

STAFF REPORT

Date: January 20, 2021

To: TRPA Governing Board

From: TRPA Staff

Subject: Consideration and Possible Approval of Proposed Amendments to the Tahoe Valley Area Plan

Staff Recommendation:

TRPA staff asks the Governing Board to review the materials provided in this packet to ensure the proposed amendments are in conformance with the Regional Plan and recommends approval of the proposed amendments to the Tahoe Valley Area Plan.

Required Motions:

To approve the proposed Tahoe Valley Area Plan amendments, the Governing Board must make the following motions, based on this staff report:

- 1) A motion to approve the required findings, including a finding of no significant effect, for adoption of amendments to the Tahoe Valley Area Plan and as provided in Attachment D.
- 2) A motion to recommend Governing Board adoption of Ordinance 2021-___, amending Ordinance 2015-05, as previously amended, to amend the Tahoe Valley Area Plan to include the changes referenced in Attachment H.

In order for motion(s) to pass, an affirmative vote of at least four Board members from each state is required.

Regional Plan Implementation Committee (RPIC) Recommendation / Discussion:

The RPIC reviewed the proposed amendments at their December 16, 2020 meeting. The RPIC unanimously voted to recommend approval.

Advisory Planning Commission (APC) Recommendation / Discussion:

The APC reviewed the amendments at its December 9, 2020 meeting. The APC's discussion focused on the proposed parking changes. After discussion, the APC voted to recommend approval of the proposed amendments, with one commissioner dissenting.

Summary:

TRPA staff has worked with the City of South Lake Tahoe and an affordable housing developer, Related California, to develop a package of proposed amendments to the Tahoe Valley Area Plan (TVAP). Related California and St. Joseph Community Land Trust are the selected developers for asset lands

owned by the California Tahoe Conservancy (CTC) within the TVAP boundaries and have recently applied to TRPA for a 248-unit housing development on that site, to be known as Sugar Pine Village.

Sugar Pine Village is one of the projects resulting from Governor Newsom's executive order to identify surplus state lands that are suitable for affordable housing development (Executive Order N-06-19). Under that order more than 44,000 state-owned parcels were screened based on suitability criteria for affordable housing development. The resulting analysis identified two CTC-owned parcels in the Tahoe Valley area of South Lake Tahoe that scored high based on the screening criteria. The California Department of General Services selected the developers in June 2020.

Sugar Pine Village is a significant project for the Lake Tahoe Region that helps address the affordable housing crisis. The proposed amendment package would make Sugar Pine Village's development viable and benefit other potential affordable and workforce housing developments in the TVAP area. Completion of the project would allow the city to make substantial progress towards meeting its regional housing obligations. It would also help to achieve the Regional Plan's housing goals. The proposed amendments deal with building design, transfers of coverage, and parking. These changes are not anticipated to result in any significant environmental effects.

Background:

The City of South Lake Tahoe and the TRPA Governing Board adopted the TVAP in 2015. The area within the TVAP boundaries functions as a commercial core for the western portion South Lake Tahoe, centered around the intersection of US Highway 50 and State Route 89 (commonly known as "The Y"). Land uses in the TVAP are predominantly commercial, but also include a mix of tourist accommodation, residential, industrial, healthcare, and service uses. Because of its location, designation as a Town Center, and availability of transit, the Tahoe Valley area presents a major opportunity to locate workforce housing near existing transit and services.

The California Tahoe Conservancy (CTC) owns several parcels of asset lands within the TVAP boundaries. Asset lands are those parcels that could be used to revitalize Town Centers, or to help achieve statewide or regional goals. In 2019, the California Governor issued an executive order calling for state agencies to identify excess publicly owned properties that would be suitable for affordable housing development. Two of CTC's asset land parcels totaling 11.35 acres in the TVAP boundaries were scored highly during screening. The state later entered into a partnership with two developers, Related California and Saint Joseph Community Land Trust, to build a multi-family residential development on that site. The developers have recently applied for city approval under state legislation, Senate Bill 35 (2017), that streamlines affordable housing development approval.

Working with the developers, staff from TRPA and the City of South Lake Tahoe identified several opportunities to promote affordable housing development.

- **Applicability of standards.** Several building design standards within the existing TVAP were established for commercial and commercial-based mixed-use buildings. An example is a requirement to build to the corner along the street frontage and use an angled corner building entrance. While the standards appear not to apply to residential buildings, there is no language to exclude them. Applying the standard to residential-based development will preclude using a campus-like design where entrances are generally oriented towards the interior of the development. It also limits the ability to move buildings to protect stream environment zones.

- **Roof design.** The roof pitch and roof height standards coupled with building height limitations preclude a full third floor from being built. This affects the economic feasibility of multi-family housing development in the Tahoe Valley area. Keeping the building height the same while altering the roof design requirements will address this.
- **Parking.** The plan currently does not afford flexibility for parking ratio reductions for affordable housing developments. Modification of parking ratios requires that the City Planning Commission approve a discretionary land use permit, but the City is pre-empted from requiring discretionary permits under SB 35. This requirement will still apply to the TRPA permit.
- **Coverage transfers.** Because the project includes public service uses (non-profit office space and childcare), it is classified as a mixed-use project. As a result, the project loses its eligibility to transfer hard, soft, and potential coverage using a 1:1 ratio. If the two uses were developed individually, the residential component and public service component would ordinarily be eligible for 1:1 transfer of hard, soft, and potential coverage. This loss of eligibility substantially raises the cost for coverage transfers and reduces the pool of coverage that could be transferred, making projects less viable. Additionally, it is inconsistent with the Regional Plan's overall strategy of incentivizing housing development and redevelopment in Town Centers.

Under SB 35 and California's Density Bonus Law, the City is obligated to grant concessions or waivers for qualifying affordable housing projects administratively. There are no corresponding provisions in the TRPA Code of Ordinances to grant concessions or waivers. Amendment of the City's General Plan is not necessary for the city to grant concessions. However, since the Tahoe Valley Area Plan has also been adopted as a component of the Regional Plan, approval and adoption of amendments by TRPA is necessary.

As an affordable housing project, Sugar Pine Village is subject to several time constraints. Deadlines for submissions for grants and tax credits require that the project receive its permits by January 2021. Additionally, the governor's executive order calls for ground to be broken on the project within two years of developer selection.

Due to time constraints of the project and the City's obligation to comply with California State Law, the City requested TRPA be the lead agency and process the TVAP amendments as outlined in this staff summary as soon as possible. While this is a departure from TRPA's typical area plan process, the TRPA Code of Ordinances does allow for TRPA to serve as a lead agency. The amendments are necessary to support an affordable housing project, and state law obligates the city to act without amending its General Plan. Moreover, the amendments help to implement the Regional Plan's strategies by promoting housing development in the Tahoe Valley area. If TRPA amends the area plan as outlined, the City of South Lake Tahoe would have up to one year to formally adopt the amendments into its General Plan.

Amendment Description:

The amendment package includes the following components, which should help to promote workforce housing:

- Allowing hard, soft, and potential coverage to be transferred in at a 1:1 ratio for mixed-use projects when the individual uses qualify to do so.

- Specifying that the corner-build standard and the angled corner standards are not applicable to residential development.
- Clarifying that the corner-build standard does not apply if the building would encroach on a Stream Environment Zone.
- Reducing the minimum roof pitch from 5:12 to 3:12.
- Eliminating the requirement that a roof constitute at least 40 percent of a building's height.
- Allowing reductions of parking ratios when supported by a parking study and ongoing parking management. When reduced parking ratios are required by state law and the local jurisdiction is prohibited from imposing parking standards, TRPA will have the authority to approve reduced parking ratios.

Except for Policy T-2.5 (Alternative Parking Demand), which is the body of the TVAP, all provisions being modified are housed in the Design and Development Standards, Appendix C to the TVAP.

TRPA is acting as the lead agency at the request of the City of South Lake Tahoe. The proposed package of amendments would mark the first amendment to the TVAP since its adoption in 2015. No changes to the TRPA Code of Ordinances, area plan boundaries, or Town Center boundaries are proposed.

Additional detailed information on the proposed amendments can be seen in Attachments C-F.

Regional Plan Conformance Review:

TRPA staff prepared this amendment package in consultation with City staff pursuant to Chapter 13: *Area Plans* of the Code of Ordinances. This chapter allows either a local jurisdiction or TRPA to develop and amend area plans that contain policies and development standards that further implement the Regional Plan.

TRPA staff have reviewed the proposed amendments and found those to be in conformance with the Regional Plan. This packet includes a findings document, including a Finding of No Significant Effect (FONSE), as required by TRPA Code of Ordinances and Rules of Procedure, as well as an area plan conformance checklist (Attachments D and E).

Environmental Review:

TRPA staff prepared an Initial Environmental Checklist / Finding of No Significant Effect (FONSE) for the proposed amendments. The draft environmental document provides an analysis of potential environmental impacts of the amendment package. Areas of analysis include land and soils, traffic and transportation, and scenic resources. The analysis demonstrates that the proposed amendments either have no impact or less than significant impacts in all of these areas.

Additionally, TRPA staff prepared the attached Compliance Measure evaluations pursuant to TRPA Code Section 4.4 and found the amendments will not negatively impact an adopted TRPA threshold indicator or compliance measure. The evaluations are provided as Attachments F and G.

Approval Process:

Area plans and area plan amendments are typically approved by the local jurisdiction and then by the TRPA Governing Board. As discussed above, this is a unique circumstance which has led the City to request that TRPA act first on the amendment (Attachment A). The City does not require that its General Plan be amended in order to act on the Sugar Pine Village entitlements, but these amendments are necessary for TRPA to complete its permitting process for the project.

The amendment package was briefly discussed during committee updates at the October Governing Board meeting. Governing Board members expressed general support for affordable housing efforts and for efforts to streamline the area plan amendment review process.

Contact Information:

For questions regarding this agenda item, please contact Michael Conger, Senior Planner, at (775) 589-5221 or mconger@trpa.org.

Attachments:

- A. Letter from City of South Lake Tahoe
- B. Letter from Related California
- C. Proposed Amendments and Rationale
- D. Regional Plan Conformance Findings and Finding of No Significant Effect (FONSE)
- E. Area Plan Conformance Checklist
- F. Initial Environmental Checklist and Threshold Indicator Evaluation
- G. Compliance Measures Evaluation
- H. Adopting Ordinance
 - Exhibit 1: Amendment to the Tahoe Valley Area Plan

Attachment A

Letter from City of South Lake Tahoe



"We will reflect the National Treasure in which we live"

October 19, 2020

Joanne Marchetta, Executive Director
Tahoe Regional Planning Agency
PO Box 5310
Stateline, NV 89449

Dear Ms. Marchetta,

I am respectfully submitting this letter to request that the Tahoe Regional Planning Agency (TRPA) process a limited scope amendment to the Tahoe Valley Area Plan as requested by Related California in their letter dated October 14, 2020 for the Sugar Pine Village project.

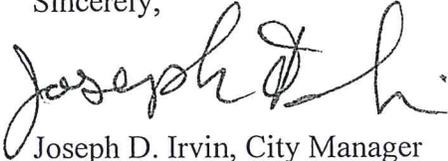
The Sugar Pine Village project is a 248-unit affordable housing project that is proposed as a result of the California Governor's Executive Order N-06-19, which directed the California Department of General Services (DGS) to identify excess state properties as potential affordable housing development sites. Based on a collaborative effort underway to address housing affordability at Tahoe, the California Tahoe Conservancy (Conservancy) is partnering with DGS and the Department of Housing and Community Development (HCD) to develop housing at 860 Lake Tahoe Boulevard and 1029 Tata Lane. In July 2020, the Conservancy announced the State had selected Related California in partnership with the St. Joseph Community Land Trust to construct and manage the Sugar Pine Village project.

Executive Order N-06-19 requires the selected developer to break ground and start construction within two years of being awarded the project. Related California has indicated that they intend to submit the project application to the City utilizing Senate Bill 35 (SB 35) to streamline the planning approvals and Senate Bill 1818 (State Density Bonus law), which entitles the project to concessions that will waive certain requirements or design standards. SB 35 requires the City to only apply objective development and design standards to the project, to conduct the review through a ministerial process, and to require no more than one parking space per unit. In compliance with the state legislation, the City is also obligated to provide concessions as part of the project review process.

I understand that when the Regional Plan was updated in 2012, local governments asked for, and received, the ability to prepare area plans for all or parts of their jurisdictions and that TRPA has not initiated area plans, area plan amendments, community plan amendments, or plan area statement amendments unless requested to do so by the appropriate local government. Due to the time constraints of the project and obligation for the City to comply with California State law, the City would like to forego the local initiation process and have TRPA process the Area Plan amendment as soon as possible.

Thank you for your consideration of the project as an important aspect of collaborative affordable housing development in South Lake Tahoe. Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph D. Irvin". The signature is fluid and cursive, with a prominent initial "J" and a distinct "I".

Joseph D. Irvin, City Manager
City of South Lake Tahoe, CA

Copy: Meea Kang, Related California
Hilary Roverud, City of South Lake Tahoe

Attachment B

Letter from Related California



October 14, 2020

Michael Conger
Tahoe Regional Planning Agency
PO Box 5310,
Stateline, NV 89449

RE: **TVAP Amendment Request for Sugar Pine Village:**
1860 Lake Tahoe Boulevard APN: 032-291-028 (West)
1029 Tata Lane APN: 032-291-031 (East)

Dear Michael,

Related California and the Saint Joseph Community Land Trust have been selected by the California Tahoe Conservancy (“CTC”) and the State of California to develop the Sugar Pine Village project on the CTC referenced sites in South Lake Tahoe.

The CTC sites are part of Governor Newsom’s Executive Order EON-06-019 to develop affordable housing on state owned surplus land. This order requires the selected developer to break ground and start construction within two years of being awarded the project.

To assist the project, we are requesting that TRPA amend the Tahoe Valley Plan Area in the following ways:

1. Permit buildings with roof pitches of 3: 12 and roof heights less than 40% of the height of the building.
2. Exempt residential projects from the corner build area standard. Per the City, the original intent with this standard was for commercial and mixed-use projects.
3. Exempt residential projects from the 45 degree corner entrance. Per the City, the original intent with this standard was for commercial and mixed-use projects.
4. Permit City of South Lake Tahoe flexibility to approve alternative parking standards that vary from the City parking standards;
5. Allow childcare and nonprofit office space to be considered “Accessory Uses” to the residential component to allow the project to transfer in coverage utilizing the residential coverage requirements.

We are very grateful for all the support TRPA staff has provided us and we look forward getting this very critical affordable workforce housing project into construction as soon as possible.

Please contact me if you have any questions: 415-828-8692 or MKang@Related.com

Sincerely,



Meea Kang
Senior Vice President

Attachment C

Proposed Amendments and Rationale

Tahoe Valley Area Plan Amendments

A package of proposed amendments intended to reduce barriers to the development of workforce and affordable housing in the plan area.

Amendment Component	Page	Location	Classification
1 Specify that mixed-use projects involving a mix of residential and public service uses are eligible for transfer of hard, soft, and potential coverage at a 1:1 ratio.	C-18 C-38	Lot and Density Standard D New substitute coverage standard.	Coverage Transfers
2 Specify that the corner build standard applies only to mixed-use and non-residential buildings.	C-24	Building Placement Standard C	Building Design
3 Specify that the corner build standard does not apply where such development would encroach on a Stream Environment Zone.	C-24	Building Placement Standard C	Building Design
4 Reduce the minimum roof pitch from 5:12 to 3:12.	C-25	Table 7, Roof Slope row	Building Design
5 Eliminate the “roof height” requirement, which requires that a minimum of 40 percent of a building’s height be comprised of roofing.	C-25	Table 7, Roof Height row	Building Design
6 Allow reductions of parking ratios when a property is deed restricted for parking management or when required by state law.	62 C-29 ; C-38	Policy T-2.5; Table 9, Parking, Driveway, and Loading Standards row; Substitute Design Standard L	Parking
7 Exempt residential projects from the requirement of a 45-degree angle for entrances located near a corner.	C-33	Substitute Design Standard B.3	Building Design

LOT AND DENSITY

- D. **Method of Transferring Coverage.** Land coverage shall be transferred to eligible parcels and eligible uses, in accordance with Sections 30.4.2 and 30.4.3 of the TRPA Code, [as modified by the Substitute Coverage Standards contained herein.](#)

Rationale: This amendment is necessary to recognize the substitute coverage standard being established.

[Substitute Coverage Standards](#)

- A. [Notwithstanding Subparagraph 30.4.3.B.2 of the TRPA Code of Ordinances, mixed-use projects shall be eligible to transfer in soft and potential coverage when all individual component uses qualify for such transfer.](#)
- B. [Notwithstanding Subparagraph 30.4.3.A.2.c of the TRPA Code of Ordinances, projects comprised of any mix of multi-residential facilities of five units or more, public services facilities, and/or recreation facilities shall be eligible to transfer coverage at a ratio of 1:1, until the total coverage reaches the maximum allowed.](#)

Rationale: This amendment is needed in order to allow mixed-use projects comprised of a mix of residential and public services uses to transfer hard, soft, and potential coverage at a 1:1 ratio. Independently, these uses would qualify for such transfer; however “mixed-use” projects are subject to further limitations. While it is apparent that the term “mixed-use” was intended to apply only to mixed uses involving commercial or tourist accommodation uses, this is not directly specified in code. Policy LU-4.11 of the Regional Plan allows a jurisdiction to adopt language that supersedes TRPA ordinances if the area plan is found in conformance with the Regional Plan and meets the intent of the TRPA ordinances. This amendment is functionally equivalent to the language in Section 30.4.3, *Method of Transferring Land Coverage* and provides equal environmental protection. It is also consistent with the apparent intent of this section, which is to preclude commercial and tourist accommodation uses from being able to transfer soft and potential coverage, and subjecting such projects to pro-rated transfer ratios based on the final amount of coverage proposed.

BUILDING PLACEMENT

C. Corner Build Area. Commercial, tourist accommodation, and mixed-use buildings containing commercial and tourist accommodation uses Buildings must be located at the point of intersection of the two setback lines at street corners, and must occupy the street frontage at the setback line for at least 50 feet from the street corner property line, unless such development would encroach on a Stream Environment Zone. Public plazas may be at the street corner provided buildings are built to the edge of the public plaza. Where a parcel is bounded by more than two streets, this requirement only applies to the primary street frontage and one side street frontage. This requirement may be modified or waived by the Director of Development Services upon finding that:

Where buildings placed on a corner would negatively impact a designated scenic view, visual open spaces, visual access or views of mountain ridgelines.; or

Where building placed on a corner would negatively affect the sun angle plane to reduce icing on US 50, SR 89 and public sidewalks, or

Rationale: City staff has noted that this corner-build standard was never intended to apply to residential development. Nonetheless, there is no language limiting its applicability. The proposed language was chosen to ensure that residential and residential-based mixed-use developments would not be subject to the standard. Additionally, no provision is given to waive the corner-build standard when adherence to it would cause encroachment into a Stream Environment Zone. The proposed revisions address this conflict.

Component 4

Roof Pitch

HEIGHT

TABLE 7 HEIGHT AND ROOF STANDARDS	
Roof Slope	53:12 to 12:12 (B)

Rationale: The amendments affecting roofing were requested by the development community. When combined with the 42-foot height limit that is common in the plan area, adherence to the minimum roof slope requirement and the requirement for roofs to constitute 40 percent of building height result in limiting third floor capacity. This has a direct financial effect on the feasibility of multi-family residential development. Resolving this issue by changing the roof design restrictions is preferable to added height.

Component 5

Roof Height Percentage

Page [C-25](#)

HEIGHT

TABLE 7 HEIGHT AND ROOF STANDARDS	
Roof Height	The height of the sloped roof must be a minimum 40% of the height of the building. (B)

Rationale: Please see the rationale discussion for Component 6, above. This standard has the effect of limiting third-floor size, and as a result has been seen as an impediment to workforce and affordable housing development.

Component 6

Policy T-25

Page [62](#)

Goal T-2: Parking and Access

To create an accessible, efficient, and an aesthetically-pleasing parking system in the Tahoe Valley Area Plan.

Policy T-2.5 – ~~Mixed-Use Project~~ Alternative Parking Demand

Allow ~~mixed-use~~ projects to reduce their parking requirements provided that a parking demand analysis is submitted and approved by the City or exempted under state or regional law.

Rationale: This amendment broadens Policy T-2.5 to apply to any project within the area plan. Allowing provisions to relax parking requirements is seen as an encouraged alternative parking strategy (see TRPA Code of Ordinance Section 13.5.3.B.2).

Parking Ratio Adjustment (Table 9)

Page [C-29](#)

PARKING, LOADING, LANDSCAPING AND OPEN SPACE

TABLE 9 PARKING, LOADING, LANDSCAPING, AND OPEN SPACE STANDARDS	
Parking, Driveway and Loading Standards	See South Lake Tahoe City Code, Chapter 5, Land Use Development Standards, Article VIII. Parking, Driveway and Loading Spaces. <u>Alternative parking demand ratios may be adjusted as set forth in Substitute Standard L.</u>

Rationale: This amendment refers to Substitute Standard L, which would include the provisions for reducing parking ratios.

Substitute Design Standards

L. Parking, Driving and Loading: See SLCC Section 6.10.290 through 6.10.410, [unless reduced parking ratios are required by the State of California or TRPA. Reductions to the required parking demand ratios may be approved by the Director when the following conditions are met:](#)

1. [A technically adequate parking analysis supports reduced ratios.](#)
2. [A suitable parking management plan is developed, which includes a monitoring program to ensure no adverse impacts and may include one or more of the following strategies: decoupling of parking price from the rent, limited number of spaces per unit, parking pass controlled lot, subsidized transit passes, car share services, on-site bike share; and](#)
3. [A deed restriction is recorded on the title of the property to ensure ongoing parking management.](#)

[When the Director is prohibited by California law from imposing parking standards, TRPA may approve alternatives to the parking demand ratios and may impose one or more of the above requirements as conditions of approval.](#)

Rationale: This amendment, which was requested by the City, gives the City’s Development Services Director the authority to adjust parking ratios if certain conditions are met. It also recognizes that there are circumstances where state or regional law would pre-empt the city from setting parking ratios. In these circumstances, TRPA would approve reduced parking ratios and could impose conditions such as long-term monitoring to ensure that parking problems are not created.

