

TAHOE REGIONAL PLANNING AGENCY
ORDINANCE 2022-__

AN AMENDMENT TO ORDINANCE NO. 2020-04, AS PREVIOUSLY AMENDED, TO AMEND THE BIJOU/AL
TAHOE COMMUNITY PLAN TO ALLOW ADDITIONAL HEIGHT UP TO 42 FEET, WITH NO MINIMUM CROSS
SLOPE OR ROOF PITCH REQUIREMENTS FOR PULIC AND QUASI-PUBLIC FACILITIES LOCATED IN THE 56-
ACRE PROJECT 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 2020-04 by amending the Bijou/Al Tahoe Community 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 Bijou/Al Tahoe Community amendment was the subject of an Initial Environmental Checklist (IEC), which was processed in accordance with Chapter 3: Environmental Documentation of the TRPA Code for Ordinances and Article VI of the Rules of Procedure. The Bijou/Al Tahoe Community Plan amendment has been determined not to have a significant effect on the environment and is 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 Bijou/Al Tahoe Community Plan amendment. 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 Bijou/Al Tahoe Community Plan amendment 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 this ordinance, 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 2020-04, as previously amended, is hereby amended by amending the Bijou/Al Tahoe Community Plan, as set forth in Exhibit 1 hereto.

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 TRPA Code of Ordinances shall become effective on_____

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held on _____, 2022, by the following vote:

Ayes:

Nays:

Abstentions:

Absent:

Mark Bruce, Chair
Tahoe Regional Planning Agency,
Governing Board