TBAP in conformance with the Regional Plan for it to take effect.

J. FINDINGS OF CONFORMANCE WITH THE REGIONAL PLAN

In making the general finding of conformance, the TRPA Governing Board shall make the general findings applicable to all amendments to the Regional Plan and Code set forth in Sections 4.5 and 4.6, and also the following specific review standards:

GENERAL REVIEW STANDARDS FOR ALL AREA PLANS

1. Zoning Designations

☒ YES ☐ NO ☐ N/A

Citation 13.6.5.A.1

Requirement The submitted Area Plan shall identify zoning designations, allowed land uses, and development standards throughout the plan area.

Notes The TBAP Implementing Regulations identify zoning designations (Section 2.01), allowed land uses (Section 2.02 through 2.08), and development standards throughout the entire Plan area (Chapters 2 and 3). The proposed amendments make targeted changes to support affordable housing developments and redevelopment in Town Centers but do not change zoning designations in the plan area.

2. Regional Plan Policies

☒ YES ☐ NO ☐ N/A

Citation 13.6.5.A.2

Requirement The submitted Area Plan shall be consistent with all applicable Regional Plan policies, including, but not limited to, the regional growth management system, development allocations, and coverage requirements.

Notes The TBAP amendments and its components align with the Regional Plan goals and policies and was approved by TRPA in January 2017. The amendments do not propose additional growth, allocations, or coverage beyond that anticipated in the Regional Plan. The amendments do propose to develop an allocation tracking management system to streamline growth and development management. This proposed system, once developed, would require TRPA approval.

3. Regional Plan Land Use Map

☒ YES ☐ NO ☐ N/A

Citation 13.6.5.A.3

Requirement The submitted Area Plan shall either be consistent with the Regional Land Use Map or recommend and adopt amendments to the Regional Land Use Map as part of an integrated plan to comply with Regional Plan policies and provide threshold gain.

Notes The TBAP amendments would not change the Regional Land Use Map or adopt amendments to the Regional Land Use Map as a part of an integrated plan to comply with Regional Plan policies and attain and maintain threshold standards.

4. Environmental Improvement Projects

☒ YES ☐ NO ☐ N/A

Citation 13.6.5.A.4

Requirement The submitted Area Plan shall recognize and support planned, new, or enhanced Environmental Improvement Projects. Area Plans may also recommend enhancements to planned, new, or enhanced Environmental Improvement Projects as part of an integrated plan to comply with Regional Plan Policies and provide threshold gain.

Notes The TBAP recognizes and supports new, planned, and enhanced Environmental Improvement Program (EIP) projects and the amendments do not propose to change EIP projects.

5. Redevelopment

☒ YES ☐ NO ☐ N/A

Citation 13.6.5.A.

Requirement The submitted Area Plan shall promote environmentally beneficial redevelopment and revitalization within town centers, regional centers and the High Density Tourist District.

Notes

The TBAP amendments promote environmentally beneficial redevelopment and revitalization within the Tahoe City and Kings Beach Town Centers and by allowing for more compact redevelopment, while continuing to comply with TRPA's coverage, height, and density limits. Regional centers and High Density Tourist Districts do not exist in the plan area.

New policies added to TBAP support and encourage adaptive reuse of vacant or underutilized retail and office space, support redevelopment of aging lodging products and encourage revitalization and creation of new high-quality lodging, allow multipurpose and flexible gathering spaces in private and public parking areas where events could be held during off-peak hours, expedite building permit processes, and support the development of new business innovation space and flexible light industrial spaces to diversify the local economy.

6. Established Residential Areas

☒ YES ☐ NO ☐ N/A

Citation 13.6.5.A.6

Requirement The submitted Area Plan shall preserve the character of established residential areas outside of town centers, regional centers and the High Density Tourist District, while seeking opportunities for environmental improvements within residential areas.

Notes

The TBAP amendments would not alter the zoning of established residential areas. The amendments would modify setbacks, articulation, massing requirements, and lot widths and minimum lot sizes in Residential Subdistricts to accommodate smaller dwelling units. The amendments would not change density or potential growth rates of the plan area (See TBAP Implementing Regulations Sections 2.09.A & B and 3.04).

7. Stream Environment Zones

☒ YES ☐ NO ☐ N/A

Citation 13.6.5.A.7

Requirement The submitted Area Plan shall protect and direct development away from Stream Environment Zones and other sensitive areas, while seeking opportunities for environmental improvements within sensitive areas. Development may be allowed in disturbed Stream Environment zones within town centers, regional centers and the High-Density Tourist District only if allowed development reduces coverage and enhances natural systems within the Stream Environment Zone.

Notes

No changes related to the above requirement for Stream Environment Zones (SEZs) are proposed with these amendments.

8. Alternative Transportation Facilities and Implementation

☒ YES ☐ NO ☐ N/A

Citation 13.6.5.A.8

Requirement The submitted Area Plan shall identify facilities and implementation measures to enhance pedestrian, bicycling and transit opportunities along with other opportunities to reduce automobile dependency.

Notes The proposed amendments would clarify requirements for complete streets, eliminate parking minimums for additions up to 1,000 square feet in Town Centers, and support frontage improvement implementation plans to achieve area plan infrastructure such as sidewalks, curbs, and gutters, as well as implementing parking management plans (See Implementing Regulations 2.09, 3.06, and 3.07.A.4). These changes support strategies identified in the Resort Triangle Transportation Plan (RTTP), which was approved by the TRPA Governing Board in October 2020 and outlines strategies to increase mobility and reduce VMT in the Tahoe region.

LOAD REDUCTION PLANS

9. Load Reduction Plans ☒ YES ☐ NO ☐ N/A

Citation 13.6.5.B

Requirement TRPA shall utilize the load reduction plans for all registered catchments or TRPA default standards when there are no registered catchments, in the conformance review of Area Plans.

Notes The TBAP incorporates load reduction plans for registered catchments. The proposed amendments include no changes related to the requirement for load reduction plans.

ADDITIONAL REVIEW STANDARDS FOR TOWN CENTERS AND THE REGIONAL CENTER

10. Building and Site Design Standards ☒ YES ☐ NO ☐ N/A

Citation 13.6.5.C.1

Requirement The submitted Area Plan shall include building and site design standards that reflect the unique character of each area, respond to local design issues and consider ridgeline and viewshed protection.

Notes As described above, the TBAP includes detailed design standards that reflect the unique character of each area, respond to local design considerations, and promote ridgeline and viewshed protection. The TBAP Implementing Regulations include a mix of unique standards that reflect the character of individual zoning subdistricts (see Chapter 2), as well as a series of area-wide standards and guidelines (see Chapter 3). The proposed amendments include targeted modifications to setbacks, lot size, and other design standards to promote redevelopment and affordable housing. The revised standards would continue to reflect the unique character of each community within the plan area. The amendments would include no changes to requirements for ridgeline and viewshed protection.

11. Alternative Transportation ☒ YES ☐ NO ☐ N/A

Citation 13.6.5.C.2

Requirement The submitted Area Plan shall promote walking, bicycling, transit use and shared parking in town centers and regional centers, which at a minimum

shall include continuous sidewalks or other pedestrian paths and bicycle facilities along both sides of all highways within town centers and regional centers, and to other major activity centers.

Notes The TBAP amendments would include a policy that encourages the creation of a funding source for a comprehensive frontage improvement implementation plan, to include the construction of sidewalks (See TBAP LU-P-21). The proposed amendments are also designed to provide consistency in the plan area in identifying the street frontage improvement requirements (See Implementing Regulations Section 3.06 and Table 3.06A). The targeted amendments to promote redevelopment in Town Centers would concentrate services in Town Centers and reduce VMT in the plan area.

12. Promoting Pedestrian Activity

☒ YES ☐ NO ☐ N/A

Citation 13.6.5.C.3

Requirement The submitted Area Plan shall use standards within town centers and regional centers addressing the form of development and requiring that projects promote pedestrian activity and transit use.

Notes Detailed design standards are included in the TBAP, which address pedestrian activity and enhanced design features and transit use in Centers. The standards address building articulation, street frontage landscaping, stepped heights, and other building form requirements. The exact standards vary by Center. See for example, the Greater Tahoe City Mixed Use subdistrict standards in Implementing Regulations Section 2.04.A.4. The proposed TBAP amendments include a policy that encourages the creation of a funding source for a comprehensive frontage improvement implementation plan, to include the construction of sidewalks (See TBAP LU-P-21). The amendments are also designed to provide consistency in the plan area in identifying the street frontage improvement requirements (See Implementing Regulations Section 3.06 and Table 3.06A).

13. Redevelopment Capacity

☒ YES ☐ NO ☐ N/A

Citation 13.6.5.C.4

Requirement The submitted Area Plan shall ensure adequate capacity for redevelopment and transfers of development rights into town centers and regional centers.

Notes The existing TBAP includes height, density, and coverage limits up to the maximum limits allowed by Chapter 13 of the Code of Ordinances. These standards would provide adequate capacity for redevelopment of the existing Town Centers and transfers of development from sensitive and/or outlying areas. The TBAP amendments do not propose changes to height, density, and coverage limits. New policies support and encourage adaptive reuse of vacant or underutilized retail and office space, support redevelopment of aging lodging products and encourage revitalization and creation of new high-quality lodging, allow multipurpose and flexible gathering spaces in private and public parking areas where events could be held during off-peak hours, expedite building permit processes, and support the development of new business innovation space and flexible light industrial spaces to diversify the local economy. These standards would provide

adequate capacity for redevelopment of the existing Town Centers and transfers of development from sensitive and/or outlying areas.

14. Coverage Reduction and Stormwater Management

☒ YES ☐ NO ☐ N/A

Citation 13.6.5.C.5

Requirement The submitted Area Plan shall identify an integrated community strategy for coverage reduction and enhanced stormwater management.

Notes Part 8, Implementation Plan, of the existing TBAP includes specific projects necessary to implement an integrated strategy for coverage reduction and stormwater management. The proposed amendments to TBAP do not change or identify new or different specific projects necessary to implement an integrated strategy for coverage reduction and stormwater management. In addition, the TBAP includes special planning areas with specific requirements for SEZ restoration and coverage reduction (See TBAP Implementing Regulations Sections 2.09.B.1, 3, and 5).

15. Threshold Gain

☒ YES ☐ NO ☐ N/A

Citation 13.6.5.C.6

Requirement The submitted Area Plan shall demonstrate that all development activity within Town Centers and the Regional Center will provide for or not interfere with Threshold gain, including but not limited to measurable improvements in water quality.

Notes The existing TBAP was reviewed in an EIR/EIS, which identified beneficial effects on threshold standards including water quality. The proposed amendments were evaluated in an IEC and EIR addendum, which identified no impacts that would interfere with attainment of threshold standards.

ADDITIONAL REVIEW STANDARDS FOR THE HIGH-DENSITY TOURIST DISTRICT

16. Building and Site Design

☐ YES ☐ NO ☒ N/A

Citation 13.6.5.D.1

Requirement The submitted Area Plan shall include building and site design standards that substantially enhance the appearance of existing buildings in the High Density Tourist District.

Notes The TBAP does not include the High Density Tourist District.

17. Alternative Transportation

☐ YES ☐ NO ☒ N/A

Citation 13.6.5.D.2

Requirement The submitted Area Plan shall provide pedestrian, bicycle and transit facilities connecting the High-Density Tourist District with other regional attractions.

Notes There is no High Density Tourist Districts in the plan area..

18. Threshold Gain

☐ YES ☐ NO ☒ N/A

Citation 13.6.5.D.3

Requirement The submitted Area Plan shall demonstrate that all development activity within the High-Density Tourist District will provide or not interfere with Threshold gain, including but not limited to measurable improvements in water quality. If necessary to achieve Threshold gain, off-site improvements may be additionally required.

Notes TBAP does not include a High Density Tourist District and the proposed amendments would not interfere with Threshold gain.

K. AREA PLAN AMENDMENTS

1. Conformity Review for Amendments to an Area Plan

☒ YES ☐ NO ☐ N/A

Citation 13.6.6

Requirement Following approval of an Area Plan, any subsequent amendment to a plan or ordinance contained within the approved Area Plan shall be reviewed by the Advisory Planning Commission and Governing Board for conformity with the requirements of the Regional Plan. Public comment before the Governing Board shall be limited to consideration of issues raised before the Advisory Planning Commission and issues raised by the Governing Board. The Governing Board shall make the same findings as required for the conformity finding of the initial Area Plan, as provided in subsection 13.6.5; however, the scope of the APC and Governing Board's review shall be limited to determining the conformity of the specific amendment only. If the Governing Board finds that the amendment to the Area Plan does not conform to the Regional Plan, including after any changes made in response to TRPA comments, the amendment shall not become part of the approved Area Plan.

Notes The amendment to the TBAP is narrowly focused on achieving affordable housing and redevelopment opportunities in Town Centers in the plan area and has been crafted by Placer County staff for conformity with the Regional Plan. The Advisory Planning Commission and Governing Board's review will be focused on determining the conformity of this amendment.

2. Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan - Notice

☐ YES ☐ NO ☒ N/A

Citation 13.6.7.A

Requirement TRPA shall provide lead agencies with reasonable notice of pending amendments that may affect Area Plans. TRPA also shall provide lead agencies with notice of

Area Plan topics that may require amendment following adopted Regional Plan amendments pursuant to this section.

Notes The proposed amendments were initiated by Placer County and are not the result of an amendment to the Regional Plan.

3. Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan - Timing ☐ YES ☐ NO ☒ N/A

Citation 13.6.7.B

Requirement If TRPA approves an amendment to the Regional Plan that would also require amendment of an Area Plan to maintain conformity, the lead agency shall be given one year to amend the Area Plan to demonstrate conformity with the TRPA amendment. The Governing Board shall make the same findings as required for the conformity finding of the initial Area Plan, as provided in subsection 13.6.5; however, the scope of the Governing Board's review shall be limited to determining the conformity of only those amendments made by the lead agency to conform to the TRPA amendment. If the Governing Board finds that the other government fails to demonstrate conformity with the TRPA amendment following the one-year deadline, then the Board shall identify the policies and/or zoning provisions in the Area Plan that are inconsistent and assume lead agency authority to amend those policies and provisions.

Notes The proposed amendments were initiated by Placer County and are not the result of an amendment to the Regional Plan.

L. ADMINISTRATION

1. Effect of Finding of Conformance of Area Plan ☒ YES ☐ NO ☐ N/A

Citation 13.6.8

Requirement By finding that an Area Plan conforms with the Regional Plan pursuant to the requirements of this chapter and upon adoption of an MOU pursuant to Section 13.7, the Area Plan shall serve as the standards and procedures for implementation of the Regional Plan. The standards and procedures within each Area Plan shall be considered and approved individually and shall not set precedent for other Area Plans.

Notes TRPA and Placer County entered into an MOU for the TBAP consistent with Code section 13.7 on November 13, 2017. The existing MOU would remain in place with adoption of the proposed amendments.

2. Procedures for Adoption of Memorandum of Understanding ☒ YES ☐ NO ☐ N/A

Citation 13.7

Requirement An Area Plan shall be consistent with the Procedures for Adoption of a Memorandum of Understanding.

Notes TRPA and Placer County entered into an MOU for the TBAP consistent with Code section 13.7 on November 13, 2017. The existing MOU would remain in place with adoption of the proposed amendments.

3. Monitoring, Certification, and Enforcement of an Area Plan ☒ YES ☐ NO ☐ N/A

Citation 13.8

Requirement An Area Plan shall include notification, monitoring, annual review, and recertification procedures consistent with Code Section 13.8.

Notes Notification, monitoring, annual review, and recertification procedures are specified in the MOU between Placer County and TRPA dated November 13, 2017.

4. Appeal Procedure ☐ YES ☐ NO ☒ N/A

Citation 13.9

Requirement The Area Plan shall include an appeal procedure consistent with Code Section 13.9.

Notes Appeal procedures are specified in the MOU between Placer County and TRPA, dated November 13, 2017.