Component 7

Substitute Design Standards

B. Building Orientation and Entrances.

3. Entrances [to commercial, tourist accommodation, and mixed-use buildings containing commercial and tourist accommodation uses](#) located at corners shall generally be located at a 45 degree angle to the corner and shall have a distinct architectural treatment to animate the intersection and facilitate pedestrian flow around the corner. Different treatments may include angled or rounded corners, arches, and other architectural

Components. All building and dwelling units located in the interior of a site shall have entrances from the sidewalk that are designed as an extension of the public sidewalk and connect to a public sidewalk.

Rationale: This amendment was requested by the City. This standard, which requires architecturally enhanced and angled corner entrances appears not to apply to residential development. However, there is no provision to limit its applicability. The proposed language is used to ensure that residential or residential-based mixed-use buildings would not be subject to the standard.

Attachment D

Regional Plan Conformance Findings and Finding of No Significant Effect (FONSE)

**REQUIRED FINDINGS & MITIGATED FINDING OF NO SIGNIFICANT EFFECT
FOR AMENDMENTS OF THE CITY OF SOUTH LAKE TAHOE'S
TAHOE VALLEY AREA PLAN**

This document contains required findings per Chapter 3, 4, and 13 of the TRPA Code of Ordinances for amendments to the City of South Lake Tahoe's Tahoe Valley Area Plan (TVAP):

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

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

Rationale: Based on the completed Initial Environmental Checklist/Mitigated Finding of No Significant Effect (IEC/FONSE), 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 amendments and tiers from and incorporates by reference specific analyses contained in the following environmental review documents:

- TRPA, *Regional Plan Update EIS*, certified by the TRPA Governing Board on December 12, 2012 (RPU EIS)
- TRPA, *Tahoe Valley Area Plan IEC/FONSE*, certified by the TRPA Governing Board on July 22, 2015 (TVAP IEC).
- TRPA/Tahoe Metropolitan Planning Organization (TMPO), *Transportation Plan/Sustainable Communities Strategy IS/MND/IEC/FONSE*, certified by the TMPO Board and the TRPA Governing Board on April 25, 2017 (RTP IS/IEC)

These program-level environmental documents include a regional and county-wide cumulative scale analysis and a framework of mitigation measures that provide a foundation for subsequent environmental review at an Area Plan level. Because the amendments are consistent with the Regional Plan, Regional Transportation Plan (RTP), and General Plan, which have approved program-level EISs/EIRs, the TVAP amendment is within the scope of these program-level EISs/EIRs.

The proposed project evaluated by the IEC are the amendments of the TVAP as summarized in this packet.

This IEC is tiered from the TRPA 2012 Regional Plan Update EIS in accordance with Section 6.12 of the TRPA Rules of Procedures. The 2012 RPU EIS is a Program EIS that was prepared pursuant to Article VI of TRPA Rules of Procedures (Environmental Impact Statements) and Chapter 3 (Environmental Documentation) of the TRPA Code of Ordinances. The 2012 Regional Plan Update (RPU) is a comprehensive land use plan that guides physical development within the Lake Tahoe

Region through 2035. The 2012 RPU EIS analyzes full implementation of uses and physical development proposed under the 2012 RPU, and it identifies measures to mitigate the significant adverse program-level and cumulative impacts associated with that growth. The TVAP is an element of the growth that was anticipated in the 2012 RPU and evaluated in the 2012 RPU EIS. By tiering from the 2012 RPU EIS, this IEC relies on the 2012 RPU EIS for the following:

- a discussion of general background and setting information for environmental topic areas;
- overall growth-related issues;
- issues that were evaluated in sufficient detail in the 2012 RPU EIS for which there is no significant new information or change in circumstances that would require further analysis; and
- assessment of cumulative impacts.

This IEC evaluates the potential environmental impacts of the proposed amendments with respect to the 2012 RPU EIS to determine what level of additional environmental review, if any, is appropriate. As shown in the Determination in Section V of the IEC and based on the analysis contained in the IEC, it has been determined that the proposed project would not have significant effects on the environment with the incorporation of a mitigation measure. Therefore, a Mitigated Finding of No Significant Effect will be prepared.

This IEC concludes that many potentially significant project impacts are addressed by the measures that have been adopted as part of the approval of the 2012 RPU. Therefore, those 2012 RPU EIS mitigation measures that are related to, and may reduce the impacts of, this project are identified in the IEC.

Nothing in this IEC in any way alters the obligations of the City or TRPA to implement the mitigation measures adopted as part of the RPU.

The amendments proposed fall into four categories: administrative alterations, changes in building design, changes to parking, and a standard for transfer of coverage. These amendments, as described in this packet, will become part of the Regional Plan and will replace existing plans for this geographical area within the City of South Lake Tahoe.

The IEC assessed potential impacts to the affected physical environment from the amendments to design standards in Appendix C of the TVAP and amendment to Policy T-2.5. It did not evaluate project specific environmental impacts. Project level environmental analysis will be

required based on the specific project design once submitted. Based on the review of the evidence, the analysis and conclusion in the IEC determined the amendments will not have a significant impact on the environment not otherwise evaluated in the RPU EIS and TVAP IEC and potential significant impacts will be mitigated or addressed through implementation of the RPU, RTP, and the City's General Plan.

Chapter 4 Findings: The following findings must be made prior to adopting the TVAP Amendments:

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

Rationale: Land Use Policy 4.6 of TRPA's Goals and Policies encourages the development of Area Plans that improve upon existing Plan Area Statements and Community Plans or other TRPA regulations in order to be responsive to the unique needs and opportunities of the various communities in the Tahoe Region. The amendments include all required elements identified in Land Use Policies 4.8, 4.9 and 4.10 as demonstrated in the Conformance Review Checklist.

The amendments were prepared in conformance with the substantive and procedural requirements of the Goals and Policies, as implemented through TRPA Code of Ordinances, Chapter 13, *Area Plans*. The TVAP is consistent with the Tahoe Regional Plan and TRPA Code of Ordinances, as shown in the Conformance Review Checklist and as demonstrated by the IEC. The amendments proposed fall into four categories: administrative alterations, changes in building design, changes to parking, and a standard for transfer of coverage.

Pursuant to 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 of Ordinances, Chapter 16, *Regional Plan and Environmental Threshold Review*.

TRPA relies upon the project's accompanying environmental documentation, Staff's professional analysis, and prior plan level documentation, including findings and EISs, to reach the fundamental conclusions regarding the 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. In order to increase its analytical transparency, TRPA has prepared worksheets related specifically to the 4.4.2 considerations, which set forth the 222 compliance and supplemental compliance measures, the 178 indicators and additional factors, and interim and final targets. Effects of the proposed project (here the amendments) on these items, if any, are identified and to the extent possible described. TRPA cannot identify some target dates, status and trend for some threshold indicators because of a lack of available information. TRPA may still determine whether the project will affect the 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, the RPU EIS, the TVAP IEC, the RPU and RTP findings made by the TRPA Governing Board, and the Section 4.4.2 staff analysis, and using applicable measurement standards consistent with the available information, the amendments will not adversely affect applicable compliance and supplemental compliance measures, indicators, additional factors, and attainment of targets by the dates identified in the 2015 Threshold Evaluation. The TVAP incorporates and/or implements relevant compliance measures, and with the implementation of the measures with respect to development within the TVAP, the effects are not adverse, and with respect to some measures, are positive. (See Threshold Indicators and Compliance Measures Worksheets)

TRPA anticipates that implementation of the amendments will accelerate threshold gains as demonstrated below.

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). The TVAP Amendment does 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 these amendments. For any specific development project proposed within the TVAP, accounting for units of use, resource utilization and threshold attainment will occur as a part of the review and approval process.

Similarly, 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, etc.) 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 TVAP does not allocate capacity or authorize any particular development. To the extent the amendments enable the use of redevelopment incentives, those incentives are within the scope of the incentives analyzed by the RPU EIS.

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 or Ordinances, and other TRPA plans and programs.

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

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

TRPA reviewed the proposed amendment in conformance with the 222 compliance measures and supplemental compliance measures, the over 178 indicators and additional factors that measure threshold progress and threshold target, and interim attainment dates. The amendments will not adversely affect applicable compliance measures, indicators, additional factors and supplemental compliance measures and target dates as identified in the 2015 Threshold Evaluation indicator summaries. TRPA anticipates that implementation of the TVAP will accelerate threshold gains as demonstrated below. Because the principal beneficial impacts of implementation of the TVAP depend upon the number and size of redevelopment projects, the specific extent and timing or rate of effects of the TVAP cannot be determined at this time. However, pursuant to Chapter 13 of the TRPA Code of Ordinances, TRPA will monitor all development projects within the TVAP through quarterly and annual reports. These reports will then be used to evaluate the status and trend of the threshold every four years.

The amendments do not affect the cumulative accounting of units of use as no additional residential, commercial, tourist or recreation allocations are proposed or allocated as part of this Regional Plan amendment. Any allocations used as a result of these amendments would be taken from available pools held by the City of South Lake Tahoe or TRPA, transferred, or converted through the transfer of development rights program (TRPA Code Chapter 51). Accounting for units of use, resource utilization and threshold attainment will occur as a part of the project review and approval process.

The amendments do not affect the amount of the remaining capacity available, as the remaining capacity for water supply, sewage collection and treatment, recreation and vehicle miles travelled have been identified and evaluated in the RPU EIS. No changes to the overall capacity are proposed in these amendments. 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 applicable 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) TVAP Amendment IEC; (2) RPU EIS; (3) RTP EIR/EIS; and (4) 2015 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 amendments. The proposed amendments do not affect or change the Federal, State or local air and water quality standards applicable for the Region. Projects developed under the TVAP will meet the strictest applicable air quality standards and implement water quality improvements consistent with TRPA Best Management Practices (BMPs) requirements and the Lake Tahoe Total Maximum Daily Load (TMDL) and County's Pollutant Load Reduction Plan (PLRP). Federal, State, and local air and water quality standards remain applicable for all parcels in the TVAP, thus ensuring environmental standards will be achieved or maintained pursuant to the Bi-State Compact.

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 “Environmental Improvement Program” (“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 nine-year effort culminated with the approval of the Regional Plan Update.

Regional Plan Update Amendments

The Regional Plan Update ("RPU") uses multiple strategies targeting environmental improvements to accelerate achieving and maintaining threshold standards in the Region. First, the RPU maintains 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 in order to eliminate duplicative and unpredictable land use regulations that deterred improvement projects. Area Plans, created pursuant to Chapter 13 of the TRPA Code of Ordinances, also allows 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 the 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 roadway 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 City of South Lake Tahoe’s TVAP fulfills the role anticipated by the RPU and RTP and the expected threshold gain resulting from its implementation.

II. TVAP Amendments and Threshold Gain

The TVAP Amendments accelerate threshold gain including water quality restoration, scenic quality improvement, and other ecological benefits, by supporting environmental redevelopment opportunities and Environmental Improvement Program (EIP) investments. The amendments will help to accelerate environmental redevelopment within an existing town center by allowing increased density and height provisions that serve as an incentive for private investment in redevelopment projects. These redevelopment incentives are intended to increase the rate of redevelopment and will likewise increase the rate of threshold gain by accelerating the application of controls designed to enhance water quality, air quality, soil conservation, scenic quality and recreational improvements to projects that wouldn’t otherwise be redeveloped absent TVAP provisions.

The TVAP’s Development and Design Standards represent a significant step forward in enhancing the aesthetics of the built environment and will result in improvements to the scenic threshold as projects are approved and built. Redevelopment of existing Town Centers and the Regional Center is identified in

the Regional Plan as a high priority.

As described in more specific detail below, the amendments beneficially affects multiple threshold areas.

A. Water Quality

The 2015 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.

An accelerated rate of redevelopment within the TVAP will result in accelerated water quality benefits. Each redevelopment project is required to comply with strict development standards including water quality Best Management Practices (“BMP”) and coverage mitigation requirements and will provide additional opportunities for implementing area wide water quality systems.

Today, all developed commercial and tourist properties exceed the 50 percent maximum land coverage allowed in the Community Plan. Although the boundary change would allow up to 70%, the existing land capability and existing land coverage on the developed parcels would not afford the creation of new coverage. The benefit of the boundary change is for the mitigation of this excess land coverage.

B. Air Quality

The 2015 Threshold Evaluation found that the majority of air quality standards are in attainment and observed change suggests that conditions are improving or stable. Actions implemented to improve air quality in the Lake Tahoe Region occur at the national, state, and regional scale. The U.S. Environmental Protection Agency and state agencies, such as the California Air Resources Board, have 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.

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). Because the land use and transportation strategies identified in the TVAP lead to implementation of the Regional Plan, they directly contribute to achieving and maintaining the Air Quality threshold.

One of the main objectives of the TVAP is to encourage the redevelopment of the existing built environment and to provide access to recreational opportunities from

walking and bike paths, as well as provide greater access to transit. Replacing older buildings with newer, more energy efficient buildings that take advantage of the City of South Lake Tahoe's Green Building Program will also help to improve air quality and ensure the attainment of air quality standards. (TVAP, Appendix D, City of South Lake Tahoe Green Building Program.)

TRPA's 2017 *Regional Transportation Plan: Linking Tahoe (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 amendment does not propose substantial changes to land use assumptions for mixed-use assigned to the amendment area and the TVAP would continue to promote higher density residential uses within one-quarter mile of transit, commercial, and public service uses, and therefore would not change the conformity determination by state regulators.

The TVAP boundaries include an existing Town Center and with existing transit routes and a multi-use shared path. This indicates that redevelopment is in the appropriate location to potentially generate the shorter trip lengths and reduce vehicle-miles traveled needed to meet the air quality goals of the Regional Plan and the City's General Plan.

C. Soil Conservation

The 2015 Threshold Evaluation found negligible change in the total impervious cover in the Region over the last five 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 SEZ restoration, recent improvements in the Development Rights program, and implementation of the Area Plans will continue to help achieve SEZ restoration goals.

All but one parcel in the amendment area is located in Land Capability Class 1b (SEZ). Today, all developed commercial and tourist properties exceed the 50 percent maximum land coverage allowed in the Community Plan. The four commercial properties within the amendment area average 90% coverage. This indicates that future redevelopment would be required to implement excess land coverage mitigation. Furthermore, redevelopment permitting would require these properties to come into modern site design standards including landscaping, BMPs, setbacks, etc. These standards would likely result in the removal of existing land coverage for properties that are severely overcovered. Therefore, the amendments will help to accelerate threshold gain through soil conservation.

D. Scenic Quality

The 2015 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% of the evaluated scenic resource units met the threshold standard and no decline in scenic quality was documented in any indicator category.

The amendment area is located within Urban Roadway Scenic Corridor Units #1, 35, and 36A, none of which are in attainment.

Future redevelopment within the amendment area is likely to result in a significant improvement to scenic quality from the roadway and will not be allowed to degrade the shoreline scenic attainment. Redevelopment will be required to comply with the following TVAP Goals and Policies:

Goal NCR-3 Scenic Resources

To achieve threshold attainment for Scenic Roadway Unit #1, Unit #35, and Unit #36A within the Tahoe Valley Area Plan.

Policy NCR-3.1 – Scenic

Improve the visual quality of the built environment consistent with the general recommendations for site planning found in the TRPA Scenic Quality Improvement Program (SQIP) for Scenic Roadway Unit #1, Unit #35, and Unit #36A and ensure consistency with the Development and Design Standards contained in Appendix C.

Policy NCR-3.2 – New Scenic Resources

Designate the views of Tahoe Mountain, Monument Peak, and Heavenly Valley as scenic resources.

Policy NCR-3.3 – Viewshed Protection

Implement design standards and guidelines (Appendix C) to preserve, improve, and enhance the scenic quality of the natural environment and take full advantage of scenic views in the Tahoe Valley area through building orientation, setbacks, and design. Buildings greater than two stories shall not result in the net loss of views to an identified scenic resource.

Policy NCR-3.4 – Open Space

Maintain existing open spaces, SEZs, and stormwater drainage basins as view corridors to provide visual relief from the urban environment

Furthermore, redevelopment projects will be required to comply with the Design Review Guidelines and Standards and the TRPA Code for projects visible from highways.

E. Vegetation

The 2015 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 proposed amendment area is developed and overcovered with minimal native vegetation. The proposed amendments would not alter or revise the regulations pertaining to native vegetation protection during construction. Consistent with existing conditions, vegetation surrounding the construction site of a future redevelopment project would be required to comply with Section 33.6, Vegetation Protection During Construction, of the TRPA Code of Ordinances. 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.

Amending the design standards and a transit policy would not result in tree or vegetation removal. Future projects on the parcels in the amendment area would be subject to project-level environmental review and removal of any native, live, dead or dying trees would be required to be consistent with Chapter 61, Vegetation and Forest Health, of the TRPA Code of Ordinances. The area is not within TRPA's Conservation or Recreation land use classifications.

F. Recreation

The 2015 Threshold Evaluation found that land acquisition programs and the Lake Tahoe Environmental Improvement Program 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 City of South Lake Tahoe contains numerous recreational opportunities within its boundaries and in the immediate vicinity (i.e. Bonanza Park, Camp Richardson, Pope Beach, Baldwin Beach, Kiva Beach, Taylor Creek Day Use Area, Regan Beach, Ski Run Marina and Beach, Lakeside Marina, Heavenly Resort California base, Van Sickle Bi-State Park, Bijou Golf course, and other hiking and mountain bicycle trails).

The TVAP includes goals and policies regarding maintaining, improving and expanding recreation facilities and providing enhanced access through the construction of sidewalks and bike paths and improving public transit.

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 of Ordinances. No additional PAOTs are proposed by the amendment, nor are any changes to recreational land uses or policies.

G. Fisheries

While the 2015 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 TVAP Amendment will not alter the Resource Management and Protection Regulations, Chapters 60 through 68, of the TRPA Code of Ordinances. 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 TVAP could benefit the Fisheries Threshold through Goals and Policies aimed at the restoration of SEZs and implementation of BMPs.

H. Wildlife

The 2015 Threshold Evaluation found that twelve 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 amendment area 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. (Section 62.4 of the TRPA Code). At a project-level, potential effects on animal species would be determined based on the species' distribution and known occurrences relative to the project area and the presence of suitable habitat for the species in or near the project area. TRPA's existing policies and Code provisions address potential impacts to special-status species through site-specific environmental review, development and implementation of project-specific measures to minimize or avoid impacts through

the design process, and compensatory or other mitigation for any adverse effects on special-status species as a condition of project approval (Sections 61.3.6 and 62.4 of the TRPA Code).

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. Future redevelopment projects would be subject to subsequent project-level environmental review and permitting at which time they would be required to demonstrate compliance with all federal, state, and TRPA regulations in Chapter 62 and 63 (Wildlife Resources and Fish Resources, respectively) of the TRPA Code of Ordinances. While the boundary amendments allow for some different land uses or use densities and heights in the amendment area, they do not propose specific new development or amendments that threaten protection of listed species or their habitat, and do not affect policies that protect biological resources.

I. Noise

The 2015 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 influential 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 TVAP amendments would not alter noise policies and would reduce the existing maximum CNEL levels within the TVAP to meet the adopted TRPA CNEL threshold standards, and Regional Plan and General Plan noise policies would continue to be applied.

Noise increases associated with traffic under redevelopment buildout conditions would be similar to existing noise levels as traffic levels are relatively the same between existing and new allowed uses. Redevelopment projects would be required to implement project-specific noise reduction measures established in the Regional Plan EIS, General Plan EIR, and the TVAP. The amendments would not create a significant noise level increase. Implementation of the amendment to the CNEL limit would result in a beneficial impact. For these reasons, TVAP amendments would not contribute to an adverse cumulative increase in noise levels.

III. Conclusion

Based on the foregoing: the completion of the IEC; the previously certified RPU EIS, RTP IS/ND/IEC; and the findings made on December 12, 2012 for the RPU, TRPA finds the Regional Plan and all of its elements, as amended by the project achieves and maintains the thresholds. As described above in more detail, the amendments

actively promotes threshold achievement and maintenance by, *inter alia*, (1) incentivizing environmentally beneficial redevelopment, (2) requiring the installation of Best Management Practices improvements for all projects in the Area Plan, (3) requiring conformance with the Development and Design Standards that will result in improvements to scenic quality and water quality, (4) facilitating multi-use development in proximity to alternative modes of transportation in order to reduce vehicle miles traveled (VMT); and (5) incorporating projects identified in the City's Pollutant Load Reduction Plan (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 amendments interferes with the efficacy of any of the other elements of the Regional Plan. Thus, the Regional Plan, as amended by the project, will continue to achieve and maintain the thresholds.

Chapter 13 Findings: The following findings must be made prior to adopting amendments to the TCAP:

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 in order to be responsive to the unique needs and opportunities of communities. The proposed TVAP amendments were found to be consistent with the goals and policies of the Regional Plan, as described in the Area Plan Findings of Conformance Checklist (Attachment D to the staff summary), and as described in Chapter 4, Finding #1, above. The amendments provide the density and height necessary to facilitate redevelopment in the overcovered, aging town center and further the attainment of environmental thresholds.

The amended area will be subject to the TVAP General Review Standards, the Load Reduction Plans, and Additional Review Standards for Area Plans with Town Centers or Regional Centers.



Mail
PO Box 5310
Stateline, NV 89449-5310

Location
128 Market Street
Stateline, NV 89449

Contact
Phone: 775-588-4547
Fax: 775-588-4527
www.trpa.org

FINDING OF NO SIGNIFICANT EFFECT

Project Description: Proposed amendments to the City of South Lake Tahoe’s Tahoe Valley 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.

A handwritten signature in blue ink, appearing to read "A. G. S.", written over a horizontal line.

