

INITIAL ENVIRONMENTAL CHECKLIST FOR DETERMINATION OF ENVIRONMENTAL IMPACT

PROJECT INFORMATION

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

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

Project Address: Not Applicable

County/City: Not Applicable

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

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

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

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

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

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

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

I. ENVIRONMENTAL IMPACTS

1. LAND

Current and historic status of soil conservation standards can be found at the links below:

- [Impervious Cover](#)
- [Stream Environment Zone](#)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. A change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Unstable soil conditions during or after completion of the proposal?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. The continuation of or increase in wind or water erosion of soils, either on or off the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Changes in deposition or erosion of beach sand, or changes in siltation, deposition or erosion, including natural littoral processes, which may modify the channel of a river or stream or the bed of a lake?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

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

2. AIR QUALITY

Current and historic status of air quality standards can be found at the links below:

- [Carbon Monoxide \(CO\)](#)
- [Nitrate Deposition](#)
- [Ozone \(O3\)](#)
- [Regional Visibility](#)
- [Respirable and Fine Particulate Matter](#)
- [Sub-Regional Visibility](#)

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

Discussion:

The following proposed Code amendment supports the reduction of emissions:

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

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

3. WATER QUALITY

Current and historic status of water quality standards can be found at the links below:

- [Aquatic Invasive Species](#)
- [Deep Water \(Pelagic\) Lake Tahoe](#)
- [Groundwater](#)
- [Nearshore \(Littoral\) Lake Tahoe](#)
- [Other Lakes](#)
- [Surface Runoff](#)
- [Tributaries](#)
- [Load Reductions](#)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Changes in currents, or the course or direction of water movements?	<input type="checkbox"/>	<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"/>
c. Alterations to the course or flow of 100-yearflood 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"/>
k. Is the project located within 600 feet of a drinking water source?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

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

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

4. VEGETATION

Current and historic status of vegetation preservation standards can be found at the links below:

- [Common Vegetation](#)
- [Late Seral/Old Growth Ecosystems](#)
- [Sensitive Plants](#)
- [Uncommon Plant Communities](#)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Change in the diversity or distribution of species, or number of any species of plants (including trees, shrubs, grass, crops, micro flora, and aquatic plants)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Reduction of the numbers of any unique, rare, or endangered species of plants?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- f. Removal of stream bank and/or backshore vegetation, including woody vegetation such as willows? X
- g. Removal of any native live, dead or dying trees 30 inches or greater in diameter at breast height (dbh) within TRPA's Conservation or Recreation land use classifications? X
- h. A change in the natural functioning of an old growth ecosystem? X

Discussion:

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

5. WILDLIFE

Current and historic status of special interest species standards can be found at the links below:

- [Special Interest Species](#)

Current and historic status of the fisheries standards can be found at the links below:

- [Instream Flow](#)
- [Lake Habitat](#)
- [Stream Habitat](#)

Will the proposal result in:

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

Discussion:

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

6. NOISE

Current and historic status of the noise standards can be found at the links below:

- [Cumulative Noise Events](#)
- [Single Noise Events](#)

Will the proposal result in:

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

Discussion:

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

7. LIGHT AND GLARE

Will the proposal:	Yes	No	No, with mitigation	Data insufficient
a. Include new or modified sources of exterior lighting?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Create new illumination which is more substantial than other lighting, if any, within the surrounding area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Cause light from exterior sources to be cast off -site or onto public lands?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Create new sources of glare through the siting of the improvements or through the use of reflective materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

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

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

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

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

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

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

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

8. LAND USE

Will the proposal:	Yes	No	No, with mitigation	Data insufficient
a. Include uses which are not listed as permissible uses in the applicable Area Plan, Plan Area Statement, adopted Community Plan, or Master Plan?	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Expand or intensify an existing non-conforming use?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

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

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

9. NATURAL RESOURCES

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

Discussion:

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

10. RISK OF UPSET

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

Discussion:

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

11. POPULATION

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

Discussion:

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

12. HOUSING

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

Discussion:

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

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

13. TRANSPORTATION / CIRCULATION

Will the proposal result in:	Yes	No	No, with mitigation	Data insufficient
a. Generation of 650 or more new average daily Vehicle Miles Travelled?	<input type="checkbox"/>	<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:

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

14. PUBLIC SERVICES

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

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

Discussion:

The proposed amendments will not impact public facilities.

15. ENERGY

Will the proposal result in:

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

Discussion:

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

16. UTILITIES

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

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

Discussion:

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

17. HUMAN HEALTH

Will the proposal result in:

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

Discussion:

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

18. SCENIC RESOURCES / COMMUNITY DESIGN

Current and historic status of the scenic resources standards can be found at the links below:

- [Built Environment](#)
- [Other Areas](#)
- [Roadway and Shoreline Units](#)

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

Discussion:

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

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

19. RECREATION

Current and historic status of the recreation standards can be found at the links below:

- [Fair Share Distribution of Recreation Capacity](#)
- [Quality of Recreation Experience and Access to Recreational Opportunities](#)

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

Discussion:

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

20. ARCHAEOLOGICAL / HISTORICAL

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. An alteration of or adverse physical or aesthetic effect to a significant archaeological or historical site, structure, object or building?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed project located on a property with any known cultural, historical, and/or archaeological resources, including resources on TRPA or other regulatory official maps or records?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Is the property associated with any historically significant events and/or sites or persons?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

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

II. FINDINGS OF SIGNIFICANCE

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

Discussion:

The proposed amendment will have no significant impact.

III. DECLARATION:

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Signature:



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

Applicant Written Comments:

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

TRPA staff recommend approval of the proposed amendments.

IV. DETERMINATION:

On the basis of this evaluation:

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

Signature of Evaluator

Date 3/14/2024

Associate Long Range Planner
Title of Evaluator