

TAHOE REGIONAL PLANNING AGENCY (TRPA)
TAHOE METROPOLITAN PLANNING AGENCY (TMPO)
AND TRPA COMMITTEE MEETINGS

NOTICE IS HEREBY GIVEN that on **Wednesday, July 28, 2021**, commencing at **8:15 a.m.**, the **Annual Governing Board retreat will be held in person at Round Hill Pines, 300 US Highway 50, Zephyr Cove, NV.**

NOTICE IS HEREBY GIVEN that on **Thursday, July 29, 2021**, commencing **no earlier than 10:45 a.m.**, the Governing Board will conduct its **regular business meeting virtually via GoToWebinar.**

To participate remotely in any TRPA Governing Board or Committee meetings please go to the Calendar on the www.trpa.gov homepage and select the link for the current meeting. Members of the public may also choose to listen to the meeting by dialing the phone number and access code posted on our website. For information on how to participate by phone, please see page 4 of this Agenda.

NOTICE IS FURTHER GIVEN that on **Thursday, July 29, 2021**, commencing at **8:30 a.m.**, **via GoToWebinar**, the **TRPA Regional Plan Implementation Committee** will meet. The agenda will be as follows: **1)** Approval of Agenda; **2)** Approval of Minutes; **3)** Discussion and possible recommendation for approval of Phase 1 Housing Code Amendments to the TRPA Code of Ordinances related to: **a)** Bonus Unit Boundary, including amendments to Chapter 52; **b)** Non-conforming density, including amendments to Chapter 31; **c)** Accessory Dwelling Units, including amendments to Chapters 21, 31, 39, 50, 51, 52 and 90, Meyers, Tahoe Valley and Tourist Core Area Plans, and Rules of Procedure Section 12; **d)** Development Rights Strategic Initiative Code Clean-Up: Potential Residential Units of Use and Bonus Unit Pools, including amendments to Chapters 51 and 52; **(Page 235) 4)** Committee Member Comments; Chair – Yeates, Vice Chair – Bruce, Aldean, Friedrich, Gustafson, Lawrence; **5)** Public Interest Comments

NOTICE IS FURTHER GIVEN that on **Thursday, July 29, 2021**, commencing **no earlier than 9:15 a.m.**, **via GoToWebinar**, the **TRPA Forest Health & Wildfire Committee** will meet. The agenda will be as follows: **2)** Approval of Agenda; **3)** Briefing on Watershed Erosion Prediction Project (WEPP) and Forest Treatments Steep Slopes within the Tahoe Basin; **(Page 249) 4)** Committee Member Comments; Chair – Hicks, Vice Chair – Novasel, Cegavske, Faustinos, Friedrich, Lawrence, Williamson; **5)** Public Interest Comments

NOTICE IS FURTHER GIVEN that on **Thursday, July 29, 2021**, commencing at **no earlier than 10:15 a.m.**, **via Zoom**, the **TRPA Legal Committee** will meet. The agenda will be as follows: **1)** Approval of Agenda; **2)** Recommend approval of Resolution of Enforcement Action: ZPP LLC; Unauthorized Grading and Disturbance of Vegetation without TRPA Approval, 253 S Martin Drive, Douglas County, NV, Assessor’s Parcel Number 1318-10-417-014; **(Page 63) 3)** Discussion of Existing and Potential Litigation; **4)** Committee Member Comments; Chair – Bruce, Vice Chair – Novasel, Rice, Williamson, Yeates; **5)** Public Interest Comments

NOTICE IS FURTHER GIVEN that on **Thursday, July 29, 2021**, commencing **no earlier than 10:15 a.m.**, **via GoToWebinar**, the **TRPA Operations & Governance Committee** will meet. The agenda will be as follows: **1)** Approval of Agenda; **2)** Recommend approval for release of Douglas County Operations and Maintenance Mitigation Funds (\$100,000) towards the construction of a Stormwater Decant Facility; **(Page 51) 3)** Recommend approval for Release of City of South Lake Tahoe Stream Environment Zone (SEZ) Mitigation Funds (\$225,000), Water Quality Mitigation Funds (\$200,000), and Water Quality Interest Mitigation Funds (\$50,000), towards acquisition of property and easements for the Tahoe Valley Greenbelt and Stormwater Improvement Project; **(Page 57) 4)** Quarterly Treasurer’s Report **5)** Informational briefing on TRPA building repairs and remodel; **6)** Upcoming Topics; **7)**

Committee Member Comments; Chair – Aldean, Vice Chair – Gustafson, Cegavske, Hicks, Hill; **8) Public Interest Comments**

NOTICE IS FURTHER GIVEN that on **Thursday, July 29, 2021**, commencing **no earlier than 1:30 p.m., via GoToWebinar**, the **TRPA Environmental Improvement, Transportation, & Public Outreach Committee** will meet. The agenda will be as follows: **1) Approval of Agenda; 2) Transportation Funding Initiative briefing and possible direction to staff; (Page 251) 3) Committee Member Comments; Chair – Lawrence, Vice Chair – Faustinos, Gustafson, Hill, Novasel, Williamson, Yeates; 4) Public Interest Comments**

July 21, 2021



Joanne S. Marchetta,
Executive Director

This agenda has been posted at the TRPA office and at the following locations: Post Office, Stateline, NV, North Tahoe Event Center in Kings Beach, CA, IVGID Office, Incline Village, NV, North Tahoe Chamber of Commerce, Tahoe City, CA, and South Shore Chamber of Commerce, Stateline, NV

TAHOE REGIONAL PLANNING AGENCY	
GOVERNING BOARD	
Round Hill Pines	July 28, 2021, 8:15 a.m.
GoToWebinar	July 29, no earlier than 10:45 a.m.

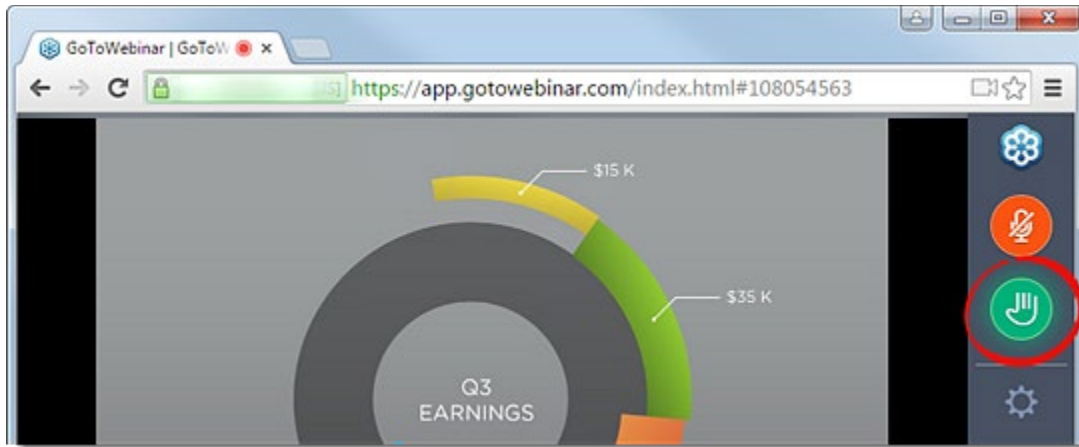
All items on this agenda are action items unless otherwise noted. Items on the agenda, unless designated for a specific time, may not necessarily be considered in the order in which they appear and may, for good cause, be continued until a later date.

Members of the public may email written public comments to the Clerk to the Board, mambler@trpa.org. All public comments should be as brief and concise as possible so that all who wish to participate may do so; testimony should not be repeated. The Chair of the Board shall have the discretion to set appropriate time allotments for individual speakers (3 minutes for individuals and group representatives as well as for the total time allotted to oral public comment for a specific agenda item). No extra time for participants will be permitted by the ceding of time to others. Written comments of any length are always welcome. In the interest of efficient meeting management, the Chairperson reserves the right to limit the duration of each public comment period to a total of 1 hour. All written comments will be included as part of the public record.

TRPA will make reasonable efforts to assist and accommodate physically handicapped persons that wish to attend the meeting. Please contact Marja Ambler at (775) 589-5287 if you would like to attend the meeting and are in need of assistance.

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<https://support.goto.com/meeting/help/download-now-g2m010002>.
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2. Find the link to the meeting at <https://www.trpa.gov/meeting-materials/>. Clicking on the GoToWebinar link will open the GoToWebinar app automatically and prompt you to register for the meeting. Please register with your first and last name so that you may be identifiable in the event you would like to make public comment.

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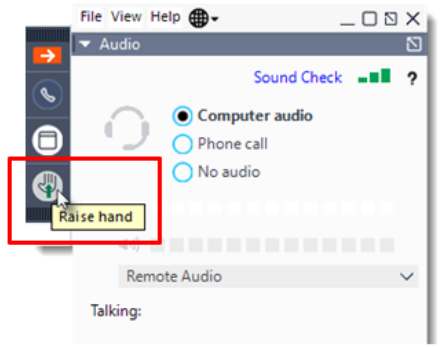
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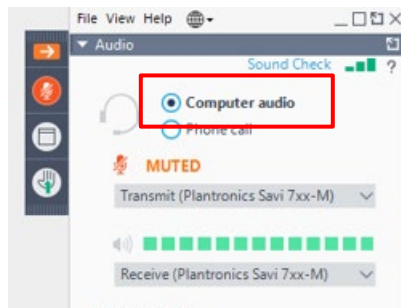
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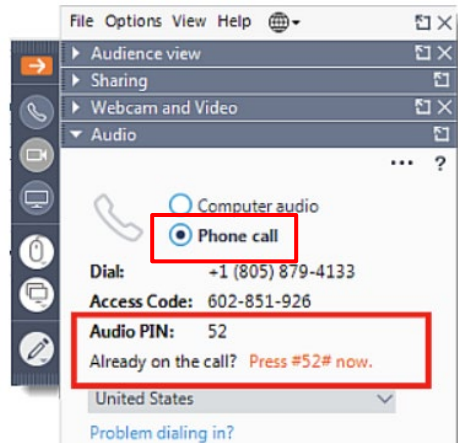
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On the meeting day, if you don't have the ability to use any of the GoToWebinar apps on your computer, smartphone, or tablet, and you would like to make a comment at the Governing Board meeting, TRPA can pre-register you for the webinar and provide you with dial-in instructions and a unique PIN that will identify you. Please contact TRPA admin staff at virtualmeetinghelp@trpa.org or call (775) 588-4547.