Attachment G
Compliance Measures

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
WATER QUALITY/SEZ - IN PLACE				
1	BMP requirements, new development: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	The proposed amendments make no changes to the TBAP's BMP requirements and implementation programs. The proposed Area Plan amendments will comply with existing BMP requirements.
2	BMP implementation program -- existing streets and highways: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Trans, Fish	N	
3	BMP implementation program -- existing urban development: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	
4	BMP implementation program -- existing urban drainage systems: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Trans, Fish	N	
5	Capital Improvement Program for Erosion and Runoff Control	WQ, Soils/SEZ, Trans, Fish	N	The proposed amendments make no changes to the TBAP's policies regarding implementation of the CIP.
6	Excess coverage mitigation program: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	The proposed amendments do not change excess coverage mitigation requirements.
7	Effluent limitations: California (SWRCB, Lahontan Board) and Nevada (NDEP): <i>Code of Ordinances</i> Chapter 5	WQ, Soils/SEZ, Fish	N	The effluent limitations in Chapter 5 of the TRPA Code of Ordinances are not being modified.
8	Limitations on new subdivisions: (See the Goals and Policies: Land Use Element)	WQ, Soils/SEZ, Rec, Scenic	N	All new subdivisions will continue to be limited by the provisions in Chapter 39, Subdivision, of the TRPA Code of Ordinances. No changes are proposed.
9	Land use planning and controls: See the Goals and Policies: Land Use Element and <i>Code of Ordinances</i> Chapters 11, 12, 13, 14, and 21	WQ, Soils/SEZ, Trans, Scenic	N	The TBAP was developed to meet the requirements of Chapter 13, Area Plans, and to implement the 2012 Regional Plan. No changes to the Regional Plan land use planning controls are proposed.
10	Residential development priorities, The Individual Parcel Evaluation System (IPES): Goals and Policies: Implementation Element and <i>Code of Ordinances</i> Chapter 53	WQ, Soils/SEZ	N	The TBAP amendments maintain the existing Growth Management regulations, Chapters 50 through 53, of the TRPA Code. No changes are proposed with the amendments.

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
11	Limits on land coverage for new development: Goals and Policies: Land Use Element and Code of Ordinances Chapter 30	WQ, Soils/SEZ, Scenic	N	The TBAP incorporates the existing land coverage provisions in Chapter 30 of the TRPA Code as well as the provisions that allow for high capability lands in Town Centers and the Regional Center to be covered up to 70%. It also includes provisions to protect and restore SEZs, maximize opportunities to remove or mitigate excess land coverage, implement EIP projects (including area wide water quality and erosion control projects), and accelerate BMP implementation. No changes are proposed with the amendments.
12	Transfer of development: Goals and Policies: Land Use Element and Implementation Element	WQ, Soils/SEZ	N	The TBAP includes Goals and Policies from the Land Use Element and Implementation Element of the Regional Plan regarding the transfer of development. The proposed amendments are consistent with the goals and policies in the TBAP. No changes are proposed.
13	Restrictions on SEZ encroachment and vegetation alteration: <i>Code of Ordinances</i> Chapter 30	WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic	N	The TBAP amendments will not alter existing restrictions on SEZ encroachment and vegetation alteration in the TRPA Code of Ordinances, Chapter 30.
14	SEZ restoration program: Environmental Improvement Program.	WQ, Soils/SEZ, Veg, Wildlife, Fish, Scenic	N	The TBAP benefits the EIP's SEZ restoration program through policies and provisions for the protection and restoration of SEZs. No changes are proposed with the amendments.
15	SEZ setbacks: <i>Code of Ordinances</i> Chapter 53	WQ, Soils/SEZ, Veg, Wildlife, Fish	N	SEZ setback requirements in the TRPA Code of Ordinances, Chapter 53, IPES, Section 53.9, were not altered by the TBAP. No changes are proposed.
16	Fertilizer reporting requirements: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish, Rec	N	The TBAP maintains the Resource Management and Protection regulations in the TRPA Code, including fertilizer reporting and water quality mitigation requirements. No changes to fertilizer requirements are proposed with the amendments.

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
17	Water quality mitigation: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	The TBAP maintains the Resource Management and Protection regulations in the TRPA Code, including fertilizer reporting and water quality mitigation requirements. No changes to water quality mitigations are proposed with the amendments.
18	Restrictions on rate and/or amount of additional development	WQ, Soils/SEZ, Wildlife, Scenic	N	The TBAP contains policies outlining the restrictions on rate and/or amount of additional development. While the proposed amendments may modestly increase the pace of development in the place area, no changes to the amount of development are proposed.
19	Improved BMP implementation/enforcement program	WQ, Soils/SEZ	N	The TBAP includes goals and policies related to the BMP implementation/enforcement program. No changes to BMP requirements are proposed with the amendments.
20	Increased funding for EIP projects for erosion and runoff control	WQ, Soils/SEZ	N	The TBAP amendments do not affect funding for EIP erosion and runoff control projects.
21	Artificial wetlands/runoff treatment program	WQ, Soils/SEZ	N	The TBAP does not alter the artificial wetlands/runoff treatment program. No changes are proposed with the amendments.
22	Transfer of development from SEZs	WQ, Soils/SEZ, Scenic	N	The TBAP provides incentives for property owners to hasten the transfer of development rights from sensitive lands, including SEZs, or outlying areas to Town Centers and the Regional Center where redevelopment is better suited and will have beneficial or reduced adverse environmental impacts. No changes to this provision are proposed with the amendments.
23	Improved mass transportation	WQ, Trans, Noise	N	The TBAP facilitates mass transportation within existing transit routes, supporting increased usage of the transit system. No changes to mass transportation are proposed with the amendments.

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
24	Redevelopment and redirection of land use: Goals and Policies: Land Use Element and Code of Ordinances Chapter 13	WQ, Soils/SEZ, Scenic	N	One of the main objectives of the TBAP is to encourage the environmental redevelopment of the built environment and implement the Goals and Policies in the Land Use Element of the Regional Plan. New redevelopment policies are proposed that would support and encourage adaptive reuse of vacant or underutilized retail and office space, support redevelopment of aging lodging products and encourage revitalization and creation of new high-quality lodging, allow multipurpose and flexible gathering spaces in private and public parking areas where events could be held during off-peak hours, expedite building permit processes, and support the development of new business innovation space and flexible light industrial spaces to diversify the local economy.
25	Combustion heater rules, stationary source controls, and related rules: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	No changes are being proposed that would impact these Compliance Measures. The existing TRPA Code of Ordinance provisions will remain in effect.
26	Elimination of accidental sewage releases: Goals and Policies: Land Use Element	WQ, Soils/SEZ	N	
27	Reduction of sewer line exfiltration: Goals and Policies: Land Use Element	WQ, Soils/SEZ	N	
28	Effluent limitations	WQ, Soils/SEZ	N	
29	Regulation of wastewater disposal at sites not connected to sewers: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
30	Prohibition on solid waste disposal: Goals and Policies: Land Use Element	WQ, Soils/SEZ	N	

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
31	Mandatory garbage pick-up: Goals and Policies: Public Service Element	WQ, Soils/SEZ, Wildlife	N	
32	Hazardous material/wastes programs: Goals and Policies: Land Use Element and <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
33	BMP implementation program, Snow and ice control practices: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, AQ	N	
34	Reporting requirements, highway abrasives and deicers: Goals and Policies:, Land Use Element and Code of Ordinances Chapter 60	WQ, Soils/SEZ, Fish	N	The TBAP did not change BMP requirements. No changes are proposed with the amendments.
35	BMP implementation program--roads, trails, skidding, logging practices: <i>Code of Ordinances</i> Chapter 60, Chapter 61	WQ, Soils/SEZ, Fish	N	
36	BMP implementation program--outdoor recreation: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish, Rec	N	
37	BMP implementation program--livestock confinement and grazing: <i>Code of Ordinances</i> Chapter 21, Chapter 60, Chapter 64	WQ, Soils/SEZ, Veg, Wildlife, Fish	N	
38	BMP implementation program--pesticides	WQ, Soils/SEZ	N	
39	Land use planning and controls --timber harvesting: <i>Code of Ordinances</i> Chapter 21	WQ, Soils/SEZ, AQ, Wildlife, Fish, Scenic	N	The amendments will not alter the effectiveness of compliance measures relating to timber harvesting or outdoor recreation.
40	Land use planning and controls - outdoor recreation: <i>Code of Ordinances</i> Chapter 21	WQ, Soils/SEZ, Wildlife, Noise, Rec, Scenic	N	

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
41	Land use planning and controls--ORV use: Goals and Policies: Recreation Element	WQ, Soils/SEZ, AQ, Wildlife, Fish, Noise, Rec, Scenic	N	Regional Plan Policy R-1.5 states that "Off-road vehicle (ORV) use is prohibited in the Lake Tahoe Region except on specified roads, trails, or designated areas where the impacts can be mitigated." The TBAP did not expand ORV use, and no changes are proposed.
42	Control of encroachment and coverage in sensitive areas	WQ, Soils/SEZ, Wildlife, Rec, Scenic	N	The existing TRPA Code provisions remain in effect, and no changes are proposed with the amendments.
43	Control on shorezone encroachment and vegetation alteration: <i>Code of Ordinances</i> Chapter 83	WQ, Soils/SEZ, Scenic	N	The proposed amendments to the TBAP are intended to reflect the changes made to Placer County Code Chapter 12, Article 12.32, "Lake Tahoe Shorezone" adopted by the Board of Supervisors in February of 2021. In August 2019, TRPA amended its Code of Ordinances, including shorezone regulations contained in Chapters 80 through 85. While the existing TRPA code provisions related to the Shorezone will remain in effect, the TBAP implementing regulations have been updated to adopt and incorporate the current TRPA Shorezone Ordinances.
44	BMP implementation program--shorezone areas: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
45	BMP implementation program--dredging and construction in Lake Tahoe: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
46	Restrictions and conditions on filling and dredging: <i>Code of Ordinances</i> Chapter 84	WQ, Soils/SEZ, Fish	N	
47	Protection of stream deltas	WQ, Soils/SEZ, Wildlife, Fish, Scenic	N	
48	Marina master plans: <i>Code of Ordinances</i> Chapter 14	WQ, AQ/Trans, Fish, Scenic	N	

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
49	Additional pump-out facilities: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
50	Controls on anti-fouling coatings: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	
51	Modifications to list of exempt activities	WQ, Soils/SEZ	N	
				The proposed amendments would add exemptions for multi-family residential development with 15 or fewer units and not

WATER QUALITY/SEZ - SUPPLEMENTAL

52	More stringent SEZ encroachment rules	WQ, Soils/SEZ, Wildlife, Fish	N	The proposed amendments do not include any changes to water quality or SEZ provisions that would affect Compliance Measures 52 through 61.
53	More stringent coverage transfer requirements	WQ, Soils/SEZ	N	
54	Modifications to IPES	WQ, Soils/SEZ	N	
55	Increased idling restrictions	WQ, Soils/SEZ, AQ	N	
56	Control of upwind pollutants	WQ, Soils/SEZ, AQ	N	
57	Additional controls on combustion heaters	WQ, Soils/SEZ, AQ	N	
58	Improved exfiltration control program	WQ, Soils/SEZ	N	
59	Improved infiltration control program	WQ, Soils/SEZ	N	
60	Water conservation/flow reduction program	WQ, Soils/SEZ, Fish	N	
61	Additional land use controls	WQ, Soils/SEZ, Wildlife	N	

AIR QUALITY/TRANSPORTATION - IN PLACE

62	Fixed Route Transit - South Shore: STAGE	Trans, Rec	N	The proposed amendments do not include any air quality or transportation changes or provisions that would affect Compliance Measures 62 through 72.
63	Fixed Route Transit - North Shore: TART	Trans, Rec	N	
64	Demand Responsive Transit	Trans	N	
65	Seasonal Transit Services	Trans, Rec	N	

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
66	Social Service Transportation	Trans	N	
67	Shuttle programs	Trans, Rec	N	
68	Ski shuttle services	Trans, Rec	N	
69	Intercity bus services	Trans	N	
70	Passenger Transit Facilities	Trans	N	
71	Bikeways, Bike Trails	Trans, Noise, Rec, Scenic	N	
72	Pedestrian facilities	Trans, Rec, Scenic	N	The TRPA Code provisions related to Compliance Measures 73 through 75 remain in effect, and no changes are proposed with the amendments.
73	Wood heater controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
74	Gas heater controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
75	Stationary source controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	The proposed TBAP amendments will not affect U.S. Postal Service Delivery.
76	U.S. Postal Service Mail Delivery	Trans	N	
77	Indirect source review/air quality mitigation: <i>Code of Ordinances</i> Chapter 65	WQ, AQ, Trans	N	
78	Idling Restrictions: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	The TRPA Code provisions related to Compliance Measures 77 through 78 remain in effect, and no changes are proposed with the amendments.
79	Vehicle Emission Limitations(State/Federal)	WQ, AQ	N	
80	Open Burning Controls: <i>Code of Ordinances</i> Chapters 61 and Chapter 65	WQ, AQ, Scenic	N	No changes related to open burning requirements are proposed.
81	BMP and Revegetation Practices	WQ, AQ, Wildlife, Fish	N	The TBAP amendments would not alter requirements related to BMPs and revegetation.
82	Employer-based Trip Reduction Programs: <i>Code of Ordinances</i> Chapter 65	Trans	N	No changes are proposed to the Code's provisions related to employer-based trip reduction programs.
83	Vehicle rental programs: <i>Code of Ordinances</i> Chapter 65	Trans	N	
84	Parking Standards	Trans	N	The proposed amendments would revise the parking and access guidelines of the TBAP implementing regulations to permanently adopt the parking pilot program for North
85	Parking Management Areas	Trans	N	
86	Parking Fees	Trans	N	

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
87	Parking Facilities	Trans	N	adopt the parking pilot program for North Lake Tahoe Town Centers. These changes would support exemptions to parking and spur redevelopment in the town centers and support strategies identified in the Resort Triangle Transportation Plan (RTTP), which was approved by the TRPA Board of Supervisors in October 2020 and outlines strategies to increase mobility and reduce VMT in the Tahoe region. Changes would include expanding eligible applicants to include all development/redevelopment proposed in town centers, allowing further collaboration with tourist accommodation and residential uses to be considered, removing the existing limitation in the area plan that project sites eligible for the exemption shall be 25,000 square feet or less, and expanding financial mitigations beyond establishment of a transit County Service Area Zone of Benefit to include financial support for transit service enhancements or other alternative transportation projects that support multi-modal transportation and/or strategies noted in the RTTP. The amendments would not make any changes that would affect traffic management, signal synchronization, aviation, waterborne transit or excursions, air quality monitoring, alternative fueled vehicle fleets or infrastructure improvements, north shore transit, or the Heavenly Ski Resort Gondola. Development associated with the amendments will use existing units of use banked within the Amendment Area and would not generate additional demand for waterborne transit services.
88	Traffic Management Program - Tahoe City	Trans	N	
89	US 50 Traffic Signal Synchronization - South Shore	Trans	N	
90	General Aviation, The Lake Tahoe Airport	Trans, Noise	N	
91	Waterborne excursions	WQ, Trans, Rec	N	
92	Waterborne transit services	WQ, Trans, Scenic	N	
93	Air Quality Studies and Monitoring	WQ, AQ	N	

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
94	Alternate Fueled Vehicle - Public/Private Fleets and Infrastructure Improvements	Trans	N	
95	Demand Responsive Transit - North Shore	Trans	N	
96	Tahoe Area Regional Transit Maintenance Facility	Trans	N	
97	Heavenly Ski Resort Gondola	Trans	N	

AIR QUALITY/TRANSPORTATION - SUPPLEMENTAL

98	Demand Responsive Transit - North Shore	Trans	N	The TBAP amendments do not alter any transit services, bikeways, or pedestrian facilities. No changes to existing policies are proposed.
99	Coordinated Transit System - South Shore	Trans	N	
100	Transit Passenger Facilities	Trans	N	
101	South Shore Transit Maintenance Facility - South Shore	Trans	N	
102	Transit Service - Fallen Leaf Lake	WQ, Trans	N	
103	Transit Institutional Improvements	Trans	N	
104	Transit Capital and Operations Funding Acquisition	Trans	N	
105	Transit/Fixed Guideway Easements - South Shore	Trans	N	
106	Visitor Capture Program	Trans	N	
107	Pedestrian and Bicycle Facilities-- South Shore	Trans, Rec	N	
108	Pedestrian and Bicycle Facilities-- North Shore	Trans, Rec	N	
109	Parking Inventories and Studies Standards	Trans	N	
110	Parking Management Areas	Trans	N	
111	Parking Fees	Trans	N	
112	Establishment of Parking Task Force	Trans	N	
113	Construct parking facilities	Trans	N	
114	Intersection improvements-- South Shore	Trans, Scenic	N	

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
115	Intersection improvements-- North Shore	Trans, Scenic	N	
116	Roadway Improvements - South Shore	Trans, Scenic	N	
117	Roadway Improvements - North Shore	Trans, Scenic	N	
118	Loop Road - South Shore	Trans, Scenic	N	
119	Montreal Road Extension	Trans	N	
120	Kingsbury Connector	Trans	N	
121	Commercial Air Service: Part 132 commercial air service	Trans	N	
122	Commercial Air Service: commercial air service that does not require Part 132 certifications	Trans	N	
123	Expansion of waterborne excursion service	WQ, Trans	N	
124	Re-instate the oxygenated fuel program	WQ, AQ	N	
125	Management Programs	Trans	N	
126	Around the Lake Transit	Trans	N	
VEGETATION - IN PLACE				
127	Vegetation Protection During Construction: <i>Code of Ordinances</i> Chapter 33	WQ, AQ, Veg, Scenic	N	The TBAP did not alter the provisions of Chapter 33, and no changes are proposed with the amendments.
128	Tree Removal: <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Scenic	N	The TBAP did not alter the provisions of Chapter 61, and no changes are proposed with the amendments.
129	Prescribed Burning: <i>Code of Ordinances</i> Chapter 61	WQ, AQ, Veg, Wildlife, Scenic	N	
130	Remedial Vegetation Management: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife	N	
131	Sensitive and Uncommon Plant Protection and Fire Hazard Reduction: <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Scenic	N	
132	Revegetation: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife, Scenic	N	

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
133	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	WQ, Veg	N	The TBAP, as amended, is consistent with Chapter 5 of the TRPA Code.
134	Handbook of Best Management Practices	WQ, Soils/SEZ, Veg, Fish	N	The Handbook of Best Management Practices will continue to be used to design and construct BMPs. No changes are proposed with the amendments.
135	Shorezone protection	WQ, Soils/SEZ, Veg	N	See responses to Compliance Measures 43 through 50.
136	Project Review	WQ, Veg	N	Projects on the rezoned parcels will be reviewed and inspected according to the MOU between the County and TRPA. The amendments do not alter the project review process.
137	Compliance inspections	Veg	N	
138	Development Standards in the Backshore	WQ, Soils/SEZ, Veg, Wildlife, Scenic	N	See responses to Compliance Measures 43 through 50.
139	Land Coverage Standards: <i>Code of Ordinances</i> Chapter 30	WQ, Veg, Wildlife, Fish, Scenic	N	See response to Compliance Measure 11. The amendments do not affect coverage standards.
140	Grass Lake, Research Natural Area	WQ, Veg, Wildlife, Fish, Scenic	N	Grass lake is not located within the plan area and would not be affected by the amendments.
141	Conservation Element, Vegetation Subelement: Goals and Policies	Veg, Wildlife, Fish	N	No changes to the conservation element are proposed.
142	Late Successional Old Growth (LSOG): <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Fish	N	No changes related to late succesional old growth or SEZ vegetation are proposed.
143	Stream Environment Zone Vegetation: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife, Fish	N	
144	Tahoe Yellow Cress Conservation Strategy	Veg	N	No changes related to the Tahoe Yellow Cress strategy are proposed.
145	Control and/or Eliminate Noxious Weeds	Veg, Wildlife	N	No changes related to noxious weeds are proposed.

