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STAFF REPORT

Date: August 16, 2023

To: TRPA Regional Plan Implementation Committee (RPIC)

From: TRPA Staff

Subject: Permitting Improvements Project Amendments to the TRPA Code of Ordinances Chapters 2, 30, 37, 50, 60, 65, 66, 67, 82, 84, and 90; Rules of Procedure Articles 5, 10, 12, and 16; Design Review Guidelines Appendix H; and Fee Schedule.

Summary:

The TRPA Permitting Improvement Project Team requests that the Regional Plan Implementation Committee (RPIC) recommend approval and adoption of amendments to the TRPA Code of Ordinances Chapters 2, 30, 37, 50, 60, 65, 66, 67, 82, 84, and 90; Rules of Procedure Articles 5, 10, 12, and 16; Design Review Guidelines Appendix H; and Fee Schedule to the TRPA Governing Board. The amendments implement proposed recommendations within the TRPA Permitting Improvement [Action Plan](#) and [Implementation Report](#) as endorsed by the TRPA Governing Board in August 2022 and March 2023 respectively. Stockham Consulting, a consultant to the TRPA, has worked collaboratively with staff and stakeholders to prepare the proposed amendments.

Required Motions:

In order to recommend approval of the requested action, the RPIC must make the following motion(s), based on this staff summary and provided attachments:

- 1) A motion to recommend approval of the required findings (Attachment D), including a finding of no significant effect, for the adoption of amendments to the Code of Ordinances Chapters 2, 30, 37, 50, 60, 65, 66, 67, 82, 84, and 90; Rules of Procedure Articles 5, 10, 12, and 16; Design Review Guidelines Appendix H; and Fee Schedule to implement recommendations of the Permitting Improvement Project.
- 2) A motion to recommend approval and adoption of Ordinance 2023-__ (Attachment E), amending Ordinance 87-9, as amended, for the adoption of amendments to the TRPA Code of Ordinances Chapters 2, 30, 37, 50, 60, 65, 66, 67, 82, 84, and 90; Rules of Procedure Articles 5, 10, 12, and 16; and Design Review Guidelines Appendix H to the TRPA Governing Board.
- 3) A motion to recommend approval and adoption of Resolution 2023-__ (Attachment E), amending the Fee Schedule to the TRPA Governing Board.

In order for motion(s) to pass, an affirmative majority vote by RPIC members is required.

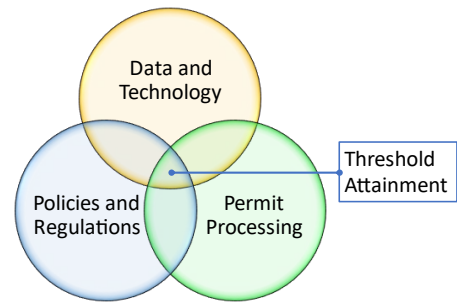
Project Description/Background:

In August 2022, staff presented the *Digital First: Innovation Strategic Initiative*, including high-level permitting improvement recommendations detailed in the TRPA Governing Board endorsed [Action Plan](#).

The *Digital First: Innovation Strategic Initiative* involves significantly improving the ability of the agency to provide services in a “digital first” way by rethinking processes, updating policies and code, and using new technology to maintain and attain the agency’s compact-mandated threshold standards. This is achieved when all three of these are aligned and work together.

- Development and review of policies and regulations require accurate information on the previous and expected effectiveness and impact of those policies; to measure and adjust policies and regulations, those policies and regulations must clearly identify expected outcomes and include a mechanism for their ongoing measurement.
- Policies and regulations must be clear to be useful for creating effective permitting processes; permitting processes must accurately reflect the intent of adopted policies and regulations.
- Effective and efficient processes rely on accurate information and technology to make them accessible; technology and information can only be used effectively when processes are clear and consistent.

TRPA has been working to achieve this synergy between policies and regulations, data and technology, and permit processing (e.g., updating the threshold standard, policies, code, and mitigation fees) and will continue to do so as part of the adaptive management approach. That is the foundational concept underlying the Innovation Initiative.



TRPA Permitting Improvement Project:

TRPA started a permitting system improvement project in early 2022 to evaluate and improve TRPA’s processes and ordinances. These improvements are paired with significant investments in the Accela permitting software and other technologies to streamline and improve TRPA’s application processing, reduce review times, and operate more efficiently and effectively.

