

TAHOE REGIONAL PLANNING AGENCY
ORDINANCE 2013-__

AN ORDINANCE AMENDING ORDINANCE 87-9, AS AMENDED, TO AMEND TRPA'S GOALS &
POLICIES, CODE OF ORDINANCES, AND OTHER MATTERS RELATED THERETO

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

Section	Findings
1.00	
1.05	The Tahoe Regional Planning Compact (P. L. 96-551, 94 Stat. 3233, 1980) created the Tahoe Regional Planning Agency (TRPA) and empowered it to set forth environmental threshold carrying capacities ("threshold standards") for the Tahoe Region.
1.10	The Compact directs TRPA to adopt and enforce a Regional Plan that, as implemented through agency ordinances, rules and regulations, will achieve and maintain such threshold standards while providing opportunities for orderly growth and development consistent with such thresholds.
1.15	The Compact further requires that the Regional Plan attain and maintain federal, state, or local air and water quality standards, whichever are strictest, in the respective portions of the region for which the standards are applicable.
1.20	Compact Art. V(c) states that the TRPA Governing Board and Advisory Planning Commission shall continuously review and maintain the Regional Plan.
1.25	In June 1987, the TRPA Governing Board adopted Ordinance 87-9, which established the Regional Plan and included, amongst other things, the Goals & Policies and the Code of Ordinances ("Code").
1.30	In November 2011 and December 2012, TRPA amended Ordinance 87-9 and adopted a variety of code amendments, some of which would benefit from clarification and correction to remain consistent with the intended outcome.
1.35	It is necessary and desirable to amend TRPA Ordinance 87-9, as amended, which ordinance relates to the Regional Plan of the Tahoe Regional Planning Agency (TRPA) by amending the Goals & Policies pursuant to Article VI(a) and other applicable provisions of the Tahoe Regional Planning Compact in order to accelerate attainment and ensure maintenance of the threshold standards.

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- 1.40 It is necessary and desirable to amend the TRPA Code of Ordinances (“Code”) to effectuate the amendments to the Goals & Policies pursuant to Article VI(a) and other applicable provisions of the Tahoe Regional Planning Compact.
- 1.45 TRPA has made the necessary findings required by Article V of the Compact, Chapter 4 of the Code, and all other applicable rules and regulations, and incorporates these findings fully herein.
- 1.50 The Advisory Planning Commission (APC) conducted public hearings on the amendments and issued a recommendation regarding the adoption of these amendments. The Governing Board has also conducted noticed public hearings on the amendments. At these hearings, oral testimony and documentary evidence were received and considered.
- 1.55 The Governing Board finds that the amendments adopted here 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.
- 1.60 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.00 Amendment of TRPA Code of Ordinances

- 2.10 Ordinance 87-9 is hereby amended as shown in Exhibit A of this ordinance (Exhibit A is provided digitally with amended language in ~~strike through~~ / underline format).

Section 3.00 Interpretation and Severability

- 3.10 The provisions of this ordinance adopted hereby shall be liberally construed to affect their purpose. If any section, clause, provision or portion thereof is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby. For this purpose, the provisions of this ordinance are hereby declared respectively severable.

Section 4.00 Effective Date

- 4.10 The provisions of this ordinance shall be effective 60 days after adoption.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held June 26, 2013, by the following vote:

Ayes:

Nays:

Abstain:

Shelly Aldean, Governing Board Chair
Tahoe Regional Planning Agency