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
146	Freel Peak Cushion Plant Community Protection	Veg	N	The Freel Peak Cushion Plant community is not within the plan area and would not be affected by the amendments.
VEGETATION - SUPPLEMENTAL				
147	Deepwater Plant Protection	WQ, Veg	N	No changes related to deepwater plant protection are proposed.
WILDLIFE - IN PLACE				
148	Wildlife Resources: <i>Code of Ordinances</i> Chapter 62	Wildlife, Noise	N	No changes related to wildlife resources are proposed.
149	Stream Restoration Program	WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic	N	No changes to the stream restoration program are proposed.
150	BMP and revegetation practices	WQ, Veg, Wildlife, Fish, Scenic	N	No changes related to BMPs and revegetation practices are proposed.
151	OHV limitations	WQ, Soils/SEZ, AQ, Wildlife, Noise, Rec	N	No changes to OHV limitations are proposed.
152	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	Wildlife	N	The TBAP, as amended, is consistent with Chapter 5 of the TRPA Code.
153	Project Review	Wildlife	N	See response to Compliance Measures 136 and 137. The TBAP amendments will not alter the existing project review procedures.
FISHERIES - IN PLACE				
156	Fish Resources: <i>Code of Ordinances</i> Chapter 63	WQ, Fish	N	No changes related to fisheries are proposed.
157	Tree Removal: <i>Code of Ordinances</i> Chapter 61	Wildlife, Fish	N	The TBAP amendments do not change tree removal provisions of Chapter 61.
158	Shorezone BMPs	WQ, Fish	N	See response to Compliance Measures 43 through 50.
159	Filling and Dredging: <i>Code of Ordinances</i> Chapter 84	WQ, Fish	N	

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
160	Location standards for structures in the shorezone: <i>Code of Ordinances</i> Chapter 84	WQ, Fish	N	
161	Restrictions on SEZ encroachment and vegetation alteration	WQ, Soils/SEZ, Fish	N	No changes to SEZ restrictions are proposed.
162	SEZ Restoration Program	WQ, Soils/SEZ, Fish	N	No changes to SEZ restoration programs are proposed.
163	Stream restoration program	WQ, Soils/SEZ, Fish	N	No changes to stream or riparian restoration programs are proposed.
164	Riparian restoration	WQ, Soils/SEZ, Fish	N	
165	Livestock: <i>Code of Ordinances</i> Chapter 64	WQ, Soils/SEZ, Fish	N	No changes to TRPA Code Chapter 64 are proposed.
166	BMP and revegetation practices	WQ, Fish	N	See response to Compliance Measures 1 through 4. The TBAP amendments do not alter BMP and revegetation practices.
167	Fish habitat study	Fish	N	No changes are proposed.
168	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	Fish	N	See response to Compliance Measure 133.
169	Mitigation Fee Requirements: <i>Code of Ordinances</i> Chapter 86	Fish	N	No changes to mitigation fees are proposed.
170	Compliance inspection	Fish	N	No changes to compliance inspections are proposed.
171	Public Education Program	Wildlife, Fish	N	The TBAP does not include a public education component, but does address the City's education and outreach efforts regarding green building. No changes are proposed.
NOISE - IN PLACE				

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
172	Airport noise enforcement program	Wildlife, Fish	N	The Lake Tahoe airport is not within the plan area. No changes to noise enforcement are proposed.
173	Boat noise enforcement program	Wildlife, Fish, Rec	N	No changes to boat noise enforcement are proposed.
174	Motor vehicle/motorcycle noise enforcement program: <i>Code of Ordinances</i> Chapters 5 and 23	Wildlife, Fish	N	No changes to vehicle noise enforcement are proposed.
175	ORV restrictions	AQ, Wildlife, Noise, Rec	N	No changes to ORV and snowmobile restrictions are proposed.
176	Snowmobile Restrictions	WQ, Wildlife, Noise, Rec	N	
177	Land use planning and controls	Wildlife, Noise	N	See response to Compliance Measure 9. Although the proposed amendments may modestly increase the pace of development, they would not increase the total amount of development allowed in the plan area.
178	Vehicle trip reduction programs	Trans, Noise	N	The TBAP should reduce VMT via installation of pedestrian and bike paths and improving public transit. No changes to vehicle trip reduction programs are proposed.
179	Transportation corridor design criteria	Trans, Noise	N	Placer County, CalTrans, and Mobility 2035 standards will continue to apply, where applicable, and are not affected by the amendments.
180	Airport Master Plan South Lake Tahoe	Trans, Noise	N	The Lake Tahoe airport is not within the plan area. No changes to the master plan are proposed.
181	Loudspeaker restrictions	Wildlife, Noise	N	No changes are proposed.
182	Project Review	Noise	N	See response to Compliance Measures 136 and 137.
183	Complaint system: <i>Code of Ordinances</i> Chapters 5 and 68	Noise	N	Existing complaint systems are not being modified.

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
184	Transportation corridor compliance program	Trans, Noise	N	No changes are proposed.
185	Exemptions to noise limitations	Noise	N	No changes are proposed.
186	TRPA's Environmental Improvement Program (EIP)	Noise	N	No changes are proposed.
187	Personal watercraft noise controls	Wildlife, Noise	N	No changes are proposed.
NOISE - SUPPLEMENTAL				
188	Create an interagency noise enforcement MOU for the Tahoe Region.	Noise	N	An interagency noise enforcement MOU for the Tahoe Region is not being proposed as part of the TBAP amendments.
RECREATION - IN PLACE				
189	Allocation of Development: <i>Code of Ordinances</i> Chapter 50	Rec	N	See response to Compliance Measure 10.
190	Master Plan Guidelines: <i>Code of Ordinances</i> Chapter 14	Rec, Scenic	N	The TRPA, in coordination with Placer County, will continue to process Specific and Master Plan Plans pursuant to Chapter 14 of the TRPA Code of Ordinances. No changes are proposed.
191	Permissible recreation uses in the shorezone and lake zone: <i>Code of Ordinances</i> Chapter 81	WQ, Noise, Rec	N	See response to Compliance Measures 43 through 50.
192	Public Outdoor recreation facilities in sensitive lands	WQ, Rec, Scenic	N	The TBAP amendments are not altering provisions regarding public outdoor recreation in sensitive lands.
193	Hiking and riding facilities	Rec	N	The TBAP includes hiking and riding facilities reflected in the adopted Mobility 2035: Lake Tahoe Regional Transportation Plan and Lake Tahoe Region Bicycle and Pedestrian Plan. Therefore, the TBAP is expected to accelerate implementation of this compliance measure. No changes are proposed with the amendments.
194	Scenic quality of recreation facilities	Rec, Scenic	N	All proposals for new recreation facilities within the TBAP will have to meet Scenic Quality standards. No changes are proposed.

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
195	Density standards	Rec	N	The TBAP amendments will not alter existing density standards. No changes are proposed.
196	Bonus incentive program	Rec	N	The TBAP amendments will not alter existing bonus unit incentives.
197	Required Findings: <i>Code of Ordinances</i> Chapter 4	Rec	N	All applicable TRPA Code Of Ordinance findings will continue to have to be met with the future approval of projects within the TBAP. No changes are proposed.
198	Lake Tahoe Recreation Sign Guidelines	Rec, Scenic	N	The proposed amendments would update and streamline sign guidelines and make the TBAP consistent with the TRPA Code of Ordinances.
199	Annual user surveys	Rec	N	No changes to user surveys are proposed.
RECREATION - SUPPLEMENTAL				
200	Regional recreational plan	Rec	N	No changes to recreation plans are proposed.
201	Establish fair share resource capacity estimates	Rec	N	No changes to recreation capacity or economic modeling are proposed.
202	Reserve additional resource capacity	Rec	N	
203	Economic Modeling	Rec	N	
SCENIC - IN PLACE				
204	Project Review and Exempt Activities: <i>Code of Ordinances</i> Chapter 2	Scenic	N	The TBAP amendments do not alter the list of exempt activities. Nor does it affect project review requirements or review procedures.
205	Land Coverage Limitations: <i>Code of Ordinances</i> Chapter 30	WQ, Scenic	N	The TBAP incorporates the existing land coverage provisions in Chapter 30 of the TRPA Code as well as the provisions that allow for high capability lands in Town Centers and the Regional Center to be covered up to 70%. It also includes provisions to protect and restore SEZs, maximize opportunities to remove or mitigate excess land coverage, implement EIP projects (including area wide water quality and erosion control projects), and accelerate BMP implementation. No changes are proposed with the amendments.

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
206	Height Standards: <i>Code of Ordinances</i> Chapter 37	Scenic	N	The TBAP Development and Design Standards include height standards that are consistent with Chapter 37 of the TRPA Code of Ordinances, as well as take advantage of the new height provisions in the Regional Plan and Chapter 13 of the TRPA Code of Ordinances. The maximum building height is currently measured in stories, which would change to feet (e.g., 56 feet instead of four stories). An additional 5-foot height (up to 61 feet) would be allowed only for Town Center Mixed-Use projects that include all of the following: fronting Highway 28, 50 or more hotel units, deed restricted achievable housing, public art, comply with TBAP Design Standards and Guidelines, and comply with TRPA scenic threshold standards. An additional 11 ft. height (up to 72 feet building max) for Mixed Use buildings meeting criteria above only for rooftop appurtenances such as chimneys, flues, vents, antennas, mechanical conveyances, roof-top amenities, and similar appurtenances.
207	Driveway and Parking Standards: <i>Code of Ordinances</i> Chapter 34	Trans, Scenic	N	No changes to driveway or parking standards are proposed.
208	Signs: <i>Code of Ordinances</i> Chapter 38	Scenic	N	The proposed amendments would update and streamline sign guidelines and make the TBAP consistent with the TRPA Code of Ordinances.
209	Historic Resources: <i>Code of Ordinances</i> Chapter 67	Scenic	N	See response to Compliance Measures 16 and 17. The TBAP amendments would not alter provisions related to the protection of historic resources.
210	Design Standards: <i>Code of Ordinances</i> Chapter 36	Scenic	N	No changes to design standards are proposed.
211	Shorezone Tolerance Districts and Development Standards: <i>Code of Ordinances</i> Chapter 83	Scenic	N	See responses to Compliance Measures 43 through 50.
212	Development Standards Lakeward of Highwater: <i>Code of Ordinances</i> Chapter 84	WQ, Scenic	N	

Compliance Measures Affected by the South Shore Area Plan Amendment

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
213	Grading Standards: <i>Code of Ordinances</i> Chapter 33	WQ, Scenic	N	No changes to grading or vegetation protection standards are proposed.
214	Vegetation Protection During Construction: <i>Code of Ordinances</i> Chapter 33	AQ, Veg, Scenic	N	
215	Revegetation: <i>Code of Ordinances</i> Chapter 61	Scenic	N	See responses to Compliance Measures 16 and 17. The amendments would not alter revegetation requirements.
216	Design Review Guidelines	Scenic	N	No changes to the design review guidelines are proposed.
217	Scenic Quality Improvement Program(SQIP)	Scenic	N	See response to Compliance Measure 194. The TBAP amendments would not alter the SQIP.
218	Project Review Information Packet	Scenic	N	See response to Compliance Measure 194. The TBAP amendments would not alter project review requirements.
219	Scenic Quality Ratings, Features Visible from Bike Paths and Outdoor Recreation Areas Open to the General Public	Trans, Scenic	N	See response to Compliance Measure 194. The TBAP amendments would not alter the scenic quality ratings or related requirements.
220	Nevada-side Utility Line Undergrounding Program	Scenic	N	The amendments would not affect the utility undergrounding program.
SCENIC - SUPPLEMENTAL				
221	Real Time Monitoring Program	Scenic	N	No changes to the real time monitoring program are being proposed with the TBAP amendments.
222	Integrate project identified in SQIP	Scenic	N	No changes to the SQIP or SQIP implementation are proposed.

Attachment H
Table of Amendments

Table A. Amendments to Policy Document

1. Scenic Resources	Policy to support for: TRPA Scenic Evaluation to direct private reinvestment into Town Centers
2. Vegetation	Policy to support for hardening, green waste, and defensible space incentive and/or rebate programs
3. Socio Economic	Policies to support for: High-speed broadband infrastructure capacity; Childcare facilities to meet the needs of the local workforce; Mechanisms to prevent ongoing blight
4. Land Use	Policies to support for: Reservation and conversion manual for the allocation and conversion of TRPA development rights; Funding sources for infrastructure such as sidewalks, curbs, and gutters; Parking management plans; Community-wide snow storage plan
5. Mixed Use	Policy to support to encourage mixed use, and residential components in business park, and light industrial space
6. Town Centers	Policies to support for: Active ground floor uses; Mobile vendors and food trucks in Town Centers; Retention and expansion of businesses from the North Tahoe-Truckee region; Relocate industrial and public utility land uses in the Town Centers to free up Town Center sites; Parking maximums and creative parking solutions
7. Community Design	Policy to support for Local public art in North Tahoe
8. Redevelopment	Policies to support for Adaptive reuse of vacant or underutilized retail and office space; Revitalize and create new high-quality lodging; Multipurpose and flexible gathering spaces in private and public parking areas; Expedite building permit processes; New business innovation space and flexible light industrial spaces
9. Housing	Policies to support for Streamline affordable, moderate, and achievable housing; Require that 50 percent of units converted from multifamily to condominiums be deed restricted to affordable, moderate or achievable housing; Monitor and track housing data in the region; Adaptive management of the short-term rental inventory to balance housing availability (each new lodging unit = decrease in STR cap); Allow local worker overnight camping in public and private parking lots; Build local worker housing above public and private public parking lots

Table B. Amendments to Implementing Regulations

(Zoning/Development Standards)

Town Center – Land Use Regulations Changes	
1. Allow small-scale uses “by-right”	No use permit for small projects that generate low VMT (projects “screen out” from TRPA VMT threshold); would require Design Review
2. Allow Food Trucks & Mobile Vendors	No Use Permit; no Design Review; would require permits from Environmental Health & cannot be parked in roadways
3. Prohibit Real Estate & Property Management Offices	Do not allow on ground floor highway frontage
4. Allow Small Scale Hotels/Motels/TAUs	Allow with no use permit if 20 units or less; would require Design Review
5. Prohibit NEW SF units	Allow existing SF units; new SF units only allowed if part of mixed-use project or if SF are deed restricted for affordable/workforce housing
6. Prohibit ADUs	Allow existing ADUs; new ADUs not allowed on highway ground floor frontage