TRPA selected Stockham Consulting to assist with this project. Arlo Stockham, the principal and project manager, has extensive planning and community development experience in the Reno/Tahoe area, including prior employment with TRPA as manager for the 2012 Regional Plan Update. Mr. Stockham is also reviewing project applications for TRPA under a separate contract, bringing additional perspective to this project. Finally, the contract is unique; it includes working with staff to implement the endorsed permitting process improvements.

Since April 2022, Mr. Stockham has worked collaboratively with staff and stakeholders to assess the TRPA permitting system and recommend improvements. In August 2022, the Governing Board reviewed the TRPA Permitting Improvement [Action Plan](#) prepared by the consultant, provided comments, and endorsed the document. The Action Plan outlines a strategy and work program to improve the TRPA permitting system.

Implementation Recommendations for the Permitting Improvement Action Plan:

The [Implementation Report](#) endorsed by the TRPA Governing Board in March 2023 expanded upon the Action Plan by detailing the specific recommendations for the initial suite of permitting program improvements. Recommendations were reviewed, discussed, and refined in coordination with the TRPA staff team and a variety of stakeholders. The recommended changes should significantly improve permitting operations for applicants and staff.

The attached memo from Stockham Consulting, consultant for the project, provides additional detail regarding deliverables of the project, stakeholder outreach, and anticipated next phase of the project. (Attachment A)

Tasks and deliverables (i.e. recommendations) of the Permitting Improvement Project include both (1) proposed amendments to the TRPA Code of Ordinances, Rules of Procedure, Design Review Guidelines, and Fee Schedule, and (2) other administrative improvements.

The proposed amendments included in this packet require adoption by ordinance and resolution by the TRPA Governing Board and are analyzed further within this packet for any potential environmental impact. A summary table of all proposed amendments is included as Attachment B. The environmental analysis and required findings for the proposed amendments is included in Attachment C and D. Draft ordinances and a resolution that would be provided to the Governing Board is included in Attachment E for reference. Full versions of the Code of Ordinances, Rules of Procedures, Design Review Guidelines, and Fee Schedule with redline proposed amendments are available [online](https://www.trpa.gov/permitting-improvement-project/) at <https://www.trpa.gov/permitting-improvement-project/>.

Staff and the consultant are also developing other administrative improvements as part of the project and to help implement recommendations, including: a new Procedural Manual with standard operating procedures, permitting staff guidance, and standardized templates to aid streamlined and consistent project review; staff reorganization with dedicated project review teams and customer service team; new appointment system to meet with a planner; revised project applications; improved customer service navigation at TRPA.gov; and a permitting cost recovery monitoring strategy. These administrative deliverables are still under development and do not require Governing Board action.

Staff tentatively plans to bring forward additional deliverables and improvements for the Permitting Improvement Project in March 2024.

More information on the project and its progress are publicly available online at <https://www.trpa.gov/permitting-improvement-project/>.

Approval Process:

Staff requests RPIC discuss the proposed amendments, provide feedback, and recommend approval of the amendments at their August 23, 2023 meeting. Following RPIC review, the amendment packet and materials will be presented to the Advisory Planning Commission on September 13, 2023 for recommended approval, and to the Governing Board for consideration of approval and adoption on September 27, 2023. Amendments would go into effect, if approved and adopted, 60 days following adoption. Training sessions regarding the amendments for TRPA staff, partner agencies, and applicant representatives will be held prior to the effective date.

Contact Information:

For questions regarding this agenda item, please contact Jennifer Self at 775-589-5261 or jself@trpa.gov.

Attachment:

- A. Stockham Consulting Memorandum
- B. Table of Amendments
- C. IEC
- D. Findings and FONSE
- E. Adopting Ordinances & Resolution
- F. [Code of Ordinance \(Full Document with Redline Changes Available Online\)](#)
- G. [Rules of Procedure \(Full Document with Redline Changes Available Online\)](#)
- H. [Design Review Guidelines, Appendix H \(Full Document with Redline Changes Available Online\)](#)
- I. [Fee Schedule \(\(Full Document with Redline Changes Available Online\)](#)