AGENDA

- I. CALL TO ORDER AND DETERMINATION OF QUORUM
- II. PLEDGE OF ALLEGIANCE
- III. APPROVAL OF AGENDA
- IV. APPROVAL OF MINUTES
- V. TRPA CONSENT CALENDAR (see Consent Calendar agenda below for specific items)
- VI. PUBLIC HEARINGS
 - A. Phase 1 Housing Code Amendments to the TRPA Code of Ordinances related to: **a)** Bonus Unit Boundary, including amendments to Chapter 52; **b)** Non-conforming density, including amendments to Chapter 31; **c)** Accessory Dwelling Units, including amendments to Chapters 21, 31, 39, 50, 51, 52 and 90, Meyers, Tahoe Valley and Tourist Core Area Plans, and Rules of Procedure Section 12; **d)** Development Rights Strategic Initiative Code Clean-Up: Potential Residential Units of Use and Bonus Unit Pools, including amendments to Chapters 51 and 52 **Approval** **Page 69**
- VII. PLANNING MATTERS
 - A. Update on the US 50 Tahoe East Shore Corridor: Including the US 50 Tahoe East Shore Corridor Management Plan and upcoming project within the corridor. **Informational Only** **Page 193**
 - B. Briefing on Meeks Bay Restoration Project **Informational Only** **Page 199**
- VIII. REPORTS
 - A. Executive Director Status Report **Informational Only**
 - 1) Quarterly Report: April – June 2021 **Informational Only** **Page 213**
 - B. General Counsel Status Report **Informational Only**
- IX. GOVERNING BOARD MEMBER REPORTS
- X. COMMITTEE REPORTS
 - A. Local Government & Housing Committee **Report**
 - B. Legal Committee **Report**
 - C. Operations & Governance Committee **Report**

- D. Environmental Improvement, Transportation, & Public Outreach Committee **Report**
- E. Forest Health and Wildfire Committee **Report**
- F. Regional Plan Implementation Committee **Report**

XI. PUBLIC INTEREST COMMENTS

Any member of the public wishing to address the Governing Board on any item listed or not listed on the agenda including items on the Consent Calendar may do so at this time. TRPA encourages public comment on items on the agenda to be presented at the time those agenda items are heard. Individuals or groups commenting on items listed on the agenda will be permitted to comment either at this time or when the matter is heard, but not both. The Governing Board is prohibited by law from taking immediate action on or discussing issues raised by the public that are not listed on this agenda.

XII. ADJOURNMENT

TRPA CONSENT CALENDAR

- 1. Release of Douglas County Operations and Maintenance Mitigation Funds (\$100,000) towards the construction of a Stormwater Decant Facility **Approval** [Page 51](#)
- 2. Release of City of South Lake Tahoe Stream Environment Zone (SEZ) Mitigation Funds (\$225,000), Water Quality Mitigation Funds (\$200,000), and Water Quality Interest Mitigation Funds (\$50,000), towards acquisition of property and easements for the Tahoe Valley Greenbelt & Stormwater Improvement Project **Approval** [Page 57](#)
- 3. Resolution of Enforcement Action: ZPP LLC; Unauthorized Grading and Disturbance of Vegetation without TRPA Approval, 253 S Martin Drive, Douglas County, NV, Assessor’s Parcel Number 1318-10-417-014 **Approval** [Page 63](#)

The consent calendar items are expected to be routine and non-controversial. They will be acted upon by the Board at one time without discussion. The special use determinations will be removed from the calendar at the request of any member of the public and taken up separately. If any Board member or noticed affected property owner requests that an item be removed from the calendar, it will be taken up separately in the appropriate agenda category. Four of the members of the governing body from each State constitute a quorum for the transaction of the business of the agency. The voting procedure shall be as follows: (1) For adopting, amending or repealing environmental threshold carrying capacities, the regional plan, and ordinances, rules and regulations, and for granting variances from the ordinances, rules and regulations, the vote of at least four of the members of each State agreeing with the vote of at least four members of the other State shall be required to take action. If there is no vote of at least four of the members from one State agreeing with the vote of at least four of the members of the other State on the actions specified in this paragraph, an action of rejection shall be deemed to have been taken. (2) For approving a project, the affirmative vote of at least five members from the State in which the project is located and the affirmative vote of at least nine members of the governing body are required. If at least five members of the governing body from the State in which the project is located and at least nine members of the entire governing body do not vote in favor of the

project, upon a motion for approval, an action of rejection shall be deemed to have been taken. A decision by the agency to approve a project shall be supported by a statement of findings, adopted by the agency, which indicates that the project complies with the regional plan and with applicable ordinances, rules and regulations of the agency. (3) For routine business and for directing the agency's staff on litigation and enforcement actions, at least eight members of the governing body must agree to take action. If at least eight votes in favor of such action are not cast, an action of rejection shall be deemed to have been taken.

Article III (g) Public Law 96-551 Tahoe Regional Planning Agency Governing Board Members: Chair, Mark Bruce, Nevada Governor's Appointee; Vice Chair, Cindy Gustafson, Placer County Supervisor Representative; Shelly Aldean, Carson City Supervisor Representative; Barbara Cegavske, Nevada Secretary of State; Belinda Faustinos, California Assembly Speaker's Appointee; John Friedrich, City of South Lake Tahoe Councilmember; A.J. Bud Hicks, Presidential Appointee; Alexis Hill, Washoe County Commissioner; James Lawrence, Nevada Dept. of Conservation & Natural Resources Representative; Sue Novasel, El Dorado County Supervisor; Wesley Rice, Douglas County Commissioner; Hayley Williamson, Nevada At-Large Member; William Yeates, California Senate Rules Committee Appointee; Vacant, California Governor's Appointee; Vacant, California Governor's Appointee

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

Via GoToWebinar

June 23, 2021

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Bruce called the meeting to order at 10:45 a.m.

Members present: Ms. Aldean, Mr. Beyer, Mr. Bruce, Mrs. Cegavske, Mr. Friedrich, Ms. Gustafson, Mr. Hicks, Ms. Hill, Mr. Lawrence, Ms. Novasel, Mr. Rice, Ms. Williamson, Mr. Yeates

Members absent: Ms. Faustinos

II. PLEDGE OF ALLEGIANCE

Ms. Hangeland led the pledge.

III. APPROVAL OF AGENDA

Mr. Bruce deemed the agenda approved as posted.

IV. APPROVAL OF MINUTES

Ms. Aldean said she provided minor clerical edits and moved approval of the May 26, 2021 minutes as amended.

Motion carried.

V. TRPA CONSENT CALENDAR

1. May Financials
2. Fiscal Year 2021/2022 Annual Budget
3. Release of El Dorado County Mitigation Funds Air Quality Mitigation Funds (\$50,000) for the El Dorado County Woodstove Replacement Incentive Program
4. APC Membership reappointment for the Douglas County Lay Member, Garth Alling
5. Update to the Mobility Mitigation Fee including amendments to the TRPA Rules of Procedure Section 10.8.5.A for initial update to the fee amount

Ms. Aldean said the Operations and Governance Committee recommended items one, two, and three. Mr. Keillor told the committee that the May financials ended with a substantial fund balance. Some of the highlights of the Fiscal Year 2021/2022 Annual Budget is that California did not implement its previously proposed \$250, 000 funding cut. The \$500,000 for building improvements associated with last year's fiscal year bond refinancing is being spent in this upcoming fiscal year hence the \$500,000 (using air quotes) budget deficit.

GOVERNING BOARD

June 23, 2021

Mr. Yeates said this morning the Regional Plan Implementation Committee reviewed item number five which is the revision from the former air quality mitigation fee to the new mobility mitigation fee. This converted the air quality mitigation fee that was based on trips to the new mobility mitigation fee that is now based on vehicle miles traveled. In April, the committee unanimously recommend board approval of this minor change. There was discussion that in the future they'll look at doing other things consistent with what was approved regarding vehicle miles traveled reduction program in the threshold.

Board Comments & Questions

None.

Public Comments & Questions

None.

Mr. Lawrence moved approval of the consent calendar.

Ayes: Ms. Aldean, Mr. Beyer, Mr. Bruce, Mrs. Cegavske, Mr. Friedrich, Ms. Gustafson, Ms. Hill, Mr. Lawrence, Ms. Novasel, Mr. Rice, Ms. Williamson, Mr. Yeates

Absent: Ms. Faustinos

Motion carried.

VI. PLANNING MATTERS

A. Briefing on Resort Triangle Transportation Plan

TRPA staff Ms. Glickert introduced Ms. Holloway, Placer County who provided the presentation.

Ms. Glickert said corridor planning is the bridge between the Regional Transportation Plans goals and policies, the implementation, and the long term operation of multi benefit projects. It's also the regions approach to comprehensively addressing its largest challenges. The corridor planning framework was developed to increase collaboration and accelerate transportation improvements that often cross jurisdictional boundaries. The Tahoe region is divided into six corridors based on a unique transportation, recreation, and quality life needs of each.

Today, Ms. Holloway, Senior Civil Engineer with Placer County Public Works will provide a briefing on the recently adopted Resort Triangle Transportation Plan which is the corridor plan for the State Route 28 and 89 area on the north and west shore of Tahoe. It also includes the Truckee partners which is the tip of the triangle. Truckee is the Amtrack connection and served by Tahoe Truckee Area Regional Transportation (TART) transit. Corridor planning allows TRPA to leverage its transportation and land use polices to create synergies and maximize the cost efficiencies and benefits of projects. The approach to each corridor is adaptive to recognize and respond to localized needs but planning always includes active transportation, sustainable recreation, and some even have housing considerations as well as development within and near town and regional centers. Staff participated from the onset on several committees and technical working groups to ensure consistency with the Regional Transportation Plan. The RTP includes a project spotlight within the planning context chapter and also highlights the Resort Triangle transportation plan. This Resort Triangle Plan incorporates RTP strategies that were

GOVERNING BOARD

June 23, 2021

recently approved by the board. Placer County is leading the charge applying these strategies to their area. It is the action plan that implements the RTP.

Ms. Holloway said the Placer County Board of Supervisors considered and approved this plan for eastern Placer County in and outside of the Tahoe Basin in October 2020. The Resort Triangle Plan was developed to extend that transportation focus. The Resort Triangle is the area between North Lake, the Interstate 80 corridor, and the Town of Truckee.

This effort emerged out of the adoption of the TART's system plan back in 2016 as well as the Placer County Tahoe Basin Area Plan. It's intended to provide a refined focus on the transportation initiatives that were seeded with TRPA's Regional Transportation Plan. Two efforts that preceded this Resort Triangle Plan was the board's adoption of the North Lake Tahoe Transportation Demand Management Strategies which came in the wake of their area plan adoption. Also, it was the states requirements for vehicle miles traveled as their California Environmental Quality Act metric under Senate Bill 743. The plan was made possible through a Caltrans sustainable planning grant.

The programs in the plan strive to lessen the travel via the personal vehicle. They want to improve the transportation experience for the residents and visitors while minimizing the environmental effects.

This plan was developed in concert with the Regional Transportation Plan and is aligned with the goals of that plan. It's intended to bring more detail in moving those high level program ideas and initiatives into implementation. The plan also bridges a divide in Placer County between two regional planning agencies; one in the Basin with TRPA's jurisdiction and outside of the Basin with the Sacramento Area Council of Governments as the metropolitan planning organization and regional planning agency for the portions that are immediately outside of the Basin.

There are four focus areas of the plan: Adaptive Corridor Management; Parking Management; Transportation Demand Management; and Vehicle Miles Traveled.

Adaptive Corridor Management is intended for the long distance trips and the entry points into the Placer County portion of the Tahoe Basin which are predominately on the state highways in the Resort Triangle. The key emphasis of adaptive corridor management is promotion of transit usage.

Parking Management provides a better system in which to manage the attractiveness of vehicle usage.

Transportation Demand Management (TDM) strategies focuses on the travel choices and alternatives, specifically transit shuttles and a focus on reducing the overall vehicle trips that are made.

Vehicle Miles Traveled is a focus of the region and the programs in the Resort Triangle Transportation Plan implements those needed steps for VMT reduction.

During the development of the plan they organized two stakeholder groups; one focused on the technical recommendations and the other was a community focused group that helped inform the plan and seed the plan in the community. The outreach also included a broader conversation and virtual community outreach workshop held online that reached out to hundreds of community members and stakeholders to inform the plan.