<p>7. Allow MF, Multi-person, Employee Housing Units</p>	<p>Allow “by-right” if 100% of units are deed restricted for affordable/workforce housing; would require Design Review</p>
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Table C. Amendments to Implementing Regulations

(Zoning/Development Standards)

Town Center – Development Standards Changes	
1. Clarified Streetscape/Roadway Requirements	Added references to County Code related to roadway standards
2. Clarified Frontage Improvements	Added language to provide consistency with County Code related to sidewalk, curb, gutter requirements
3. Shorezone Requirements	Added references to County Code “Lake Tahoe Shorezone Ordinance”
4. Building Length	Added language to provide consistency/clarity; decreased length for commercial buildings adjacent to residential zone districts
5. Building Height	Maintain allowed height of 56’; eliminated reference to number of “stories” allowed
6. Setbacks	Removed rear setbacks when adjacent to residential zones with substantial rear setbacks; addresses constraints of small town center lots

7. Ground Water/Snow Storage	Allow ground water interception for below-grade parking; require snow storage for projects
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**Table D. Amendments to Implementing Regulations
(Zoning/Development Standards)**

Other Amendments	
1. Community Service Zone Districts	<ul style="list-style-type: none"> • Allow SF, MF, multi-person, employee housing and encourage deed restricted housing • Allow mobile vending uses • Modify/modernize development standards to encourage affordable housing
2. Recreation and Tourist Zone Districts	<ul style="list-style-type: none"> • Allow employee housing within 64-Acre Tract Zone District • Allow residential uses within Granlibakken Zone District if 100% deed restricted
3. West Shore Mixed-Use Zone Districts	<ul style="list-style-type: none"> • Allow mobile vending within Tahoma, Homewood, and Sunnyside Zone Districts
4. Parking	<ul style="list-style-type: none"> • Modernize/reduce parking requirements for residential uses • Eliminate parking requirements for projects that add under 1,000 SF in town centers • Allow parking management plans for projects in town centers to provide parking flexibility if project contributes to transit and mobility and commits to participating in community-wide parking management program
5. Tiny Homes	<ul style="list-style-type: none"> • Added Movable Tiny House uses and development standards
6. Signage	<ul style="list-style-type: none"> • Removed sign requirements and refer instead to TRPA requirements

7. Various Revisions	<ul style="list-style-type: none">• Modified areas of miscellaneous cleanup, typos, etc.
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Table E. Amendments to Implementing Regulations

(Zoning/Development Standards)

Housing Related Amendments	
Allow MF, Multi-Person, Employee Housing “by-right” where currently allowed with a use permit	No use permit required if in a residential district currently designated as preferable areas for workforce housing and if 100% deed restricted; may require Design Review
Modified/Modernized Development Standards within Residential Zone Districts	<ul style="list-style-type: none"> • Matched minimum lot size to existing density maximums • Reduced minimum lot width to match existing development patterns and encourage smaller scale development • Deleted minimum lot area per dwelling unit (excessive restrictions, rely instead on setbacks and coverage) • Allow for zero-foot setbacks to accommodate duplexes • Cleanup: Matched multiple family density with existing employee housing density in Fairway Tract Northeast

Table F. Public Comment Summary

1.	Changes Triggering Supplemental Analysis	CEQA Guidelines Sections 15162-15164 (i.e., the CEQA Guidelines sections governing the need for supplemental environmental review)
2.	Setbacks	What is changing, where reduced, and why
3.	Food Trucks	Where allowed, how permitted, and why
4.	Parking	Policy related to overnight camping in parking areas and why; parking standards/requirements and why
5.	School enrollment	Historical counts for Truckee Tahoe Unified School District
6.	TRPA Environmental Review	Preparation of IEC & Findings
7.	2017 TBAP EIR/EIS Mitigation Measures	Implementation Report, how mitigation measures are implemented
8.	Lake Clarity	Amendment package objective and Addendum findings
9.	Carrying Capacity	TBAP buildout, density, TRPA growth control limits
10.	Cumulative	Errata to CEQA Addendum – analysis & findings
11.	CEQA Piecemealing	TBAP amendments & independent utility
12.	Wildfire Risk	Attorney General guidance
13.	Traffic and VMT	CEQA analysis & findings

Attachment K
TBAP Implementation Report

ATTACHMENT K

2023 PLACER COUNTY AREA PLAN IMPLEMENTATION REPORT:

Efforts to implement the Tahoe Regional Planning Agency Regional Plan, the Placer County Tahoe Basin Area Plan, and to achieve Tahoe regional goals

Purpose

This report is intended to summarize achievements made in implementing the Tahoe Regional Planning Agency Regional Plan (TRPA) and Tahoe Basin Area Plan (TBAP), and in meeting Tahoe regional goals. Specifically, the report outlines the County's implementation efforts related to transportation and mobility, housing, Total Daily Maximum Load (TMDL), and the TBAP goals and policies, implementation plan, and mitigation measures identified in the TBAP environmental impact report.

Transportation and Mobility

Vehicle traffic has been one of the most impactful tourism effects experienced by visitors and residents in the Lake Tahoe region for decades. The County utilizes the Tahoe Basin Regional Transportation Plan, Placer County Resort Triangle Transportation Plan, North Lake Tahoe Tourism Master Plan, North Lake Tahoe Transportation Demand Management Plan and the Transient Occupancy Tax (TOT) Investments Policy as a guideline for planning and funding a variety of transportation, mobility, and recreational amenities that serve visitors and the local community. In addition, Placer has supported the formation of a Tourism Business Improvement District (TBID) which facilitates additional investments to transportation based on County and community priorities. Placer County continues to address transportation impacts on multiple fronts, addressing both day and overnight visitors, as well as community transportation and mobility needs. The County focuses on transportation and mobility inside and outside of the basin, particularly the connections in eastern Placer that span from Tahoe City and Kings Beach to ski resorts and areas outside the County including the Town of Truckee, recognizing that tourism and transportation impacts are regional and not just local. To minimize impacts from congestion, at least in part caused by visitors, the County dedicates significant TOT revenue and staff resources towards these efforts.

- **Class 1 Trails-** (FY 21-22, \$2.58 million and FY22-23 funding will go to the Board of Supervisors in Jan. 2023) Funding continues to be dedicated to trail planning and construction. For FY 22-23, \$3.9 million was dedicated to trail planning and construction throughout eastern Placer County, most of which was dedicated to the "Resort Triangle Trail" which will ultimately connect Tahoe City, Kings Beach, and Truckee on a class 1 paved trail.
- **Winter Trail Operations-** (\$97,000 in FY 21-22 and budgeted \$100,000 in FY 22-23)- This funds clearing snow from paved trails in the region which allows for recreation as well as multi-modal transportation options in the winter.

- **Park and Ride Service**-(\$63,000 spent in FY21-22 and \$122,000 budgeted for FY22-23. This funds winter service to ski resorts as well as summer service at peak times. Program goals include reducing traffic congestion by concentrating person trips to a higher occupancy option which results in a reduction in vehicle miles traveled or “VMT” by encouraging use of public transit and improving the overall visitor experience to the region.
- **Micro transit Service**-(\$1.9 million in TOT spent in FY21-22 and \$2.5 million budgeted for the service in FY22-23) – On-demand shuttle service for Kings Beach, Tahoe Vista, Dollar Hill, Tahoe City and the West Shore to town-centers has been implemented. There is additional weekend service in the peak seasons between Olympic Valley and Tahoe City and from Northstar to Kings Beach. Program goals included linkages of local trips to regional services such as Tahoe Truckee Area Regional Transit (TART) and removal of barriers to the regional transit usage. This service has proven to be utilized by visitors and locals in lieu of personal vehicle trips. With shared rides, the services achieve a higher vehicle occupancy per trip and eliminate the need for individual parking in key economic areas.
- **Pedestrian Safety and Town Center Traffic Flow**– (\$140,000 for crossing guards in FY21-22 and \$250,000 budgeted for traffic mitigation and pedestrian safety in FY22-23)- Pedestrian crossing guards are placed at heavily trafficked crossing in Kings Beach and Tahoe City. The goals of this program include pedestrian safety and reduction in traffic congestion. Additional funding can be utilized for other traffic mitigation programs and signage.

In addition to the transportation initiative mentioned above, Placer County is committed to achieving a highly functional regional transit system, the Tahoe Truckee Area Regional Transit (TART), implemented for almost two decades. The Board of Supervisors adopted the TART Systems Plan, recently updated in 2016 as a guiding document to achieve regional transit services goals. The Department of Public Works is currently working on an update of the TART Systems Plan to incorporate changes in recent years, including micro transit.

Highlights of the operations include:

- \$12 Million Annual Operating Budget
- 14 Transit Buses
- 34 Employees
- 400,000+ Riders for the last Fiscal Year
- Operating Hours: 5:30 AM -12 AM Summer & Winter, 6:00 AM–10:00 PM fall and spring

TART has expanded significantly over the years. In the last five y, TART has accomplished the following:

- Initiation of SR 267 spring and fall Service
- Initiation of SR 267 year-round service to Truckee
- Expanded night service to include non-peak season service until 10:00 pm
- Initiation of winter early morning connections to Northstar

- Implementation of TART website (TahoeTruckeeTransit.com) upgrade offering interactive user experience
- Initiation of winter peak AM & PM winter 30-minute service Hwy 89 (Tahoe City – Olympic Valley)
- Initiation of winter peak AM & PM winter 30-minute service Hwy 267 (Crystal Bay – Northstar)
- Initiation of Park & Ride service in partnership with the Truckee North Tahoe Transportation Management Association (TNT-TMA); specifically State Route 89 and 267 connections from Truckee, Tahoe City Transit Center, and Tahoe Biltmore/Crystal Bay
- Partnership with Town of Truckee and Truckee Tahoe Airport District to initiate year-round night service connection to Northstar and Olympic Valley from Truckee
- “Free to the Rider” system implemented on TART

Housing and Town Center Redevelopment

One of eastern Placer’s primary challenges is how and where to house our local workforce. Much like the rest of the Tahoe Basin area, Placer County is facing increased challenges of housing affordability as well as housing availability for the workforce. Approximately 80 percent of Placer’s housing units are used as second homes or short-term rentals. The region has experienced declining availability in the existing housing supply alongside increasing housing costs due in large part to the purchase of housing for second home or short-term rental use in the Tahoe area. This affects the local workforce and results in negative impacts to the community, businesses, and tourism. Per United States Census data, the North Lake Tahoe Basin has seen a reduction of 2,000 full-time residents between 2000-2020. Many of them would like to move back to North Lake Tahoe: per the Mountain Housing Council 2021 Regional Housing Implementation Plan, 63 percent of those who work in the North Tahoe region and reside outside the region reported that they would prefer to live in the region. Nearly 48 percent of employees who work in the North Lake Tahoe region reported that it was hard to find a home with affordable rent while only 6 percent did not experience any problems finding or securing housing in 2021.

To address the lack of available and affordable housing, Placer County is working closely with the Tahoe Regional Planning Agency, the Tahoe Truckee Workforce Housing Agency, the Mountain Housing Council, and the business community to collaborate, research, and adopt innovative approaches to workforce housing.

Housing Programs:

In the past few years, the county has launched the following programs and initiatives which have proven to be successful in the region:

- **Workforce Housing Preservation - The program is to provide homebuying assistance for members of the local workforce to deed restrict existing homes for local workforce occupancy.**

The County has invested \$1,100,000 in the program since it started in 2021 and continues its effort to advance homeownership opportunities and preserve housing for the local workforce. Seven deed restrictions have been purchased under the program to date, retaining homeownership and rental opportunities exclusively for the workforce in the East County. Currently, 43 applicants have qualified for the program, and the County will continue to grow this qualified list as the program continues to be funded.

- **Lease to Locals - Funding for this program goes to incentivize homeowners to convert vacation homes to long-term rentals for members of the local workforce.**

The Lease to Locals Program pays homeowners to lease their homes to local workers and encourages long-term rentals utilizing existing housing stock. The Lease to Locals program has successfully encouraged 34 properties to house 79 people as of early Summer 2023. Property rents have averaged \$2,481 per month and provided much-needed rental opportunities for the East County workforce.

- **STR Program – This program aims to create a balance between short term rental opportunities in a diversity of lodging types to both support opportunities for residential lodging and encourage new or redeveloped lodging in town centers, and to address nuisances related to short term rental properties.**

On January 25, 2022: The Placer County Board of Supervisors introduced an ordinance to repeal and replace the existing short-term rental ordinance, Chapter 9, Article 9.42 of the Placer County Code, which expanded the eastern Placer STR program. The ordinance was adopted on February 8, 2022, and took effect on March 11, 2022. To preserve residential compatibility, the County has implemented several components to the STR program. The expanded program implemented a maximum cap on STR permits of 3,900 in order to maintain housing supply and attainable housing pricing for the workforce. The ordinance also requires a TOT certificate for all STR properties. To preserve multifamily developments for long-term rentals, the ordinance limits one STR per multifamily property. The County also initiated a Board-directed stakeholder working group to gauge the efficacy and impacts of the program. Additionally, the County has developed a code compliance team housed out of its Tahoe City office. The County sees the compliance/enforcement arm as a key component to address complaints and ultimately reduce the impacts of STRs and tourism, and views the compliance team as educators about the program and about being a good “guest” neighbor, data gatherers on what is/not working, and on-the-ground resources to identify new or adapted mitigations that should be implemented (both within the parameters of the STR ordinance and in the County initiatives as a whole).

Housing Projects:

Between now and 2040, eastern Placer County anticipates a demand for between 300 and 600 single family units and between 700 and 1,700 multifamily units¹, depending on a low growth or high growth scenario. One project the County has been working on for a few years, Dollar Creek Crossing, is currently undergoing environmental review and is expected to start the project entitlement process in the fall. The project would include up to 150 units of rental housing and for-sale housing targeted to meet regional housing needs. Additionally, the County is working with a private developer on the construction of up to 76 units of rental workforce housing on a County-owned parcel in Kings Beach. This housing project is part of a larger mixed-use redevelopment project, 39° North. The project is expected to start environmental review in the fall.

Town Center Reinvestment and Incentives for New and Renovated Lodging Amenities

No new lodging products have been constructed in the Placer County portion of the Tahoe Basin since the early 1960s. Placer County is working from several angles to spur reinvestment and promotion of mixed-use projects that include lodging in its Town Centers.

In March 2020, Placer County commissioned a study with Bay Area Economics (BAE) to determine why new and renovated lodging projects were not progressing in the North Lake Tahoe basin, and how to incentivize new or renovated lodging products. The study pointed to high costs of development, complex and prescriptive regulatory requirements, and a lack of high-quality lodging examples that would encourage new development. The BAE study determined that additional incentives were needed to help spur development consistent with community and County environmental and economic development goals and to achieve prescribed environmental standards by redeveloping the outdated built environment. Staff revised the existing North Lake Tahoe Economic Development Incentive Program to include a TOT rebate that could be utilized for newly constructed or renovated hotel/motel lodging products. The amendment to that program was adopted in 2020 and further refined in February 2021 after subsequent conversations with hotel developers in the area.

Additionally, to further the County's Town Center reinvestment goals, the County is working with a private developer on the construction of a mixed-use project, 39° North (aka Kings Beach Center), on a County-owned site in Kings Beach. The project involves a hotel component which would include up to 176 hotel keys/units, 38 townhomes, and 76 units of rental workforce housing. The project is expected to start environmental review in the fall.

Funding Tourism Mitigation

¹ Placer County Housing Strategy & Development Plan, BAE, 2018.

Placer County continues to be progressive and aggressive in identifying areas where the County can mitigate the impacts of tourism and improve the region's infrastructure, specifically with Transient Occupancy Tax (TOT) funding generated by our region's lodging and creative funding mechanisms that support these improvements and mitigation measures.

A critical step toward this funding is the newly created North Lake Tahoe Tourism Business Improvement District (NLTTBID) that was approved by our Board of Supervisors on March 9, 2021. The NLTTBID is a benefit assessment district that provides specific benefits to payors by creating a revenue stream to fund marketing, promotions, and special events; visitor services and visitor centers operations; business support and advocacy; economic development and transportation; and sustainability and mitigation of tourism impacts programs for certain North Lake Tahoe businesses. Under this program, lodging, restaurant, retail, activities and attractions are all assessed to create the revenue source. The NLTTBID is expected to generate approximately \$6 Million on an annual basis for stewardship and promotion of travel and tourism specific to North Lake Tahoe. The NLTTBID has freed up approximately \$4.1 million of County TOT funds each year that previously went towards funding North Lake Tahoe tourism and marketing promotions. Placer County has committed to use that \$4.1 million to fund housing and transportation initiatives throughout the North Lake Tahoe/East Placer region.