TRPA Executive Director/Designee

November 30, 2020

Date

Attachment E

Area Plan Conformance Checklist

Tahoe Regional Planning Agency

Area Plan Finding of Conformity Checklist

AREA PLAN INFORMATION

Area Plan Name: Tahoe Valley Area Plan – Amendment No. 1
Lead Agency: TRPA
Submitted to TRPA: N/A
TRPA File No: N/A

CONFORMITY REVIEW

Review Stage: Final Review
Conformity Review Date: November 20, 2020
TRPA Reviewer: Michael Conger

HEARING DATES

Lead Agency Approval: TBD
APC: December 9, 2020
Governing Board: January 25, 2020
Appeal Deadline: N/A
MOU Approval Deadline: N/A

CHARACTERISTICS

Geographic Area and Description: All areas within the Tahoe Valley Area Plan boundary

Land Use Classifications: Mixed Use

Alternative Development Standards: The below substitute standards currently exist in the TVAP.

- (1) **Substitute design standards.** Contained within Appendix C of the TVAP. Replaces Chapter 36, *Design Standards*.
- (2) **Substitute parking standards.** Contained within the Appendix C of the TVAP, referencing the South Lake Tahoe Municipal Code. Replaces Chapter 34, *Driveway and Parking Standards*.

- (3) **A substitute accessory dwelling standard.** Contained within Appendix C of the TVAP. Replaces the applicable standard within Subsection 21.3.2, *Secondary Residence*.
- (4) **A substitute coverage standard** for the Barton Hospital parcels. Contained within Appendix C of the TVAP. Replaces the applicable language within Section 30.4, *Land Coverage Limitations*.

Under the proposed amendments, a fifth substitute standard would be established.

- (5) **A substitute coverage transfer standard** allowing the transfer of hard, soft, and potential coverage at a 1:1 ratio for mixed-use projects when all of the component uses qualify for such transfer.

Area Plan Amendment
Summary:

The amendment package includes the following components, which should help to promote workforce housing:

- Allowing hard, soft, and potential coverage to be transferred in at a 1:1 ratio for mixed-use projects when the individual uses qualify to do so.
- Specifying that the corner-build standard and the angled corner standards are not applicable to residential development.
- Clarifying that the corner-build standard does not apply if the building would encroach on a Stream Environment Zone.
- Reducing the minimum roof pitch from 5:12 to 3:12.
- Eliminating the requirement that a roof constitute at least 40 percent of a building's height.
- Allowing reductions of parking ratios when supported by a parking study and ongoing parking management. When reduced parking ratios are required by state law and the local jurisdiction is prohibited from imposing parking standards, TRPA would have the authority to approve reduced parking ratios.

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					
<i>Building Height</i>					
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			●
<i>Density</i>					
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	●		
<i>Land Coverage</i>					
9	Land Coverage	13.5.3	●		
10	Alternative Comprehensive Coverage Management	13.5.3.B.1			●
<i>Site Design</i>					
11	Site Design Standards	13.5.3	●		
<i>Complete Streets</i>					
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	TBD		
3	Review by Advisory Planning Commission	13.6.3	TBD		
4	Approval of Area Plan by TRPA	13.6.4	TBD		
J. Findings for Conformance with the Regional Plan					
<i>General Review Standards for All Area Plans</i>					
1	Zoning Designations	13.6.5.A.1	●		
2	Regional Plan Policies	13.6.5.A.2	●		
3	Regional Plan Land Use Map	13.6.5.A.3	●		

		TRPA Code Section	Conformity		
			YES	NO	N/A
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	TBD		
2	Procedures for Adoption of Memorandum of Understanding	13.7	TBD		

		TRPA Code Section	Conformity		
			YES	NO	N/A
3	Monitoring, Certification, and Enforcement of an Area Plan	13.8	TBD		
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 TVAP consists of goals, policies, actions, projects, maps, ordinances, and related materials 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 Town Center boundaries or area plan boundaries are proposed.

The proposed amendments make changes to only one of the area plan’s policies, Policy T-2.5, to broaden its applicability. All other changes affect development standards in Appendix C of the TVAP.

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 Area Plan’s development standards are included as Appendix C to the TVAP. The existing area plan includes the following substitute standards:

- Parking standards (referencing the municipal code) that apply in place of Chapter 34 of the TRPA Code of Ordinances.
- Design standards that apply in place of Chapter 36 of the TRPA Code of Ordinances.
- Substitute accessory dwelling standards that apply in place of TRPA Code of Ordinances Section 21.3.
- A substitute coverage standard for two Barton Hospital parcels

Under the proposed amendments, the substitute parking and design standards would be modified. Additionally, a new substitute coverage transfer standard would be established.

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 established in Appendix C of the TVAP

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 within Town Centers are established in Appendix C of the TVAP. The maximum height is 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 Regional Center is not located in the Tahoe Valley area.

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 High-Density Tourist District is not located in the Tahoe Valley area.

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 Consistent with TRPA Code Section 31.3, single family dwelling density in Tahoe Valley is limited to one residence per parcel, plus one accessory residence where allowed. No change is proposed as part of these amendments.

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 Multi-family dwellings are not permissible outside of the Town Center in the Tahoe Valley Area Plan.

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 TVAP establishes a maximum residential density of 25 units per acre within the Town Center boundaries. No change is proposed as part of these amendments.

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 TVAP establishes a maximum density for tourist accommodation units of 40 units per acre for hotel/motel units and timeshare units within the Town Centers. No change to tourist accommodation is proposed as part of the amendments.

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 Land coverage standards are consistent with the Section 30.4. The TVAP does, however include one existing and one proposed substitute standard that deal with coverage:

- The existing TVAP allows coverage beyond 70 percent on two Barton Hospital parcels.
- The proposed amendments would allow mixed-use projects to transfer hard, soft, and potential coverage as long as all the component uses are allowed to do so.

The TVAP IEC and the TVAP Amendment IEC considered each of these substitute standards, respectively. Each concluded there would be no significant impact as a result. As such, the proposed standards are functionally equivalent to those in Section 30.4

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 development standards in Appendix C of the TVAP are functionally equivalent to the standards set forth in Section 36.5 of the TRPA Code of Ordinances.

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 Area Plan proposes a comprehensive network of Class I multi-use trail projects and Class II bike lane projects. No changes are proposed as part of these amendments

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 City of South Lake Tahoe has chosen not to develop an alternative comprehensive coverage management system. This is an optional component.

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 City of South Lake has chosen not to develop alternative parking strategies. This is an optional component. The Area Plan does include policies and standards that mirror some of the listed parking strategies. Additionally, the proposed amendments would implement one of the listed strategies: reduction or relaxation of parking minimums.

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.
- 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 Policies NCR-5.1, NCR-5.5, NCR-5.6 and NCR-5.8 refer to implementation of BMPs, including allowing for properties to participate in area-wide BMP systems, EIP water quality improvement projects (WQIPs), and recommendations outlined in the CSLT Pollutant Load Reduction Plan (PLRP)/TMDL. Figure 16 identifies the WQIPs implemented in the TVAP as well as those proposed. No changes are proposed to stormwater projects.

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 There are no Stream Restoration Plan Areas within the Tahoe Valley area.

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 TVAP does not include an urban bear strategy. This is an optional component.

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 TVAP does not include an urban forestry strategy. This is an optional component.

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 designated parcels within the Tahoe Valley 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 Buildings constructed within the TVAP are subject to the California Building Code which already includes some of the nation’s strictest standards to reduce energy use. Moreover, the TVAP includes Policy NCR-2.1 to encourage property owners to use incentives provided for the City’s Green Building Incentive Program. See Appendix D.

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 Appendix C of the TVAP includes these site design standards. The proposed changes to building design maintain consistency with the standards as well.

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 TVAP establishes these standards in Appendix C. The proposed changes to building design maintain consistency with these standards as well.

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 Building height is set forth in Appendix C of the TVAP and is consistent with these standards. The changes in roof design would not conflict with these requirements.

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 Building design is set forth in Appendix C of the TVAP and is consistent with these standards. The changes in building design would not conflict with these requirements.

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 parking and loading location standards in Appendix C are intended to enhance walkability and reduce the visual dominance of surface parking lots in the area by setting

them back from the street and requiring them to be screened. The City Code landscaping standards also apply to the TVAP. The landscaping standards require the use of native vegetation and other landscape techniques to enhance the built environment. No change is proposed as part of these amendments.

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 City exterior lighting standards apply in the TVAP. The exterior lighting standards include provisions to allow for adequate level of lighting while protecting the night time sky. No change is proposed as part of these amendments.

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 city's substitute signage standards are used within the TVAP. No change is proposed with these amendments.

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 city's substitute signage standards are used within the TVAP. No change is proposed with these amendments.

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 Area Plan does not include any modifications to the Town Center boundaries.

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 The City of South Lake Tahoe served as lead agency for adoption of the plan. Tahoe Regional Planning Agency is serving as lead agency for this amendment.

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 As TRPA is the lead agency, only TRPA's approval is required at this time. The City of South Lake Tahoe will be required to adopt these amendments within one year as required by Section 13.6.7 of the Code of Ordinances.

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 Area Plan is scheduled for review by the Advisory Planning Commission on December 9, 2020.

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 Area Plan will be scheduled for review by the Governing Board after local adoption and review by the Advisory Planning Commission. The Governing Board will need to find the Area Plan in conformance with the Regional Plan before it takes 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 See Land Use and Community Design Element and Figure 12 which establishes and defines seven zoning districts. Also see Appendix C – Development and Design Standards that are applicable to the TVAP. No changes are proposed as part of these amendments.

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 Area Plan contains goals and policies that are largely in alignment with Regional Plan policies. The only policy being modified is Policy T-2.5, which is being broadened to allow modifications to parking demand ratios for a wider scope of projects. This modification is consistent with the alternative parking strategies identified in Chapter 13 of the Code of Ordinances.

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 proposed zones are consistent with the Mixed-Use regional land use.

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 Area Plan recognizes and incorporates the Environmental Improvement Program (EIP). Planned environmental improvement projects are included in the plan. No changes are proposed as part of the amendments.

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 Area Plan promotes redevelopment within Town Centers by incorporating the incentives established in the 2012 Regional Plan Update. The Town Center is eligible for increased density, coverage, and height as a result of area plan adoption. This promotes compact development and promotes the Regional Plan's land use and transportation strategies. The amendments do not affect the area plan's redevelopment strategy.

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 There are no established residential areas outside of Town Centers in the area plan.

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 The area plan's overall approach is to incentivize redevelopment in existing Town Centers and to carry through existing protections of residential and conservation areas. Existing restrictions in the TRPA Code of Ordinances on development within Stream Environment Zones (SEZs) would continue to apply. The transfer of development rights program further helps to encourage restoration of development in SEZs and transferring of those rights onto high-capability Town Center lands. No changes are proposed under the 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 See planned improvements to the pedestrian, bicycling and transit infrastructure in the Transportation and Circulation Section. The proposed improvements are also depicted in Figure 13. No changes are proposed as part of the amendments.

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 There are currently no registered catchments in the TVAP and therefore the TRPA default standards would apply. However, the TVAP does incorporate the City's load reduction strategy outlined in the Pollutant Load Reduction Plan and the Glorene and 8th Street WQIP catchment is proposed for registration. No changes are proposed as part of the amendments.

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 The Design Standards adopted as part of the area plan address building and site design in. The standards largely implement the vision established in the area plan. The vision is one of mixed-use pedestrian-oriented town center.

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

Please see the discussion in Section J.8, *Alternative Transportation Facilities and Implementation*, above.

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

The Design Standards promote pedestrian activity through site design, building design, and transportation facility standards and guidelines. The permissible uses for these areas also promote an active, pedestrian-friendly environment.

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 TVAP proposes to adopt the height, density and coverage standards allowed in the Regional Plan to ensure adequate capacity for redevelopment and transfers of developments.

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

See Goal NCR-5 and Goal NCR-7 encourage the TVAP to maximize opportunities to mitigate excess land coverage throughout the TVAP. Additional policies encourage coverage reductions in the Stream Restoration Plan Area by providing development incentives to transfer coverage to high capability lands in the Town Center. No changes are proposed as part of the amendments.

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

See previous responses. All development is required to adhere to the standards of the TVAP which are designed to promote threshold gains including but not limited to scenic,

community design, air quality, soils and water quality. For example, construction of the Tahoe Valley WQIP (South Tahoe Greenway) will provide enhanced stormwater treatment to reduce fine sediment loads and will provide an opportunity for private properties to participate in an area-wide treatment system that is continually maintained by the City. No changes to the area plan's threshold gain strategies are proposed under the amendments.

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 High-Density Tourist Core District is not located in the Tahoe Valley area.

- 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 The High-Density Tourist Core District is not located in the Tahoe Valley 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 The High-Density Tourist Core District is not located in the Tahoe Valley Area.

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 this area plan is of a narrow focus and has been reviewed by staff for conformity with the Regional Plan. The Governing Board’s review will be limited to determining the conformity of the specific 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 Upon adoption of the amendment, TRPA staff will notify the City of South Lake Tahoe of their need to update the Tahoe Valley Area Plan within one year.

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 Upon adoption of the amendment, TRPA staff will notify the City of South Lake Tahoe of their need to update the Tahoe Valley Area Plan within one year.

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 The Governing Board found the area plan to be in conformance with the Regional Plan on July 22, 2015.

- 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 A memorandum of understanding delegating permitting authority is already in place. No change is necessary.

- 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 TRPA has conducted routine monitoring, annual review, and recertification of the TVAP.

- 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 Final decisions made by the City in accordance with the TVAP/MOU may be appealed to TRPA in accordance with Section 13. 9 of TRPA Code. No change is proposed as part of these amendments.

Attachment F

Initial Environmental Checklist and Threshold Indicator Evaluation

INITIAL DETERMINATION OF ENVIRONMENTAL IMPACT CHECKLIST

Project Name:

Tahoe Valley Area Plan Amendment #1

I. Introduction

This Initial Environmental Checklist (IEC) has been prepared to address the potential environmental effects of amending the Tahoe Valley Area Plan (TVAP), located within the City of South Lake Tahoe, California. The amendment includes changes to building design standards, parking standards, and other administrative revisions, and is intended to reduce barriers to workforce and achievable housing.

1. Area Plan Amendment Description

Proposal by Tahoe Regional Planning Agency to amend the Tahoe Valley Area Plan to reduce barriers to workforce housing projects. The amendments include the following:

Reduction of Workforce Housing Barriers

- Allowing hard, soft, and potential coverage to be transferred in at a 1:1 ratio for mixed-use projects when the individual uses qualify to do so.
- Specifying that the corner-build standard and the angled corner standards are not applicable to residential development.
- Reducing the minimum roof pitch from 5:12 to 3:12.
- Eliminating the requirement that a roof constitute at least 40 percent of a building's height.
- Allowing reduction of parking ratios when supported by a parking study and ongoing parking management or when required by state or regional law.

2. Location

The Tahoe Valley Area Plan is located in the western portion of the City of South Lake Tahoe (see Figure 1), centered around the intersection of State Route 89 and US Highway 50, which is commonly known as "The Y." The area plan consists of approximately 337 acres and includes 484 parcels that consist of a mix of residential, commercial, tourist accommodation, industrial, and public service uses. Commercial uses are most dominant. The planning area lies immediately to the west of the Upper Truckee River marsh, which discharges to Lake Tahoe.

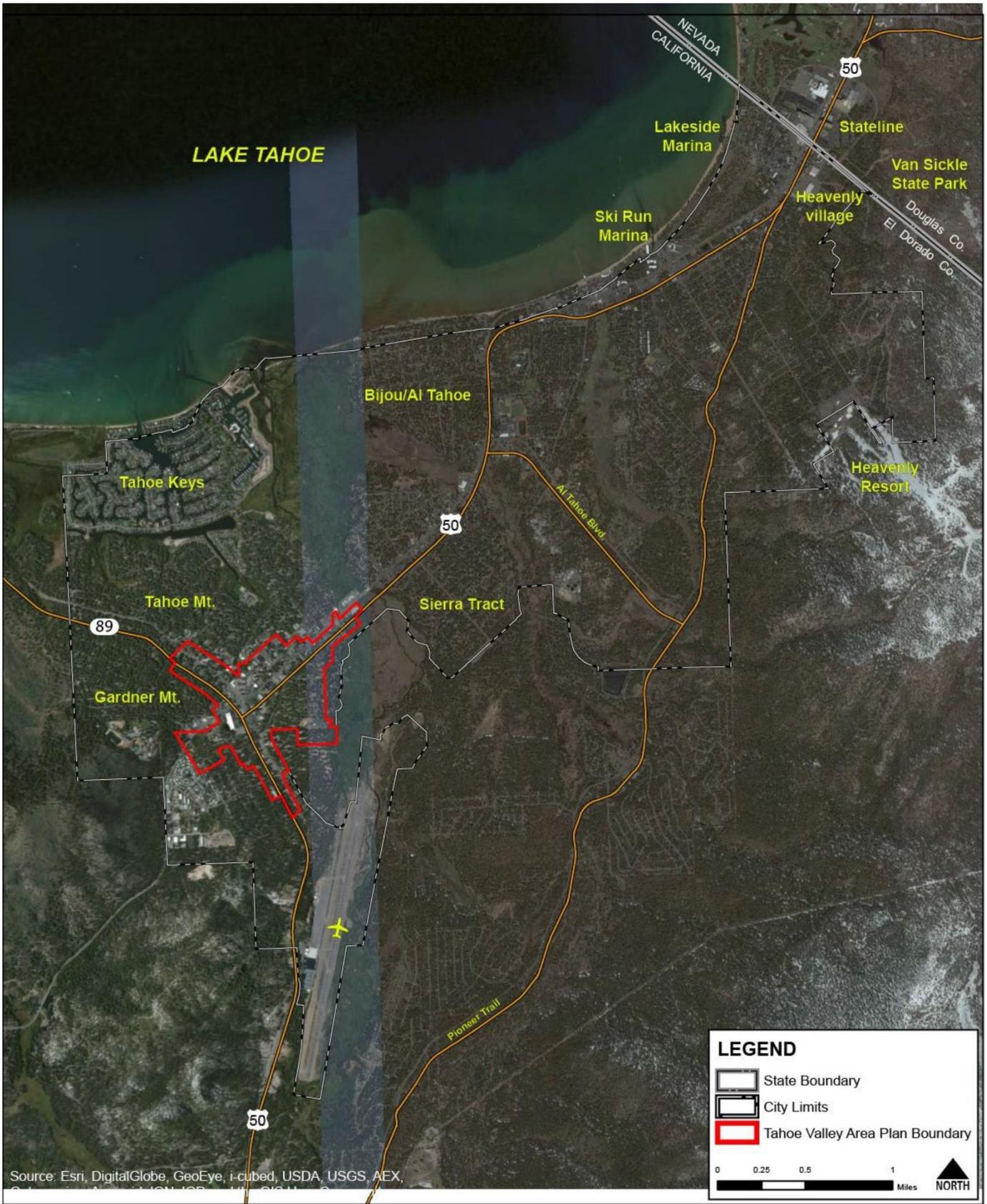


FIGURE 1: Location of the Tahoe Valley Area Plan

II. Proposed Plan Amendment

The proposed plan amendment consists of 10 components

Amendment Component	Page	Location	Classification	
1	Specify that mixed-use projects involving a mix of residential and public service uses are eligible for transfer of hard, soft, and potential coverage at a 1:1 ratio.	C-18 C-38	Lot and Density Standard D New substitute coverage standard.	Coverage Transfers
2	Specify that the corner build standard applies only to mixed-use and non-residential buildings.	C-24	Building Placement Standard C	Building Design
3	Specify that the corner build standard does not apply where such development would encroach on a Stream Environment Zone.	C-24	Building Placement Standard C	Building Design
4	Reduce the minimum roof pitch from 5:12 to 3:12.	C-25	Table 7, Roof Slope row	Building Design
5	Eliminate the "roof height" requirement, which requires that a minimum of 40 percent of a building's height be comprised of roofing.	C-25	Table 7, Roof Height row	Building Design
6	Allow reduction of parking ratios when a property is deed restricted for parking management or when required by state law.	62 C-29 ; C-38	Policy T-2.5; Table 9, Parking, Driveway, and Loading Standards row; Substitute Design Standard L	Parking
7	Exempt residential projects from the requirement of a 45-degree angle for entrances located near a corner.	C-33	Substitute Design Standard B.3	Building Design

Please see Attachment C for detailed language on each of the amendments.

III. Environmental Baseline

Baseline conditions for the purposes of this IEC reflect current environmental conditions established by the following documents:

- Lake Tahoe Regional Plan (2012)
- TRPA Code of Ordinances
- City of South Lake Tahoe General Plan
- City of South Lake Tahoe Development Code

Additionally, this document reflects current environmental conditions in the existing TVAP. The TVAP has approximately 15 years left on its 20-year planning horizon. Because buildout under the existing TVAP is already included within this baseline, the analysis in this document focuses solely on the effect of the changes proposed to the TVAP over its plan horizon.

1. Tiering

This Initial Environmental Checklist (IEC) tiers from and incorporates by reference the analysis within the Initial Study / IEC prepared for the Tahoe Valley Area Plan. Because the amendment maintains most provisions of the TVAP without change, this IEC focuses only on those changes that deviate from the current TVAP. Impacts arising from development under current policy were already evaluated in the TVAP IEC, which can be accessed at this location:

- http://www.cityofslt.us/DocumentCenter/View/5239/Tahoe_Valley_Area_Plan_IS_IEC_03162015

Both this IEC and the TVAP IEC also tier from the Environmental Impact Statement (EIS) prepared for the Regional Plan Update (RPU), which can be accessed at these links:

- Volume 1 (Final EIS): http://www.trpa.org/wp-content/uploads/Volume_1_RPU_FEIS.pdf
- Volume 2 (Public Comments): http://www.trpa.org/wp-content/uploads/Volume_2_RPU_FEIS.pdf
- Volume 3 (Draft EIS): http://www.trpa.org/wp-content/uploads/Regional_Plan_EIS.pdf

2. Current Conditions

The Lake Tahoe Regional Plan lays out the foundation for land use planning in the Tahoe Basin. The Regional Plan sets out general goals, policies, and implementing actions. The Regional Plan uses a combination of area plans, community plans, and plan area statements to set policy on a more local scale. The TRPA Code of Ordinances sets forth the agency's adopted regulatory standards. Various programs operated by TRPA and its partner agencies further implement the Regional Plan.