GOVERNING BOARD

June 23, 2021

Adaptive Corridor Management was how did they better manage and utilize the current infrastructure during peak periods of travel demand. There were four alternatives considered: Bus on shoulder initiatives which has been a focus of discussion of the Bi-State group. Different options were studied and vetted and what rose to the top was reversible bus only center lane on State Route 89 and 267. Development of this bus only reversible lane was done in close consultation with Caltrans and the California Highway Patrol who had a lot of operational and safety concerns.

The vision for the bus only lane is broken down into near and long term. Phase 1 looks to upgrade signals along State Route 89 and 267 with transit signal priorities. They'll also look at opportunities to provide additional lanes outside of the general purpose lane or a redefinition of a general purpose lane to provide transit queue jump lanes. That is a lane that a bus could get a jump on the regular vehicle queue. Phase 2 expands from that intersection work in building the bus only lane in between the intersections on the segments. Phase 3 would have a climbing lane over Brockway Summit.

The bus only lane had a positive response from both the virtual workshop and the technical stakeholders that they engaged.

Parking management element focuses on the town centers in Tahoe City and Kings Beach as well as some summer and winter recreational areas. They are recommending implementing paid parking in the town centers with some of public lots as well as street parking. In conversations with the community, the ability to adapt any kind of parking management program that Placer implements for the public onto private lots is a voluntary application by an owner or an applicant is something that Placer is open to. The paid parking system better manages the stay of that vehicle in the town centers and acts as a nudge to decrease vehicle usage overall. It also has the potential to generate revenue to be used with their alternative mode strategies and mobilities that are transit shuttles, construction of sidewalks, bikes, trails, and bike paths.

Their recommendation also includes the residential parking management program to be coupled with paid parking. They recognize that any paid parking system that is developed in those town centers is going to have a dramatic and spill over affect into the neighboring residential areas in those town centers. It's critical to think about those two efforts together. This effort on parking management was generated through a conversation with the business communities initially. Working closely with the downtown associations of Tahoe City and Kings Beach they've developed those recommendations and received support from them.

(Slide 12) The area in blue are the areas being recommended for a paid parking strategy. Tahoe City is on the left and Kings Beach is on the right. The green area is the neighboring residential and would focus efforts on a permit or residential parking program as part of phase 1. On the left, the orange in Tahoe City is the 64-acre and will be recommended for a paid parking strategy for that over flow lot. On the right, the orange is the Kings Beach State Recreation Area and is a good example of paid parking model that already exists.

With the recreational component of parking management they focused on the high frequency beach attractions. They have a recommendation for paid parking strategies at these locations. Many of these locations are already feeling the "heat" of summer attractions. They took a survey when they developed the plan of all the beach attraction areas throughout the Basin and found that beaches in Placer County are some of the only beaches where it is still free to park and there is no paid parking strategy.

GOVERNING BOARD

June 23, 2021

The plan includes some initial recommendations on a micro transit or shuttle program. Again, building off the recommendations from the Regional Plan they started to put some detail in how they might implement that in Placer County. Placer is committed to providing a pilot of this service this summer that starts on June 24th through Labor Day. Information can be found at www.tahoetrucketransit.com/summer21. They've branded this TART Connect because although it's a great alternative to get downtown or the beach once someone is in the region but the real bang for the buck is that the service provides a much needed first mile/last mile to get from someone's house to the regional TART system bus stop. They hear this over and over for reasons why people don't use the bus system.

They polled the community to see where there was higher demand and there was wild interest in all areas of Placer County when this question was asked. The decision for the pilot was to make that connection for the town centers, first mile/last mile opportunities to provide an alternative mode to the personal vehicle.

The plan acknowledges the need for additional awareness and promotion of overall trip reduction programs and opportunities for those who live and work within the region. Both Placer County and TRPA have current ordinances or codes related to that work travel. Therefore, they've decided to team up to roll out the commute Tahoe program and some potential amendments to both TRPA ordinances and the Placer County trip reduction ordinance. They want to ensure that it's still relevant and build connection and partnerships with the businesses that would be asked to implement it. The north and south shore Transit Management Associations (TMA) are also a part of that roll out of Commute Tahoe and the overall discussion, leveraging them to get out to the businesses and work through those contacts to help define the right mix of transportation strategies.

They polled those who live and work within the region and found great support and usage of alternative transportation. "Build it and they will come" exists here in Tahoe. They want to ensure that incentives and opportunities are provided for people that live and work within the community can better access those amenities.

The work in the Resort Triangle Transportation Plan fits into the Regional Transportation Plan with three buckets of Visit Tahoe, Discover Tahoe, and Everyday Tahoe. The Resort Triangle Plan is moving them forward towards implementation of the Regional Plan.

The efforts of the Governing Board in adopting the regional and project level vehicle miles traveled standards in April with implementation of Senate Bill 743 under the California Environmental Quality Act law last year, project development in the Tahoe Basin portion of eastern Placer as well as El Dorado, and the City of South Lake Tahoe was suddenly subject to this overlapping environmental review standard, one under TRPA's Code of Ordinances and one under Placer County California Environmental Quality Act requirements.

Placer has teamed up with TRPA over the past 1.5 years and looked to minimize the need for two different studies, metrics, and potentially two different conclusions under VMT. The Placer County Board of Supervisors adopted the East Placer VMT framework under the California Environmental Quality Act review at their board meeting yesterday. Their next steps include a focus on VMT mitigation and implementation through public and private partnerships. Placer is currently updating their transportation fee program which has been predominately focused on vehicle capacity needs. This update will incorporate funding for all modes of travel focusing heavily on transit. There are also exploring the possibility of a VMT mitigation bank or program.

GOVERNING BOARD

June 23, 2021

They're working with Ms. Sloan and other TRPA staff to coordinate the transportation fee mobility mitigation fee and others within the region for project development.

Transportation funding for eastern Placer is very complicated and a combination of both state, federal, local, and private sources. The takeaway is the amount and the number of funding sources that play into the larger implementation of transportation in the region and second, focusing in on the yellow and red portions (slide 21). The developments in the yellow are paying their fair share towards VMT mitigation. The other is to highlight the need to leverage alternative transportation funding through both public and private sources that are noted in red.

Presentation can be found at:

[Agenda Item No. VI.A Resort Triangle Transportation Plan](#)

Board Comments & Questions

Ms. Gustafson said Ms. Holloway has done an outstanding job coordinating with Placer staff and stakeholders. The Placer County Board of Supervisors approved the VMT strategies yesterday. Placer is varying a bit from TRPA in that their trips have to account for longer distances than TRPA does. Some of the challenges that they face as public officials in implementing sections of this especially as it relates to parking is higher adequate enforcement staff. The community is ready for some paid parking and residential parking permits but they need to be staffed up and ready to go because wherever they push them out of, they will find another spots. That is one of the more challenging public policy side issues.

The projects will be challenging and they'll need to raise funds. There's hope that they'll find regional revenue and can continue these pilot programs on an ongoing basis for micro mass transit and expand. They currently have zones but are getting request on how to get between zones and want to go to direct from Tahoe City to Kings Beach without having to change vehicles and that cannot be accommodated for this summer. Working on that mitigation bank, transportation takes regional solutions and when they try to implement the mitigation fees project by project, it's going to be challenging and time intensive for the project proponents. Whereas a regional solution if they are able to implement that and bank opportunities the county can guarantee that funding moving forward and be more comprehensive in their approach.

Ms. Aldean said great presentation and compliments to Placer County for moving forward with these initiatives. In the presentation it looked like there was a raised median to the right of the reversible bus lane. How can it be reversible if there's a raised median or is there a point of entry such as a carpool lane?

Ms. Holloway, Placer County said the example shown was more of an urbanized setting in Sacramento. The raised median would also be a challenge for Caltrans with snow plowing. There's more conversation and detail that needs to be done on how they implement that. The county will work closely with Caltrans.

Ms. Aldean asked what the breakdown was for the paid parking survey. Are the opponents mostly business owners who are concerned about discouraging patronage.

Ms. Holloway, Placer County said she will follow up with Ms. Aldean offline.

GOVERNING BOARD

June 23, 2021

Mr. Yeates referred to the pie chart on slide 21. This is what has driven Mr. Lawrence to get a resolution out of the Nevada legislature. What we're working on is two states, a basin with all the local governments, and how do we deal with the funding to carry out what we need to do with what Placer has approved and part of the \$2.7 billion Regional Transportation Plan. It's very difficult to get the capital improvement funding to do a lot of the things if we're going to try and piece all this together.

He appreciated Ms. Gustafson's leadership and Placer County to figure out different ways to come up with local funding to provide the free pilot this summer for a micro transit to see how it works within the tourist demand economy. This will give us valuable information but ultimately what we're going to come up with is a recommendation based on our priorities of where the funding needs are. But what we have to ask of the states and maybe the federal government is look "you didn't build the Golden Gate Bridge with this kind of pie chart." You came up with a need and established the fund and gave them upfront funding and then paid it off overtime by either selling bonds or charged people for crossing the bridge, etc.

That's the difference for a Basin that's been set up to protect Lake Tahoe and address the recreational interest that come into Lake Tahoe. The two states and Congress have to come with a better way for this Basin to be treated differently than just another local or state agency because what's been done is a bi-state approach has been created. We're going to need to convince them that we need a shot of infrastructure funds to allow us to start, then we start paying this off and adapt to how this works. We can't continue to operate in the kind of incremental fashion that we have been in this Basin. The Bi-State Consultation group has to address what is it that we need, how best do we put it together, and how do we pay for it? It needs to be done in a fair and equitable to everyone. It is essential to protect Lake Tahoe and make the recreational place that we like and enjoy without having the cars and traffic destroy it all. This chart showed the difficulty that we have now under current funding mechanism.

He thanked Placer County for their leadership. They provided a good example for them to make the pitch, we're doing what we can but we need some help.

Ms. Holloway, Placer County said it acknowledged the patchwork or challenge of all these funding sources. Getting the money is a challenge for every project where they're trying to develop a funding strategy project by project. Sometimes, that makes sense because transit funding is different from road infrastructure funding. The color of that money changes depending on the application. She appreciated Mr. Yeates comments about the larger vision and strategy.

Ms. Hill said kudos to Placer County, it's an incredible plan. Washoe County is embarking on doing some studies starting in July 2021 on parking, traffic, and beautification. She'll be reaching out to Placer County about the process they started in 2018 and looks forward to Washoe County having a similar plan in a few years.

Mr. Lawrence said kudos and appreciation for the leadership of Placer County for putting together this plan, the forethought, thinking outside of the box, and looking towards a vision of what transit and transportation will look like in Placer County and the Basin. He liked the format of the plan with breaking out the priorities and then identified the priority projects. Also identifying both the benefits and implementation consideration that got to the granular level of what it's going to take to implement.

Referring to the pie chart on slide 21, It's a great chart that shows the complexity. As a state

GOVERNING BOARD

June 23, 2021

representative it's important to highlight all of the work in generating revenue at the local level and that chart does a good job of that. Everybody's in this together and this is how everyone is paying for it and we need to figure out a better way to do it. Each slice of the pie chart seems to be very even and equal. He assumed that the chart is just illustrative of the different funding sources and doesn't actually show how much each funding source goes into transit.

Ms. Holloway, Placer County said that is correct. It was meant to be a graphic to show the amount and detail of the funding. If it were a truly represented pie it would be a pretty big funding sources with a bunch of little slivers in it.

Mr. Lawrence said it probably changes year to year because some of those sources are grant sources and can go up or down. When he's spoken to the Sand Harbor park rangers there are a fair number of visitors from Reno and Carson City but a lot are traveling in from California. What are the thoughts to connecting the different micro transit services or providing micro transit from Placer County to the East Shore for example?