Additionally, Placer County continues to invest TOT dollars in transit/transportation and tourism mitigation projects. Our region continues to experience significant impacts related to trash and litter in our town centers and beaches. To mitigate this, Placer County increased the capacity of trash bins and the frequency of trash service in Kings Beach and Tahoe City through a partnership with Clean Tahoe. For example, enhanced litter and trash cleanup service was implemented the past two years, funded by TOT (\$150,000 in FY21-22 and \$150,000 in FY22-23).

Total Maximum Daily Load (TMDL)

Lake Tahoe was named an Outstanding National Resource Water (ONRW) by the Environmental Protection Agency (EPA). Since 1968, Lake Tahoe's water clarity trends have been monitored and are now demonstrating improvement from its historically declining condition. To continue this current trend, a TMDL was developed for Lake Tahoe, which recognizes the maximum load of specific pollutants that the lake can absorb while still functioning normally. The Lake Tahoe TMDL has an endpoint target of mean annual water clarity depth of 97.4 feet, which was the measured clarity during the period from 1967 to 1971. In 2011, Lahontan completed a TMDL analysis for Lake Tahoe and determined that an increased emphasis should be placed on controlling very fine sediment particles, which are less than 16 micrometers in diameter, from the urban areas surrounding Lake Tahoe. The Basin Plan Amendments (BPA) was then assumed by Lahontan, altering their existing water quality protection mandates to being aimed at controlling fine sediment in the Basin. In addition to the BPA, Lahontan adopted an updated NPDES

Permit, which requires the local jurisdictions to participate in the LCCP. The LCCP is a process to plan for, track, monitor and report on pollutants of concern.

Monitoring & Reporting Program Annual Report

A. Pollutant Load Reduction Report

On September 10, 2021, the County finalized and submitted its updated Pollutant Load Reduction Plan (PLRP) to Lahontan. Another update will be prepared and submitted by September 30, 2023. The PLRP outlines how the County intends to meet the five-year NPDES Permit requirements for reducing pollutant loading to Lake Tahoe. The NPDES Permit required the PLRP to describe the County's strategy to reduce its baseline fine sediment particle (FSP) pollutant load by 34%, baseline total nitrogen (TN) pollutant load by 19% and baseline total phosphorus (TP) pollutant load by 21% by September 30, 2026. The revised Baseline Load Report submitted to Lahontan in September shows the updated Baseline Pollutant and Allowable Loads for Placer County. Based upon the County's Baseline Pollutant Load Calculations, and the above-mentioned Permit requirements, the County is required to obtain 898 load reduction "credits" by September 30, 2026. A "credit" is defined as approximately 200 pounds of fine sediment particles less than 16 µm in diameter.

Table 1 – Baseline Pollutant Loads

Jurisdiction	Baseline FSP (# of particles)	FSP Allowable Load	Baseline TN (lbs/yr)	TN Allowable Load	Baseline TP (lbs/yr)	TP Allowable Load
Placer County	2.64X E19	1.74X E19	8860	7177	2280	1801

The County's strategy to demonstrate compliance with this requirement is to register drainage area catchments through the LCCP. This is done through modeling the catchment in the Pollutant Load Reduction Model (PLRM) Version 2.1. Once the analysis is completed in the PLRM, the results are then submitted through the Lake Tahoe INFO (LTInfo) platform for registration. Placer County has a total of 567 credits, which includes 321 credits for registered BMP catchments within Kings Beach, Lake Tahoe Park, Lake Forest Highlands, and West Sunnyside Project areas. Additionally, 246 credits have been secured for the road registration for the Dollar Point to Tahoe Vista portion of the County.

The Dollar Point to Tahoe Vista road registration was submitted for a 5-year registration in 2017. It was updated and registration resubmitted and accepted in 2022. Additionally, the road condition score included in the submitted registration was a 3.0 compared to the 3.5 which was originally registered. The change in road condition score was a result of further monitoring and to provide a factor of safety for future years while still being able to meet the credit requirement for the permit term.

Table 2 – County’s Registered Catchments

Catchment Area	Credit Potential	WY22	Registration Type	Registration Establishment Date
Kings Beach	174	174	Treatment BMP	Oct 1, 2015
Lake Tahoe Park	34	34	Treatment BMP	Oct 1, 2015
Lake Forest Highlands	30	30	Treatment BMP	Oct 1, 2015
West Sunnyside	83	83	Treatment BMP	Oct 1, 2015
Dollar Point – Tahoe Vista	283	246	Road Operations	Oct 1, 2022

The LCCP requires that the condition of all treatment BMPs be shown to meet a 2.5 or higher BMP RAM score during the spring/summer period for the Urban Implementer to declare all expected credits in a given water year. As shown in Table 2, all key, essential, and supporting BMPs in the registrations were inspected and maintained according to their respective registration memos.

Tables 3 and 4 show the 2022 BMP RAM scores for registered treatment BMPs and Road RAM scores for registered roads in the County, respectively.

Table 3 – County’s Registered Treatment BMP RAM Scores

BMP ID	BMP Type	BMP RAM	Latest Date	Score	Registered Catchment	Water Quality Importance
DSP_DB01	Dry Basin	4.3	07/12/22		King's Beach	Essential
DSP_IB01	Infiltration Basin	5.0	07/21/22		King's Beach	Supporting
DSP_IB02	Infiltration Basin	5.0	07/21/22		King's Beach	Key
KB1_DB01	Dry Basin	4.5	07/20/22		King's Beach	Supporting
KB1_DB02	Dry Basin	4.5	07/21/22		King's Beach	Supporting
KB1_DB03	Dry Basin	3.1	06/21/22		King's Beach	Supporting
KB1_DB05	Dry Basin	4.7	07/07/22		King's Beach	Essential
KB3_CF01	Cartridge Filter	5.0	09/26/22		King's Beach	Essential
KB3_CF02	Cartridge Filter	5.0	09/26/22		King's Beach	Essential
KB3_WB02	Wet Basin	3.5	07/20/22		King's Beach	Essential

KB3_WB01	Wet Basin	4.6	07/20/22	King's Beach	Supporting
KBCC_DB01	Dry Basin	4.8	07/14/22	King's Beach	Key
KBCC_WB01	Wet Basin	2.7	07/14/22	King's Beach	Supporting
UCT_DB01	Dry Basin	3.2	06/16/22	King's Beach	Supporting
UCT_IB01	Infiltration Basin	5.0	07/21/22	King's Beach	Supporting
LF2_DB01	Dry Basin	3.1	06/22/22	Lake Forest Highlands	Essential
LTP_DB01	Dry Basin	3.2	06/07/22	Lake Tahoe Park	Essential
WS1_DB01	Dry Basin	3.2	06/01/22	West Sunnyside	Essential

Table 4 – County’s Registered Road RAM Scores

Road Class	Expected Condition Score	Average of all Observed Scores	Season	Number of Assessments Required	Number of Assessments Conducted	Achieving Expected Conditions
Placer Roads	3.0	3.6	WY2022	80	84	Yes
	3.0	3.9	Fall/Winter	20	21	
	3.0	3.8	Fall/Winter	20	21	
	3.0	3.4	Fall/Winter	20	21	
	3.0	3.3	Summer	20	21	

As an active partner in the Tahoe TMDL, County staff continues to participate in the LCCP and the associated Tools Improvement Project. The current PLRM 2.1 version was used to register the Kings Beach, Lake Tahoe Park, Lake Forest Highlands, and West Sunnyside treatment BMP registrations and the Dollar Point to Tahoe Vista road registration.

The County also plans to implement the TMDL tools as designed for road maintenance monitoring and will continue to play a critical role in understanding and quantifying the benefits from these winter maintenance practices. With collaboration and assistance with partner agencies such as Caltrans and El Dorado County, the County continues to review TMDL strategies that both make sense and are cost effective.

Tahoe Basin Area Plan Implementation

As outlined in this report, there have been many achievements in implementing the Tahoe Basin Area Plan’s policies related to transportation, mobility, housing, and TMDL efforts that are currently underway.

As such, a Local Government Coordination Report (Report) was developed by TRPA staff to inform the TRPA Governing Board on progress being made toward the development, adoption, and implementation of the TBAP and associated permit delegation Memoranda of Understanding (MOU). Specifically, the Report was prepared, pursuant to TRPA Code, Section 13.8: *Monitoring, Certification, and Enforcement of Area Plans*, to provide the Governing Board a recommendation to either certify, certify with conditions or revoke all or part of the a permit delegation MOU based on audit results. Based on those results the TBAP was recertified by the TRPA Governing Board in December of 2022.

The recertification was determined based on the following. TRPA as a regional agency guides and oversees the implementation of its adopted Regional Plan, Local jurisdiction through adopted Area Plans play a key role in meeting local community needs while accomplishing the broader goals for the Tahoe Region. The Regional Plan specifies TRPA will periodically review the implementation of adopted Area Plans and associated permit delegation MOUs for continuing conformation with the Regional Plan. As such, and as outlined in the Report, during 2021, 233 project applications were submitted to TRPA and 148 project applications were submitted to Placer County within the Placer County Tahoe Basin Area Plan. During the review of the project issued by Placer County on behalf of TRPA, TRPA found that the audit of those projects were in compliance with the MOU, and determined that the pursuant to TRPA Code, Section 13.8.4: *Effect of Annual Review; Annual Report*, that the Governing Board recertify Placer County's MOU.

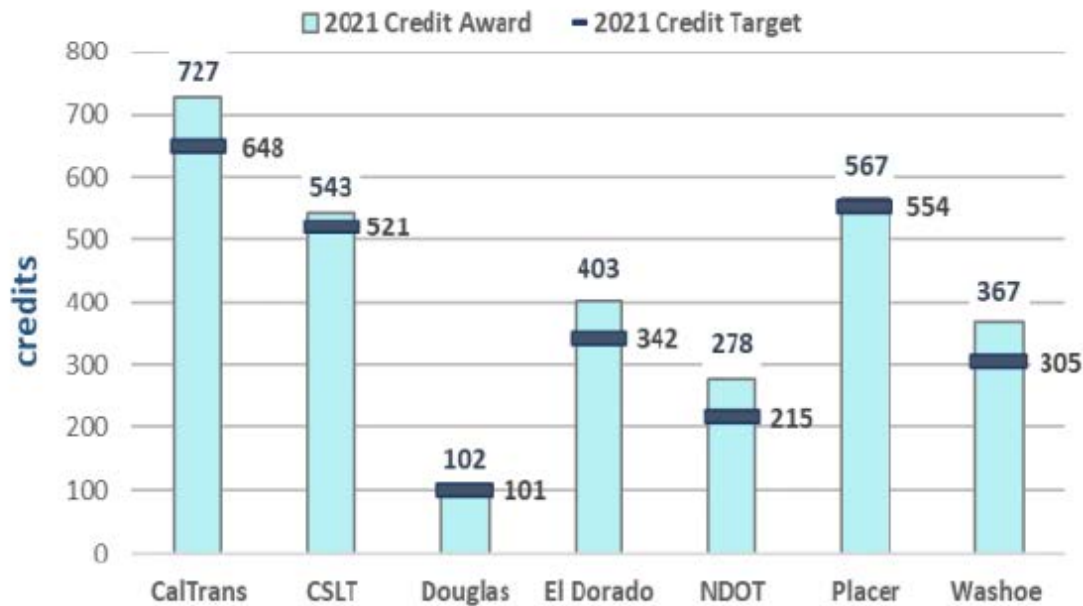
In addition to the 148 project applications submitted to Placer County, the Report highlighted the following Area Plan projects:

- The Tahoe City Lodge Project, a redevelopment project in Tahoe City, has been approved and the original building demolished in 2021. The applicant delayed construction in 2021/2022 due to material and labor costs. An extension of time for the project was approved in October 2022. In July of 2023, construction has commenced with the installation of foundations, vesting the permit.
- 39 North (formerly the Kings Beach Center Project), proposes the redevelopment of two non-contiguous project sites in Kings Beach, totaling 5.15 acres. The proposed project includes a 153 key hotel, 36 market-rate townhomes, 10,500 square feet of retail and restaurant space and a 74-unit deed restricted achievable multi-family development. The project description is being refined in anticipation of a Notice of Preparation and scoping for a joint EIR/EIS in 2023.
- The Boatworks Redevelopment project is a joint EIR/EIS mixed-use project in Tahoe City. The project proposal includes 80 to 85 hotel units, 31 residential condominiums, conference facilities, full-service spa, swimming pool/hot tubs, fitness center, food and beverage outlets and retail space. The project description is being refined in antiicipation of a Notice of Preparation and scoping in 2023.
- Planning for the proposed Dollar Creek Crossing Affordable Housing Project, a multi-family affordable housing project, is underway with an application submittal anticipated in winter 2023.

- Lake View Development is a mid-size mixed use project including 10 market rate multi-family units, 10 tourist accommodation units and 1,455 square feet of professional office in Kings Beach. The project is undergoing a joint review with Placer County and TRPA.
- Tahoe Basin Area Plan Updates to accelerate the production and supply of affordable-achievable housing in the North Tahoe-Placer area were adopted in February 2021.
- Current Tahoe Basin Area Plan updates are under review with the intent of providing more development incentives and flexibility to encourage economic redevelopment and housing in the North Tahoe-Placer area.
- Several Placer County Department of Public Works projects that support Area Plan implementation were either started or completed in 2020/2021, including:
 - SR 28/Hwy 267 Roundabout project/Griff creek watershed restoration (in design)
 - SR 89 / Fanny Bridge Revitalization (second phase with roundabout at the “wye”, Fanny bridge replacement and complete streets improvements) (ready for construction)
 - TART Connect Micor-shuttle service pilot program was successful and extended for another year.
 - Free TRAT services pilot program was successful and extended for another year.
 - Resort Triangle Transportation adopted by Board of Supervisors as an ordinance to expand parking waiver and exemption opportunities with project contribution to transit, shared parking, etc.. Implementation of Adaptive Corridor Management and Parking Management continues.
 - Dollar Creek Shared Use Trail (completed)
 - North Tahoe Bike Trail segments 1 and 3 (in design)
 - West Shore Pedestrian Improvements (completed)
 - Lakeside Trail – Commons Beach to Fanny Bridge (in design)
 - Kings Beach Water Quality Project – Secline Beach Project (in construction)

With regards to TMDL Load Reduction and Four-year Recertification, the Lake Tahoe TMDL Program 2022 Performance Report summarized TMDL Program accomplishments through 2021 and found that all local jurisdictions were meeting or exceeding the credit targets for 2021 further supporting the TRPA’s Governing Boards action to recertify the TBAP. This recertification was based on the Lake Tahoe TMDL Program that is administered by the California Lahontan Regional Water Quality Control Board (Water Board) and Nevada Division of Environmental Protection (NDEP), together with Total Maximum Daily Load (TMDL) Management Agencies. The program is a long term process that guides efforts to restore Lake Tahoe’s clarity to depths of nearly 100 feet. To meet this goal, the program aims to reduce fine sediment particles by 65 percent; total nitrogen loads by 10 percent; and total phosphorous loads by 35 percent. To ensure Area Plans are in conformance with the Lake Tahoe TMDL, TRPA Code, Section 13.8.5: *Four-Year Recertification*, requires TRPA use catchment data and all reports to inform the four-year Area Plan recertification. Specifically, Placer County exceeded the 2021 Credit Target of 554 by 13 credits, with a credit award of 567.

2021 CREDIT TARGETS AND AWARDS



Source: Lake Tahoe TMDL Program 2022 Performance Report

The Report also addressed Housing, and acknowledged that in 2020, TRPA formed the Tahoe Living: Housing and Community Revitalization Working Group. This committee, made up of members from local agencies and organizations, housing developers and community members, has and continues to develop policy recommendations to address critical housing issues and further the availability of affordable, moderate-income, and local achievable workforce housing.

Policy Document - Implementation Plan

In compliance with the TBAP goals and policies, several agencies have accomplished substantial progress or completion of the projects shown in the table below. The table reflects a status update on agencies' projects that are included in the TBAP Implementation Plan. (Updated as of 9/7/23).