The Regional Plan provides certain benefits to Area Plans. Among them are increased heights, increased density, and increased potential for transferred coverage within Town Centers. Additionally, local jurisdictions may adopt substitute standards as part of an area plan that supersede those established in the TRPA Code of Ordinances. Jurisdictions with a conforming area plan are also eligible to assume additional permitting responsibilities from TRPA.

The Tahoe Valley Area Plan (TVAP) has been in effect since 2015. It covers an area of roughly 337 acres centered around the intersection of US Highway 50, State Route 89, and Lake Tahoe Boulevard. It includes the Tahoe Valley Town Center and some additional service commercial lands to the north. The area plan is divided into seven zoning districts:

- **Commercial Mixed-Use Services (CMX-S)**, the only district entirely outside of the Town Center, which contains a mix of commercial, service, and light industrial uses.
- **Open Space (OS)**, which is for open space lands.

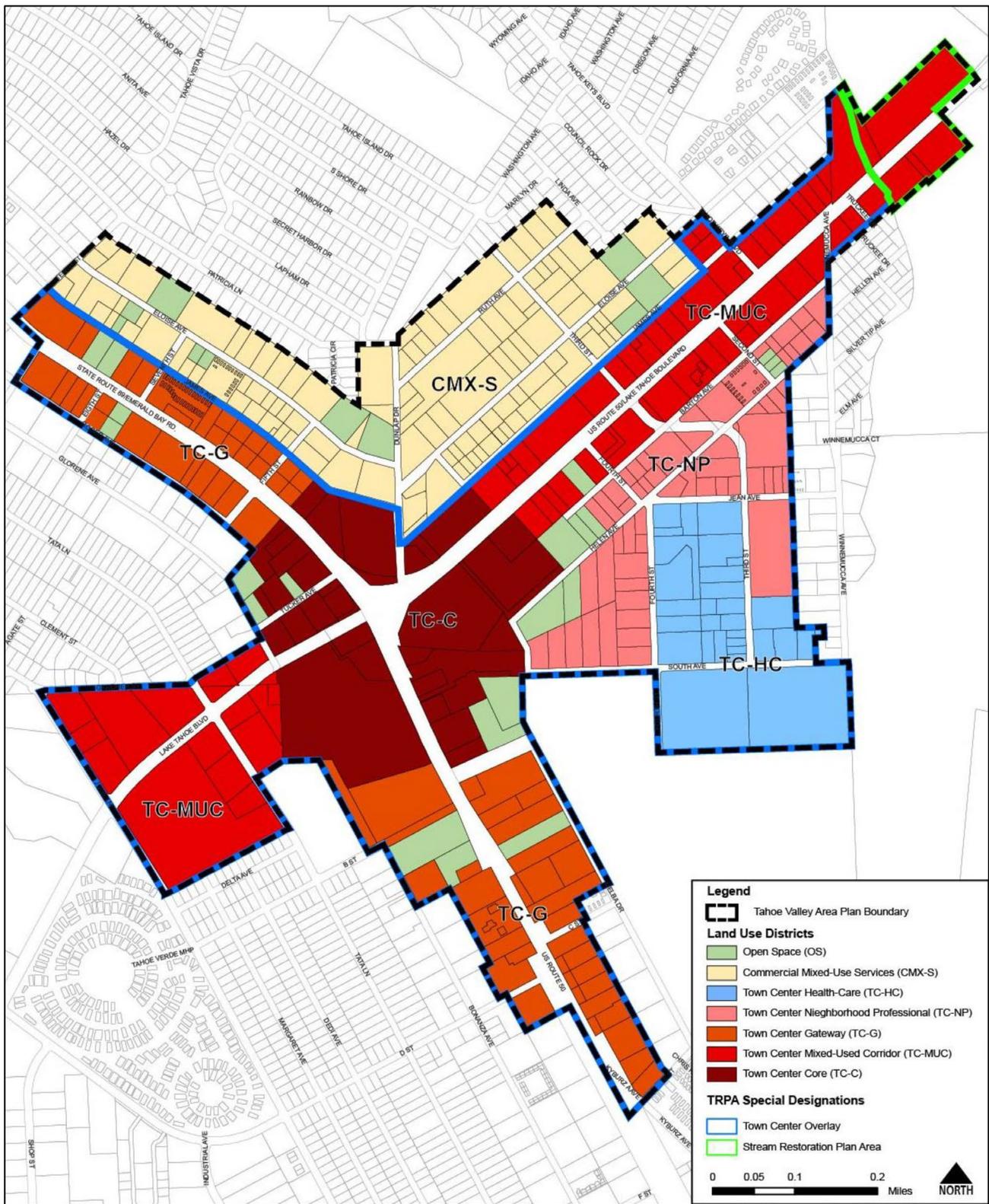


FIGURE 2: Tahoe Valley Area Plan Land Use Districts

- **Town Center Core (TC-C)**, which is the heart of the area and intended to become a central hub of retail activity and public gathering.
- **Town Center Gateway (TC-G)**, which is intended to create an attractive, welcoming gateway to the city.
- **Town Center Health-Care (TC-HC)**, which includes the core area of healthcare services and other related supporting services.
- **Town Center Mixed-Use Corridor (TC-MUC)**, which is intended to transform the eastern and western segments of Lake Tahoe Boulevard into a mixed-use corridor.
- **Town Center Neighborhood Professional (TC-NP)**, which allows a variety of residential and non-residential uses as a way to create a walkable and bikeable neighborhood.

The Tahoe Valley Area presents an excellent opportunity for workforce housing. The Regional Plan encourages these uses to be developed within a Town Center. Moreover, the Tahoe Valley area is served by transit and includes a transit center. The California Tahoe Conservancy (CTC) owns asset lands within the Tahoe Valley area that have been identified as opportunity sites of workforce housing.

Strict application of existing standards creates obstacles to workforce housing. The combination of coverage limitations with height, design, and parking requirements can seriously affect feasibility of a residential project. For example, the TVAP’s design standards limit a project in the TC-MUC district to a height of 42 feet, but also require that the roof be pitched at least 5:12 and constitute 40 percent of the building’s height. As a result of these standards, designing a three-story residential development is difficult. Developers have consistently identified standards such as these as an impediment to achieving workforce housing.

IV. Environmental Impacts

The following questionnaire will be completed by the applicant based on evidence submitted with the application. All "Yes" and "No, With Mitigation" answers will require further written comments.

1. Land

Will the proposal result in:	Yes	No	No, with mitigation	Data insufficient ⁺
a. Compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. A change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Unstable soil conditions during or after completion of the proposal?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. The continuation of or increase in wind or water erosion of soils, either on or off the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient +
f. Changes in deposition or erosion of beach sand, or changes in siltation, deposition or erosion, including natural littoral processes, which may modify the channel of a river or stream or the bed of a lake?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

Tiering. Checklist Items 61 through 67 in the TVAP IEC address land and soils related impacts. The IEC concludes no such impacts would occur under the TVAP.

Current Conditions. The TVAP relies upon provisions in the South Lake Tahoe Development Code and the TRPA Code of Ordinances to ensure that land disturbance activities do not result in significant environmental effects. The TRPA Code of Ordinances, for example, has provisions in Chapter 30: *Land Coverage* that formalize the land capability limitations. Similarly, Chapter 33: *Grading and Construction* deals with excavation, fills, and other land disturbance requirements. Finally, Chapter 60: *Water Quality* requires that Best Management Practices (BMPs) be installed on all sites to ensure against erosion and sedimentation impacts.

Proposal. The proposal will not affect the regulatory framework described above, although one of the amendments will slightly modify transfer of coverage provisions. The proposed amendments fall into three categories: three categories: transfers of coverage, building design, and parking. Of the amendments, only two have the potential to impact land and soils:

- Specify that mixed-use projects involving a mix of residential and public service uses are eligible for transfer of hard, soft, and potential coverage at a 1:1 ratio.
- Allow adjustment of parking ratios when a property is deed restricted for parking management or when required by state law.

Impacts.

a. Will the proposal result in compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)?

Current Conditions. Because the TVAP is a conforming area plan, the portions of the plan area that are designated as a Town Center are eligible to transfer in coverage up to a maximum of 70 percent of the site. Transfers of coverage are governed by Chapter 30: *Land Coverage* of the TRPA Code of Ordinances, which establishes the following provisions:

- Multi-family residential (5 units or more), public services, and recreational uses are eligible to transfer at a 1:1 ratio until maximum land coverage is reached. A 1:1 ratio also applies when coverage is transferred from sensitive lands.

- Other uses receive a pro-rated transfer ratio between 1:1 and 2:1 depending upon the final coverage amount. Uses seeking full 70 percent coverage must use the 2:1 ratio for transfers beyond 50 percent.
- Hard coverage can always be transferred. Soft and potential coverage cannot be transferred to commercial, mixed-use, or tourist accommodation facilities, but can be transferred for other uses such as multi-family residential and public services uses.

With respect to parking, the TVAP relies on the South Lake Tahoe Development Code to establish parking ratios and requirements. The code standards for parking allow adjustment of parking ratios as part of a discretionary land use permit. No allowance is provided for circumstances where the city is pre-empted in regulation of parking by a state statute.

Proposal. The proposal would allow mixed-use projects to (1) transfer in soft and potential coverage, and (2) use a 1:1 ratio for all transfers when the component uses are also eligible to do so. An example would be a mixed-use project comprising 10 residential units and a day-care center. Individually, the residential and day care center components qualify for the 1:1 transfer ratio and transfer of soft and potential coverage. Currently, however, when the uses are combined, they lose that eligibility. The proposed amendment would resolve this issue.

Additionally, the proposal would alter a substitute parking standard by (1) allowing state law to prevail where local governments are pre-empted in setting parking demand ratios, and (2) allowing the City's Development Services Director to administratively reduce parking demand ratios when supported with a parking study and ongoing parking management.

Impact. Though the amendment would change transfer ratios for a limited class of projects, the resulting projects would still need to abide by the maximum coverage requirements established in the TVAP and TRPA Code of Ordinances. As such, land capability and IPES limitations would not be exceeded due to the amendments. General coverage impacts from a mixed-use development comprised of multi-family residential and public services uses would be equivalent to that of similarly sized individual projects. As such, no impact is anticipated with respect to transfers of coverage.

In regards to parking, the proposal could result in a reduction of parking within subsequent developments under the TVAP. This is because subsequent developments would benefit either from reduced parking demand ratios under state statute, or because projects are able to receive administrative approval of reduced parking. The reduction of developed parking, however, is based either on a city-approved parking study or on a project's proximity to public transit services in the case of the state pre-emption. In any case, any future development projects would be subject to project-level environmental review. A project may only be approved when the requisite findings can be made, including a finding of consistency with environmental thresholds. Any project that creates excess unsatisfied parking demand resulting in parking in non-coverage areas would be inconsistent with this finding. As such, application of the standard project review process is sufficient to ensure that unfulfilled parking demand does not result in excess coverage.

b. Will the proposal result in a change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions?

The amendments would not result in changes in topography or natural relief. Existing TVAP and TRPA Code of Ordinances provisions that address topography would continue to apply.

c. Will the proposal result in unstable soil conditions during or after completion of the proposal?

The amendments would not result in unstable soil conditions. Existing TVAP and TRPA Code of Ordinances provisions that address soils and water quality would continue to apply.

d. Will the proposal result in changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet?

The amendments will not result in excess excavation. Existing TVAP and TRPA Code of Ordinances provisions that address excavation and grading would continue to apply.

e. Will the proposal result in the continuation of or increase in wind or water erosion of soils, either on or off the site?

The amendments would not result in changes in natural soil conditions, alterations in drainage or wind patterns, or make soils more susceptible to erosion.

f. Changes in deposition or erosion of beach sand, or changes in siltation, deposition or erosion, including natural littoral processes, which may modify the channel of a river or stream or the bed of a lake?

The amendments would not affect littoral or riparian ecological processes.

g. Exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards?

The amendments would not expose people to geologically hazardous conditions.

Threshold Indicators – Soil Conservation

As indicated in the discussion, above, adverse impacts to soils due to increased coverage are not anticipated.

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
61 SC-1	Bailey Land Coverage Coefficient for Class 1a	Percent of impervious cover	N/A (In Attainment)	Considerably better than target	Little or no change
62 SC-2	Bailey Land Coverage Coefficient for Class 1b	Percent of impervious cover	Insufficient data to determine interim target	Considerably worse than target	Moderate improvement
63 SC-3	Bailey Land Coverage Coefficient for Class 1c	Percent of impervious cover	N/A (In Attainment)	At or better than target	Little or no change
64 SC-4	Bailey Land Coverage Coefficient for Class 2	Percent of impervious cover	Insufficient data to determine interim target	Somewhat worse than target	Little or no change
65 SC-5	Bailey Land Coverage Coefficient for Class 3	Percent of impervious cover	N/A (In Attainment)	Considerably better than target	Little or no change
66 SC-6	Bailey Land Coverage Coefficient for Class 4	Percent of impervious cover	N/A (In Attainment)	Considerably better than target	Little or no change

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
67 SC-7	Bailey Land Coverage Coefficient for Class 5	Percent of impervious cover	N/A (In Attainment)	Considerably better than target	Little or no change
68 SC-8	Bailey Land Coverage Coefficient for Class 6	Percent of impervious cover	N/A (In Attainment)	Considerably better than target	Little or no change
69 SC-9	Bailey Land Coverage Coefficient for Class 7	Percent of impervious cover	N/A (In Attainment)	At or better than target	Little or no change
70	Stream restoration	Acres (and percent) of SEZ restored	88 acres of SEZ restoration by 2016	Considerably worse than target	Moderate improvement

2. Air Quality

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

Discussion

Tiering. Checklist Items 24 through 28 in the TVAP IEC address air quality impacts from the area plan. The IEC concludes that impacts under the TVAP would be less-than-significant.

Current Conditions. TRPA Code of Ordinances Chapter 65: *Air Quality / Transportation* includes several standards that ensure that air quality standards are maintained. These include:

- An air quality mitigation fee program
- Limitations on combustion appliances
- Restrictions on stationary pollutant sources
- Restrictions on idling

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. None of these amendments would have a direct or indirect effect on air quality requirements.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

a. Will the proposal result in substantial air pollutant emissions?

The amendments would not result in generation or emission of air pollutants. Existing air quality standards and requirements will continue to apply.

b. Will the proposal result in deterioration of ambient (existing) air quality?

The amendments would not result in deterioration of ambient air quality. Existing air quality standards and requirements will continue to apply.

c. Will the proposal result in the creation of objectionable odors?

The amendments are not expected to result in creation of objectionable odors. Existing land use and air quality standards will continue to apply.

d. Will the proposal result in alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?

The amendments would not alter any standard that affects air movement, moisture, temperature, or climate.

e. Will the proposal result in increased use of diesel fuel?

The amendments would not result in increased use of diesel fuel, as the amendments would not result in additional short-term construction beyond what was already anticipated in the TVAP IEC. That IEC found that impacts from increased use of diesel fuel would be less-than significant.

Threshold Indicators – Air Quality

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

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
1	Carbon monoxide concentration	Highest 1-hour reading of CO	N/A (In Attainment)	Considerably better than target	Moderate improvement
2 AQ-1	Carbon monoxide – concentration	Highest 8-hour reading of CO	N/A (In Attainment)	Considerably better than target	Moderate improvement
3 AQ-3	Ozone – concentration	Highest 1-hour reading of	N/A (In Attainment)	At or better than target	Moderate improvement
4	Ozone – concentration	Highest 8-hour ozone concentration	Insufficient data to determine target	Somewhat worse than target	Moderate improvement
5 AQ-10	Particulate matter concentration – annual	Annual average PM _{2.5}	N/A (In Attainment)	Considerably better than target	Moderate improvement
6 AQ-9	Particulate matter concentration – 24 hour	Highest 24-hour PM ₁₀ concentration	59 µg/m ³ by 2016	Somewhat worse than target	Little or no change
7 AQ-5	Regional visibility – 50 th percentile	Visibility extinction coefficient	N/A (In Attainment)	At or better than target	Little or no change

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
8 AQ-6	Regional visibility – 90 th percentile	Visibility extinction coefficient	N/A (In Attainment)	At or better than target	Little or no change
9 AQ-7	Subregional visibility – 50 th percentile	Visibility extinction coefficient	Insufficient data to determine target	Unknown	Unknown
10 AQ-8	Subregional visibility – 90 th percentile	Visibility extinction coefficient	Insufficient data to determine target	Unknown	Unknown
11 AQ-2	Carbon monoxide – winter traffic volume	Traffic volume on US 50 during the Saturday of President’s Day weekend.	N/A (In attainment)	Considerably better than target	Moderate improvement
12 AQ-14	Nitrate deposition – vehicle miles travelled	VMT estimated from peak traffic volumes in 2 nd week of August	N/A (In Attainment)	At or better than target	Moderate improvement
13 AQ-13	Nitrate deposition	Modeled NO _x emissions in tons	N/A (In Attainment)	Implemented	N/A
14	Odor – Diesel engine emission fumes	Evaluation criteria and evidence	N/A (In Attainment)	Implemented	N/A
15	Ozone – concentration	3-year average of 4 th highest ozone concentration	N/A (In Attainment)	At or better than target	Moderate improvement
16 AQ-4	Ozone – Oxides of nitrogen	Average tons of NO _x per day	N/A (In Attainment)	Considerably better than target	Moderate improvement
17	Fine particulate matter – 3 year daily average	3 year average of 98 th percentile 24-hour PM _{2.5} concentration	N/A (In Attainment)	Considerably better than target	Little or no change
18 AQ-11	Fine particulate matter concentration – 24 hour	Highest 24-hour PM _{2.5} concentration	Not established	Not yet evaluated	Not yet evaluated
19 AQ-12	Fine particulate matter concentration – annual	Annual average PM _{2.5}	N/A (In Attainment)	Considerably better than target	Little or no change

3. Water Quality

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient +
a. Changes in currents, or the course or direction of water movements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff so that a 20 yr. 1 hr. storm runoff (approximately 1 inch per hour) cannot be contained on the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Will the proposal result in:	Yes	No	No, with mitigation	Data insufficient ⁺
c. Alterations to the course or flow of 100-year flood waters?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Change in the amount of surface water in any water body?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Alteration of the direction or rate of flow of ground water?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Substantial reduction in the amount of water otherwise available for public water supplies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. Exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j. The potential discharge of contaminants to the groundwater or any alteration of groundwater quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

Tiering. Checklist Items 92 through 102 in the TVAP IEC address water quality impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. Chapter 60: *Water Quality* of the TRPA Code of Ordinances establishes protection provisions for both surface and groundwater. This is accomplished through such measures as BMP installation and source water protection.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. No water quality effects are anticipated from any of these amendments.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

a. Will the proposal result in changes in currents, or the course or direction of water movements?

The amendments would not result in changes in currents or water course or direction. Existing standards that protect ecological processes will remain in place.

b. Will the proposal result in changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff so that a 20 yr. 1 hr. storm runoff (approximately 1 inch per hour) cannot be contained on the site?

Please see the discussion for Question 1a. Development under the proposed amendments would maintain consistency with the land capability limitations in the TRPA Code of Ordinances and would be designed to include required BMPs. As such, adherence to existing code provisions will ensure that

development would not result in significant changes in absorption rate, drainage patterns, or surface water discharge.

c. Will the proposal result in alterations to the course or flow of 100-year flood waters?

Development under the proposed amendments would not result in alterations to the course or flow of 100-year floodwaters.

d. Will the proposal result in change in the amount of surface water in any water body?

The proposed amendments would not be anticipated to change the amount of surface water in any waterbody.

e. Will the proposal result in discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?

As with current requirements, all development will be required to comply with Chapter 60: *Water Quality* of the Code of Ordinances. This includes provisions for the installation of water quality BMPs. BMPs when sized and installed correctly can help to reduce discharges into surface waters that would affect water quality. Adherence to current standards would ensure that alteration of surface water quality impacts are less than significant.

f. Will the proposal result in alteration of the direction or rate of flow of ground water?

The proposed amendments would not alter the direction or flow rate of groundwater.

g. Will the proposal result in change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?

The proposed amendments would not affect the quantity of groundwater. As evaluated in the TVAP, there are sufficient water resources to serve buildout of the plan without resulting in impacts.

h. Will the proposal result in substantial reduction in the amount of water otherwise available for public water supplies?

Please see the answer to Question 3g above. There are sufficient water resources to serve the buildout of the plan.

i. Will the proposal result in exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches?

Please see the answer to Question 3c above. The plan area is non-littoral, so seiche and wave action impacts are not anticipated. The amendments would not result in activities in the 100-year floodplain.

j. Will the proposal result in the potential discharge of contaminants to the groundwater or any alteration of groundwater quality?

The proposed amendment would not result in a discharge of contaminants to groundwater or other alteration of groundwater quality.