Ms. Holloway, Placer County said that's not something that they specifically studied but they are open to having those conversations. Providing that benefit as much as they can in moving people around.

Ms. Gustafson said that's probably next step that the county wants to look at how they connect those now that the Tourism Business Improvement District (TBID) is passed they need to go back and find the permanent funding to do that. The company that they've been contracting with to provide the micro mass transit couldn't staff up to provide all the services that they wanted year one which they couldn't afford in year one anyways. By next summer, they certainly should be able to expand and look at connectivity between zones. Again, it's funding dependent.

Mr. Lawrence said that's going to be the key particularly for sustainable recreation is to have these places where people can park outside Basin or immediately when they get into the Basin but then have a service to get to where ever they want to go to recreate in Tahoe.

Mr. Bruce said these are fantastic ideas and out of the box. Every jurisdiction in the Basin should be looking at this to try and better their plan.

Public Comments & Questions

Carole Black, Incline Village resident proposed that TRPA consider a collaborative to manage and maximize positive outcomes and minimize adverse safety and environmental impacts across an expanded corridor approach into overlap areas and considering intercepts, connections, and integration with adjacent geography.

TRPA seems well positioned to take this on as a convener to address complex issues and develop workable interventions. She agreed with everyone else, this Placer County Plan has enormous positive content and lots of ideas and examples.

Some of her concerns are that this approach presented today touches on a portion of this area but only as it faces the Resort Triangle and doesn't address tactics for volumes of transit and vehicles coming from or passing through the "Triangle" into adjacent areas. In her case towards Incline Village and Crystal Bay. This is an example of an opportunity and not a criticism.

GOVERNING BOARD

June 23, 2021

Significant development is planned or in process along State Route 28 between the State Route 267 intersection and Crystal Bay/Incline Village. Around Crystal Bay there's multiple development and boarded up buildings possibly waiting for development, She hasn't seen a comprehensive plan to discuss what's going to happen to people trying to get through that area; traffic, congestion, or evacuation as another example.

She's putting a pitch in for some kind of overarching, collaborative coordination effort to look at the interface and overlap areas to get an integrated, cohesive across region approach as we move forward.

Steve Teshara on behalf of his role as a transportation activists around the region. He seconded the commendations for Placer County and the work that they've done on this plan. What isn't shown or necessarily reflected in Ms. Holloway's very good presentation is the amount of dialogue that the county has with the Town of Truckee and increasingly with Washoe County. Even though this is a Placer County Resort Triangle Plan it clearly involves the Town of Truckee, with good working relationship that Supervisor Gustafson has developed with Commissioner Hill, increasingly involving Washoe County. That kind of regional collaboration is really important. He feels sometimes on the South Shore we get a little siloed, so we can be inspired by what's happening in the Resort Triangle. He commended Mr. Yeates for his comments. When you look at the pie chart it is illustrative of how crazy transportation project funding is, whether it's for infrastructure or transit. There has to be the kind of solutions and understanding of that challenge that Mr. Yeates described relative to the two states we are working with to help find a solution to these problems. It cannot be done with local revenues alone. We hope to be successful in our collective efforts to find a regional transportation funding solution that is sustainable.

B. Update on Greenhouse Gas Inventory Report and Climate Initiative Update

Ms. Regan said you all have heard from Mr. Middlebrook on previous occasions in relation to our climate and various sustainability initiatives. She thanked the state of California through the California Tahoe Conservancy for funding the work that Mr. Middlebrook will be providing an overview on. This is coming at a crucial time where we are feeling the effects every day of climate change. It intersects with everything that we're doing. When you look at connecting the dots, our last presentation was a good connecting of the dots between our high level policies at the Regional Transportation planning level down to the implementation in corridors and neighborhood scale. That's what it takes to pull off the kind of epic collaboration for our regional planning initiatives.

In 2014, TRPA won an American Planning Association national planning award for its first sustainability plan which this climate initiative for the Agency is tiering from. The inventory of greenhouse gas emissions that Mr. Middlebrook will share in his presentation today gets into a much finer grain of detail at the opportunities that we have to reduce greenhouse gas and adapt going forward. Looking at the future in terms of adaptation, we have the Environmental Improvement Program. The tag line that we came up with for this newest update of the EIP was a blueprint for climate resilience. Taking this further from this conversation into more prioritization of how we can harmonize both of our states aggressive climate goals. As well as all of the work of the individual jurisdictions which have been very active in this space. Then what is the right fit for TRPA at the regional scale of connecting the dots and harmonizing all that so it rolls up into action that supports state goals and down to the local neighborhood level.

TRPA staff Mr. Middlebrook provided the presentation.

GOVERNING BOARD

June 23, 2021

Mr. Middlebrook said the 2014 Sustainability Action Plan and Sustainable Communities Program was nationally award winning and set the goal post very high for climate action in Tahoe. This wasn't the first time we were working on climate and won't be the last. In the bi-state Compact and the formation of TRPA they may not have used the words "climate change and sustainability" but everything that framework lays out for TRPA does touch an advance climate action at the Lake.

Within the 2014 plan and subsequent local and regional statewide plans that have been adopted to today, looking at both mitigation and adaptation there are a lot of actions going on. (Slide 3) On the left highlights the mitigation actions to reduce the greenhouse emissions. There are 184 identified actions in the region. The red bar shows the percentage of greenhouse gas emissions by category in the region and the green dots show where all of those actions are directed.

The actions do align where our missions are at. In terms of adaptation within the region there are about 325 actions identified over a broad set of different categories. Many of these mitigation and adaptation actions have been implemented, are currently being implemented, or planned for implementation. The region and partners are very active in addressing climate change. As we continue to advance climate action there are many new inputs that have come in since 2014 and things that we're responding to make sure that TRPA and the Tahoe region continue to be on the cutting edge of climate action. That includes the greenhouse gas inventory. There are additional state mandates which Nevada has released its first ever climate strategy last December and many of the projects and programs that TRPA works on are in alignment with that strategy. Regional and local climate plans have been adopted including the City of South Lake Tahoe, and Placer County. The California Tahoe Conservancy along with input from many stakeholders just released the Tahoe Climate adaptation primer which highlights all the adaptation actions at Lake Tahoe.

The 2014 target for greenhouse gas reductions was 15 percent reduction in greenhouse gas emissions by 2020 and the inventory that will be presented today shows that it was met in 2018.

Greenhouse Gas Emission Inventory:

The exciting and innovated part about this emission inventory is that they just didn't look at emissions and sources of emissions but also looked at carbon sequestration on the landscape to get a full picture of the carbon cycle in the region.

In terms of emissions and carbon sequestration all of the numbers on slides are in carbon dioxide equivalent which is a metric used to be able to compare various greenhouse gases, apples to apples.

(Slide 7) Is the 2018 emissions breakdown for this inventory. They looked at both 2015 and 2018 emissions and compared those to 2005 and 2010. Over 95 percent of the emissions in the region come from transportation and energy sectors which are the roadways and built environment. In the energy sector natural gas is 56 percent of that 59 percent of emissions in energy. In 2018, natural gas overtook electricity as the number one source of greenhouse gas emissions in the Tahoe Basin. This is also broken out by jurisdiction and roughly equivalent to each of those jurisdictions population and land mass within the Tahoe Basin. There's nothing that stands out on that. There are boating emissions unattributed to any jurisdiction which make up about 3.6 percent of the emissions.

Comparing the 2018 numbers to previous emission years going back to 2005, the good news is

GOVERNING BOARD

June 23, 2021

that we are reducing emissions. They significantly decreased between 2005 and 2018. The 1,000 plus percent increase in wastewater (slide 8) is due to a way that wastewater emissions are calculated. Not an actual large increase in those emissions and overall they make up a very small percentage of emissions. The emissions did slightly increase from 2015 to 2018. While we are making progress overall, we do need to stay on top of it with implementing projects that reduce those emissions.

The energy sector from the built environment includes electricity and natural gas. This is also linked to the runaway and ramped development leading up to the 1960 Winter Olympics and the ultimate creation of TRPA. This inventory used a tool called the Urban Footprint to start to model the built environment. This is what greenhouse gas savings we could have from implementing the Regional Plan and Regional Transportation Plan by redeveloping development that is in sensitive lands and moving that to compact, mixed use, and walkable town centers. (Slide 9) The purple darker colors are the older buildings and then the lighter colors are the newer buildings. They start to see that those benefits of the Regional Plan that existed are in fact there. Local implementers such as the California Tahoe Conservancy can't start to use these tools to model future property acquisition and restoration projects not only in the terms of their benefits to water quality but now, they can start to model them in terms of their benefits to climate mitigation and reducing greenhouse gas emissions.

This inventory is the first time they've started to look at carbon sequestration on the landscape. This is an innovative approach to greenhouse gas emissions and there are no set standards for how these are made. While the forests are absorbing a lot of the carbon dioxide every year between 300,000 to 900,000 metric tons of that carbon dioxide equivalent. They also understand that the forest are overgrown from years of fire suppression and historic logging. That isn't necessarily a sustainable or resilient amount of carbon dioxide to be sequestered every year. We need to balance forest resiliency and wildfire risk with wanting to have that carbon sequestration on the landscape.

Similarly there is uncertainty with meadows. Healthy meadows are green, lush, and are absorbing carbon but the degraded meadows can be carbon emitters. Not only do we get those water quality and habitat restoration benefits from restoring stream environment zones, but we also get more climate change and carbon sequestration benefits.

(Slide 12) In 2018, the net balance has a lot of variability in the data and modeling for carbon sequestration and there's no set protocol on how to measure it. Across the region, we either are a net carbon emitter or potentially a net carbon sink.

There's the need to balance carbon sequestration with other priorities such as wildfire risk in the forest. While carbon sequestration is definitely a strong tool in the tool kit for fighting climate change its not the silver bullet that will solve all the problems. There's more science and research that's needed locally in the Tahoe Basin to understand that carbon sequestration process and start to develop a more rigorous protocol for being able to compare and have balance sheets in the future years. Carbon sequestration was one of the priority task identified in the Nevada State Climate Strategies.

There is need for more modeling of climate benefits including redevelopment and restoration. Implementing the Regional Plan through partners like the California Tahoe Conservancy or the Nevada Division of State Lands to remove aging infrastructure in the meadows and stream environment zones. Not only have those benefits of removing of those emissions but then when the land is restored, you then are sequestering even more carbon. Some of the science and

GOVERNING BOARD

June 23, 2021

monitoring needs to be done on the ground. A lot are models and averages from other areas and they need to do before and after soil carbon monitoring to see the actual benefits from meadow restoration projects then using this inventory to set management priorities.

Ninety-five percent of the emissions are electricity and transportation with natural gas taking over electricity. How do we identify which actions we need to prioritize in order to address where we know those emissions are coming from? The fact that this is not a small task in front of us, the next reduction targets identified in the Sustainability Action Plan are a 49 percent reduction by 2035 and in line with both California and Nevada now, and the regional goal of net zero by 2045.

We get there with the Climate Resiliency Initiative. The greenhouse gas inventory talked about the mitigation piece which reduces impacts of climate change by reducing the emissions and lowering potential warming but adaptation and resilience are equally important in addressing all of the impacts we know are coming from climate change.

Over the past several years the California Tahoe Conservancy completed a climate change vulnerability assessment for the Lake Tahoe Basin which helped better model and understand those impacts such as flooding, wildfire, landslides, and disease that are expected or modeled for the Tahoe Basin.