Based on responses from lead or coordinating agencies, the following status updates were provided. Projects not shown in the table are pending a status update from the lead agency.,

Project status based on responses from agencies:

Completed: 21

In progress: 11

Not started: 9
Abandoned: 2

Completed Projects

Conservation Projects – Water Quality, Soil Conservation and Stream Environment Zones		
Project Name	Project Description	Lead Agency
West Sunnyside Water Quality Improvement Project, Phase I & II	The West Sunnyside area includes steep hillside terrain and a lack of improved drainage conveyance facilities. The project has re-evaluated and investigated effective ways to maximize source control, decrease potential for erosive surface flows, and infiltrate/treat stormwater runoff. The project includes rock-lined channels, piped drainage systems, asphalt dike, concrete curb and gutter, and vegetation. Drainage treatment facilities include sediment traps and detention basins. Phase 1 of the West Sunnyside project includes a large treatment basin for detaining storm water from the Talmont Subdivision. The second phase will include source control effort directly in the Talmont Subdivision to reduce erosion and storm water volume. Construction for Phase 1 is complete and Phase 2 is scheduled to be constructed in 2015 pending available funding.	Placer County
Griff Creek Watershed Water Quality Project	Due to development in the urbanized area of Kings Beach, the once braided stream channel system with natural flood control zones has been forced into a single channel that has resulted in significant bank erosion and incised channels. In addition, the watershed currently has no urban water treatment facilities and the untreated urban runoff is contributing to nutrient sediment and deposition into the creek's outlet, Lake Tahoe.	Placer County
Homewood Erosion Control Project	This project involves treatment of stormwater and slope stabilization through revegetation, rock slope protection, retaining walls, curb and gutter, and sediment basins. Catchment and treatment of sediment is needed. The project began in 2006 with an expected completion date of 2017. The project is located at San Souci Terrace and Sacramento Avenue between Fawn Street and Tahoe Ski Bowl.	Placer County
Soil Erosion Control Planning-Water Fund	This project is funded by a grant from the CTC. The original project was for erosion control measures at the North Tahoe Regional Park. Due to certain aspects of the original scope, the project was changed to identifying high priority areas needing erosion control measures. Three areas were identified: Camelian Woods Tanks Road, Kingswood West Tank Site, and the Dollar Cove area there the District's Dollar Main sewer lift station is located.	NTPUD
Conservation Projects - Scenic Routes		
Wayfinding Sign Program	Implement the Placer County Wayfinding Signage Plan to improve the visitor experience and reduce auto trips.	Placer County
Conservation Projects – Vegetation and Wildfire Hazards		
North Tahoe Public Utility District Hazardous Fuels Treatment at North Tahoe Regional Park	The NTPUD has developed a forest management plan and implements and carries out fuel reduction on forested areas on District-owned properties.	NTPUD
Transportation Projects		
Dollar Creek Shared Use Trail	This project will result in the construction of a paved 10-foot wide and 2.2 mile long shared-use trail through the Dollar and Firestone properties extending the existing TCPUD multi-use trail (that currently terminates near the intersection of Dollar Drive and SR 28) north to the end of Fulton Crescent Drive. This project is the southern segment of an approximately 8-mile long North Tahoe Bike Trail corridor identified by TRPA to link Tahoe City to Kings Beach. Other connections off of this facility have also been proposed to extend northward to Northstar and Truckee.	Placer County
Homewood Bike Trail Project	TCPUD has proposed improvements for the construction of 4,175 linear feet of Class I trail along the west side of SR 89 from Fawn Street to Cherry Street, with a short 885 linear-foot Class 3 connection between Silver Street and Trout Street along Sans Souci Terrace. The Class I bike trail will be a paved eight-foot wide path with two-foot compacted shoulders. This section requires a new bike and pedestrian bridge over Madden Creek and includes a portion of trail along the frontage of the Homewood Mountain Resort parking lot. The Class III connection along Sans Souci Terrace is a shared motor vehicle/bicycle route that will be indicated with a bike route sign. TCPUD is also leading the effort to fill the "Homewood Hole," a 0.9-mile gap in the west shore between Cherry Street and Fawn Street. Portions directly adjacent to the state highway are planned for construction as part of the Lakeside erosion project, while another portion is planned for construction as part of development of the Homewood Master Resort.	TCPUD

Kings Beach Commercial Core Improvement Project	In addition to the SR 28 improvements noted above, the Kings Beach Commercial Core Improvement Project will result in the construction of sidewalks along SR 28 between SR 267 and Beaver Street, as well as along portions of Brook Avenue, Steelhead Avenue, Minnow Avenue, Fox Street, Coon Street, Deer Street, Secline Street, and Chipmunk Street.	Placer County
Recreation Projects (Also See Trail Projects in the Transportation Section)		
Tahoe Vista Recreation Area (TVRA) Phase 2	The North Tahoe Public Utility District acquired a 3.6 acre parcel with financial assistance from the California Tahoe Conservancy for completion of Phase 2 of the project. Phase 2 will include the addition of parking (24 vehicle with trailer pull-through spaces and 41 vehicle spaces, 65 total), bicycle trails, a bus pullout and transportation shelter, infrastructure for future 2,200 square foot concession space and restrooms, and landscaping. TVRA cannot be fully utilized by the limited parking that was permitted and constructed on the lakeside of the project. The project was approved with the understanding that project support parking would be built on the westerly side of National Avenue to serve the parking needs of the boat launch facility.	NTPUD
Public Service and Facilities Projects		
Zone I Water Storage Tank Project	This is a project in Kings Beach to install a new 1.3 million gallon water tank in Zone I to help meet storage deficiency in Zone 1, and install a booster pump station to boost potable water from Zone I to the Zone 2 water tank.	NTPUD
Carnelian & Dollar Sewer Pump Station Design - Phase I	This project is for a rehabilitation design of the Carnelian and Dollar Main Sewer Pump Stations. Due to the direct relationship between the two stations, they need to be designed together, though construction will be done separately.	NTPUD
Brockway ECP Sewer/Water Improvements	Relocations of some utilities is required due to the improvements proposed as part of the Brockway Erosion Control Project. Additionally, replacement of some District facilities due to their age and close proximity to the proposed improvements is also necessary.	NTPUD
Base Facilities Site Design	This project is necessary to replace outdated buildings and involves the design of an office building to house District operations, recreation, engineering, and administrative staff.	NTPUD
Dollar Pump Station Rehabilitation	This project involves the replacement of an intertie valve between the Dollar Main and Dollar Addition wet wells, demolition of HVAC appurtenances, installation of VFD, demolition of Q-cells and appurtenances, removal and replacement of the #3 pump discharge valve, installation of pressure transducers, grouting floor voids, stabilizing the retaining wall, and SCADA integration.	NTPUD
Kings Beach Watershed Improvement	This project involves the replacement of water and sewer mains as part of the Kings Beach Commercial Core Improvements and Watershed Improvement Projects.	NTPUD
New Kings Beach Water Storage - Zone 1	This project will increase storage in the system, and increase system redundancy and operating efficiencies. It involves installing a new 1.3 million gallon water tank in Zone 1 to help meet storage deficiency in Zone 1, and install a booster pump station to boost potable water from the Zone 1 to the Zone 2 water tank.	NTPUD
Rim Drive Emergency Water Main Replacement Project	This project will complete the emergency water main replacement project that was done in 2011 by replacing the lower portion of Rim Drive. On-going replacement of water mains increases system reliability and reduces leakage.	NTPUD
Dolly Varden Water Main Replacement Project	This project will allow the District to abandon the mid-block water main between Cutthroat and Dolly Varden, and involves the replacement of water mains in Dolly Varden Avenue from Chipmunk to SR 267. The ongoing replacement of water mains increases system reliability and reduces leakage.	NTPUD
Carnelian to Watson Creek Water Main Replacement	This area has deficient water pressure to support current needs and fire suppression. The project involves the replacement of approximately 2,400 linear feet of undersized water mains and the installation of fire hydrants along the south side of SR 28 from Carnelian Bay to Watson Creek.	NTPUD
Tahoe Vista Recreation Area Phase 2	This is the second phase of Tahoe Vista Recreation Area Improvements. The project involves design and construction for the north-side parking area.	NTPUD

In Progress Projects

Conservation Projects – Water Quality, Soil Conservation and Stream Environment Zones		
Project Name	Project Description	Lead Agency
Pollution Control Management Measures	<p>New High Efficiency Street Sweepers (5.77%)</p> <p>Additional projects and measures will be identified in future Pollutant Load Reduction</p>	Placer County

	Plans based on TMDL science and methodology. Details for each TMDL Project are described below. (Something seems to be missing here, there is nothing described below).	
Kings Beach Water Quality and SEZ Improvement Project	The Kings Beach Residential area includes a highly urbanized area with a lack of adequate drainage conveyance and stormwater treatment facilities. This project proposes to improve the quality of stormwater discharging into Lake Tahoe from the Kings Beach community by stabilizing exposed soils with vegetation and/or mulch; improving the existing drainage system with new curbs, gutters, earthen berms and underground pipes; and treating runoff with a variety of methods including fill removal, sediment traps and vaults, swales, infiltration and/or detention basins, and media filters.	Placer County
Tahoe Vista-Tamarack Erosion Control Project	This project involves water quality improvements and treatment of public right-of-way runoff. The project began in 2013 and expected completion is 2016.	Placer County
Tahoe City PUD Access Road BMP and Paving	Many TCPUD water supply and sewage transport facilities are accessed by dirt and gravel access roads. These roads are not surfaced and have no storm water treatment or BMPs. In addition, snow must be removed from these roads in winter. The project proposes to pave these access roads and install BMPs for the roadways.	TCPUD
Tahoe City PUD BMP Retrofits for District-Owned Facilities	The purpose of this program is to retrofit and update existing District-owned facilities through the installation of BMPs for the protection and/or restoration of water quality and attainment of minimum discharge standards. BMP implementation on district owned properties include: paving legally established roads, driveways, and parking areas; installation of drainage conveyances; treatment of surface runoff from land covered; vegetate denuded areas; restriction of vehicular access; and improved delineation of dedicated walkways or circulation paths within district-owned parks.	TCPUD
Transportation Projects		

<p>SR 89 / Fanny Bridge Community Revitalization Project</p>	<p>This project is a roadway modification and community revitalization plan, approved in May 2015 and developed by the Tahoe Transportation District (TTD) and Placer County for the Fanny Bridge area in Tahoe City. It addresses existing traffic congestion and poor bicycle/pedestrian conditions with a new State highway alignment and bridge over the Truckee River to the south of the existing Fanny Bridge, along with significant pedestrian and bicycle improvements. Construction is scheduled to begin in 2016.</p> <p>The project was approved with the Alternative 1, Option 2 design. New roundabouts are planned at the Tahoe City wye and at both ends of the new roadway segment. Bike Lane and sidewalk connections will be completed between the east and wye roundabout, the west and wye roundabout and the east end of the project area on Highway 28. Multi-use trail improvements will connect the east and west roundabouts and pass under the new bridge on both sides of the Truckee River.</p> <p>It is the joint desire of TRPA, The Tahoe Metropolitan Planning Organization, Tahoe Transportation District (TTD) and Placer County to revitalize the Fanny Bridge and Tahoe City River District Special Planning Area into a pedestrian and bicycle friendly zone. After completion of construction of the SR 89 / Fanny Bridge Community Revitalization Project, the County shall consider special outdoor events and roadway closures of the old SR 89 / Fanny Bridge area thru temporary outdoor event permits, special event encroachment permits, and selected closures determined by Placer County. Potential impacts to local businesses and traffic impacts associated with special events shall be considered and accommodated where feasible on a case by case basis.</p> <p>In order to monitor activity in the SR 89 / Fanny Bridge area, volume count stations will be installed with the SR 89/Fanny Bridge Community Revitalization Project. The County will make collected data from count stations available to local jurisdictional partners upon request. Initial peak and non-peak hour volume data will be obtained after completion of the SR 89 / Fanny Bridge Revitalization Project to establish a volume and mode baseline. Additional monitoring of bicycle and pedestrian activity, sales tax receipts, and other data will be coordinated with TRPA and TTD. Future volume monitoring will be performed consistent with the County roadway monitoring practices and the</p>	<p>TTD</p>
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	Region's Lake Tahoe Bicycle and Pedestrian Monitoring Protocol.	
<i>Tahoe City Mobility Plan</i>	The Tahoe City Mobility Plan is intended to further design for future connectivity and advance solutions for community cohesion in downtown Tahoe City. The Plan addresses pedestrian and bicycle corridor gaps in Tahoe City, including the "missing link" in the shared use path between Commons Beach and the wye. The Plan also provides complete street strategies to improve parking and circulation along SR 28 near Grove Street, and to establish a vibrant pedestrian-oriented downtown with safe crossings along SR 28 to Lake Tahoe, Commons Beach and the Truckee River.	Placer County
<i>Regional Transit Improvements</i>	Placer County is engaged with local stakeholders in developing the North Tahoe Resort Triangle Transit Vision. The Vision Plan would increase transit service by 70% for Placer County's Tahoe Area Regional Transit service by adding over 18,000 vehicle revenue hours of transit service.	TART
<i>Bus Stop Improvements: West Slope and Tahoe</i>	This project involves the addition or retrofit of public bus shelters for Placer County Transit (West Slope) and Tahoe Area Regional Transit (TART). This project represents an ongoing effort to replace or add shelters to enhance transit ridership throughout the County.	TART
<i>The North Tahoe Bike Trail</i>	This project is a northern extension of the Dollar Creek Shared Use Trail and will result in the completion of the eight-mile long multi-purpose	Placer County

	trail corridor identified by TRPA to link Tahoe City to Kings Beach.	
Public Service and Facilities Projects		
Satellite Station Bypass & Valve Replacements - Phase I	This project is the result of field work and condition assessments of all the satellite pump stations. It involves the installation of several check valves and gate valves at all satellite stations and install bypass valve galleries at high-flow satellite stations.	NTPUD

Not Started Projects

Conservation Projects – Water Quality, Soil Conservation and Stream Environment Zones		
Project Name	Project Description	Lead Agency
Tahoe City Golf Course Restoration	Wetland restoration on portions of the Tahoe City Golf Course is being evaluated and planned. Projects could be completed by public agencies and/or in partnership with Town Center redevelopment projects.	Placer County
Flick Point Erosion Control Project II	This project began in 2014 and involves water quality improvements and treatment of public right-of-way runoff.	Placer County
North Tahoe Public Utility District Erosion Control Projects	This is a combination of a variety of small erosion control projects: one at the District's Dollar Hill D-6 sewer pump station/water lake intake which is on the shore of Lake Tahoe; another at the Dollar Hill D-4 sewer pump station with a road that runs right to Lake Tahoe; and erosion control on the access roads for the two water tanks in Carnelian Bay, Kingswood West Water Tank Access Road. These projects began in 2011.	NTPUD
Tahoe City Snow Disposal Area Siting	The purpose of this project is to evaluate snow removal and disposal for the community, including community planning for snow management, disposal site selection, disposal site characteristics, and disposal site preparation in order to minimize the potential for negative environmental effects.	TCPUD
Transportation Projects		
Lake Forest Bike Trail Improvement	TCPUD is working to construct two short Class I trails in the Lake Forest area connecting the North Shore Trail with Skylandia Park.	TCPUD
National Avenue Bike Path	The National Avenue Bike Path will ultimately consist of a Class I facility along National Avenue from SR 89 to Donner Road. An initial segment	NTPUD

	adjacent to the Tahoe Vista Recreational Area parking area was constructed in 2012.	
Chipmunk to Secline Bike Path	A shared use path is planned along the south (Lake) side of SR 28 between Chipmunk Street and Secline Street, connecting bike lanes on the discontinuous segments of Brockway Vista Road with a separated facility through the State Beach area.	Placer County
Recreation Projects (Also See Trail Projects in the Transportation Section)		
Lake Forest Beach Public Access Improvements	This project began in 2011 and involves the extension of water lines to provide for water service, fire protection, and permanent restrooms at Lake Forest Beach.	TCPUD
Skylandia Park Public Access Improvements	This project involves the reconstruction of water lines to provide for fire protection and the construction of a picnic pavilion with ADA access.	TCPUD

Abandoned Projects

Conservation Projects – Water Quality, Soil Conservation and Stream Environment Zones		
Project Name	Project Description	Lead Agency
Recreation Projects (Also See Trail Projects in the Transportation Section)		
64 Acres Recreational Access Improvements	This project includes construction of permanent restroom facilities, construction of additional public parking, and installation of barriers to protect vegetation and reduce compaction of natural areas.	TCPUD
Public Service and Facilities Projects		
CIP Sewer Projects Slurry Seal	Slurry seal of pavement to be done one year after CIP project completion as required by Placer County and Caltrans Encroachment Permits. This project fulfills requirements of Placer County and Caltrans linear projects.	NTPUD

Tahoe Basin Area Plan EIR/EIS & Mitigation

The Tahoe Basin Area Plan EIR/EIS is a programmatic environmental document that provides a regional scale analysis resulting in a framework for mitigation measures associated with future land use implementation. Subsequent private and public projects associated with both land development and infrastructure will be required to perform site-specific environmental review documents as they move through the planning, review, and decision-making process. Since certification of the EIR/EIS in 2017, staff have applied the TBAP EIR/EIS mitigation measures to land development/redevelopment projects that have been approved. However, while there are a number of projects that have been under review since 2017, there are only a limited number of small-scale projects that have been approved since 2017.

Attachment M
Response to Comments

This document provides responses to comments raised during the October 16, 2023 Board meeting on the Tahoe Basin Area Plan (TBAP) amendments. The responses are categorized by topic areas for ease of reference.