Threshold Indicators – Water Quality

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

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
97 WQ-4	Littoral – turbidity – non-stream-influenced shallow waters	Average turbidity measure (NTU)	Insufficient data to determine target	At or better than target	Unknown
98 WQ-3	Littoral – turbidity	Average turbidity measure (NTU)	Insufficient data to determine target	At or better than target	Unknown
99	Littoral – attached algae		Insufficient data to determine target	Insufficient information	Little or no change
100 WQ-8 thru 14	Littoral – aquatic invasive species		Insufficient data to determine target	Insufficient information	Little or no change
101 WQ-1	Deep water transparency	Annual average secchi disk depth	78 feet by 2016	Somewhat worse than target	Little or no change
102 WQ-2	Deep water – phytoplankton productivity	Primary phytoplankton productivity	Predicted to be approximately 221 gC/m ² /yr in 2016	Considerably worse than target	Rapid decline
103 WQ-18	Tributaries -suspended sediment concentration	90 th percentile suspended sediment concentrations (mg/l)	N/A (In Attainment)	Considerably better than target	N/A
104 WQ-15	Tributaries – dissolved inorganic nitrogen	mg/l; and number and percent of standard exceedences	Unable to be determined due to lack of trend	No target established	Little or no change
105 WQ-16	Tributaries – dissolved phosphorous	mg/l; and number and percent of standard exceedences	Unable to be determined due to lack of trend	No target established	Little or no change
106	Runoff – grease and oil	Concentration of grease and oil (mg/l)	Insufficient data to determine target	Unknown	Unknown
107 WQ-21	Runoff – dissolved iron concentration	Concentration of total iron (mg/l)	Insufficient data to determine target	Unknown	Unknown
108 WQ-19	Runoff - dissolved inorganic nitrogen concentration	Concentration of total nitrogen (mg/l)	Insufficient data to determine target	Unknown	Unknown
109 WQ-20	Runoff – dissolved phosphorous concentration	Concentration of total phosphate (mg/l)	Insufficient data to determine target	Unknown	Unknown
110 WQ-22	Runoff -suspended sediment	Turbidity level (NTU)	Insufficient data to determine target	Unknown	Unknown

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
111	Groundwater discharge – grease and oil	Concentration of grease and oil (mg/l)	Insufficient data to determine target	Unknown	Unknown
112	Groundwater discharge – iron	Concentration of total iron (mg/l)	Insufficient data to determine target	Unknown	Unknown
113	Groundwater discharge - nitrogen	Concentration of total nitrogen (mg/l)	Insufficient data to determine target	Unknown	Unknown
114	Groundwater discharge – phosphate	Concentration of total phosphate (mg/l)	Insufficient data to determine target	Unknown	Unknown
115	Groundwater discharge – turbidity	Turbidity level (NTU)	Insufficient data to determine target	Unknown	Unknown
116	Other lakes – boron	Concentration of boron (mg/l)	Insufficient data to determine target	Unknown	Unknown
117	Other lakes – chloride	Concentration of chloride (mg/l)	Insufficient data to determine target	Unknown	Unknown
118	Other lakes – chlorophyll-a	Concentration of chlorophyll-a (gC/m ² /year)	Insufficient data to determine target	Unknown	Unknown
119	Other lakes – dissolved inorganic nitrogen	Concentration of Inorganic Nitrogen	Insufficient data to determine target	Unknown	Unknown
120	Other lakes – dissolved oxygen	Concentration of Dissolved Oxygen	Insufficient data to determine target	Unknown	Unknown
121	Other lakes – pH	pH level	Insufficient data to determine target	Unknown	Unknown
122	Other lakes – phytoplankton cell counts	Phytoplankton cell count	Insufficient data to determine target	Unknown	Unknown
123	Other lakes – secchi disk	Depth of Secchi Disk	Insufficient data to determine target	Unknown	Unknown
124	Other lakes – soluble reactive iron	Concentration of Soluble Reactive Iron	Insufficient data to determine target	Unknown	Unknown
125	Other lakes – soluble reactive phosphorous	Concentration of SRP	Insufficient data to determine target	Unknown	Unknown
126	Other lakes – sulfate	Concentration of Sulfate	Insufficient data to determine target	Unknown	Unknown

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
127	Other lakes – temperature	Water temperature	Insufficient data to determine target	Unknown	Unknown
128	Other lakes – total dissolved solids	Concentration of TDS	Insufficient data to determine target	Unknown	Unknown
129	Other lakes – total nitrogen	Concentration of TN	Insufficient data to determine target	Unknown	Unknown
130	Other lakes – total phosphorous	Concentration of TP	Insufficient data to determine target	Unknown	Unknown
131	Other lakes – total reactive iron	Concentration of TRI	Insufficient data to determine target	Unknown	Unknown
132	Other lakes – vertical extinction coefficient	Vertical extinction	Insufficient data to determine target	Unknown	Unknown
133	Tributaries – reduce dissolved inorganic nitrogen load	Annual load of nitrogen (and nitrogen species)	Insufficient data to determine target	Unknown	Unknown
134	Tributaries – reduce dissolved phosphorous load	Annual load of total phosphorus (and phosphorus species)	Insufficient data to determine target	Unknown	Unknown
135	Tributaries – reduce suspended sediment load	Annual load of suspended sediment from all monitored tributaries	Insufficient data to determine target	Unknown	Unknown
136	Tributaries – state standard for dissolved iron concentration	Annual Dissolved Iron Concentration	Insufficient data to determine target	Unknown	Unknown
137	Dissolved inorganic loading – atmospheric source reduction	Metric tons of nutrients loaded via rain and snow deposition ("wet deposition") at Ward Creek site per year from atmospheric sources	Insufficient data to determine target	Unknown	Unknown
138	Dissolved inorganic nitrogen – groundwater source	Metric tons of DIN/year	Insufficient data to determine target	Unknown	Unknown
139	Dissolved inorganic nitrogen – runoff source	Metric tons of DIN/year	Insufficient data to determine target	Unknown	Unknown

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
140	Reduce dissolved inorganic nitrogen from all sources	Annual DIN Load in metric tons/year or kg/year	Insufficient data to determine target	Unknown	Unknown
141	Reduce dissolved inorganic nitrogen, phosphorous, and iron from all sources	Annual DIN, DP, Iron Load in metric tons/year or kg/year	Insufficient data to determine target	Unknown	Unknown

4. Vegetation

Will the proposal result in:

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

Discussion

Tiering. Checklist Items 35 through 42 in the TVAP IEC address vegetation impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. Section 61.3, *Vegetation Protection and Management*, of the TRPA Code of Ordinances establishes protection standards for Stream Environment Zones (SEZs) and for other sensitive and uncommon plant communities.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. None of these amendments would have a direct or indirect effect on vegetation.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

a. Will the proposal result in removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system?

Please see the response to Question 1a. The proposed amendments would not result in removal of excess native vegetation beyond what is allowable under the land capability system.

b. Will the proposal result in removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table?

The proposed amendments would not result in removal of hydrophytic vegetation either directly or indirectly.

c. Will the proposal result in introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species?

The proposed amendments would not result in introduction of new vegetation that requires excess fertilizer or water. There are sufficient water resources to support landscaping, and adherence to code requirements would ensure against placement of harmful fertilizers.

d. Change in the diversity or distribution of species, or number of any species of plants (including trees, shrubs, grass, crops, micro flora and aquatic plants)?

The proposed amendments would not result in a change in the diversity or distribution of plant species.

e. Will the proposal result in reduction of the numbers of any unique, rare or endangered species of plants?

The proposed amendments would not result in reduction of any unique, rare, or endangered species of plants. Existing code requirements that address this issue would continue to apply.

f. Will the proposal result in removal of stream bank and/or backshore vegetation, including woody vegetation such as willows?

TVAP is non-littoral, so no disturbance to the backshore is anticipated. SEZs are protected under Section 61.3 of the TRPA Code of Ordinances, and such protection would continue. As such, no removal of stream bank vegetation is anticipated.

g. Will the proposal result in removal of any native live, dead or dying trees 30 inches or greater in diameter at breast height (dbh) within TRPA's Conservation or Recreation land use classifications?

There are no Conservation or Recreation land use classifications within the plan area.

h. Will the proposal result in a change in the natural functioning of an old growth ecosystem?

There is no old-growth ecosystem within the plan area.

Threshold Indicators – Vegetation Preservation

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

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
71	Appropriate Management Practices	Evaluation Criteria and Evidence	N/A (In Attainment)	Implemented	N/A
72	Land Capability to Support Native Vegetation	Evaluation Criteria and Evidence	N/A (In Attainment)	Implemented	N/A
73	Protect and Expand Riparian Vegetation	Evaluation Criteria and Evidence	N/A (In Attainment)	Implemented	N/A
74	Vegetation Pattern - Juxtaposition	Evaluation Criteria and Evidence	N/A (In Attainment)	Implemented	N/A
75	Relative Abundance - Deciduous Riparian Hardwoods	Acres (and percent cover) of Riparian Deciduous Hardwoods	Increase total acreage by 2016	Considerably Worse Than Target	Little or No Change
76	Relative Abundance - Meadows and Wetlands	Acres (and percent cover) of vegetation types meeting meadow and wetland classification type	Increase total acreage by 2016	Somewhat Worse Than Target	Little or No Change
77	Relative Abundance - Shrub	Acres (and percent cover) of vegetation types meeting shrub classification	N/A (In Attainment)	Considerably Better Than Standard	Little or No Change
78	Relative Abundance - Small Diameter Red Fir	Acres (and percent cover) of vegetation types meeting small diameter (<10.9"dbh) red fir classification	Insufficient data to determine interim target	Considerably Worse Than Target	Little or No Change
79	Relative Abundance - Small Diameter Yellow Pine	Acres (and percent cover) of vegetation types meeting small diameter (<10.9"dbh) Jeffrey pine classification	Insufficient data to determine interim target	Considerably Worse Than Target	Little or No Change

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
80	Vegetation Community Richness	Number of different vegetation associated as defined in resolution 82-11	N/A (In Attainment)	At or Better Than Target	Little or No Change
81	Deep-water plants of Lake Tahoe	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	Insufficient data to determine interim target	Considerably Worse Than Target	Unknown
82	Freel Peak Cushion Plant community	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	N/A (In Attainment)	Somewhat Worse Than Target	Rapid Decline
83	Grass Lake (sphagnum bog)	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	N/A (In Attainment)	Insufficient Information	Unknown
84	Hell Hole	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	N/A (In Attainment)	Insufficient Information	Unknown
85	Osgood swamp	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	Insufficient data to determine interim target	Insufficient Information	Unknown
86	Pope Marsh	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	Unable to be determined due to lack of trend	Insufficient Information	Unknown
87	Taylor Creek Marsh	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	N/A (In Attainment)	Insufficient Information	Unknown
88	Upper Truckee Marsh	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	Insufficient data to determine interim target	Somewhat Worse Than Target	Little or No Change
89	Galena Rock Cress - <i>Arabis rigidissima</i> v. <i>demote</i>	Number of occupied sites	Insufficient data to determine interim target	Considerably Worse Than Target	Unknown

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
90	Cup Lake Draba - <i>Draba asterophora</i> v. <i>macrocarpa</i>	Number of occupied sites	N/A (In Attainment)	Considerably Better Than Standard	Little or No Change
91	Long-petaled Lewisia - <i>Lewisia pygmaea longipetala</i>	Number of occupied sites	N/A (In Attainment)	Considerably Better Than Standard	Little or No Change
92	Tahoe Draba - <i>Draba asterophora</i> v. <i>asterophora</i>	Number of occupied sites	N/A (In Attainment)	Considerably Better Than Standard	Little or No Change
93	Tahoe Yellow Cress - <i>Rorippa subumbellata</i>	Number of occupied sites	N/A (In Attainment)	Considerably Better Than Standard	Moderate
94	Late Seral/Old Growth - Montane	Acres (and percent cover) of stands dominated by conifer trees > 24"dbh (relative abundance)	Increase in percent cover of large diameter dominated stands by 2016	Considerably Worse Than Target	Unknown
95	Late Seral/Old Growth - Sub Alpine	Acres (and percent cover) of stands dominated by conifer trees > 24"dbh (relative abundance)	Increase in percent cover of large diameter dominated stands by 2016	Considerably Worse Than Target	Unknown
96	Late Seral/Old Growth - Upper Montane	Acres (and percent cover) of stands dominated by conifer trees > 24"dbh (relative abundance)	Increase in percent cover of large diameter dominated stands by 2016	Considerably Worse Than Target	Unknown

5. Wildlife

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Change in the diversity or distribution of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects, mammals, amphibians or microfauna)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Reduction of the number of any unique, rare or endangered species of animals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Deterioration of existing fish or wildlife habitat quantity or quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

Tiering. Checklist Items 43 through 46 in the TVAP IEC address wildlife impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. Chapter 62: *Wildlife Resources* and Chapter 63: *Fish Resources* of the TRPA Code of Ordinances provide protection of critical habitat for any species of concern.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Alterations in any of these areas would not be expected to result in a direct or indirect effect on wildlife.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

- a. **Will the proposal result in change in the diversity or distribution of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects, mammals, amphibians or microfauna)?**

The amendments are not expected to result in a change in distribution or numbers of any species.

- b. **Will the proposal result in reduction of the number of any unique, rare or endangered species of animals?**

The amendments are not anticipated to result in a reduction of unique, rare, or endangered animal species. The location of the area plan is an urbanized area where presence of such species is not anticipated.

- c. **Will the proposal result in introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?**

The amendments are not expected to result in the introduction of new species of animals.

- d. **Will the proposal result in deterioration of existing fish or wildlife habitat quantity or quality?**

The amendments are not expected to result in deterioration of fish or wildlife habitat. Existing TRPA ordinance standards that address these issues will continue to remain in effect.

Threshold Indicators – Wildlife

As discussed above, the proposed ordinance does not affect existing standards relating to wildlife. No impact to threshold indicators is anticipated.

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
142	Disturbance zones management standard	Road Density and Recreation disturbance within protected areas	N/A (In Attainment)	Implemented	N/A
143	Bald Eagle (Nesting, 1 site)	Number of active nest sites	N/A (In Attainment)	At or better than target	Little or no change

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
144	Bald Eagle (Winter, maintain 2 sites)	Winter Bald Eagle Count	Maintain wintering sites	No target established	Moderate improvement
145	Deer (no target)	Annual NDOW deer counts	increase in deer counts	No target established	Moderate improvement
146	Golden Eagle (4 sites)	Number of active nest sites/year	at least two active nests by 2016	Insufficient information	Insufficient data
147	Northern goshawk (12 sites)	Number of active nest sites/year	4-8 reproductively active territories by 2016	Insufficient information	Insufficient data
148	Osprey (4 sites)	Number of active nest sites/year	N/A (In Attainment)	Considerable better than target	Rapid improvement
149	Peregrine (2 sites)	Number of active nest sites/year	N/A (In Attainment)	Considerably better than target	Rapid improvement
150	Waterfowl (maintain 18 Sites)	Evidence of nesting waterfowl and disturbance within protected areas	Increase in the percentage of waterfowl relative to detrimental species	Somewhat worse than target	Little or no change
151	Riparian habitat protection	Implemented control measures and restoration effort	N/A (In Attainment)	Implemented	N/A

Threshold Indicators – Fisheries

As discussed above, the proposed ordinance does not affect existing standards relating to fisheries. No impact to threshold indicators is anticipated.

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
20	Littoral substrate	Acres of "prime" habitat (rocky substrates in littoral zone)	N/A (In Attainment)	At or better than target	Unknown
21	Stream habitat quality	Miles of stream in "excellent" condition class	Insufficient data to determine interim target	Considerably better than target	Unknown
22	Stream habitat quality	Miles of stream in "good" condition class	Insufficient data to determine interim target	Considerably worse than target	Unknown
23	Stream habitat quality	Miles of stream in "marginal" condition class	Insufficient data to determine interim target	Considerably worse than target	Unknown
24	Stream Flow protection	Evaluation Criteria and Evidence	N/A (In Attainment)	Implemented	N/A
25	Water diversions	Evaluation Criteria and Evidence	N/A (In Attainment)	Implemented	N/A
26	Lahontan cutthroat trout reintroduction	Evaluation Criteria and Evidence	N/A (In Attainment)	Implemented	N/A

6. Noise

Will the proposal result in:	Yes	No	No, with mitigation	Data insufficient ⁺
a. Increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Area Plan, Plan Area Statement, Community Plan or Master Plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exposure of people to severe noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. The placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. The placement of uses that would generate an incompatible noise level in close proximity to existing residential or tourist accommodation uses?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Exposure of existing structures to levels of ground vibration that could result in structural damage?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

Tiering. Checklist Items 118 through 120 in the TVAP IEC address noise impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. TVAP establishes maximum Community Noise Equivalent Levels (CNELs) for each of its zoning districts. Noise restrictions and enforcement of CNEL standards are then based upon TRPA Code of Ordinances Chapter 68: *Noise*.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. None of these amendments are expected to directly or indirectly affect noise.

Impacts.

- a. **Will the proposal result in increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Area Plan, Plan Area Statement, Community Plan or Master Plan?**

The proposal would not effect existing CNEL levels in the Tahoe Valley Area Plan.

- b. **Will the proposal result in exposure of people to severe noise levels?**

The amendments would not expose people to sever noise levels.

c. Will the proposal result in single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold?

The amendments would not result in generation of single-event noise levels that exceed threshold limitations.

d. Will the proposal result in the placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible?

The proposal will not result in placement of residential or tourist accommodation in areas where the existing CNEL exceeds 60dBA. Such uses would continue to be allowed in the designated zoning districts in the TVAP. The proposal does not alter which uses are allowed in each district.

e. Will the proposal result in the placement of uses that would generate an incompatible noise level in close proximity to existing residential or tourist accommodation uses?

The proposed amendments would not result in placement of noise-incompatible uses in close proximity to residential or tourist accommodation uses. Existing noise generation standards and land use permissibility restrictions would continue to apply.

f. Will the proposal result in exposure of existing structures to levels of ground vibration that could result in structural damage?

The proposal is not anticipated to result in exposure of structures to ground vibration.

Threshold Indicators – Noise

As discussed above, no significant noise-related impacts are anticipated.

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
27	Aircraft 8am to 8pm	dBA Level and Number of Exceedances of Standard	Trend expected to flatten then remain stable	Somewhat Worse Than Target	Insufficient Data
28	Aircraft 8pm to 8am	dBA Level and Number of Exceedances of Standard	Insufficient data to determine interim target	Unknown	Unknown
29	Motor Vehicles Greater Than 6,000 GVW	dBA Level and Number of Exceedances of Standard	Insufficient data to determine interim target	Unknown	Unknown
30	Motor Vehicles Less Than 6,000 GVW	dBA Level and Number of Exceedances of Standard	Insufficient data to determine interim target	Unknown	Unknown
31	Motorcycles	dBA Level and Number of Exceedances of Standard	Insufficient data to determine interim target	Unknown	Unknown

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
32	Off-Road Vehicles	dBA Level and Number of Exceedances of Standard	Insufficient data to determine interim target	Unknown	Unknown
33	Snowmobiles	dBA Level and Number of Exceedances of Standard	Insufficient data to determine interim target	Unknown	Unknown
34	Watercraft - Pass by	dBA Level and Number of Exceedances of Standard	Insufficient data to determine interim target	Unknown	Unknown
35	Watercraft - Shoreline	dBA Level and Number of Exceedances of Standard	Insufficient data to determine interim target	Somewhat Worse Than Target	Little or No Change
36	Watercraft - Stationary	dBA Level and Number of Exceedances of Standard	Insufficient data to determine interim target	Unknown	Unknown
37	Cumulative - Commercial Areas	Community Noise Equivalent Level (dBA) in designated zone	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change
38	Cumulative - Critical Wildlife Habitat Areas	Community Noise Equivalent Level (dBA) in designated zone	Insufficient data to determine interim target	Considerably Worse Than Target	Unknown
39	Cumulative - High Density Residential Areas	Community Noise Equivalent Level (dBA) in designated zone	Unable to be determined due to lack of trend	Somewhat Worse Than Target	Little or No Change
40	Cumulative - Hotel/Motel Areas	Community Noise Equivalent Level (dBA) in designated zone	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change
41	Cumulative - Industrial Areas	Community Noise Equivalent Level (dBA) in designated zone	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change
42	Cumulative - Low Density Residential Areas	Community Noise Equivalent Level (dBA) in designated zone	Unable to be determined due to lack of trend	At or Better Than Target	Little or No Change
43	Cumulative - Rural Outdoor Recreation Areas	Community Noise Equivalent Level (dBA) in designated zone	Unable to be determined due to lack of trend	At or Better Than Target	Little or No Change

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
44	Cumulative - Transportation Corridors - Highway 50	Community Noise Equivalent Level (dBA) in designated zone	N/A-Indicator already in attainment with standard	At or Better Than Target	Insufficient Data
45	Cumulative - Transportation Corridors - Highways 207	Community Noise Equivalent Level (dBA) in designated zone	Unable to be determined due to lack of trend	Somewhat Worse Than Target	Insufficient Data
46	Cumulative - Transportation Corridors - Highways 267	Community Noise Equivalent Level (dBA) in designated zone	Unable to be determined due to lack of trend	Somewhat Worse Than Target	Insufficient Data
47	Cumulative - Transportation Corridors - Highways 28	Community Noise Equivalent Level (dBA) in designated zone	CNEL 62 dBA	Somewhat Worse Than Target	Insufficient Data
48	Cumulative - Transportation Corridors - Highways 431	Community Noise Equivalent Level (dBA) in designated zone	CNEL 56 dBA	At or Better Than Target	Insufficient Data
49	Cumulative - Transportation Corridors - Highways 89	Community Noise Equivalent Level (dBA) in designated zone	CNEL 59 dBA	Somewhat Worse Than Target	Insufficient Data
50	Cumulative - Transportation Corridors - South Lake Tahoe Airport	Community Noise Equivalent Level (dBA) in designated zone	Insufficient data to determine interim target	Somewhat Worse Than Target	Insufficient Data
51	Cumulative - Urban Outdoor Recreation	Community Noise Equivalent Level (dBA) in designated zone	Unable to be determined due to lack of trend	At or Better Than Target	Little or No Change
52	Cumulative - Wilderness and Roadless Areas	Community Noise Equivalent Level (dBA) in designated zone	N/A-Indicator already in attainment with standard	At or Better Than Target	Moderate Improvement

7. Light and Glare

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Include new or modified sources of exterior lighting?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Create new illumination which is more substantial than other lighting, if any, within the surrounding area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- c. Cause light from exterior sources to be cast off -site or onto public lands?
- d. Create new sources of glare through the siting of the improvements or through the use of reflective materials?

