

TAHOE REGIONAL PLANNING AGENCY
ORDINANCE 2024 – __

AN ORDINANCE AMENDING ORDINANCE 2019-03, AS AMENDED,
TO AMEND THE THRESHOLD STANDARDS

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

Section 1.0 **Findings**

- 1.10 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 environmental threshold carrying capacities (“threshold standards”) for the Tahoe Region.
- 1.15 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.
- 1.20 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 April 2019, the TRPA Governing Board adopted Ordinance 2019-03, superseding portions of Ordinance 87-9 by collocating the environmental threshold standards with the Regional Plan Goals and Policies.
- 1.35 It is necessary and desirable to amend the environmental threshold standards to reflect the best available science and guidance from the Tahoe Science Advisory Council.
- 1.40 Prior to the adoption of these amendments, the Governing Board made the findings required by TRPA Code of Ordinances Section 4.5, and Article V(g) of the Compact. 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.
- 1.45 The proposed amendments to the threshold standards 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 Basin 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.
- 1.50 The Advisory Planning Commission (APC) and the Governing Board have each

conducted a noticed public hearing on the proposed amendments to the threshold standards. 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.

1.55 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.0 **Amendment of the TRPA Regional Plan Goals and Policies**

2.10 Ordinance 2019-03, as previously amended, is hereby amended as shown in Exhibit 1.

Section 3.0 **Interpretation and Severability**

3.10 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 4.0 **Effective Date**

4.10 This ordinance shall be effective after its adoption.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held on May 22, 2024 by the following vote:

Ayes:

Nays:

Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency
Governing Board