The common remark from many commenters is that the TBAP amendments would increase density and therefore impact traffic congestion, wildfire evacuation, and lake clarity, among other things. However, the changes that are being proposed with the TBAP amendments do not add uses and do not increase density. Instead, what are being proposed are minor changes to the Area Plan that have been brought forward to encourage new workforce housing and to facilitate and encourage small-scale lodging and mixed-use development to fill vacant store fronts. These changes are intended to encourage lodging in Town Centers that could, in turn, reduce the number of STRs in neighborhoods. Also, with the redevelopment of derelict or vacant properties, County-required Low Impact Development projects would actually improve lake water quality. Additionally, the Placer County Sheriff's Office provided clarity on handling of wildfire evacuation responses, which assists in showing that these amendments do not negatively impact evacuation impacts. Responses on specific areas are explained further below.

COMMENTS ABOUT CEQA / ENVIRONMENTAL CONCERNS

1. TRPA Environmental Review, IEC and Findings

TRPA requires an Initial Environmental Checklist (IEC) that complies with federal environmental regulations. This was prepared for the TBAP addendum and errata and TRPA staff are currently reviewing it. The IEC is not required for Placer County Board of Supervisors approval, but will be available for public review with other meeting materials for the TRPA Advisory Planning Commission on December 13, 2023.

2. Implementation of Mitigation Measures

The Tahoe Basin Area Plan Environmental Impact Report (EIR/S) requires projects to implement and complete mitigation measures related to topics including but not limited to transportation, mobility, housing, and total maximum daily load/lake clarity. Limited projects have come forward since adoption of the TBAP in 2017; therefore, there haven't been as many opportunities for mitigation measure implementation as anticipated. To date, 21 implementation projects have been completed, 11 are in progress, nine haven't started, and two have been abandoned. Nonetheless, the current status of implementation of the mitigation measures are described in Attachment K to the staff report.

3. Changed Circumstances / New Information

Commenters expressed concern that circumstances have changed since the 2017 TBAP Environmental Impact Report / Environmental Impact Statement (EIR/S) which would require a subsequent EIR instead of the Addendum to the EIR (Staff Report, Attachment D) prepared for the project. CEQA Guidelines sections 15162 through 15164 provide the framework for when supplemental environmental review is needed after an environmental impact report is certified by

a public agency. Section 15162 states clearly that “no subsequent EIR shall be prepared ... unless the lead agency determines, on the basis of substantial evidence in light of the whole record” that one of three triggers have occurred (changed project, changed circumstances or new information of substantial importance). All three triggers have an underlying requirement that changes must be substantial or major to be considered for supplemental review. In addition, changes by themselves, do not result in a subsequent EIR unless those changes result in new significant environmental effects or substantial increases in already-significant environmental effects.

Changed Project

CEQA Guidelines section 15162(a)(1) states that a project change occurs when “substantial changes are proposed in the project which will require major revisions of the previous EIR” Considering subsequent review in the context of a changed project, the question is whether the proposed project modification would be expected to have a more severe or more significant impact than previously analyzed. The supplemental review is specifically looking at the increment of impact resulting from the amendments themselves, not the impact from the Area Plan as a whole, because the Area Plan’s impact was already analyzed in the 2017 TBAP EIR/S.

Changed Circumstances

CEQA Guidelines section 15162(a)(2) states that changed circumstances occur when “substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR....” In the case of changed circumstances, it is critical that any changed circumstances must create new or more severe significant impacts than those considered in the original CEQA document. In addition, the phrase “significant effect on the environment” in sections 15162 through 15164 is specifically defined in a manner that does not include the environment’s effect on the project. (*California Building Industry Assn. v. Bay Area Air Quality Management Dist.* (2015) 62 Cal.4th 369, 377–378 [“ ... it is the project’s impact on the environment—and not the environment’s impact on the project—that compels an evaluation of how future residents or users could be affected by exacerbated conditions.”].) As a result, local agencies are not asked to analyze the impact of existing environmental conditions on a project’s future users or residents, nor are they asked to analyze future unidentified environmental impacts on the project.

New Information

CEQA Guidelines section 15162(a)(3) states that new information is “information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete” When the Guidelines refer to new information, they specifically refer to new factual information, not regulatory changes or agency guidance. (*Save Lafayette v. City of Lafayette* (2022) 85 Cal.App.5th 842, 856 [“Courts analyzing whether new information necessitates an SEIR look to the physical characteristics of a site and the actual environmental effects of a project, not to mere regulatory changes”].) The key consideration is also whether the new information was not known, and could not have been known at the time of the prior EIR (here the 2017 TBAP EIR/S). Information that was known at any level, or could have been known at the time of the certification of the original EIR does not trigger the need for a Subsequent EIR.

Analysis

With the CEQA analysis the County has determined that none of the conditions for subsequent review under the CEQA Guidelines have been triggered, and an addendum is the appropriate

document to cover these minor changes. What this means is the amendments would not result in any new, substantially more severe significant effects than were identified in the Area Plan EIR/S. The framework identified here is explained with respect to specific issues in the sections below.

The changes to the Area Plan policies and regulations proposed with these amendments further support implementation of the land use pattern envisioned in the TBAP and analyzed in the Area Plan EIR/S, so they would not result in new or more severe impacts than what was analyzed in the Area Plan EIR/S.

As noted in the addendum for the amendments, no changes are proposed to the regional growth control system. In other words, the Area Plan and the Area Plan EIR/S have the backstop of TRPA's Regional Plan. The amendments will not increase the overall development potential in the Area Plan because the total number of residential units, tourist accommodation units, and commercial floor area is capped by TRPA's growth control system from TRPA's Regional Plan. County approvals will continue to be bound by the TRPA carrying capacity set by the TRPA Regional Plan.

Because the overall growth potential would not be changed, any increase in development in Town Centers, for example due to affordable housing incentives, would be offset with a corresponding decrease in development potential outside of Town Centers.

It's also important to note that the TBAP amendments would not approve any specific project, and future projects within the plan area would be reviewed pursuant to CEQA and TRPA requirements through project-specific environmental review.

The amendments still require that certain projects, such as projects that don't screen out for VMT, obtain project-specific permits to ensure there is no incompatibility with other land uses. Projects such as hotels/mixed use projects would still require use permits as well as project-specific environmental review (including consideration of evacuation plans/VMT analyses/TRPA scenic standards thresholds).

For the reasons set forth in the Addendum to the 2017 TBAP EIR/S and in this document, there are no changed circumstances or new information that would require subsequent environmental review pursuant to CEQA Guidelines section 15162.

4. Wildfire

Wildfire risks were identified and analyzed in the 2017 TBAP EIR/S, and therefore are not new information that would require subsequent analysis. (See 2017 TBAP EIR/S, Impacts 18-3 and 18-4). The 2017 TBAP EIR/S noted that projects would be required to comply with regional plan policies, local and state regulations for fire protection, as well as area plan policies for fuels reduction, fire resistant materials and defensible space. In addition, Mitigation Measure 18-3 was adopted requiring future projects to implement a traffic control plan in coordination with affected agencies that includes measures for notifying emergency service providers and providing adequate circulation. The 2017 TBAP EIR/S determined that based on the foregoing, the impact of wildfires was less than significant. The Addendum to the 2017 TBAP EIR/S (Staff Report, Attachment D) reviewed the earlier EIR with respect to the TBAP amendments, and determined the impacts would be the same as those previously analyzed in the 2017 TBAP EIR/S.

The 2022 document from the Attorney General titled “Best Practices for Analyzing and Mitigating Wildfire Impacts of Development Projects under the California Environmental Quality Act” is a guidance document, and therefore does not constitute new *factual* information under CEQA Guidelines section 15162. (See *Save Lafayette*, above.) Nonetheless, the guidance compiles readily available information to assist local governments with their consideration of projects in the context of wildfire and has been reviewed by the County.

Wildfire risk is also not a changed circumstance. The risk of fire in the Tahoe Basin was a concern in the 2017 TBAP EIR/S, and wildfire and anthropogenic climate change were issues analyzed within the document. In addition, prior Placer County EIRs acknowledged the potential for wildfires to cross the Sierra Nevada crest and the realistic threat of such an event was known when the TBAP EIR/S was prepared.

The proposed amendments would encourage affordable housing in Town Centers and incentivize compact redevelopment in Town Centers, which is consistent with policies and programs that were analyzed in the TBAP EIR/S. In the case of the TBAP and these proposed TBAP amendments, there would be no expectation that environmental climate conditions would be exacerbated by the project. In fact, there is an expectation that the project would reduce trips by focusing development in walkable town centers, which would have a corresponding beneficial effect on VMT, and thereby greenhouse gas emissions.

5. Evacuation

The 2017 TBAP EIR/S includes a master response related to evacuation and a hazard policy that addresses evacuation. Further, the TBAP EIR/S added a new policy to the TBAP noting that all new development projects within the Plan Area shall prepare and implement an emergency preparedness and evacuation plan (EPEP). Mitigation Measure 18-3 was adopted requiring that future projects implement a traffic control plan in coordination with affected agencies for purposes of notification and evacuation. The Addendum to the EIR (Staff Report, Attachment D) also determined the impacts would be the same as those previously analyzed in the 2017 TBAP EIR/S. Accordingly, there are no changes that would require subsequent environmental review.

Commenters have identified concerns that there is no comprehensive evacuation plan and that the amendments would increase population and therefore negatively impact evacuation. As noted in the TBAP, concern about wildfire and emergency evacuation is an acknowledged and legitimate concern, but the suggestion that the Area Plan and these amendments would exacerbate existing conditions with respect to emergency evacuation is not accurate. The amendments will not increase the overall development potential in the Area Plan because the total quantity of residential units, tourist accommodation units, and commercial floor area (collectively referred to as TRPA development rights) is capped by TRPA’s growth control system from TRPA’s Regional Plan; so County approvals are still bound by the TRPA carrying capacity set by the TRPA Regional Plan. The full buildout of the area was studied in the TBAP EIR/S. Accordingly, the proposed amendments would not result in uses or activities that would increase the risk of wildfire. Development under the TBAP would continue to require compliance with Regional Plan policies, local and state regs related to fire protection.

Emergency Response

Placer County maintains emergency evacuation plans as well as a notification system to alert the community in the event of an emergency or need for evacuation. Additionally, Eastside Unified

Command comprises a multi-agency emergency response approach that will direct all emergency event-specific evacuation procedures. Those evacuation procedures are not dependent on, nor are they confined by traffic circulation data because traffic control in an evacuation situation would not operate pursuant to normal traffic patterns. Specifically, traffic counts within the Kings Beach roundabouts are not indicative of the ability to evacuate the area in the event of a wildfire. The Placer County Sheriff's Office has provided the following written response to the concern for east Placer evacuation:

"My name is Lieutenant Ty Conners, and I serve as part of the Law Branch within the Placer County Emergency Management team. A growing concern has emerged regarding evacuations in the Tahoe Basin. Our office has undertaken various initiatives to address this issue, including providing information at the Tahoe Board of Supervisors meeting, hosting a public townhall in Kings Beach, engaging in social media outreach, and organizing community events. Additionally, we have conducted Eastside Unified Command Training involving all our mutual aid partners in the Tahoe Basin and neighboring counties. I have been tasked with documenting the evacuation plans for the Tahoe Basin and how we will manage mass evacuations and limited evacuation routes that could be severely impacted by high volumes of traffic.

Regarding the jurisdictional authority for evacuation, in accordance with California Penal Code 409.5(a), state, county, and city peace officers, along with other designated officials, are granted the authority to close public and private lands and order evacuations. This information is part of the 2015 update to the Placer Operational Area Eastside Emergency Evacuation Plan.

To illustrate the process of creating a mass evacuation plan, let's consider a fire as an example. A Unified Command involving both Law and Fire agencies would be established at the onset of the fire incident. Once fire behavior has been determined (including direction, rate of spread, and conditions), the fire department will advise which areas should receive the following notifications:

- Evacuation order
- Evacuation warning
- Shelter in place

The Placer County Sheriff's Office will then create a zone map, and public notifications will begin through Placer Alert. The creation of the zones (Order or Warning) is determined based on fire behavior, with the fire dictating the size, shape, and affected areas of the zones. This systematic approach aims to minimize the displacement of homeowners under an evacuation order, consequently reducing evacuation traffic on the roadways and facilitating smoother evacuation routes.

Evacuation routes will be established, once again based on fire behavior and the safest routes out of the affected area. During this process, incident command will coordinate with all mutual aid resources, such as the California Highway Patrol, Placer County Road Department, and Cal Trans, to implement the evacuation plan. Methods employed to manage traffic flow and direction include traffic control

points and contraflow, where vehicles traveling on a main road in one direction must use lanes typically designated for oncoming traffic.

Additionally, it is recommended to reduce traffic congestion by not waiting for an evacuation order if homeowners are concerned about the conditions. Having a plan, denoted as "READY, SET, GO," is advisable. Whenever possible, individuals should use a single vehicle to transport as many people as they can to minimize the number of single-driver vehicles on the road during an evacuation.

Furthermore, it has been noted in various meetings that there is a need for traffic studies, especially regarding construction and overall traffic congestion around the lake. Traffic congestion often arises because everyone adheres to basic vehicle code laws, such as stop signs, staying in one lane of traffic, and obeying traffic lights and construction site traffic control. However, all these considerations change during an emergency evacuation. Law enforcement's objective is to efficiently evacuate the maximum number of people from an area as swiftly as possible. Incident Command would halt all roadway construction, station law enforcement personnel at chokepoints and intersections to ensure traffic flow, and if necessary, implement contraflow methods to increase the number of lanes for outgoing traffic.

These evacuation methods have been tested in Placer County during incidents such as the Mosquito Fire and River Fire. The Placer County Sheriff's Office collaborates with allied agencies and is confident in the effectiveness of our methods. Regardless of the time of year when tourist traffic may be heightened, our methods and evacuation plans will remain consistent. Incident Command will call for sufficient resources to complete the mission effectively."

As a result, there is no new information with respect to evacuations that would require subsequent environmental review beyond the analysis provided in the 2017 TBAP EIR/S and Addendum.

6. Carrying Capacity / Density / Build-out

The key CEQA consideration relative to these amendments is that development will still be bound by coverage and density requirements, which are not changing. The Tahoe Basin Area Plan and its associated EIR/S looked at the allowed density and analyzed, at a program level, the impacts of projects developing under that framework.

With the exception of one cleanup in the Fairway Tract Northeast zone district in which the existing density was incorrect, the TBAP amendments are not increasing density. All remaining residential and mixed-use zone districts use the existing dwelling units per acre. The amendments would further encourage affordable housing in Town Centers and incentivize compact redevelopment in Town Centers, which is consistent with policies and programs that were analyzed in the TBAP EIR/S.

The amendments will not increase the overall development potential in the Area Plan because the total quantity of residential units, tourist accommodation units, and commercial floor area (collectively referred to as TRPA development rights) are capped by TRPA's growth control system from TRPA's Regional Plan. The TRPA Regional Plan established growth limits by setting

a maximum buildout amount of residential units, commercial square feet, and tourist accommodation units in its regional plan. To date, 3,525 residential units, 731,397 square feet of commercial floor area, and 1,340 tourist accommodation units remain for the basin. Because the overall growth potential would not be changed, any increase in development in Town Centers, for example due to affordable housing incentives, would be offset with a corresponding decrease in development potential outside of Town Centers.

The 2012 TRPA Regional Plan Update EIS cumulative analysis evaluated the effects of total build-out of the Tahoe Region, including the TBAP plan area. Because the TBAP must be consistent with the Regional Plan, including the growth limits established in the Regional Plan, the RPU EIS cumulative analysis provided a cumulative analysis of full build-out of the TBAP. The Area Plan EIR/S cumulative analysis supplemented the RPU EIS cumulative analysis by evaluating complete build-out of the Tahoe Region in combination with build-out of reasonably foreseeable land use plans and projects within the Tahoe Basin and in surrounding areas outside of the Tahoe Basin.

The Errata to the Addendum (Staff Report, Attachment E) describes the land use changes that have occurred since the TBAP EIR/S was completed. Because the 2012 TRPA Regional Plan Update EIS and Area Plan EIR/S already analyzed the cumulative effects of complete build-out of the Tahoe Basin and TBAP plan area consistent with the policies and regulations in both the Regional Plan and TBAP, and because the proposed Area Plan amendments would not alter the growth limits or other assumptions incorporated into these cumulative analyses; the existing analysis in the Area Plan EIR/S already accounts for the cumulative effect of new land use changes in the basin since adoption of the Area Plan EIR/S even though the specific projects were not identified in the Area Plan EIR/S. For this reason, there are not changed conditions within the Tahoe Basin that would cause the proposed Area Plan amendments to result in a new or more severe contribution to a significant cumulative impact than was previously disclosed in the Area Plan EIR/S. Land use changes outside the basin are expected to result in 655 fewer DUs and 7 acres less commercial area in areas outside of the Tahoe Basin than were evaluated in the Area Plan EIR/S. Thus, the Area Plan EIR/S provides a conservative analysis of the cumulative effects of future development in areas outside of plan area, and the cumulative effects of the proposed Area Plan amendments would be less than those disclosed in the Area Plan EIR/S.