When you layer that on top of things like the Regional Transportation Plan, you can look at the roadways and fire risk to those roadways especially those key evacuation routes with the red being extremely high fire danger and the green being lower. That's when you start to connect things like the Resort Triangle Transportation Plan with the impacts of climate and it shows that State Route 267 is very high fire danger for example. How do you develop those transit priority lanes and other improvements to the infrastructure to not only get people out of their vehicles but to also to better help in times of emergencies and evacuations.

(Slides 18-21) The following diagrams will show how interconnected all of this is between mitigation, adaptation, and resiliency. When we talk about adaptation and mitigation in terms of transportation, land use, natural resources, and science; and when those buckets add up and impact resiliency and build our resiliency as a region, that includes the economic vitality, the health and equity of our communities, the Environmental Improvement Program, and emergency response.

(Slide 19) Mitigation: Taking the new VMT per capita threshold standard as an example on the bottom left. Those grey lines show where everything connects. Not only does the VMT per capita standard connect to the Regional Transportation Plan it also connects to zero emission vehicles and removing the aging infrastructure which then leads to natural resource benefits including increased carbon sequestration and higher water quality within the watersheds in the EIP program.

They do the same process for adaptation and resiliency over slides 20 and 21. This highlights how our wildland urban interface forest health roadway design help us adapt to future climate scenarios.

Resiliency is about building capacity. We saw with the Covid-19 pandemic and the regions response through mobilizing recreation partners to have that sustainable recreation and tourism development and the amount of resources that were deployed with the challenges of the pandemic are showing the regions resiliency and the things that are being done under that

GOVERNING BOARD

June 23, 2021

program today can help build that resiliency in the future. (slide 21).

This is being done by integrating across their plans and implementation programs. They don't want to create another plan, another program, or working group. It is all about integration and connection and is what we as a region and TRPA are good at is making those connections, collaborating, and bringing the region together. Implementing climate change through the Regional Transportation Plan, Regional Plan, and Environmental Improvement Program are how we're going to get across the finish line.

That is done through regional collaboration but also through integration and adaptive management, education engagement, equity, and understanding that everyone plays a part. It's getting everyone moving in the same direction towards the goal and using science data and monitoring to ensure that we're doing what we need to do in identifying those emerging areas where more action may be needed.

(Slide 24) Adaptive Management: They used the science of that urban footprint modeling of the aging infrastructure to plan code updates and plan infrastructure improvements, and infrastructure resiliency which is implemented through redevelopment, energy efficiency programs, renewable energy, and our key partners like the California Tahoe Conservancy, Nevada State Lands, and local jurisdictions who help us get there. This table illustrates all of the touch points within land use, transportation, and natural resources here at TRPA and the broader EIP partnership where climate change is actively being integrated across those. Then using the data and science to adaptively management for changing conditions on the ground.

TRPA and Tahoe has continued global leadership. We've always been a global and national leader in terms of environmental protection and using transportation and development to find a balance between the built and natural environment. The United Nations has a set of 17 sustainable development goals. There's a group of nine (slide 25) that we work towards implementing. In 2019, TRPA was named a top global 100 sustainable destinations which is one of the very few in the United States. TRPA also works internationally with groups such as the Chile Lagos Limpios. They've also been working with the Future of Tourism Council which is over 280 destinations across the globe who are committed to climate action in the work being done at TRPA and Lake Tahoe. This is helping to influence tool kits and help other destination implement those goals and create plans leading up to 26th UN Climate Change Conference in Scotland later this Fall.

Presentation can be found at:

[Agenda Item No. VI.B Climate Change](#)

Board Comments & Questions

Mr. Bruce said these are the issues of our time. He appreciated the presentation on what TRPA is doing with respect to climate change.

Ms. Williamson said the state of Nevada recently found that the transportation sector had overtaken the energy electricity sector as the biggest emitter for the state. It's interesting to see that in the Basin it's still marked as energy electricity and not transportation. Natural gas is included in electricity and also broken out by itself. Is that saying that we're counting the natural gas piece for electricity generation and then the separate line item of natural gas for building home heating, is that where those numbers are coming from?

GOVERNING BOARD

June 23, 2021

Mr. Middlebrook said yes, in both California and Nevada nationally transportation is higher than the energy sector but in Tahoe there is not as much freight and transport that the broader states have. In California a lot of their transportation emissions are coming from the ports. Those ports have an overwhelming influence on that. Based on our geography and industry is why we have that difference. In terms of the natural gas, the US protocol for greenhouse gas emissions has energy in one overall bucket so we do break out energy and natural gas on the chart. The 56 percent of the 59 percent overall.

Mr. Lawrence said he understands that it's still an emerging science on the sequestration side. Nevada does struggle with coming up with the calculations particularly in a Basin and range state with the sage brush step, etc. But related to Tahoe, there is a lot of opportunities for the sequestration but there is also the wildfire risk. We do a fair amount of pile burning every year because we can't chip everything on site and haul everything out of the Basin. How much did wildfire risk and treatments regarding pile burning influence the calculation regarding sequestration?

Mr. Middlebrook said a lot of the work is very technical. On terms of emissions and what's being emitted, wildfire emissions in the US protocol are considered naturally caused and not counted as human caused emissions. The team that did the carbon sequestration looked at the forest in 2014 and 2018 and grew it forward so they took into account forest treatment projects. He's unsure how the exact emissions from each pile burn were calculated in that but changes to the forested landscape were able to be captured and enumerated in the report. He can follow up with more information offline.

Mr. Lawrence said he would appreciate more information. He understands it's a challenge and emerging science but it sounds like accounting for wildfire and pile burning was part of the equation.

Public Comments & Questions

Steve Teshara, regional advocate said this is a focused environmental look at another reason why regional transportation and sustainable funding is so important. We have important environmental goals with greenhouse gas and VMT reduction and is another reason why we need to focus down on developing a sustainable regional transportation revenue source.

C. Aquatic Invasive Species (AIS) Annual Program Update

TRPA staff Mr. Zabaglo provided the presentation.

Mr. Zabaglo said the AIS program is a major priority program of the Environmental Improvement Program. The program deals with prevention, boat inspections, control, monitoring, and education. It's led by the Aquatic Invasive Species Management Plan that's federally approved and signed by both governors and TRPA's executive director. It's the plan to control another program level strategic plan that describes actions and designates TRPA as the lead agency to implement and oversee the aspects of the program.

(Slide 3) Some of the species they're concerned about are the Quagga mussels which is a species that the lake doesn't have but the Curly pondweed is a species that we do unfortunately have in the Lake.

The program has been successful with no new invasions since the inspection program began in

GOVERNING BOARD

June 23, 2021

2008. TRPA excels at building those private public partnerships that not only surround the Environmental Improvement Program but the Aquatic Invasive Species Program with all the partners, not only the major implementors like the Tahoe Resource Conservation District with prevention and control. Also, the US Forest Service implementing projects along with the marina partners, the boating public, the contract divers who do some of the control work, and non-profits such as the League to Save Lake Tahoe, the Tahoe Fund, and local jurisdictions.

Covid presented unpredictable challenges. Not necessarily new lessons learned but reinforced that open and regular communication is critical. Staff has established regular attendance at the AIS Marina Association, the AIS Coordinating Committee, and are in constant communication with our delegation and partners. Lessons learned was implementing old techniques in a new way.

Prevention: There's been no new invasives since the program started. It's been very successful and considered a national model. Other programs around the country mimic what we do. It's mandatory that all motorized watercraft are required to be inspected before they launch and be decontaminated if necessary. There's extensive training with staff and the marinas to ensure that only inspected boats are launched. In addition, there are sound protocols based on science and those are followed with regular training and is also checked with a secret shopper program.

With protocols based on science 140 degree water will kill anything that they're concerned about. Those protocols allows them to be prepared for any invasive species that are on a boat. Education is critical. When boaters come to the clean, drain, and dry it makes their job easier, it presents less risk to the Lake, and allows for the boater to have a shorter experience at the inspection station. Boaters can now go to the website and make appointments for inspections. With 2,400 inspections done so far this year, 60 percent have been through the appointment system. Inspections by appointment have a \$15 convenience fee has equated to around \$34,000 in additional fee collection this year.

The Meyers inspection station now has a gazebo that is filled with useful information for boaters not only about invasive species but safe and smart boating practices along with various Take Care messaging. That was built with funds through the Tahoe Fund.

The number of boats seen with mussel boats this year is 13 so far with a total of 56 with some sort of AIS. Last year at this point there were 22. The protocols are designed to ensure that the inspectors know where to look and that the decontamination are killing these invasives. Staff is also working with regional partners, both states Wildlife agencies. When they find mussel boats they coordinated and decide what is the best steps for the boat of either a decontamination or do they recommend that the states follow up with a quarantine period to ensure that those mussels are dead and not entering the Lake. Along with the regional partnerships at a western level, they all use an app that can track a boat from another lake. Some with Quagga infested water bodies do exit inspection so through the app they know those boats are on the way. They're also working with the partners to have a broader outreach because some of our western partners are also seeing more mussel boats than the past. They're looking at publications such as the Boat Trader magazine to take out ads to alert potential boat buyers that they should do their due diligence to know where a boat has come from and do what is necessary to get it inspected and decontaminated before bringing it to a new water body.

There's significant outreach because of what is being experienced they are not leaving any avenue for outreach unchecked. The Meyers gazebo, bill boards on major highways, print ads in

GOVERNING BOARD

June 23, 2021

local and regional publications, news stations, press releases, and social media are all used for education and outreach.

Control: They look to control the existing species such as Eurasian watermilfoil, Curly leaf pondweed and Asian clams. Some of the methods used are bottom barriers which will suffocate or block photosynthesis for Asian clams or some of the invasive plant species. The diver assisted suction removes not only the plant, the root system, and the seed structure (turion) that Curly leaf pondweed uses to reproduce. Tahoe is the proven ground for innovative approaches such as ultraviolet that destroys the cells of plants.

The control program has the 10-year strategic plan known as the Action Agenda that was put into place last year to reduce the existing invasive species by 90 percent over ten years. Every location that has been identified as having some infestation of an existing species has some level of activity so they're addressing every location that they are aware of. Whether it's through a planning process like they're doing at the Tahoe Keys currently or active implementation such as Meeks Bay or another project that will be starting this year at Taylor Tallac. There are also areas they are doing surveillance monitoring where they've achieved localized eradication predominately on the north shore.

The Action Agenda also provided some recommendations on new performance metrics. Not only do they want to continue to track the acres they treat each year but also want to track how much progress they're making towards that 90 percent reduction. They look at overall acres reduced and the number of projects that are put into place every year. They've formed an ad hoc committee of their AIS Coordinating Committee to identify new and updated performance measures.

Meeks Bay project should be wrapping up this year and is a part of a likely trend where these are projects that are phase one of a much grander restoration effort. Phase one is the aquatic invasive species control and eradication and phase two will be more of a broader restoration.

Ski Run is another innovative approach that has been implemented at Tahoe with the laminar flow aeration. It's a process that has diffusers in the water that provide a consistent level of oxygen from beneath the substrate all the way to the surface to allow better decomposition of those loose organics (muck layer). There are still some signs of plants so there's a planning process to do complimentary work to the laminar flow aeration starting next year with ultraviolet light and possibly bottom barriers and suction removal in the boating channel lakeward of the marina.