Discussion

Tiering. Checklist Items 10 through 13 in the TVAP IEC address lighting and glare impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. The TVAP includes specific standards that address exterior lighting. These standards ensure that lighting is down-shielded to avoid creating glare or casting light offsite. Additionally, the standards prohibit the use of reflective exterior building materials. These existing standards would remain in place unchanged.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Alterations in any of these areas would not be expected to result in a direct or indirect effect relating to light or glare.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

a. Will the proposal include new or modified sources of exterior lighting?

The amendments would not result in additional or modified exterior lighting beyond what is already allowed under the TVAP. All exterior lighting must comply with existing TVAP standards.

b. Will the proposal create new illumination which is more substantial than other lighting, if any, within the surrounding area?

The amendments would not result in new illumination. All exterior lighting must comply with existing TVAP standards.

c. Will the proposal cause light from exterior sources to be cast off -site or onto public lands?

The amendments would not cause light to be cast offsite or onto public lands. Existing exterior lighting standards will continue to apply.

d. Will the proposal create new sources of glare through the siting of the improvements or through the use of reflective materials?

The amendments would not create new sources of glare through reflective building materials. Building materials must meet the existing requirements in the TVAP.

8. Land Use

Will the proposal result in:

Yes No No, with mitigation Data insufficient +

- a. Include uses which are not listed as permissible uses in the applicable Area Plan, Plan Area Statement, adopted Community Plan, or Master Plan?
- b. Expand or intensify an existing non-conforming use?

Discussion

Tiering. Checklist Items 106 and 107 in the TVAP IEC address land use impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. Chapter 13: *Area Plans* of the TRPA Code of Ordinances establishes provisions for the establishment of area plans. Once adopted and found to be conforming with the Regional Plan, an area plan becomes a component of the Regional Plan. Chapter 13 requires that area plans address several different land use-related topics, including permissible uses, heights, density, building design, parking, lighting, and signage.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. None of these alterations affect permissible uses or nonconforming uses.

Impacts. As no changes in permissible use are proposed, the potential effects are the same as those identified in the TVAP IEC.

- a. **Include uses which are not listed as permissible uses in the applicable Area Plan, Plan Area Statement, adopted Community Plan, or Master Plan?**
The amendments would not affect permissible uses, and therefore would not introduce a use that is not already listed as permissible in the TVAP.
- b. **Expand or intensify an existing non-conforming use?**
The amendments would not expand or intensify a nonconforming use. No change in permissible uses is proposed. The amendments would not further intensify existing residential nonconformities in the CMX-S zoning district.

9. Natural Resources

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient +
a. A substantial increase in the rate of use of any natural resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Substantial depletion of any non-renewable natural resource?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

Tiering. Checklist Items 110 and 111 in the TVAP IEC address air quality impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. While the TVAP does not directly address resource consumption, projects that would consume an inordinate amount of natural resources would be subject to project-level environmental review.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Alterations in any of these areas would not be expected to result in a direct or indirect effect on wildlife.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

a. Will the proposal result in a substantial increase in the rate of use of any natural resources?

The amendments would not result in a substantial increase in use of any natural resources. As indicated in the TVAP IEC, buildout under the plan would result in impacts that are less than significant. The amendments would not be expected to alter resource consumption.

b. Will the proposal result in substantial depletion of any non-renewable natural resource?

See response to Question 9a above. The amendments would not result in a substantial depletion of any nonrenewable resources.

10. Risk of Upset

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient ⁺
a. Involve a risk of an explosion or the release of hazardous substances including, but not limited to, oil, pesticides, chemicals, or radiation in the event of an accident or upset conditions?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Involve possible interference with an emergency evacuation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

Tiering. Checklist Items 78 and 79 in the TVAP IEC address hazard-related impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant after incorporation of mitigation.

Current Conditions. All existing and new development in the TVAP planning area are required to comply with federal, state, and local regulations regarding the handling, transportation, disposal, and cleanup of hazardous materials.

TVAP includes five mitigation measures to address hazards and hazardous materials:

- Measure HAZ-1, which requires sites known to contain hazardous materials to be reviewed, tested, and remediated.

- Measure HAZ-2, which require future projects with potential contaminating activities to demonstrate adequate protections are in place prior to approval.
- Measure HAZ-3, which requires future projects to incorporate all recommended fire protection and design provisions identified by the fire department.
- Measure HAZ-4, which requires submittal and approval of a Traffic Management Plan prior to site disturbance.
- Measure HNS-1, which requires the City to do a nexus study and assess development impact fees.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Alterations in any of these areas would not be expected to result in a direct or indirect effect on hazardous materials or risk of upset. Implementation of the amendments would also not affect the continued application of the above mitigation measures.

Impacts.

a. **Will the proposal involve a risk of an explosion or the release of hazardous substances including, but not limited to, oil, pesticides, chemicals, or radiation in the event of an accident or upset conditions?**

The amendments would not result in a risk of explosion or release of hazardous substances.

b. **Will the proposal involve possible interference with an emergency evacuation plan?**

The amendments would not involve interference with an emergency evacuation plan.

11. Population

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient +
a. Alter the location, distribution, density, or growth rate of the human population planned for the Region?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Include or result in the temporary or permanent displacement of residents?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

Tiering. Checklist Items 124 and 125 in the TVAP IEC address population impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. The Lake Tahoe Regional Plan lays out the regional land use vision. The plan relies heavily on the use of Town Centers, which are 13 locations around the lake where growth is to be focused and accomplished through environmentally beneficial redevelopment. One of the Town Centers is located within the boundaries of the TVAP.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Alterations in any of these areas would not be expected to result in a direct or indirect effect on population growth, density, or distribution.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

a. **Will the proposal alter the location, distribution, density, or growth rate of the human population planned for the Region?**

The amendments would not alter the location, distribution, density, or growth rate for the region.

b. **Will the proposal include or result in the temporary or permanent displacement of residents?**

The amendments would not displace residents.

12. Housing

Will the proposal:

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

Discussion

Tiering. Checklist Items 126 and 127 in the TVAP IEC address housing impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. The Lake Tahoe Regional Plan calls for growth to be focused in designated Town Centers. This includes the development of affordable and workforce housing. In addition to including a designated Town Center, TRPA has also designated the plan area as a receiving site for development rights transfers. Because of the proximity to public transit, the Tahoe Valley area is also eligible to receive residential bonus units. As such, the TVAP can be considered a priority area for workforce housing.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Alterations in any of these areas would not be expected to result in a direct or indirect effect on housing. The amendments are intended to reduce barriers to the construction of new housing projects.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

a. 1. Will the proposal decrease the amount of housing in the Tahoe Region?

The amendments would not decrease the amount of housing in the region. Instead, it is intended to help reduce barriers to construction of new housing projects.

2. Will the proposal decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households?

The amendments would not decrease the amount of affordable housing.

b. Will the proposal result in the loss of housing for lower-income and very-low-income households?

The amendments would not result in the loss of low- and very-low income housing.

13. Transportation / Circulation

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient ⁺
a. Generation of 100 or more new Daily Vehicle Trip Ends (DVTE)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Changes to existing parking facilities, or demand for new parking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Alterations to present patterns of circulation or movement of people and/or goods?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Alterations to waterborne, rail or air traffic?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

Tiering. Checklist Items 147 through 152 in the TVAP IEC address traffic and transportation impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. Chapter 65: *Air Quality / Traffic* of the TRPA Code of Ordinances addresses requirements for new projects that involve

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Only the following modification is expected to result in an effect to transportation and traffic:

- Allowing adjustment of parking ratios when supported by a parking study and ongoing parking management or when required by state or regional law.

Impacts.

a. Will the proposal result in generation of 100 or more new Daily Vehicle Trip Ends (DVTE)?

The amendments would not result in generation of 100 or more new DVTEs as reduced parking availability generally reduces reliance on private automobiles.

b. Will the proposal result in changes to existing parking facilities, or demand for new parking?

Current Conditions. Parking demand ratios are established in Section 6.10.410 of the South Lake Tahoe City Code. Applicants who wish to use alternative parking ratios may request to do so by applying for a discretionary land use permit with the City of South Lake Tahoe.

In certain circumstances, state law pre-empts the City's regulation of parking. One example is Senate Bill 35 (2017), which establishes a streamlined review procedure for certain affordable housing projects. In these cases, California state law sets the required minimum parking ratios, which apply in place of the city standards. Senate Bill 35 establishes the following parking ratios:

- No parking requirement when a project is located:
 - Within one-half mile of public transit¹;
 - Within an architecturally and historically significant historic district²;
 - When on-street parking permits are required but not offered to the occupants of the development; or
 - When there is a car-share vehicle located within one block of the development.
- One parking space per unit in all other scenarios. (Cal. Gov't Code Sec. 65913.4(d))

In comparison, City standards require two spaces per multi-family dwelling unit. (South Lake Tahoe City Code Sec. 6.10.410)

The TVAP is a conforming area plan under Chapter 13: *Area Plans* of the TRPA Code of Ordinances. This chapter also encourages area plans to incorporate certain parking strategies, one of which is the "reduction or relaxation of minimum parking standards." (TRPA Code Subparagraph 13.5.3.B.2, *Alternative Parking Strategies*).

Proposal. The amendments would allow reduction of parking in two scenarios:

Scenario 1

The Development Services Director may approve reduced parking ratios when:

- Applicant provides a parking study that supports a reduced ratio;
- A deed restriction requiring ongoing parking management is recorded on title; and
- A suitable parking management plan is prepared.

Scenario 2

The City may be pre-empted in setting parking ratios by state or regional law.

At present, the only example of this occurring is for projects that fall under California SB 35 (2017) streamlining.

Should Scenario 2 occur, TRPA may approve reduced parking demand ratios.

¹ "Public transit" in this case is not defined. Current guidelines (as of November 2020) suggest that this would require projects be within one-half mile of a location where two transit lines with 15-minute headways meet. No such circumstance exists in the Lake Tahoe Region.

² All such districts in the Lake Tahoe Region are not designated to allow multi-family residential development.

Impact. Scenario 1 would not result in a significant impact, as any reduction in parking demand ratio could only occur based on the justification of a parking study and subject to ongoing parking management.

At this time, Scenario 2 would apply only to qualifying affordable housing projects under SB 35 within the TVAP. Such projects are limited in their occupancy to low-income households and would be located in a Regional Plan-designated Town Center with access to public transit. Review of Census data shows that vehicle ownership by household is inversely correlated with (1) household income, and (2) proximity to transit³. As such, these factors merit reduced or even eliminated parking demand ratios⁴.

While Tahoe Valley includes a Town Center, the City of South Lake Tahoe on the whole remains suburban in character. Nearby transit service operates on 20- to 30-minute headways. That and the cold winter make vehicle ownership likely even among low-income households. Observation of a subsidized apartment complex within the TVAP boundaries found an average of 1.07 vehicles per unit⁵. As a result, Scenario 2 could theoretically result in the potential for creation of new unfulfilled parking demand, as the required parking for qualifying projects could be reduced by 50 to 100 percent (1 or 0 spaces per unit)⁶. This is of particular concern in the Lake Tahoe Region, as street parking is often an unsuitable substitute for on-site parking during the winter months.

Though the parking ratios may be reduced (or theoretically eliminated) for qualifying projects, market forces often drive developers to build more parking than the minimum required⁷. A project⁸ recently submitted under SB 35 streamlining, for example, is seeking to construct parking at a ratio of 1.11 spaces per unit, which would result in more parking than otherwise required under state law.

Because Scenario 2 could have the potential to result in unfulfilled parking demand, additional language was added that would allow TRPA to approve reduced parking demand ratios in situations where the state pre-empts the City from imposing parking requirements. This would allow TRPA to ensure that no significant unfulfilled parking demand will be created as part of the project-specific permit review process. As such, the impact the proposed amendments will have on creating unfulfilled parking demand will be **less than significant effect**.

c. Will the proposal result in substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities?

³ Non-Profit Housing Association of Northern California (April 2001). Rethinking Residential Parking. Report. Accessed from <http://nonprofithousing.org/wp-content/uploads/2014/Toolkits/Original%20Toolkit/mythsandfacts.pdf>

⁴ Childs, Mark C. (1999). Parking spaces: A design, implementation, and use manual for architects, planners, and engineers. New York: McGraw-Hill;

Shoup, Donald C. (1999). The trouble with minimum parking requirements. Transportation Research Vol. 33A no. 7/8, pp. 549-574. Accessed from <https://cal.streetsblog.org/wp-content/uploads/sites/13/2015/07/508.pdf>; and

Litman, Todd (June 5, 2020). Parking management: Comprehensive implementation guide. Victoria, BC: Victoria Transport Policy Institute.

⁵ Hawley, Sara, PE (November 13, 2020). Sugar Pine Village – Parking Analysis. Tahoe City, CA: LSC Transportation Consultants, Inc.

⁶ It does not appear that anywhere in the Lake Tahoe Region would qualify for a full elimination of parking requirements based on current guidelines for SB 35 implementation (as of November 2020).

⁷ Shoup (1999). See Footnote 4 for full reference.

⁸ See application and materials for the Sugar Pine Village project (APNs 032-291-028 and -031), 1860 Lake Tahoe Boulevard and 1029 Tata Lane, South Lake Tahoe.

The proposal will not result in an impact upon existing transportation systems, including the active transportation system. Existing plans for maintenance of existing facilities and development of new facilities will remain in place unchanged. The potential effect is the same as that evaluated in the TVAP IEC.

d. Will the proposal result in alterations to present patterns of circulation or movement of people and/or goods?

The amendments would not alter present circulation patterns or movements of people or goods. The potential effect is the same as that evaluated in the TVAP IEC.

e. Will the proposal result in alterations to waterborne, rail or air traffic?

The amendments would not alter waterborne, rail, or air traffic.

f. Will the proposal result in an increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?

The amendments would not result in an increase in traffic hazards to motor vehicles, bicyclists, or pedestrians.

14. Public Services

Will the proposal have an unplanned effect upon, or result in a need for new or altered governmental services in any of the following areas?:

	Yes	No	No, with mitigation	Data insufficient
a. Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Parks or other recreational facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Other governmental services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

Tiering. Checklist Items 129 through 134 in the TVAP IEC address public services impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant with the incorporation of Mitigation Measure HNS-1, which requires the City to conduct a nexus study and establish a development impact fee.

Current Conditions. The Lake Tahoe Unified School District currently collects a fee for new residential construction to offset demand on its facilities. While the city does not collect a development impact fee currently, it is obligated under Mitigation Measure HNS-1 to conduct a nexus study and establish a

development impact fee. Such a fee, once established, would offset increased demands on police, fire, parks, roads, and other governmental facilities.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Alterations in any of these areas would not be expected to result in a direct or indirect effect on public services.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

a. Will the proposal have an unplanned effect upon, or result in a need for new or altered governmental services in fire protection?

The amendments would not result in an increased need for fire protection beyond what was considered in the TVAP IEC.

b. Police protection?

The amendments would not result in an increased need for police protection beyond what was considered in the TVAP IEC.

c. Schools?

The amendments would not result in an increased need for schools beyond what was considered in the TVAP IEC.

d. Parks or other recreational facilities?

The amendments would not result in an increased demand for parks or other recreational facilities beyond what was considered in the TVAP IEC.

e. Maintenance of public facilities, including roads?

The amendments would not result in an increased need for maintenance of public facilities including roads beyond what was considered in the TVAP IEC.

f. Other governmental services?

The amendments would not result in an increased need for other governmental services beyond what was evaluated in the TVAP IEC.

15. Energy

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient ⁺
a. Use of substantial amounts of fuel or energy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

Tiering. Checklist Items 160 and 161 in the TVAP IEC address energy impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. All new construction in the TVAP plan area would occur under the California Building Code, which includes some of the strictest energy-efficiency standards in the state.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Alterations in any of these areas would not be expected to result in a direct or indirect effect on energy.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

a. Will the proposal result in use of substantial amounts of fuel or energy?

The amendments would not be expected to result in substantial amounts of fuel or energy use.

b. Will the proposal result in substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?

The amendments would not result in a substantial increase in demand upon an existing energy source or require the development of new sources of energy.

16. Utilities

Except for planned improvements, will the proposal result in a need for new systems, or substantial alterations to the following utilities:

	Yes	No	No, with mitigation	Data insufficient ⁺
a. Power or natural gas?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Communication systems?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Utilize additional water which amount will exceed the maximum permitted capacity of the service provider?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Storm water drainage?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Solid waste and disposal?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

Tiering. Checklist Items 162 through 167 in the TVAP IEC address utilities impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. The TVAP area is located in proximity to existing services and utilities. As discussed in the TVAP IEC, utility companies project that based on their forecasting and recent growth trends, existing capacity far exceeds the demand that would be generated at area plan buildout.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Alterations in any of these areas would not be expected to result in a direct or indirect effect on wildlife.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

- a. **Except for planned improvements, will the proposal result in a need for new systems, or substantial alterations to power or natural gas?**

The amendments are not expected to result in a need for new natural gas infrastructure.

- b. **Communication systems?**

The amendments are not expected to result in a need for new communication infrastructure.

- c. **Utilize additional water which amount will exceed the maximum permitted capacity of the service provider?**

The amendments are not expected to result in an increase in water demand.

- d. **Utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider?**

The amendments are not expected to result in a need for new sewer system infrastructure.

- e. **Storm water drainage?**

The amendments are not expected to result in a need for new stormwater drainage infrastructure. All projects must comply with on-site BMP requirements in Chapter 60: *Water Quality* of the TRPA Code of Ordinances.

- f. **Solid waste and disposal?**

The amendments are not expected to result in a need for new solid waste disposal facilities.

17. Human Health

Will the proposal result in:	Yes	No	No, with mitigation	Data insufficient
a. Creation of any health hazard or potential health hazard (excluding mental health)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exposure of people to potential health hazards?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

Tiering. Checklist Items 80 and 81 in the TVAP IEC address human health impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. All existing and new development in the TVAP planning area are required to comply with federal, state, and local regulations regarding the handling, transportation, disposal, and cleanup of hazardous materials.

TVAP includes two mitigation measures related to human health:

- Measure HAZ-1, which requires sites known to contain hazardous materials to be reviewed, tested, and remediated.
- Measure HAZ-2, which require future projects with potential contaminating activities to demonstrate adequate protections are in place prior to approval.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Alterations in any of these areas would not be expected to result in a direct or indirect effect on human health.

Impacts.

a. **Will the proposal result in creation of any health hazard or potential health hazard (excluding mental health)?**

The amendments would not result in creation of any health hazard or potential health hazard.

b. **Will the proposal result in exposure of people to potential health hazards?**

The amendments would not result in exposure of people to potential health hazards.

18. Scenic Resources / Community Design

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient ⁺
a. Be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Be visible from any public recreation area or TRPA designated bicycle trail?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Be inconsistent with the height and design standards required by the applicable ordinance or Community Plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

Tiering. Checklist Items 5 through 9 in the TVAP IEC address scenic impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. TRPA regards all highway corridors to be scenic areas. The TVAP includes portions of US Highway 50 and State Route 89 (Scenic Roadway Units 1, 35, and 36A). The critical scenic resource identified is a view from US Highway 50 towards Mount Tallac. The resource is in attainment but is rated low due to the dominance of the surrounding built environment. The scenic roadway units themselves are in non-attainment. Redevelopment is seen as a means of improving the scenic ratings in this area.

Chapter 13: *Area Plans* of the TRPA Code of Ordinances requires that any area plan include design standards. The design standards include, but are not limited to, the following building design requirements:

- Building placement and design should be compatible with adjacent properties and designed in consideration of solar exposure, climate, noise, safety, fire protection, and privacy. (TRPA Code 13.5.3.F.1.a)
- Building height and density should be varied with some buildings smaller and less dense than others. (TRPA Code 13.5.3.F.1.b)
- 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. (TRPA Code 13.5.3.F.2)
- 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. (TRPA Code 13.5.3.F.2)
- The scale of structures should be compatible with existing and planned land uses in the area. (TRPA Code 13.5.3.F.3)
- Within Centers, building design and form standards shall promote pedestrian activity (TRPA Code 13.5.3.F.3)
- The 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. (TRPA Code 13.6.5.C.1)

Within the TVAP's zoning districts, the maximum heights are as follows:

- TC-C..... 45 feet
- TC-MUC..... 42 feet; 36 feet along Highway 50 east of Tahoe Keys Boulevard
- TC-G..... 36 feet
- CMX-S..... Per TRPA Code of Ordinances Section 37.4
- TC-NP..... 36 feet
- TC-HC..... 42 feet

Appendix C of the TVAP includes the area plan's design standards. Among these are the following that directly affect building design:

- Minimum building frontage at street setback line
- Minimum corner-build frontage length ("corner-build" standard)⁹
- Upper story setback

⁹ Proposed only to apply to non-residential development.

- Minimum and maximum roof slopes¹⁰
- Minimum percentage of building height for roofing¹¹
- Roof design that steps, slopes, or otherwise breaks the rectangular form of a building
- 1:1 line-of sight requirement for buildings adjacent to residential zones
- Viewshed protection (TRPA Height Findings 1, 3, 5, and 9 of Code Section 37.7)
- Prohibition of projection above forest canopies or ridgelines
- Limitation on blank walls
- Modulation of building facades, so that buildings appear no wider than 50 feet
- Special architectural treatment for entrances
- Corner entrances to be at a 45-degree angle (“angled corner” standard)¹²
- Use of natural-appearing materials and natural earth-tone colors
- Use of architectural features to break up structural massing

In addition to these requirements, Chapter 66: *Scenic Quality* applies to projects that are visible from the Scenic Roadway areas (US Highway 50 and State Route 89). There are no Scenic Shorezone units in the plan area, since the plan area is not adjacent to the lake. Projects visible from scenic roadway units are required to comply with siting requirements and the visual magnitude and color contrast rating system in Appendix D of the TRPA Design Review Guidelines. These measures help to ensure that development blends in with the natural surroundings when viewed from the highways.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. The following building design components could have an effect on scenic resources:

- Specifying that the corner-build standard and the angled corner standards are not applicable to residential development.
- Reducing the minimum roof pitch from 5:12 to 3:12.
- Eliminating the requirement that a roof constitute at least 40 percent of a building’s height.