7. Cumulative Impacts

Commenters raised concerns that the proposed amendments did not take cumulative impacts into consideration. The CEQA Guidelines and case law are clear that there is no intent to require continual re-analysis or updating of CEQA documents. One of the basic tenets of CEQA is that a lead agency can (and should) rely on past certified or adopted analyses and only update those analyses when there are issues that have not been addressed.

The 2017 TBAP EIR/S analyzes the Area Plan which anticipated future projects, up to and including *full* buildout of the Tahoe Basin Plan Area. So, anything short of full buildout of the Plan Area has been taken into account in the Area Plan's cumulative scenario. Because the proposed Area Plan amendments would not alter the growth limits or other assumptions incorporated into these cumulative analyses; the existing analysis in the Area Plan EIR/S already accounts for the cumulative effect of projects developing in the Basin (e.g., Tahoe Cedars Subdivision, Boatworks

at Tahoe, 39 Degrees North, and Dollar Creek Crossing) even though the specific projects were not identified in the Area Plan EIR/S.

Concerns were also raised over whether there were projects outside of the Basin that should have been included in the cumulative that were not. The Village at Palisades and Martis Valley West projects both have big development potential and were previously considered in the TBAP EIR/S cumulative analysis. As mentioned in the erratum (Staff Report, Attachment E), the County's rezone program to meet the County's Regional Housing Needs Assessment is considering possible rezoning of two candidate sites outside of the basin, but in proximity to the TBAP plan area. These two candidate sites could lead to an increase of 96 dwelling units outside the plan area that were not contemplated in the Area Plan EIR/S cumulative analysis.

As noted above, land use changes outside the basin are expected to result in 655 fewer DUs and 7 acres less commercial area in areas outside of the Tahoe Basin than were evaluated in the Area Plan EIR/S. Palisades is not proposing more development with its reapplication; therefore, its contribution to cumulative impacts is not changing. The Martis Valley West project included 760 dwelling units. That project was litigated, the court invalidated approvals, and the County rescinded those approvals. Placer County has not received a new application for the project. Regardless of whether the Martis Valley West developer comes forward with a new application, the up to 96 additional dwelling units would not be considered a significant change in the cumulative scenario since it would result in 655 less DUEs, and would not result in a new or more severe contribution to cumulative impact than was evaluated in the Area Plan EIR/S.

8. Lake Clarity

Commenters raised concerns over the analysis of lake clarity. Water quality is a resource category that Placer County has historically and currently analyzes in all CEQA documents. Microplastics are one type of pollutant that can affect water quality. The data related to the presence of microplastics in Lake Tahoe does not equate to new information or a changed condition under CEQA.

Lake clarity is addressed in the Tahoe Basin Area Plan EIR/S and the TBAP amendments addendum in the hydrology and water quality sections and was an objective of the Tahoe Basin Area Plan originally. The Area Plan EIR/S found that the TBAP would not alter the existing TRPA regulations related to discharge to surface and groundwater or water quality protection. It determined that the density and coverage limits within Town Centers were previously analyzed by the TRPA RPU EIS and were determined to have a less-than-significant effect on water quality. Additionally, redevelopment of Town Centers consistent with TRPA BMP requirements would result in a decrease in the pollutant load carried in stormwater runoff and an overall decrease in volume of stormwater runoff. Therefore, the TBAP was found to have a beneficial impact on water quality. The amendments include policies that would further support implementation of the land use patterns identified in the TBAP while maintaining regional water quality and would not result in any new or more severe impacts to hydrology and water quality.

9. Piecemealing

Commenters have raised concerns about decisions by the County to bring forward some TBAP amendments, while deciding to bring forward other amendments later, if at all. For instance,

possible future amendments include the amendments related to height/length that were removed out earlier in the process.

Piecemealing under CEQA occurs when portions of a singular project are brought forward at different times in an attempt to circumvent the CEQA analysis of the project as a whole. In general, no piecemealing occurs when projects serve different purposes and can be implemented independently. These minor amendments in no way trigger subsequent amendments. While subsequent amendments may occur, they are not a reasonably foreseeable consequence of these minor amendments. These minor amendments have their own independent utility irrespective of any future proposal to increase building height/length. In short, these minor amendments can stand on their own.

The amendments represent code changes and are not connected to any specific project, nor do they include any portion of a project. The amendments have independent utility as a regulatory document. They are not dependent on each other to move forward, they don't need to be analyzed together, and staff are not obligated to consider them together.

10. Vehicle Miles Traveled

The Addendum to the 2017 TBAP EIR/S (Staff Report, Attachment D) evaluated vehicle miles travelled (VMT) at pages 11-12 and determined that the amendments would not result in new or more severe environmental impacts. The TBAP amendments would encourage more concentrated development within the Town Centers with less development outside of the Town Centers. This land use pattern would result in residences in close proximity to commercial uses which would be expected to reduce the number and length of vehicle trips and corresponding VMT. VMT is calculated using standard trip generation rates set by the transportation industry.

Because the proposed amendments would not increase development potential but would promote compact land use patterns analyzed in the Area Plan EIR/S, the proposed amendments would be consistent with the prior analysis in the Area Plan EIR/S.

The TBAP EIR/S looked at full buildout of the Area Plan and noted that VMT in the cumulative setting would actually be reduced by focusing development in the walkable town centers. The proposed TBAP amendments would not alter the development potential within the Plan Area and would therefore not increase the potential for new development that would generate VMT.

Approval of projects through a Minor Use Permit (MUP) would only be allowed if the proposed use meets the TRPA VMT screening criteria (i.e., it must be clear that the VMT impacts are negligible and screenable). As a result, VMT is not increased by the amendments to a level that requires further environmental review.

COMMENTS ABOUT TBAP AMENDMENT LANGUAGE

11. Setbacks: Residential & Town Centers

The BAE study (Staff Report, Attachment G) acknowledged that improvements are needed to facilitate development, scale back requirements and better understand and alleviate constraints and challenges in the development process, including zoning and building requirements. As such,

the TBAP amendments considered the Development Standards of the Residential zone districts and those of the Town Centers have been identified as barriers for the development and/or redevelopment of these parcels. The TBAP amendments propose changes to the setback requirements of the Town Centers and Residential zone districts, as outlined below.

Town Centers

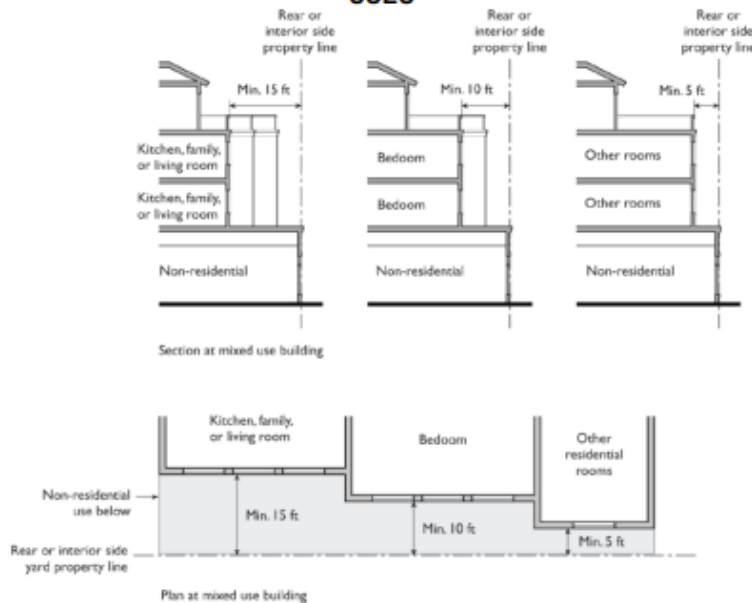
Rear Setback Modification

The amendments allow for a zero-foot (0') rear setback measured from the property line for those parcels in the Kings Beach – North Tahoe East Mixed-Use Subdistricts. The amendments align with the zero-foot (0') rear setback of for the Greater Tahoe City Mixed-Use Town Center Mixed Use - Town Center (MU-TC) and Mixed-Use - Neighborhood (MU-N) zone districts. The amendment took into consideration the existing parcel configurations, i.e. widths and lengths of existing parcels and existing development. The application of all the required development standards created hardships for already small and constrained parcels. For parcels adjacent to the zoning districts of the Town Center, the existing rear yard setback would remain and would provide a separation between the Town Center parcels and those adjoining the Town Center parcels, i.e. residential parcels will be required to provide a 10-foot rear yard setback measured from the property line.

Interior Side Setbacks.

The amendments eliminate the required "10-foot landscaped setback required adjacent to residential uses" in the MU-TC, MU-N and MUN-DH and MUN-LFG zone districts of the Village Center Subdistricts of the Greater Tahoe City Mixed-Use Subdistricts and Mixed-Use Mountainside Town Center (MU-MTC), Mixed-Use Lakeside Town Center (MU-LTC), Mixed-Use Residential (MU-R), Mixed-Use Tourist (MU-TOR) and Mixed-Use Waterfront Recreation (MU-WREC) of the North Tahoe East Mixed-Use Subdistricts. Specifically, the TBAP currently has a requirement for interior yards to provide light and air for residential units. The minimum setbacks were applied to any building wall facing an interior side or rear yard and when the site is adjacent to a residential subdistrict. Specifically, the side setback requires structures to not interrupt a line of a 1:1 slope extending upward from 25 feet above existing grade of the setback line adjacent to the residential district. Additionally, the standards of all interior yards required setbacks applied to that portion of the building wall containing residential windows and extending three feet on either side of any window shall comply with the following: (1) For any wall containing a living room, family room, or kitchen windows, a setback of at least 15 feet shall be provided; (2) For any wall containing sleeping room windows, a setback of at least 10 feet shall be provided. And (3) for all other walls containing windows, a setback of at least five feet shall be provided. Please refer to Figure 2.04(B)(3) below, from the TBAP, for the application of the required setbacks based on adjoining uses.

FIGURE 2.04(B)(3): REQUIRED SIDE AND REAR YARDS FOR RESIDENTIAL USES



The requirements of these setbacks created hardships for development, redevelopment and/or additions to existing buildings, in that, it was difficult to identify the uses of each floor in the adjacent structure and therefore difficult to determine what setback to apply. Additionally, uses could change over time resulting in non-conformities to the required interior side setback of the built environment. The TBAP amendments would allow for greater flexibility for development and reduce challenges known in the Town Centers.

Residentially Zoned Parcels

Front Setback.

The amendments clarify the required front setbacks by providing an additional footnote to alert the reader that when applying the front setback there may be other requirements relative to the planned streetscape and roadway improvements. The TBAP requires that when a road and/or road segment is identified in Table 3.06.A, "Future Streetscape and Roadway Design Characteristics," the front setback shall be considered from the ultimate road right-of-way width listed in Table 3.06.A. Placer County Department of Public Works maintains a Countywide Highway Deficiency Manual to plan for ultimate right-of-way and pavement widths, as well as sidewalk and bicycle land improvements, for specific County maintained roadways. Table 3.06.A provides planned design characteristics for specific streetscape and roadways to guide future development improvements. This amendment would ensure that the reader is made aware of the planned design characteristics for specific streetscapes and roadways and if applicable to the development of the subject parcel.

Street Side Setbacks

The TBAP amendments would allow for a street side setback of 10-feet measured from the property line and in accordance with the applicability limitations of the definition of "street-side setback" in the Placer County Zoning Ordinance. With the application of all the required setbacks for residential parcels, i.e. front, side and rear, it was acknowledged that corner lots or parcels

that abut two road frontages, including access easements, would be required to provide for two front setbacks. The TBAP amendments recognize the existing narrow parcels and the constraints of the application of two front setbacks to the parcel. As such, by applying a street side setback - a lesser setback than the required front setback, will reduce the need for a variance (a timely and costly entitlement process) to request deviation from the requirements of the required setbacks. This would address the concerns presented with constrained parcels and challenges with compliance with the required development standards.

12. Food Trucks

The TBAP amendments would bring the TBAP into conformance with California law regarding sidewalk vendors. On September 17, 2018, the Governor signed Senate Bill 976 (the "Safe Sidewalk Vending Act"), which establishes requirements for local regulation of sidewalk vending. The law became effective January 1, 2019. The purpose of SB 946 is to legalize and decriminalize sidewalk vending across the state. SB 946 defines "sidewalk vendor" as a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack or other nonmotorized conveyance, or from one's person, on a public sidewalk or other pedestrian path. A sidewalk vendor can be "a roaming sidewalk vendor," which is defined as moving from place to place and stopping only to complete a transaction, or "a stationary vendor," which is defined as vending from a fixed location. SB 946 applies only to public sidewalks and paths, not private property. The law allows local authorities to adopt regulations governing sidewalk vending or amend existing regulations. If the local authority wishes to regulate sidewalk vending, then those regulations need to be consistent with SB 946. A local authority may adopt additional requirements regulating the time, place, and manner of sidewalk vending if the requirements are directly related to objective health, safety, or welfare concerns, including a sidewalk vending permit or valid business license, as well as a valid California Department of Tax and Fee Administration seller's permit. Placer County has not adopted additional sidewalk vending laws and current County Code is not compliant with SB 946.

Additionally, the TBAP amendments would also allow food trucks in town and village centers to support the entrepreneurial economy. Food trucks allow food businesses to start a business with much lower overhead and grow their business over time. In fact, the Truckee-Tahoe region has seen several brick and mortar restaurants that started as food trucks. All food trucks would require a business license and environmental health approvals, and could be conditioned to require them to park in specific places and during certain hours, provide and manage waste receptacles, etc.

13. Parking

The TBAP amendments would adopt the two-year pilot parking exemption program for the North Lake Tahoe Town Centers approved by the Board on February 9, 2021. Several potential applicants have expressed interest in the project, but no projects have moved forward in that timeframe. The purpose was to support exemptions to parking requirements to spur redevelopment in the Town Centers and support strategies identified in the Resort Triangle Transportation Plan (RTTP), which was approved by the Board in October 2020, and which outlines strategies to increase mobility and reduce VMT in the Tahoe region.

The TBAP amendments would make parking requirements for multi-family development more consistent with those of single-family development and reduce requirements for both to incentivize

production of workforce housing. A surface parking space can cost \$20,000 to \$30,000 per space which developers have told staff adds to the cost of a housing project and significantly reduces the feasibility of the project. The following changes are included in the amendments.

	Today's TBAP	Proposed TBAP amendments
Multi-Family Dwelling	1 space per bedroom for first two bedrooms and .5 per additional bedroom	1 space for first two bedrooms and .5 per additional bedroom
Single-Family Dwelling	2 per unit	1 for first two bedrooms; three or more bedrooms 2 per unit

Additionally, the amendments comply with state law, Government Code Section 65863.2, which mandates no minimum automobile parking will be required for a residential, commercial, or other development project (excluding any portion designated for use as a tourist accommodation unit) if the project is located within one-half mile of public transit unless the County makes written findings that not imposing or enforcing minimum automobile parking requirements on the development would have a substantially negative impact. The Tahoe Basin doesn't currently meet the definition of high-quality transit stop as specified in the code so this would not be applicable unless the region moves to 15-minute transit headways.

The TBAP amendments include a policy to explore opportunities to allow local worker overnight camping in public and private parking lots. This concept was proposed from the Mountain Housing Council as a potential interim solution to create a safe overnight parking framework for local workers. Some of the region's parking lots are already being used for overnight parking/camping by local workers but in an unregulated manner with no permitting, requirements, site improvements, or enforcement. The policy itself would not allow overnight parking. Staff would have to develop a program in coordination with other departments, including the Department of Public Works, Environmental Health, and the Sheriff's Office. The proposed program would then need to be adopted by the Board of Supervisors. Similar programs have been implemented in other mountain towns, such as the town of Telluride. Any program would need to consider and include requirements related to registration or permitting, noise and storage, proximity to restrooms, designated parking lot(s), etc. The policy simply allows staff to explore the concept.

14. School Enrollment

One commenter indicated that the area's population has increased, as evidenced by increased school enrollment in the Tahoe Truckee Unified School District, which therefore shows an increase in population within the Tahoe basin. However, the area's school enrollment data included below demonstrates there is no substantial change from 2016 to the current school year.

2016 – 2017: 3,941
 2017 – 2018: 3,921
 2018 – 2019: 3,955
 2019 – 2020: 3,981

2020 – 2021: 3,945
2021 – 2022: 3,953
2022 – 2023: 3,960
2023 – 2024: 3,923