Another "first time at Tahoe" method is the use of bubble curtains that started in the west channel of the Tahoe Keys. About two years ago, the Tahoe Keys property owners along with support from the League to Save Lake Tahoe put in a bubble curtain in the west channel that prevents fragments from moving out of the Tahoe Keys. Recently, a bubble curtain was installed in the east channel of the Tahoe Keys. These are also located at the private Elks Point Marina along with another one at Lakeside Marina. The ones at the Tahoe Keys are intended to prevent fragments from leaving. The ones at Elks Point and Lakeside are intended to prevent fragments from entering the treated areas.

The Taylor Tallac project will start in August and will be the largest one attempted at over 17 acres. It's located in a wetland marsh and creek environment so access is difficult. This project is critical because of the habitat. The Forest Service has reported that the Taylor Tallac area is

GOVERNING BOARD

June 23, 2021

capable of providing habitat for every native species in the Basin and is the last functioning wetland in the region.

Typically, the bottom barriers used are 10 x 40 with quite a bit of overlap to ensure that there are no gaps in the treatment area. That causes a loss of about 30 percent of the area that these barriers provide. What they are doing for the first time at the Taylor Tallac project is that they've purchased the mats in large rolls about 300 to 400 feet long that the divers can unroll and limit the amount of overlap which also reduces the amount of labor to put in place. The cost savings of materials and labor for the Taylor Tallac project is about \$1 million. The price is at approximately \$3.5 million to date. There's federal funding from the Lake Tahoe Restoration Act, TRPA, the Forest Service, and the Tahoe Fund who is providing \$100,000 from the Merrill Foundation.

Another major project that started last year and will continue this year and beyond is the over 100 acres at the Tahoe Keys Complex right outside of the channels of the Keys. There are variations in density so there are different treatment methods are being employed over the long term. The focus now is on some of the denser locations near the channels of the Keys. It's complex not only because it's big but it's in a high boat traffic area which they've taken additional steps to ensure safety.

Tahoe Keys: This is the biggest challenge with about 172 acres of lagoons, channels, and waterways almost entirely infested with Eurasian watermilfoil and Curly leaf pondweed. It's one of the most challenging environmental problems we're facing in the Basin. The Tahoe Keys Property Owners Association has proposed the use of aquatic herbicides which is a controversial aspect and is a complicated regulatory process. They formed a collaborative stakeholder group that is looking at the big picture. It's a transparent process engaging with the stakeholder committee on a regular basis and bringing new ideas to the table. While the property owners did suggest using aquatic herbicides, the stakeholder committee helped define and is being accepted and proposed by the property owners association as a test approach that looks at multiple methods to treat the overall infestation. They'll look at the herbicides at a smaller scale but also incorporating traditional and innovative approaches like laminar flow aeration and ultraviolet light independently and in combination.

Last summer, they presented the draft environmental analysis to the board. They collected 1.5 million points of data to understand the existing conditions with how nutrients are cycling through that system. The nutrients are coming from the plants themselves and is why they're addressing the plants. The environmental analysis revealed with careful planning, upfront protections, good mitigations, adaptive management, and monitoring that all of the potential impacts that were identified can be reduced to less than significant. They've submitted aspects of the monitoring plan to the Tahoe Science Advisory Council for review.

Staff will bring more information on this to the board later this summer. They're working on the monitoring plans, draft permit from Lahontan Regional Water Quality Control Board will be available for additional public review and comment later this summer and the agencies have committed to going back to their respective boards in January 2022 for an approval of some of project.

They received a lot of feedback from the public during the comment period that more ultraviolet test should be employed which is being done this summer. The work is continuing at the Lakeside Marina but in addition they are adding five acres of test treatments of ultraviolet

GOVERNING BOARD

June 23, 2021

within the Tahoe Keys. That results in a 400 percent increase in test treatments that have been previously deployed. But it's an emerging technology there is a lot to learn. One of the modifications being implemented this year is that the UV light will articulate so it can address an angled bottom and have a better ability to be effective with those varying bottom conditions. The ultraviolet light boat is located at the Lakeside Marina for work to start on July 7, 2021.

There's been a good success of maintaining and obtaining new funds. They've worked with the states and federal partners to provide funds not only through the general fund but through grants at the state level and federal funding partners with the Lake Tahoe Restoration Act, the US Fish and Wildlife Service and the Army Corp of Engineers. When the funding through the Lake Tahoe Restoration Act and US Wildlife first started it was at around \$3 million and now has been increased to about \$4 million. The reauthorization of the Lake Tahoe Restoration Act has been introduced by Senator Cortez Masto in Nevada. Some of the other implementors now being able to do projects such as the Tahoe Resource Conservation District who has been doing projects for years. The Forest Service also does projects and then continued funding from non-profit sources such as the League to Save Lake Tahoe and the Tahoe Fund.

There are funds from the license plate grant through the state of Nevada to build 100 percent design plans for a permanent inspection station on State Route 28. Funding to maintain staff is critical to the success of the program. After a season's worth of having the newly implemented fee schedule, staff will do an assessment of where it stands with prevention funding.

The ambitious goal of 90 percent reduction in plants in the Action Agenda is at a cost of around \$75 million over ten years. They are more than half way there with \$4 million in federal funds and some of the other funds being received they're confident that they are on the right path to achieving with that goal.

He thanked the team of TRPA staff and all the partners for all the hard work and good success of the program.

Presentation can be found at:

[Agenda item No. VI.C AIS Program Update](#)

Board Comments & Questions

Mr. Rice said a few years ago when he joined the board, he went out with a group that inspected the Tahoe Keys by water. They saw the different mitigation strategies that were in use at that time. Is there a possibility for the newer members of this board to have a field tour of what's happening on the ground at the Tahoe Keys?

Mr. Zabaglo said they've done that over the past couple of years and are planning for additional field trips this summer.

Ms. Aldean said the presentation stated under the control Action Agenda that we need \$7.5 million per year for the long term and that would afford us the ability to reduce invasive plant species by 90 percent. What about the other invasives?

Mr. Zabaglo said the 90 percent was for all invasives.

Ms. Aldean asked if the permanent inspection stations would have multiple lanes because if

GOVERNING BOARD

June 23, 2021

there are existing boats that arrive unannounced in the queue and there are boats at the station with appointments, do they move the decontamination equipment around to accommodate people with reservations, how is that coordinated?

Mr. Zabaglo said the way the stations are currently configured there are two lanes at Meyers and Spooner. One is dedicated for appointments and one is dedicated for the traditional walkups. The Alpine Meadows station has four lanes. Since they didn't open the Truckee station that equipment was moved to the Alpine station. Two of those lanes are for appointments and two are for traditional walkups. The biggest benefit for permanent inspection stations is not only that confidence in the program that demonstrates we're here to stay but there's a lot of work that's necessary to set those stations up and decommission them every year. It takes a month on either end of the summer season to get those stations up and running and decommissioned. They have to rent the spaces, get permits, rent office facilities, and then get water to the sites. A lot of those logistical issues would be solved if there were permanent inspection stations.

Ms. Aldean asked if that would include being able to heat the water to 140 degrees on site.

Mr. Zabaglo said they can do that currently but could do it more efficiently if there was a permanent inspection station.

Ms. Aldean asked if there is more than one decontamination unit per station.

Mr. Zabaglo said Meyers and Alpine Meadows are the two busiest inspection stations. Meyers has one decontamination unit but can handle two boats at the same time. Alpine Meadows has the same system with two units that can handle four boats at once. Spooner is a smaller facility and doesn't have the ability to have those larger decontamination units but they have multiple tailored units and can do two boats at the same time.

Mr. Yeates said when suction divers are used in the Lake how do we protect the diver?

Mr. Zabaglo said the divers have a boat that they work from and have safety protocols with signs and buoy lines. Because some of the circumstances with projects they are working on now where there is higher boat activity, they've taken additional steps to prevent situations from occurring. Because the Tahoe Keys is a high boat traffic area, they've alerted all of the tenants within the marina, all of the tour boat operators, fishing charters, etc. to alert them that there are divers in the water and to inform their renters and provide maps of the area. The TRPA boat crew are also doing regular check-ins with teams on the daily basis, coordinating with law enforcement when necessary, and check-ins with the Coast Guard every morning.

Mr. Yeates said that sounds quite extensive but despite that there's been a couple of incidents this year.

Mr. Zabaglo said there's been boaters coming too close. All the education is sometimes not enough and they're taking extra steps to coordinate further with law enforcement. This is a bigger issue lake wide and not just the invasive species divers. Convening and collaborating with the partners but isn't just a TRPA issue. This is a concern with all of the agencies with not only the divers but the boating public. They're coordinating a larger group to discuss that further to find additional solutions. They're also following up with the rental companies because the information suggest that those incidents are from boat renters. Getting the information from the rental company to coordinate and follow up with what TRPA can do from a violation

GOVERNING BOARD

June 23, 2021

procedure but then having that grander coordination with all the partners to discuss this universally.

Mr. Yeates said he was on the boat when they were doing primarily educational work as they had just adopted the shoreline regulations. They had an issue with the fact that they wanted a no wake area for Emerald Bay but they couldn't get enforcement on that entrance and suggested that it should be looked at. He's concerned that in those situations where we have divers voluntarily cleaning up the Lake as part of what the Tahoe Fund is funding and then there's the divers for the Aquatic Invasive Species program, he hopes we pull together a good group to meet with law enforcement. This is an important public safety issue and this needs to be ratcheted up a bit. We have a bit of party crowd that gets on Lake Tahoe and all bets are off. Through the discussions we had last month on how we educate the recreational public but we also need help from law enforcement when we start talking about parking management issues and other things that we want to do.

Mr. Lawrence asked why the Truckee inspection station wasn't opened and is there plans to open it in the future.

Mr. Zabaglo said it was a challenge with where they were located. That area was partly on a tarmac so the Federal Aviation Administration had some issues with the location of the station even though they were far away from any type of aviation activity. There was also the funding perspective. They need to find ways to reduce costs but they are able to double the capacity at the Alpine Meadows station which is still in a reasonable proximity to the Truckee area.

Mr. Lawrence said that highlights the importance of having a permanent location for these stations. He asked if there's been a challenge in hiring inspectors coming out of Covid.

Mr. Zabaglo said it's been a challenge for the past few years. Housing cost are high, there needs to be competitive wages in order to have people to be able to maintain a residence in Lake Tahoe. Throughout the years they've addressed the wages and some of those fee schedule adjustments have been in response to that. With the new convenience fee for the appointment system they'll be able to take a harder look at the funding picture at the end of the season.

Mr. Rice said for 15 years he ran the Douglas County Sheriff Patrol boat on Lake Tahoe. When local law enforcement was aware that there were divers in the water, they took special care to patrol those areas to ensure that the divers flag is respected. When someone violates that the citation is very expensive and if there are repeat offenses, handcuffs can and have been used in certain circumstances. All the law enforcement jurisdictions work well together. When he was doing this with Douglas County, Washoe County's program was pretty much volunteers doing this on their days off. He would assume their program is much more aggressive than it was back then.

Mr. Zabaglo said they've had good coordination with law enforcement when the projects been active and they've come out and done routine checks. They've also verified the safety components of the divers and TRPA has added additional protocols with having an extra boat to "run interference" with boats. The El Dorado Sheriffs have made visits to check in on the divers.