Specifying that the corner build standard does not apply if the building would encroach on a Stream Environment Zone is not anticipated to result in any effect, as such development is already precluded under the TRPA Code of Ordinances.

Impacts.

a. Will the proposal be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe?

The TVAP area is located along US Highway 50 and State Route 89. Development resulting from the amendments would be anticipated to be visible from these highways. As indicated in the TVAP IEC, the presence of the design standards would ensure that any scenic impacts would be less than significant.

The proposed amendments would result in the following:

- The reduced roof pitch requirement and elimination of the building height percentage requirement for roofing, roofs of structures will appear less dominant, while facades may be slightly more predominant. Though the amendments would theoretically allow for buildings with

¹⁰ Proposed to have the minimum roof slope reduced from 5:12 to 3:12.

¹¹ Proposed for elimination.

¹² Proposed only to apply to non-residential development.

bulkier appearances, this is tempered by other design standards that remain in place, such as those that require varied rooflines and modulated facades.

- As a result of altered corner-build requirements, residential developments may not be built at the setback line along the street corner frontage for 50 feet in each direction. Additionally, residential developments may choose not to use a 45-degree corner entrance. This will alter structural appearance when viewed from the highways.

Neither of these results are expected to alter the overall effectiveness of the design standards and guidelines. Even with the amendments, the design standards will continue to meet the requirements of Chapter 13: *Area Plans* in the TRPA Code of Ordinances.

Impacts are therefore considered **less than significant**.

b. Will the proposal be visible from any public recreation area or TRPA designated bicycle trail?

The TVAP area includes lands that would be visible from designated bicycle trails. However, impacts from the proposed amendments are **less than significant**. Please see the discussion for Question 18a, above.

c. Will the proposal block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area?

The proposal will not block or modify a view of Lake Tahoe, as there are no such views within the plan area. Implementation of the design standards guidelines would ensure that the identified scenic vista (along US Highway 50 westward towards Mount Tallac) is preserved. The proposed amendments would not affect compliance with standards that protect the scenic highway corridors.

d. Will the proposal be inconsistent with the height and design standards required by the applicable ordinance or Community Plan?

As discussed above, the proposal would modify certain design standards within the applicable area plan. The potential effects of these changes, however, are **less than significant**. Please see the discussion for Question 18a above.

e. Will the proposal be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines?

The amendments are consistent with the SQIP and the Design Review Guidelines. The SQIP identifies redevelopment as a primary tool for improving the scenic quality within the TVAP’s scenic roadway units.

Threshold Indicators – Scenic Resources

As discussed above, no significant scenic impacts are anticipated. Continued application of the TVAP’s design standards and guidelines would ensure improvement of overall scenic quality within the area plan’s roadway units. The amendments proposed would have no impact on the overall effectiveness of the area plan’s design standards.

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
55	Roadway Travel Units	Average of unit composite scores	Increase the number of units meeting the minimum score by at least two by 2016	At or Better Than Target	Moderate Improvement

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
56	Shoreline Travel Units	Average of unit composite scores	Increase the number of units meeting the minimum score by at least one by 2016	At or Better Than Target	Little or No Change
57	Roadway Scenic Resources	Average of unit composite scores	N/A (In Attainment)	At or Better Than Target	Little or No Change
58	Shoreline Scenic Resources	Average of unit composite scores	N/A (In Attainment)	At or Better Than Target	Little or No Change
59	Other Areas (Recreation Sites and Bike Trails)	Average of unit composite scores	N/A (In Attainment)	At or Better Than Target	Little or No Change
60	Built Environment	Evaluation Criteria and Evidence	N/A (In Attainment)	Implemented	N/A

19. Recreation

Will the proposal:

	Yes	No	No, with mitigation Data insufficient ⁺
a. Create additional demand for recreation facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create additional recreation capacity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Have the potential to create conflicts between recreation uses, either existing or proposed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in a decrease or loss of public access to any lake, waterway, or public lands?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

Tiering. Checklist Items 137 through 140 in the TVAP IEC address recreation impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. At the time of adoption of the TVAP, there were no city-owned parks or recreational facilities in the plan area. Since that time a one-acre park, Bonanza Park, was constructed. It includes a multi-purpose grassy area, children’s play area, half-court for basketball, horseshoe pit, and perimeter path. Beyond Bonanza Park, the South Lake Tahoe area has a wide range of recreational facilities including parks, beaches, trails, and campgrounds.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Alterations in any of these areas would not be expected to result in a direct or indirect effect on recreation.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

a. Will the proposal create additional demand for recreation facilities?

The amendments will not create an additional demand for recreational facilities.

b. Will the proposal create additional recreation capacity?

The amendments will not create additional recreational capacity.

c. Will the proposal have the potential to create conflicts between recreation uses, either existing or proposed?

The amendments would not have the potential to result in conflicts with recreational uses.

d. Will the proposal result in a decrease or loss of public access to any lake, waterway, or public lands?

The proposed amendments would not result in a decrease or loss of public access to a lake, waterway, or public lands.

Threshold Indicators – Recreation

As discussed above, the amendments are not anticipated to result in significant recreational impacts. Existing recreational opportunities are abundant in the Lake Tahoe Basin. The proposal does not affect recreational demand or capacity.

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
53	High Quality Recreation Experience	Evaluation Criteria and Evidence	N/A (In Attainment)	Implemented	N/A
54	Fair Share	Evaluation Criteria and Evidence	N/A (In Attainment)	Implemented	N/A

20. Archaeological / Historical

	Yes	No	No, with mitigation	Data insufficient ⁺
a. Will the proposal result in an alteration of or adverse physical or aesthetic effect to a significant archaeological or historical site, structure, object or building?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed project located on a property with any known cultural, historical, and/or archaeological resources, including resources on TRPA or other regulatory official maps or records?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Is the property associated with any historically significant events and/or sites or persons?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- d. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?
- e. Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area?

Discussion

Tiering. Checklist Items 51 through 55 in the TVAP IEC address archaeological and historic impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. Chapter 67: *Historic Resource Protection* of the TRPA Code of Ordinances establishes provisions for the protection of potential historic resources. It also protects prehistoric cultural resources encountered during ground disturbing activities. Two known historic sites are located within the TVAP boundaries: CA-Eld-721-H and CA-Eld-2240-H.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Alterations in any of these areas would not be expected to result in a direct or indirect effect on archaeological or historical resources.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

a. Will the proposal result in an alteration of or adverse physical or aesthetic effect to a significant archaeological or historical site, structure, object or building?

The amendments would not cause an alteration of or other physical effect to a significant archaeological or historical site. Existing provisions that protect such resources will remain in place.

b. Is the proposed project located on a property with any known cultural, historical, and/or archaeological resources, including resources on TRPA or other regulatory official maps or records?

The proposed amendments are not associated with any known cultural resources, although such cultural resources may be present in the plan area.

c. Is the property associated with any historically significant events and/or sites or persons?

The proposed amendments are not associated with historically significant events, sites, or persons.

d. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?

The amendments do not have the potential to cause a physical change that would have an effect on unique cultural values.

e. Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area?

The amendments would not affect religious or sacred uses within the TVAP boundaries.

21. Findings of Significance

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

Discussion

Tiering. Checklist Items 171 through 174 in the TVAP IEC address findings of significance from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. Chapter 62: *Wildlife Resources* and Chapter 63: *Fish Resources* of the TRPA Code of Ordinances provide protection of critical habitat for any species of concern.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

- a. **Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California or Nevada history or prehistory?**

As established in the TVAP IEC, implementation of the TVAP is consistent with the land use plan and the goals and policies of the Regional Plan, which were fully analyzed in the Regional Plan EIS. As a result no further cumulative impact beyond that which was analyzed in the Regional Plan EIS is anticipated.

- b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time, while long-term impacts will endure well into the future.)

As discussed in the TVAP IEC, the TVAP serves to implement the Regional Plan on a more local level. Therefore, it supports the long-term environmental goals of the Region. The amendments do not reduce the effectiveness of the TVAP in its achievement of the Regional Plan's goals.

- c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environmental is significant?)

As discussed in the TVAP IEC, the TVAP is consistent with the cumulative assumptions in the Regional Plan EIS. Localized cumulative effects, including noise, geologic hazards, scenic resources, and recreation were found to be less than significant. Beyond those projects listed in the TVAP IEC and Regional Plan EIS, the following project has been included in cumulative considerations:

- *Sugar Pine Village*: A 248-unit multi-family residential development with childcare and non-profit office space to be located in the TC-MUC zoning district at 1860 Lake Tahoe Boulevard and 1029 Tata Lane (APNs 032-291-028 and -031).

The amendments would have no effect on noise, geologic hazards and recreation. With respect to scenic resources, implementation of the design standards, as amended, would continue to strengthen scenic protections, because all future permitted projects would meet TRPA scenic standards.

- d. Does the project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly?

The TVAP IEC notes that projects built under the TVAP will be subject to project-level environmental review and would be required to comply with all applicable regulations for health and human safety. Therefore, implementation of the plan would not result in adverse effects on the human being. The amendments proposed would likewise not have an adverse effect.

V. Determination

On the basis of this evaluation:

- a. The proposed project could not have a significant effect on the environment and a finding of no significant effect shall be prepared in accordance with TRPA's Rules of Procedure YES NO
- b. The proposed project could have a significant effect on the environment, but due to the listed mitigation measures which have been added to the project, could have no significant effect on the environment and a mitigated finding of no significant effect shall be prepared in accordance with TRPA's Rules and Procedures. YES NO
- c. The proposed project may have a significant effect on the environment and an environmental impact statement shall be prepared in accordance with this chapter and TRPA's Rules of Procedures. YES NO



Signature of Evaluator

Date November 30, 2020

Michael T. Conger, AICP, Senior Planner

Title of Evaluator

Attachment G

Compliance Measures Evaluation

COMPLIANCE MEASURES

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
WATER QUALITY/SEZ - IN PLACE				
1	BMP requirements, new development: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	The proposed amendments make no changes to TVAP's BMP requirements and implementation programs.
2	BMP implementation program -- existing streets and highways: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Trans, Fish	N	
3	BMP implementation program -- existing urban development: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	
4	BMP implementation program -- existing urban drainage systems: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Trans, Fish	N	
5	Capital Improvements Program for Erosion and Runoff Control	WQ, Soils/SEZ, Trans, Fish	N	The proposed amendments make no changes to the TVAP's policies regarding implementation of the capital improvement program.
6	Excess land coverage mitigation program: <i>Code of Ordinances</i> Chapter 30	WQ, Soils/SEZ	N	The proposed amendments do not change excess mitigation requirements.
7	Effluent (Discharge) limitations: California (SWRCB, Lahontan Board) and Nevada (NDEP): <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	The effluent limitations in Chapter 5 of the TRPA Code of Ordinances are not being modified.
8	Limitations on new subdivisions: (See the Goals and Policies: Land Use Element)	WQ, Soils/SEZ, Rec, Scenic	N	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.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
9	Land use planning and controls: See the Goals and Policies: Land Use Element and Code of Ordinances Chapters 11, 12, 13, 14, and 21	WQ, Soils/SEZ, Trans, Scenic	N	The TVAP was developed to meet the requirements of Chapter 13: <i>Area Plans</i> , and to implement the 2012 Regional Plan. The proposed amendments are consistent with Chapter 13.
10	Residential development priorities, The Individual Parcel Evaluation System (IPES): Goals and Policies: Implementation Element and Code of Ordinances Chapter 53	WQ, Soils/SEZ	N	TRPA's residential growth management provisions will remain in effect and unchanged.
11	Limits on land coverage for new development: Goals and Policies: Land Use Element and Code of Ordinances Chapter 30	WQ, Soils/SEZ, Scenic	N	The TVAP incorporates the existing land coverage provisions in Chapter 30: <i>Land Coverage</i> of the TRPA Code of Ordinances as well as the provisions that allow for high-capability lands in Town Centers and the Regional Center to be covered up to 70 percent. It also includes provisions to protect and restore SEZs, maximize opportunities to remove or mitigate excess land coverage, implement EIP projects (including areawide 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 TVAP is consistent with the Regional Plan strategies to focus development in Town Centers. No changes are proposed that would affect transfers of development.
13	Restrictions on SEZ encroachment and vegetation alteration: <i>Code of Ordinances Chapters 30 and 61</i>	WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic	Y	The amendments will not alter existing restrictions on SEZ encroachment and vegetation alteration in the TRPA Code of Ordinances, Chapters 30 and 61. The amendments will, however, resolve a conflict between SEZ encroachment restrictions and a corner-build design standard in the TVAP. Under the proposed amendment the requirement to build all the way to the corner along road frontages would be waived when such building would encroach on SEZ.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
14	SEZ restoration program: Environmental Improvement Program.	WQ, Soils/SEZ, Veg, Wildlife, Fish, Scenic	N	The amendments do not change policies and provisions that require the protection and restoration of SEZs.
15	SEZ setbacks: <i>Code of Ordinances</i> Chapter 63	WQ, Soils/SEZ, Veg, Wildlife, Fish	N	SEZ setback requirements in the TRPA Code of Ordinances, Chapter 53, Individual Parcel Evaluation System, Section 53.9, will not be altered by the amendments.
16	Fertilizer reporting requirements: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish, Rec	N	The amendments will not modify the Resource Management and Protection regulations, Chapters 60 through 68, of the TRPA Code of Ordinances. Thus, fertilizer reporting and water quality mitigation requirements will stay in effect.
17	Water quality mitigation: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
18	Restrictions on rate and/or amount of additional development	WQ, Soils/SEZ, Wildlife, Scenic	N	The TVAP incorporates the Regional Plan's restrictions on the rate and amount of residential development. No changes are proposed.
19	Improved BMP implementation/enforcement program	WQ, Soils/SEZ	N	See response to Compliance Measures 1 through 4.
20	Increased funding for EIP projects for erosion and runoff control	WQ, Soils/SEZ	N	The amendments will not increase funding for EIP projects for erosion and runoff control.
21	Artificial wetlands/runoff treatment program	WQ, Soils/SEZ	N	There are no changes to the artificial wetlands/runoff treatment program proposed.
22	Transfer of development from SEZs	WQ, Soils/SEZ, Scenic	Y	The amendments do not affect existing provisions regarding the transfer of development from SEZs. The amendments will, however, establish a substitute transfer of coverage standard. The substitute standard will allow 1:1 transfer of hard, soft, and potential coverage for a mixed-use project so long as all component uses qualify for such transfer.
23	Improved mass transportation	WQ, Trans, Noise	N	The amendments do not affect mass transportation.