Mr. Yeates appreciated Mr. Rice responding. His concern is having been out there and watching us try to deal with the entrance to Emerald Bay which we adopted regulations to make that a no wake area. There was a 15 mile per hour buoy out there that the El Dorado County Sheriff basically decided that was the rule. It makes it difficult for TRPA to adopt shoreline regulations

GOVERNING BOARD

June 23, 2021

and not get support from local enforcement. We're not trying to ruin someone's fun. There's a lot of kayaks going back and forth to the island and all you need is one person speeding or distracted and plows through the middle of those folks. That's what prompted TRPA to adopt the no wake area for Emerald Bay based on the work of the Shoreline Steering Committee. He would encourage you to work with the Chair and possibly staff on how we can reach out and start a dialogue on assisting with implementing the shoreline regulations. He appreciated that Mr. Rice confirmed what goes on out on the Lake. When there were divers in the kelp beds of Monterey, they always had all sorts of flags out there and boats with flags to prevent big boats from going into that area. We're getting push back from the League to Save Lake Tahoe board members on their board to board calls about the lack of enforcement on the Lake so he's sensitive to that and suggested we open up a constructive dialogue.

Mr. Bruce asked Ms. Burch if this discussion about the no wake zone and shoreline related conditions are okay to discuss based on the agenda item description.

Ms. Burch said the aquatic invasive species item is an informational item so there's some latitude to discuss these because this is an activity that's related to that.

Ms. Aldean asked Mr. Zabaglo if staff is aware that the Carson City Sheriff's Department will have a boat on the Lake this season.

Mr. Zabaglo said yes staff is aware of that.

Ms. Novasel said she's had many conversations with the El Dorado County Sheriff's Department and its their belief that Emerald Bay is controlled by the jurisdiction of El Dorado County. They've never agreed to the no wake zone because of the issue of the bigger boats needed more power to be able to get around there. If there's a no wake zone that would eliminate all the tour boats, not just the smaller boats that have infractions. The discussion needs to be had again and is happy to be a part of that. It goes beyond the safety of the kayakers. There's a larger picture that needs to be discussed when we talk about creating a no wake zone which is not enforced by El Dorado County Sheriff's because they don't recognize that.

Mr. Friedrich said with the rental boats and the increase of tourism over the past 1.5 years, are you seeing an increase in boat traffic on the Lake and is there a documented correlation between the spread of aquatic invasive species and boat traffic?

Mr. Zabaglo said overall the boating activity has increased starting with last year. Not necessarily the number of boats that they've seen but the number of launches. Last year, every day was like the 4th of July. There is the potential to have those boats spread existing invasive species that hasn't been observed from a one year standpoint. There's regular monitoring where they are tracking the invasive populations. In addition, a portion of the fee from the inspection sticker goes towards monitoring and treatment projects. It's on the radar and there are mechanisms to track it and respond. One of the major aspects of control is rapid response and having the ability to do that. Every year they hit spots that they know there's been previous treatments in place and are also looking at new locations where they can respond quickly before they can get out of hand. They've also partnered with organizations like the League to Save Lake Tahoe with their citizen science program with Eyes on the Lake where they train recreators to identify potential new locations of an existing species.

GOVERNING BOARD

June 23, 2021

Public Comments & Questions

None.

D. Issuance of final 2019 Threshold Evaluation

TRPA staff Mr. Kasman provided the presentation.

Mr. Kasman said this has been a digital transformation of the format of the report. Incremental information has been added to the dash board with a summary presentation that is available at the home page as well as an interactive story map that allows someone to walk through the results.

This is the seventh comprehensive evaluation of the threshold standards. We're seeing based on the adopted standards incremental progress towards achieving our goals. That vast majority of standards are in attainment and are either stable or improving. But we are seeing the impacts of climate change. Seventy-nine percent are in attainment and is up from about 75 percent in the 2015 Threshold Evaluation. About 23 percent of the standards could not be evaluated either because of a lack of clear target or because of insufficient information to be able to make a determination.

Looking at those evaluation attainment changes between the 2015 and 2019 evaluation, the vast majority are staying in the categories in the attainment areas that they were in. Eighty-five percent of the standards didn't change from the 2015 to 2019 evaluation. The ones that did move, most of them moved into attainment. Seven standards across air quality, fisheries, noise, wildlife, and vegetation that moved into attainment. There were a number of standards through improved monitoring and additional information we were able to report on this time that we were unable to in the past. Nine of those that were not evaluated previously were deemed in attainment for this evaluation. The vehicle miles traveled standard was not evaluated because of the process that was underway to update that standard. Tahoe Yellow Cress standard moved from attainment to non-attainment. TYC is dependent on lake level and because of the high lake levels during the period of the evaluation that standard was deemed out of attainment because the population dropped.

The vast majority of the standards are looking at that stability. We want to achieve and maintain a certain level and for standards to be improving and maintaining is the goal. Fifty-one standards evaluated had little or no change. Several that improved were in air quality and water quality, three standards in soils, fisheries, and wildlife, and two standards in the scenic category. The three standards that are declining: The highest 24-hour measurements for particulate matter which are related to the frequency and intensity of wildfires and the influence of that smoke coming into the Basin. It's driving those highest measures to be out of attainment even though the average measures for particulate matter in both of these cases were in attainment. The other standard that was declining was for primary productivity which is a measure of biomass that relates to particularly deep water and in this case is the deep water plants. The Tahoe Advisory Science Council is investigating because we're trying to get a better handle on the trends for the deep water plant communities.

Staff made presentations to the Governing Board in March and twice to the Advisory Planning Commission, and Tahoe Interagency Executives Steering Committee. Those presentations received a number of comments that fell into two categories. First, were questions about how

GOVERNING BOARD

June 23, 2021

they were going to document this evaluation with the change to the digital format. Also, there were a lot of questions about the record would be maintained.

(Slide 7). This is an indicator page for Carbon Monoxide. For each standard on that upper right hand corner there's an opportunity to click into more detail that is in the data center. That link would take you a page (slide 8) that shows the historical evaluations that are in the systems; 2011, 2015, and 2019 evaluation. At the bottom of these pages there is static content. They've worked with their technology partner is to snap shot all of the content of these pages and the evaluation on this page.

They've created the public draft which is the version that was presented in March. Upon board recommendation to issue the final report, staff will publish the final evaluation which will incorporate any changes made since the dashboard went live in March and snap shot each of those pages in perpetuity. Between evaluations they'll be able to present more real time information on the threshold dashboard. As information is updated with new environmental improvement projects coming on line that they want to link to the thresholds they'll update the content on the dashboard but on the bottom of these pages shown, they'll preserve the final and the draft content for the 2015 Threshold Evaluation in its entirety as they are today.

The other key area that received comments and questions on were related to process and how this will move forward. The four year evaluations are designed to kick start the adaptive management cycle. They recognize this need not only to get back to the threshold updates but to accelerate them. The existing standards were mostly adopted in 1982 based on the best science 40 years ago. In the intervening years, they no longer provide meaningful guidance to both the programs and management and are no longer connected to science.

Because the thresholds are the desired outcomes for the region, there are shared environment goals and aspirational goals for the region, they've let the plans get ahead of goals. It's about getting back to the threshold update and recognizing that climate change is upon us. Our air and water temperatures are at all-time highs, thunderstorms, and critical fire danger. The evaluation and the thresholds themselves are not responding to these challenges of climate change. The evaluations are a tool for shifting resources for identifying priorities and driving EIP projects. We need to bring the threshold standards up to practice with best science, information, and adaptive management systems that drive towards these changes. The EIP is setting the blueprint for climate resilience in project planning and prioritization. It's not about weakening our standards; it's about acknowledging the reality of changes in climate. Then work to catch up but think ahead to thresholds that are responsive to climate change, a resilient climate system, mitigation, and adaptation options.

Such as bringing the water quality standards to current science and ensuring that the standards are specific, measurable, outcome based, and that the effectiveness of regional actions can be tracked. Looking at environmental restoration and the opportunities for carbon sequestration and promoting projects on the ground that are restoring the forest, meadows, and stream environment zones in order to best locate those carbon sequestration options. Not doing so in those dense forest areas but looking at targeted areas for restoration and removing aging infrastructure. Areas such as forest health, defensible space, fuel reduction. Looking at how we are better providing that wildland urban interface, hazardous fuel reductions, and looking at landscape scale restoration to ensure that the thresholds promote and encourage the types of activities that we are doing in the face of climate change.

GOVERNING BOARD

June 23, 2021

There were very few substantive changes from draft to final. Today, staff is asking the board to issue the Final Threshold Evaluation so staff can create that final document. This will move us forward to restart and reinvigorate the threshold date process.

Presentation can be found at:

[Agenda Item No. VI.D Threshold Evaluation](#)

Board Comments & Questions

None.

Public Comments & Questions

None.

Board Comments & Questions

Mr. Rice made a motion to adopt Resolution 2021-__ issuing the Final 2019 Threshold Evaluation Report.

Ayes: Ms. Aldean, Mr. Beyer, Mr. Bruce, Mrs. Cegavske, Mr. Friedrich, Ms. Gustafson, Ms. Hill, Mr. Lawrence, Ms. Novasel, Mr. Rice, Ms. Williamson, Mr. Yeates

Absent: Ms. Faustinos

Motion carried.

VII. REPORTS

A. Executive Director Status Report

Ms. Marchetta said the in person Governing Board Retreat will be held on July 28 and the business meeting will be on July 29. Staff is anticipating the July meeting will be the start of hybrid board meetings.

B. General Counsel Status Report

No report.

VIII. GOVERNING BOARD MEMBER REPORTS

Mr. Bruce said with respect to the discussions on shoreline, no wake, and safety during the Aquatic Invasive Species presentation, this is being addressed.

Mr. Rice said he attended the ground breaking ceremony for the new visitor center at Spooner Park. There were several members of TRPA, the Nevada Department of Transportation, and the Division of Nevada State Parks, etc. It will be a lovely facility and hopefully near the terminus of the new pedestrian walkway from Sand Harbor to Spooner and in the vicinity where there will be a transportation center someday.

GOVERNING BOARD

June 23, 2021

IX. COMMITTEE REPORTS

A. Local Government & Housing Committee

No report.

B. Legal Committee

No report.

C. Operations & Governance Committee

Ms. Aldean said last month the committee was provided a report for the work on the rock wall and roof at the TRPA offices. Hopefully next month they'll receive an update on some of the interior building improvements planned. They'll discuss perhaps using some of the surplus to fund much needed software upgrades.

D. Environmental Improvement, Transportation, & Public Outreach Committee

Mr. Lawrence said the committee should be meeting next month to receive a report on the ongoing work of the consultant that was just hired to work on transportation priorities and funding alternatives.

E. Forest Health and Wildfire Committee

Mr. Hicks said the committee will meet next month. They're planning a presentation by the Tahoe Fire and Fuels Team. Mr. Friedrich has also raised an issue on the biomass projects that the committee will discuss.

F. Regional Plan Implementation Committee

Mr. Yeates said in addition to the Mobility Mitigation Fee the committee received an excellent presentation on the housing work being done. The first phase of the work that's coming out of the Tahoe Living Housing and Community Revitalization Working group and the Local Government and Housing Committee. They heard about the necessary changes of the bonus unit boundary to ensure that we are incorporating all of the areas that would encourage affordable workforce housing to take advantage of the bonus units by expanding that boundary by 15 percent. They're addressing the non-conforming density issue between the tourist accommodation units and residential changes where you could convert a motel into a residential and not lose units. They're expecting a recommendation from staff on the accessory dwelling units that's conforming our regulations to what California has done on ADUs and leaving it to Douglas County and Washoe County to decide what they want to do as they get into this issue more than the California local jurisdictions have. Lastly, there are some cleanup items on Development Rights. It was an excellent presentation by Karen Fink. The final recommendations should be back to the committee by the end of the summer.