ID	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	The TVP encourages the environmental redevelopment of the built environment and the implementation of the goals and policies of the Regional Plan's Land Use Element. The amendments make no changes that would affect this approach.	
25	Combustion heater rules, stationary source controls, and related rules: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	The amendments do not alter existing TRPA Code of Ordinance provisions concerning combustion heaters, which 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		
31	Mandatory garbage pick-up: Goals and Policies: Public Service Element	WQ, Soils/SEZ, Wildlife	N		
32	Hazardous material/wastes programs: Goals and Policies: Land Use Element and Code of Ordinances Chapter 60	WQ, Soils/SEZ	N		
33	BMP implementation program, Snow and ice control practices: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, AQ	N		The amendments will not change BMP requirements. See response to Compliance Measures 1 through 4.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
34	Reporting requirements, highway abrasives and deicers: Goals and Policies:, Land Use Element and Code of Ordinances Chapter 60	WQ, Soils/SEZ, Fish	N	
35	BMP implementation program--roads, trails, skidding, logging practices: <i>Code of Ordinances</i> Chapter 60, Chapter 61	WQ, Soils/SEZ, Fish	N	
36	BMP implementation program--outdoor recreation: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish, Rec	N	
37	BMP implementation program--livestock confinement and grazing: <i>Code of Ordinances</i> Chapter 21, Chapter 60, Chapter 64	WQ, Soils/SEZ, Veg, Wildlife, Fish	N	
38	BMP implementation program--pesticides	WQ, Soils/SEZ	N	
39	Land use planning and controls -- timber harvesting: <i>Code of Ordinances</i> Chapter 21	WQ, Soils/SEZ, AQ, Wildlife, Fish, Scenic	N	There are no changes to allowable timber harvesting requirements or permissibility as part of the amendments.
40	Land use planning and controls - outdoor recreation: <i>Code of Ordinances</i> Chapter 21	WQ, Soils/SEZ, Wildlife, Noise, Rec, Scenic	N	There are no changes to outdoor recreation requirements or permissibility as part of this proposal.
41	Land use planning and controls--ORV use: Goals and Policies: Recreation Element	WQ, Soils/SEZ, AQ, Wildlife, Fish, Noise, Rec, Scenic	N	There are no changes to off-road vehicle use as part of this proposal.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments	
42	Control of encroachment and coverage in sensitive areas	WQ, Soils/SEZ, Wildlife, Rec, Scenic	N	See response to Compliance Measure 11.	
43	Control on shorezone encroachment and vegetation alteration: <i>Code of Ordinances</i> Chapter 83	WQ, Soils/SEZ, Scenic	N	The TVAP includes no shorezone areas. No changes are being proposed that would modify existing code provisions related to the shorezone or impact these compliance measures.	
44	BMP implementation program--shorezone areas: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N		
45	BMP implementation program--dredging and construction in Lake Tahoe: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N		
46	Restrictions and conditions on filling and dredging: <i>Code of Ordinances</i> Chapter 84	WQ, Soils/SEZ, Fish	N		
47	Protection of stream deltas	WQ, Soils/SEZ, Wildlife, Fish, Scenic	N		
48	Marina master plans: <i>Code of Ordinances</i> Chapter 14	WQ, AQ/Trans, Fish, Scenic	N		
49	Additional pump-out facilities: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N		
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 TVAP does not alter the list of exempt activities. No changes are proposed.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
WATER QUALITY/SEZ – SUPPLEMENTAL				
52	More stringent SEZ encroachment rules	WQ, Soils/SEZ, Wildlife, Fish	N	The amendments do not include any provisions that would impact Compliance Measures 52 through 61.
53	More stringent coverage transfer requirements	WQ, Soils/SEZ	N	
54	Modifications to IPES	WQ, Soils/SEZ	N	
55	Increased idling restrictions	WQ, Soils/SEZ, AQ	N	
56	Control of upwind pollutants	WQ, Soils/SEZ, AQ	N	
57	Additional controls on combustion heaters	WQ, Soils/SEZ, AQ	N	
58	Improved exfiltration control program	WQ, Soils/SEZ	N	
59	Improved infiltration control program	WQ, Soils/SEZ	N	
60	Water conservation/flow reduction program	WQ, Soils/SEZ, Fish	N	
61	Additional land use controls	WQ, Soils/SEZ, Wildlife	N	
AIR QUALITY/TRANSPORTATION - IN PLACE				
62	Fixed Route Transit - South Shore	Trans, Rec	N	The TVAP includes goals and policies that support implementation of the City's General Plan, the Regional Transportation Plan, and the Active Transportation Plan. The plan includes several projects to improve pedestrian and bicycle access. This includes the South Tahoe
63	Fixed Route Transit - North Shore: TART	Trans, Rec	N	
64	Demand Responsive Transit - South Shore	Trans	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
65	Seasonal Trolley Services - North and South Shores: South Shore TMA and Truckee-North Tahoe TMA	Trans, Rec	N	Greenway. The amendments would not change any of these features in the TVAP
66	Social Service Transportation	Trans	N	
67	Shuttle programs	Trans	N	
68	Ski shuttle services	Trans, Rec	N	
69	Intercity bus services	Trans	N	
70	Passenger Transit Facilities: South Y Transit Center	Trans	N	
71	Bikeways, Bike Trails	Trans, Noise, Rec, Scenic	N	
72	Pedestrian facilities	Trans, Rec, Scenic	N	
73	Wood heater controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	The amendments do not make any changes to wood or gas heater controls, or stationary source controls.
74	Gas heater controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
75	Stationary source controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
76	U.S. Postal Service Mail Delivery	Trans	N	The amendments do not include any provisions that would impact U.S. Postal Service Delivery.
77	Indirect source review/air quality mitigation: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	The amendments do not make any changes to indirect source review/air quality mitigation requirements, or idling restrictions.
78	Idling Restrictions: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
79	Vehicle Emission Limitations(State/Federal)	WQ, AQ	N	The amendments do not include any provisions related to vehicle emission limitations established by the State/Federal Government.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
80	Open Burning Controls: <i>Code of Ordinances</i> Chapters 61 and Chapter 65	WQ, AQ, Scenic	N	The amendments do not make any changes to open burning controls.
81	BMP and Revegetation Practices	WQ, AQ, Wildlife, Fish	N	See response to Compliance Measures 1 through 4.
82	Employer-based Trip Reduction Programs: <i>Code of Ordinances</i> Chapter 65	Trans	N	The amendments do not make any changes to the employer-based trip reduction programs or vehicle rental programs described in Chapter 65.
83	Vehicle rental programs: <i>Code of Ordinances</i> Chapter 65	Trans	N	
84	Parking Standards	Trans	Y	The TVAP presently relies on the City of South Lake Tahoe Municipal Code to establish parking demand ratios and their modification. The amendments would alter this by allowing modification of parking demand ratios in two circumstances: <ul style="list-style-type: none"> • When the city is pre-empted by state or regional law; and • When the Director of Development Services approves reduced parking ratios based on a parking study and ongoing parking management. Implementation of relaxed parking minimums is an encouraged parking management strategy for area plans.
85	Parking Management Areas	Trans	N	
86	Parking Fees	Trans	N	
87	Parking Facilities	Trans	N	
88	Traffic Management Program - Tahoe City	Trans	N	
89	US 50 Traffic Signal Synchronization - South Shore	Trans	N	The amendments do not make any changes that would impact traffic management, signal synchronization, aviation, waterborne transit or excursions, air quality monitoring, alternative fueled vehicle fleets or infrastructure improvements, north shore transit, or the Heavenly Ski Resort Gondola. No increase in daily vehicle trips is anticipated. Additional development associated with the amendment is within the Regional Plan's growth management system and would not generate
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	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
93	Air Quality Studies and Monitoring	WQ, AQ	N	additional demand for waterborne transit services.
94	Alternate Fueled Vehicle - Public/Private Fleets and Infrastructure Improvements	Trans	N	
95	Demand Responsive Transit - North Shore	Trans	N	
96	Tahoe Area Regional Transit Maintenance Facility	Trans	N	
97	Heavenly Ski Resort Gondola	Trans	N	
AIR QUALITY/TRANSPORTATION – SUPPLEMENTAL				
98	Demand Responsive Transit - North Shore	Trans	N	See response to Compliance Measures 62 through 97, and 1-4 (Road improvements, BMPs).
99	Transit System - South Shore	Trans	N	
100	Transit Passenger Facilities	Trans	N	
101	South Shore Transit Maintenance Facility - South Shore	Trans	N	
102	Transit Service - Fallen Leaf Lake	WQ, Trans	N	
103	Transit Institutional Improvements	Trans	N	
104	Transit Capital and Operations Funding Acquisition	Trans	N	
105	Transit/Fixed Guideway Easements - South Shore	Trans	N	
106	Visitor Capture Program	Trans	N	
107	Pedestrian and Bicycle Facilities--South Shore	Trans, Rec	N	
108	Pedestrian and Bicycle Facilities--North Shore	Trans, Rec	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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	
115	Intersection improvements--North Shore	Trans, Scenic	N	
116	Roadway Improvements - South Shore	Trans, Scenic	N	
117	Roadway Improvements - North Shore	Trans, Scenic	N	
118	Loop Road - South Shore	Trans, Scenic	N	
119	Montreal Road Extension	Trans	N	
120	Kingsbury Connector	Trans	N	
121	Commercial Air Service: Part 132 commercial air service	Trans	N	
122	Commercial Air Service: commercial air service that does not require Part 132 certifications	Trans	N	
123	Expansion of waterborne excursion service	WQ, Trans	N	
124	Re-instate the oxygenated fuel program	WQ, AQ	N	
125	Management Programs	Trans	N	
126	Around the Lake Transit	Trans	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
VEGETATION - IN PLACE				
127	Vegetation Protection During Construction: <i>Code of Ordinances</i> Chapter 33	WQ, AQ, Veg, Scenic	N	The amendments will not alter the provisions of Chapter 33 in the TRPA Code of Ordinances.
128	Tree Removal: <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Scenic	N	The amendments do not alter tree removal, prescribed burning, vegetation management or plant protection and fire hazard reduction provisions of Chapter 61 of the Code.
129	Prescribed Burning: <i>Code of Ordinances</i> Chapter 61	WQ, AQ, Veg, Wildlife, Scenic	N	
130	Remedial Vegetation Management: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife	N	
131	Sensitive and Uncommon Plant Protection and Fire Hazard Reduction: <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Scenic	N	
132	Revegetation: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife, Scenic	N	
133	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	WQ, Veg	N	
134	Handbook of Best Management Practices	WQ, Soils/SEZ, Veg, Fish	N	The Handbook of Best Management Practices will continue to be used to design and construct BMPs.
135	Shorezone protection	WQ, Soils/SEZ, Veg	N	See response to Compliance Measures 43 through 50.
136	Project Review	WQ, Veg	N	Projects within the TVAP are reviewed according to the MOU between the City and TRPA.
137	Compliance inspections	Veg	N	
138	Development Standards in the Backshore	WQ, Soils/SEZ, Veg, Wildlife, Scenic	N	See response to Compliance Measures 43 through 50.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
139	Land Coverage Standards: <i>Code of Ordinances</i> Chapter 30	WQ, Veg, Wildlife, Fish, Scenic	N	See response to Compliance Measure 11.
140	Grass Lake, Research Natural Area	WQ, Veg, Wildlife, Fish, Scenic	N	N/A
141	Conservation Element, Vegetation Subelement: Goals and Policies	Veg, Wildlife, Fish	N	The amendments are consistent with the 2012 Regional Plan, including the Conservation Element and Vegetation Subelement Goals and Policies.
142	Late Successional Old Growth (LSOG): <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Fish	N	The amendments do not make any changes to provisions of Lake Successional Old Growth and Stream Environment Zone Vegetation.
143	Stream Environment Zone Vegetation: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife, Fish	N	
144	Tahoe Yellow Cress Conservation Strategy	Veg	N	The amendments do not impact efforts to conserve the Tahoe Yellow Cress.
145	Control and/or Eliminate Noxious Weeds	Veg, Wildlife	N	The amendments will not impact efforts to control or eliminate noxious weeds.
146	Freel Peak Cushion Plant Community Protection	Veg	N	N/A
VEGETATION – SUPPLEMENTAL				
147	Deepwater Plant Protection	WQ, Veg	N	See response to Compliance Measures 16 and 17 and 43 through 50.
WILDLIFE - IN PLACE				
148	Wildlife Resources: <i>Code of Ordinances</i> Chapter 62	Wildlife, Noise	N	See response to Compliance Measures 16 and 17.
149	Stream Restoration Program	WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic	N	The amendments do not include any changes to the Stream Restoration Program.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
150	BMP and revegetation practices	WQ, Veg, Wildlife, Fish, Scenic	N	The amendments do not include any changes to existing BMP and revegetation requirements.
151	OHV limitations	WQ, Soils/SEZ, AQ, Wildlife, Noise, Rec	N	The amendments do not include any changes to OHV limitations.
152	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	Wildlife	N	See response to Compliance Measure 133.
153	Project Review	Wildlife	N	See response to Compliance Measure 136 and 137.
FISHERIES - IN PLACE				
156	Fish Resources: <i>Code of Ordinances</i> Chapter 63	WQ, Fish	N	See response to Compliance Measures 16 and 17.
157	Tree Removal: <i>Code of Ordinances</i> Chapter 61	Wildlife, Fish	N	The amendments do not change tree removal provisions of Chapter 61.
158	Shorezone BMPs	WQ, Fish	N	See response to Compliance Measures 43 through 50.
159	Filling and Dredging: <i>Code of Ordinances</i> Chapter 84	WQ, Fish	N	
160	Location standards for structures in the shorezone: <i>Code of Ordinances</i> Chapter 84	WQ, Fish	N	
161	Restrictions on SEZ encroachment and vegetation alteration	WQ, Soils/SEZ, Fish	N	See response to Compliance Measures 16 and 17.
162	SEZ Restoration Program	WQ, Soils/SEZ, Fish	N	See response to Compliance Measure 14.
163	Stream restoration program	WQ, Soils/SEZ, Fish	N	See response to Compliance Measures 16 and 17.
164	Riparian restoration	WQ, Soils/SEZ, Fish	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
165	Livestock: <i>Code of Ordinances</i> Chapter 64	WQ, Soils/SEZ, Fish	N	
166	BMP and revegetation practices	WQ, Fish	N	See response to Compliance Measures 1 through 4.
167	Fish habitat study	Fish	N	See response to Compliance Measures 16 and 17.
168	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	Fish	N	See response to Compliance Measure 133.
169	Mitigation Fee Requirements: <i>Code of Ordinances</i> Chapter 86	Fish	N	The mitigation fee requirements formerly in Chapter 86 of the TRPA Code of Ordinances (now in the Rules of Procedure) are not being modified.
170	Compliance inspection	Fish	N	The amendments are not modifying existing compliance or inspection programs or provisions.
171	Public Education Program	Wildlife, Fish	N	The amendments do not make any changes to the county's education and outreach efforts.
NOISE - IN PLACE				
172	Airport noise enforcement program	Wildlife, Fish	N	The amendments are not modifying existing enforcement programs.
173	Boat noise enforcement program	Wildlife, Fish, Rec	N	
174	Motor vehicle/motorcycle noise enforcement program: <i>Code of Ordinances</i> Chapters 5 and 23	Wildlife, Fish	N	
175	ORV restrictions	AQ, Wildlife, Noise, Rec	N	The amendments are not modifying existing ORV or snowmobile conditions.
176	Snowmobile Restrictions	WQ, Wildlife, Noise, Rec	N	
177	Land use planning and controls	Wildlife, Noise	N	See response to Compliance Measure 9.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
178	Vehicle trip reduction programs	Trans, Noise	N	The amendments do not make any changes to vehicle trip reduction programs.
179	Transportation corridor design criteria	Trans, Noise	N	The amendments do not make any changes to transportation corridor design criteria.
180	Airport Master Plan South Lake Tahoe	Trans, Noise	N	N/A
181	Loudspeaker restrictions	Wildlife, Noise	N	The amendments are not modifying loudspeaker restrictions.
182	Project Review	Noise	N	See response to Compliance Measures 136 and 137.
183	Complaint system: <i>Code of Ordinances</i> Chapters 5 and 68	Noise	N	Existing complaint systems are not being modified by the amendments.
184	Transportation corridor compliance program	Trans, Noise	N	None of these compliance measures will be modified with the proposal.
185	Exemptions to noise limitations	Noise	N	
186	TRPA's Environmental Improvement Program (EIP)	Noise	N	
187	Personal watercraft noise controls	Wildlife, Noise	N	
NOISE – SUPPLEMENTAL				
188	Create an interagency noise enforcement MOU for the Tahoe Region.	Noise	N	An interagency noise enforcement MOU for the Tahoe Region is not being proposed as part of this set of amendments.
RECREATION - IN PLACE				
189	Allocation of Development: <i>Code of Ordinances</i> Chapter 50	Rec	N	See response to Compliance Measure 10.
190	Master Plan Guidelines: <i>Code of Ordinances</i> Chapter 14	Rec, Scenic	N	No changes to master plans requirements are included as part of this amendment.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
191	Permissible recreation uses in the shorezone and lake zone: <i>Code of Ordinances</i> Chapter 81	WQ, Noise, Rec	N	See response to Compliance Measures 43 through 50.
192	Public Outdoor recreation facilities in sensitive lands	WQ, Rec, Scenic	N	The amendments are not altering provisions regarding public outdoor recreation in sensitive lands.
193	Hiking and riding facilities	Rec	N	The amendments are not alter where hiking and riding facilities are permissible. See also Compliance Measure 40.
194	Scenic quality of recreation facilities	Rec, Scenic	N	The amendments are not include any changes to provisions related to scenic quality of recreation facilities.
195	Density standards	Rec	N	The amendments do not alter density standards.
196	Bonus incentive program	Rec	N	The amendments do not alter existing bonus incentive programs.
197	Required Findings: <i>Code of Ordinances</i> Chapter 4	Rec	N	The amendments do not affect required findings. Permits for outdoor dining projects would continue to only be issued when the required findings can be made.
198	Lake Tahoe Recreation Sign Guidelines	Rec, Scenic	N	The amendments will not impact the Lake Tahoe Recreation Sign Guidelines.
199	Annual user surveys	Rec	N	The amendments will not affect user surveys.
RECREATION – SUPPLEMENTAL				
200	Regional recreational plan	Rec	N	The amendments do not modify any portion of the Goals and Policies in the Regional Recreation Plan, which is the Recreation Element in the Regional Plan.
201	Establish fairshare resource capacity estimates	Rec	N	The amendments do not establish or alter fair share resource capacity estimates, alter reservations of additional resource capacity, or include economic modeling.
202	Reserve additional resource capacity	Rec	N	
203	Economic Modeling	Rec	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
SCENIC - IN PLACE				
204	Project Review and Exempt Activities: <i>Code of Ordinances</i> Chapter 2	Scenic	N	See response to Compliance Measures 136 and 137.
205	Land Coverage Limitations: <i>Code of Ordinances</i> Chapter 30	WQ, Scenic	Y	See response to Compliance Measure 11.
206	Height Standards: <i>Code of Ordinances</i> Chapter 37	Scenic	N	The amendments do not affect height standards.
207	Driveway and Parking Standards: <i>Code of Ordinances</i> Chapter 34	Trans, Scenic	Y	The proposal would authorize the reduction of minimum parking demand ratios subject to ongoing parking management. This is consistent with alternative parking strategies in Chapter 13 of the TRPA Code of Ordinances.
208	Signs: <i>Code of Ordinances</i> Chapter 38	Scenic	N	The amendments do not make changes to design standards and guidelines relating to signage.
209	Historic Resources: <i>Code of Ordinances</i> Chapter 67	Scenic	N	See response to Compliance Measures 16 and 17.
210	Design Standards: <i>Code of Ordinances</i> Chapter 36	Scenic	Y	The proposal would make alterations to building design standards in the Tahoe Valley Area Plan. These alterations are relatively minor in nature and deal with such things as roof design and corner development. Application of the remaining design standards and guidelines will ensure continued compliance with the design requirements in Chapter 13: <i>Area Plans</i> of the TRPA Code of Ordinances.
211	Shorezone Tolerance Districts and Development Standards: <i>Code of Ordinances</i> Chapter 83	Scenic	N	See response to Compliance Measures 43 through 50.
212	Development Standards Lakeward of Highwater: <i>Code of Ordinances</i> Chapter 84	WQ, Scenic	N	

ID	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	Grading and vegetation protection during construction shall continue to meet the provisions of the TRPA Code of Ordinances, Chapter 33, Grading and Construction.
214	Vegetation Protection During Construction: Code of Ordinances Chapter 33	AQ, Veg, Scenic	N	
215	Revegetation: <i>Code of Ordinances</i> Chapter 61	Scenic	N	See response to Compliance Measures 16 and 17.
216	Design Review Guidelines	Scenic	N	The amendments do not make changes to design standards and guidelines.
217	Scenic Quality Improvement Program(SQIP)	Scenic	N	The amendments do not conflict with the SQIP and is not anticipated to impact scenic ratings.
218	Project Review Information Packet	Scenic	N	
219	Scenic Quality Ratings, Features Visible from Bike Paths and Outdoor Recreation Areas Open to the General Public	Trans, Scenic	N	
220	Nevada-side Utility Line Undergrounding Program	Scenic	N	N/A
SCENIC – SUPPLEMENTAL				
221	Real Time Monitoring Program	Scenic	N	No changes to the real time monitoring program are being proposed.
222	Integrate project identified in SQIP	Scenic	N	The amendment does not include projects identified in the SQIP.

Attachment H
Adopting Ordinance

TAHOE REGIONAL PLANNING AGENCY
ORDINANCE 2021-__

AN AMENDMENT TO ORDINANCE NO. 2015-05 TO ADOPT
AMENDMENTS TO THE TAHOE VALLEY AREA

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

Section 1.00 Findings

- 1.10 It is desirable to amend TRPA Ordinance 2015-05 by amending the Tahoe Valley 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 Valley 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 Valley 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 Valley 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 Valley 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 Section 4.5 of the TRPA Code of Ordinances, and Article V(g) of the Compact.
- 1.60 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.00 TRPA Code of Ordinances Amendments

Ordinance 2015-05, as previously amended, is hereby amended by amending the Tahoe Valley Area Plan as set forth in Exhibit 1.

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 Valley Area Plan shall become effective on adoption.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held on _____, 2021, by the following vote:

Ayes:

Nays:

Abstentions:

Absent:

Mark Bruce, Chair
Tahoe Regional Planning Agency,
Governing Board

Exhibit 1 to Attachment H
Amendment to the Tahoe Valley Area Plan

EXHIBIT 1

TAHOE VALLEY AREA PLAN AMENDMENTS

Blue text with underline indicates added language.
~~Red text with strikeout~~ indicates deleted language.

(1) Amend Policy T-2.5 on Page 62 to read as follows:

Policy T-2.5 – ~~Mixed-Use Project~~ Alternative Parking Demand

Allow ~~mixed-use~~ projects to reduce their parking requirements provided that a parking demand analysis is submitted and approved by the City or exempted under state or regional law.

(2) Amend Lot and Density Standard D on Page C-18 to read as follows:

- D. **Method of Transferring Coverage.** Land coverage shall be transferred to eligible parcels and eligible uses, in accordance with Sections 30.4.2 and 30.4.3 of the TRPA Code, as modified by the Substitute Coverage Standards contained herein.

(3) Amend Building Placement Standard C on Page C-24 to read as follows:

- C. **Corner Build Area.** Commercial, tourist accommodation, and mixed-use buildings containing commercial and tourist accommodation uses ~~Buildings~~ must be located at the point of intersection of the two setback lines at street corners, and must occupy the street frontage at the setback line for at least 50 feet from the street corner property line, unless such development would encroach on a Stream Environment Zone. Public plazas may be at the street corner provided buildings are built to the edge of the public plaza. Where a parcel is bounded by more than two streets, this requirement only applies to the primary street frontage and one side street frontage. This requirement may be modified or waived by the Director of Development Services upon finding that:
1. Where buildings placed on a corner would negatively impact a designated scenic view, visual open spaces, visual access or views of mountain ridgelines.; or
 2. Where building placed on a corner would negatively affect the sun angle plane to reduce icing on US 50, SR 89 and public sidewalks, ~~or~~

(4) Amend Table 7 on Pages C-25 and C-26 to read as follows:

TABLE 7 HEIGHT AND ROOF STANDARDS							
DISTRICT	TC-C	TC-MUC	TC-G	CMX-S	TC-NP	TC-HC	#
Building Height Maximum (feet)	45'	42', 36' for properties with Hwy 50 frontage east of Tahoe Keys Blvd.	36'	See TRPA Code Section 37.4	36'	42'	①
Building Height Maximum (stories)	3(A)	3(A)	2(A)	-	2(A)	3(A)	①
Building Stepbacks							
Upper Story along Street Frontage (ft.), applicable above the second story	10' from second story building face			-	-		②
Ground Floor Minimum Height, Non-Residential Uses (ft)	15'	15'	15'		-		③
Roof Slope	5:12 to 12:12 (B)						
Roof Height	The height of the sloped roof must be a minimum 40% of the height of the building. (B)				-		
Adjacent to Residential District	Structures shall 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. (C)						④

(5) Amend Table 9 on Page C-26 to read as follows:

TABLE 9 PARKING, LOADING, LANDSCAPING, AND OPEN SPACE STANDARDS							
<p>The diagram illustrates parking and loading standards. On the left, a plan view shows a building footprint, a parking area (hatched), and a loading area (dashed). Callout 1 indicates the setback from the primary street curb. Callout 2 shows the setback from buildings. Callout 3 shows access from an adjacent parking area. Callout 4 shows the loading area. Callout 5 shows the maximum height of an underground parking podium visible from the street.</p> <p>KEY --- Property Line ▨ Parking Area - - - Loading Area</p>							
DISTRICT	TC-C	TC-MUC	TC-G	CMX-S	TC-NP	TC-HC	#
Minimum Setback (measured from back of curb or outer edge of road or drainage improvements if no curb)	25(A), Parking shall be located underground, behind a building, or on the interior side or rear of the site.			20(A)	20 (A)		①
Setback from Buildings and Public Plazas (ft.)	Above ground parking shall be setback from buildings and public plazas with a walkway and/or landscaping.			-	-		②
Access Location	From adjacent parking areas, side street or alley wherever possible						③
Shared Access	See additional regulations (B)						③
Curb Cuts	Minimized and in areas least likely to affect pedestrian circulation.						
Loading/Service Areas	Side or rear of lot; must be screened from public ROW						④
Underground Parking Visibility	Maximum height of underground parking area visible from the street (parking podium) is 3 feet from finished grade.						⑤
Parking, Driveway and Loading Standards	See South Lake Tahoe City Code, Chapter 5, Land Use Development Standards, Article VIII. Parking, Driveway and Loading Spaces. Parking demand ratios may be adjusted as set forth in Substitute Standard L.						
Minimum Residential Open Space (sq. ft. per unit)	100(C)	100(C)	100(C)	-	150(C)		
Minimum Public Open Space, sites two acres or more in size	(D)	-	-	-	-		
Minimum Amount of Landscaping (% of site)	10	10	10	5	10		

(6) Modify Substitute Design Standard B.3 on Page C-33 to read as follows:

3. Entrances to commercial, tourist accommodation, and mixed-use buildings containing commercial and tourist accommodation uses located at corners shall generally be located at a 45 degree angle to the corner and shall have a distinct architectural treatment to animate the intersection and facilitate pedestrian flow around the corner. Different treatments may include angled or rounded corners, arches, and other architectural Components. All building and dwelling units located in the interior of a site shall have entrances from the sidewalk that are designed as an extension of the public sidewalk and connect to a public sidewalk.

(7) Modify Substitute Design Standard L on Page C-38 to read as follows:

- L. Parking, Driving and Loading:** See SLCC Section 6.10.290 through 6.10.410, unless reduced parking ratios are required by the State of California or TRPA. Reductions to the required parking demand ratios may be approved by the Director when the following conditions are met:
1. A technically adequate parking analysis supports reduced ratios.
 2. A suitable parking management plan is developed, which includes a monitoring program to ensure no adverse impacts and may include one or more of the following strategies: decoupling of parking price from the rent, limited number of spaces per unit, parking pass controlled lot, subsidized transit passes, car share services, on-site bike share; and
 3. A deed restriction is recorded on the title of the property to ensure ongoing parking management.

When the Director is prohibited by California law from imposing parking standards, TRPA may approve alternatives to the parking demand ratios and may impose one or more of the above requirements as conditions of approval.

(8) Establish a new Substitute Coverage Standard on Page C-38 to read as follows:

Substitute Coverage Standards

- A. Notwithstanding Subparagraph 30.4.3.B.2 of the TRPA Code of Ordinances, mixed-use projects shall be eligible to transfer in soft and potential coverage when all individual component uses qualify for such transfer.
- B. Notwithstanding Subparagraph 30.4.3.A.2.c of the TRPA Code of Ordinances, projects comprised of any mix of multi-residential facilities of five units or more, public services facilities, and/or recreation facilities shall be eligible to transfer coverage at a ratio of 1:1, until the total coverage reaches the maximum allowed.