X. PUBLIC INTEREST COMMENTS

None.

GOVERNING BOARD
June 23, 2021

XI. ADJOURNMENT

Ms. Aldean moved to adjourn.

Chair Mr. Bruce adjourned the meeting at 2:11 p.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Marja Ambler".

Marja Ambler
Clerk to the Board

TAHOE REGIONAL PLANNING
REGIONAL PLAN IMPLEMENTATION COMMITTEE

Via GoToWebinar

June 23, 2021

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Yeates called the meeting to order at 8:30 a.m.

Members present: Ms. Aldean, Mr. Bruce, Mr. Friedrich Ms. Gustafson, Mr. Lawrence, Mr. Yeates

II. APPROVAL OF AGENDA

Mr. Yeates deemed the agenda approved as posted.

III. APPROVAL OF MINUTES

Ms. Aldean said she provided Ms. Ambler with some minor clerical edits and moved approval of the April 28, 2021 minutes as amended.

Motion carried.

IV. Item 3: Discussion and possible recommendation for approval of Phase 1 Housing Code Amendments to the TRPA Code of Ordinances related to: **a)** Bonus Unit Boundary, including amendments to Chapter 52; **b)** Non-conforming density, including amendments to Chapter 31; **c)** Accessory Dwelling Units, including amendments to Chapters 21, 31, 39, 50, 51, 52 and 90, Meyers, Tahoe Valley and Tourist Core Area Plans, and Rules of Procedure Section 12; **d)** Development Rights Strategic Initiative Code Clean-Up: Potential Residential Units of Use and Bonus Unit Pools, including amendments to Chapters 51 and 52

TRPA staff Ms. Fink provided the presentation.

Ms. Fink said today we are going to report out on the phase one Housing Code Amendment package that has come out of recommendations from the Tahoe Living Housing and Community Revitalization Working Group. Staff is asking for the committees input before finalizing the code recommendations and environmental analysis. In addition to reviewing the housing recommendations a status update of where the Tahoe Living Housing and Community Revitalization Working Group is with the housing actions that the Local Government and Housing Committee and Governing Board approved in January 2021. The working group spent many hours working through this proposal and vetting ideas and appreciated their time and input.

Today's presentation will be the initial package to remove barriers to provisions of affordable housing and to better implement Regional Plan goals. The proposal is based on what they've heard are the most obvious barriers for provisions of affordable housing and the areas where their analysis shows that TRPA can have the biggest impact. The set of amendments include the three recommendations that were supported by the working group. They include changes to the Code of Ordinances, the Rules of Procedure and three area plans. Those changes are related to modifying the bonus unit boundary which is where they want to incentivize development and encourage transit supportive densities. The next recommendation is to allow non-conforming tourist density to be used for residential density on site. This is the first recommendation is to increase regional densities at the code level since the 2012 Regional Plan. The third recommendation is related to accessory dwelling units and allowing the smaller housing type more widely in the Basin.

The code amendments that you are going to hear about today are geared toward supporting regional plan goals of walkable town centers and neighborhoods, and help local jurisdictions meet their regional housing needs assessment requirements (RHNA) on the California side and also the housing needs in their local general plans. Those RHNA requirements are also a part of the Regional Plan as part of the Sustainable Communities Strategy.

Those RHNA housing needs and housing needs identified in the general plan don't capture the full housing need. The Truckee Tahoe Community Foundation, the Tahoe Prosperity Center, and Placer County have done more extensive housing needs analysis to understand what the housing need is basin wide. The working group is working on achieving that greater housing need. Those initial housing need studies didn't capture the Tahoe Basin portion of Washoe County. The Tahoe Prosperity Center is currently partnering with Washoe County and other organizations in Washoe County to do a housing needs assessment for the Tahoe Basin portion of the county that should be completed in a few month.

There are goals in the Regional Transportation Plan and the Regional Plan that these proposals also support. Some examples are supporting economic vitality, encouraging moderate income housing in appropriate locations and increasing transit frequency. These proposals are fully within the growth caps that were analyzed as part of the Regional Plan and they don't increase the overall growth anticipated for the region.

The Tahoe Living Housing and Community Revitalization Working group was designated by the Governing Board as a committee of the Advisory Planning Commission in June 2020. Mr. Ferry is the chair of both the APC and this working group. In January 2021, the Local Government and Housing Committee and the Governing Board approved the set of actions shown on slide 4. The package of amendments being presented today is the result of the "near-term" actions of ADUs and Density. The near term actions were anticipated to take between three to six months to bring forward to the Governing Board. The medium term actions are anticipated another 6 to 12 months, and the long term actions another 1 to 2 years.

This emerged out of TRPA's analysis showing which actions were likely to provide the most cost reduction per unit or the greatest number of actual units on the ground. In addition, TRPA also had one-on-one conversations with local jurisdictions staff to understand what TRPA actions could best align with and support those actions that those local jurisdictions were already working off of in their own general plans to achieve their housing goals.

Cost reduction per housing unit, units on the ground, and leveraging local actions were what they used to narrow down the possible actions for TRPA to work on and to prioritize them. One thing that they heard through the conversations with the local jurisdictions and the working group was that even though the Regional Plan envisioned walkable town centers that were supported by locally focused affordable workforce housing, it's still much easier to get units approved that are ideal for tourist or second homes while workforce housing still faces additional hurdles. Part of what these actions do is try to establish balance between getting a residential workforce unit on the ground versus a tourist or second home.

This set of actions focuses on ADUs and density but this is not everything they anticipate bringing forward related to ADUs and density. They heard from the working group that there are additional incentives that they would like to see. They anticipate looking at those incentives coming back to accessory dwelling units in the medium and long term action items.

The housing cost analysis tool is one the tools they used to conduct the analysis to land on those priority actions. It's a proforma tool that's been useful to help them understand how housing cost change based on the actions taken. (Slide 5) Each of the three columns shows the costs that goes into building different types of housing. On the right is single-family stand alone home and on the left are two types of multi-family housing. On the left is a moderate density multi-family housing unit and in the middle is a more dense type of housing development. The colors in each of the columns show different types of costs. The large blue square is construction cost and there's also land cost, development rights, fees, etc. The horizontal lines show the income levels of our different income groups in Lake Tahoe that we're trying to provide affordable, moderate, and achievable housing for. They can analyze how different actions at TRPA can take can lower the bars more or less.

In January 2021, the Local Government and Housing Committee hosted a workshop on the missing middle. The main takeaway was to be mindful of how the layering of different land use regulations can end up precluding housing types that are affordable from middle income families because there's not that much that ends up being allowed on a site. Some of TRPA's regulations combined with market pressures that are somewhat unique to resort areas end up encouraging people to maximize the size of single-family homes. In a common scenario that results from TRPA code they found that single-family homes in neighborhoods are incentivized to be as large as 4,500 square feet which is not affordable for the local workforce. These amendments today focus on encouraging a diversity of housing types and sizes.

The first recommendation is to modify the bonus unit boundary to conform to recent planning efforts. As part of looking at density with the working group, they asked them to spend some time about where they wanted to incentivize development and what areas did, they consider walkable. The working group noted that some of our previous planning efforts such as the Regional Transportation Plan and the Regional Plan have identified areas where they do want to encourage development or have higher densities. Those didn't completely align with the bonus unit boundary that was approved as part of the Development Rights Strategic Initiative. The bonus unit boundary is the area in which you can build a residential unit using a bonus unit for the development right and that bonus unit is provided for free in exchange for a deed restriction for an affordable, moderate, or achievable income housing unit.

A few areas where they found that the existing bonus unit boundary which is the ½ mile buffer from transit didn't fully align with some previous planning efforts. It didn't include all of the town centers identified in the 2012 Regional Plan, including the Meyers Town Center and a

June 23, 2021

walkable area around those town centers. It also didn't include all of the areas that are zoned for multi-family including some community priority zones that were identified in the Regional Transportation Plan. Slide 7 also shows how the boundary would change if the ½ mile buffer of town centers were added in. It almost entirely aligns with the existing boundary and adds the Meyers Town Center. It also shows adding districts that are zoned for multi-family. It is fairly consistent with that existing ½ mile buffer. There were a few neighborhoods where there was transit in the past and there are areas where there is quite a bit of affordable housing and they want to be able to encourage affordable housing in those locations.

Overall, this expanded the boundary by about 15 percent. They've done the initial environmental analysis on this change and the expanded boundary corresponds very closely to the low vehicle miles traveled traffic analysis zones. Incentivizing development in these areas is consistent with the new Transportation and Sustainable Communities thresholds.

The next recommended code change is to allow non-conforming tourist density to be used on site for residential development. One of the issues heard is that conversion of tourist units to residential is a disincentive. There are quite a few older motels and some fairly dilapidated and many which have higher densities than what are currently allowed by the code because they were built in the 1960s and 1970s before the Regional Plan was approved. The Regional Plan envisioned redevelopment of these older properties into mixed use or something that had a residential component, but they are not seeing that.

(Slide 9) This is how the current system works. In the staff report there's a real life example of an existing hotel in the Stateline area that wanted to redevelop into residential. That hotel was built prior to approval of the Regional Plan. There were 17 tourist units on a little less than one third acre which was slightly over the allowable tourist densities. The current code would allow all of these tourist units to be grandfathered in through a redevelopment project if they are redeveloped as new tourist units but not if they are redeveloped to new residential units on site. If they redeveloped to tourist, they would get to keep those 17 units on site but if they redevelop to residential, they will have to meet the existing residential densities and that would allow only six residential units on site. This property decided to redevelop as tourist.

(Slide 10) The proposed code change would allow converted non-conforming tourist density to be used for multi-residential density on site as long as multi-residential is an allowed use in that district. That proposed code would allow those 17 units to be redeveloped as either as new tourist units or as new residential units. There would still be some extra development rights that would result from the conversion of tourist to multi-family but those could be banked on site or transferred off. This is the same as what's under the current code. They've also completed the initial environmental analysis for this change and have identified that because the conversion of tourist units to residential was already evaluated through the Development Rights Strategic Initiative and those environmentally neutral conversion rates were established. This is also consistent with the thresholds and will support achieving the thresholds including the Transportation and Sustainable Communities Threshold. This stays within the growth caps and doesn't add any new growth potential.

The final recommendation is related to accessory dwelling units. This part of the proposal relates back to about looking at ways to make it easier to build a diversity of home types including smaller housing types that are right size to be affordable for local residents and workforce. Also, trying to remove some of those barrier that impede this type of development compared to other types of development.

June 23, 2021

Accessory Dwelling Units are one of those smaller housing types and they are a housing unit that is accessory to a larger existing home. They can be detached or attached from the main home such as over the garage unit or repurposed existing space like locking off a bedroom and adding an exterior door. This last type is often called a junior ADU.

The existing code related to accessory dwelling units doesn't go very far in encouraging this workforce housing type. Right now, the code only allows accessory dwelling units on parcels that are greater than one acre and there aren't that many parcels that meet that criteria. On average, the parcel sizes get smaller the closer the parcel is to transit and town centers and larger the further away. They want to shift the focus to allowing this smaller housing type more widely and then having ADUS help meet the goals of supporting walkable town centers and neighborhoods. This proposals combined with the bonus unit boundary does that.

The current code only allows ADUs on parcels of greater than acre and where they are allowed it's only one per parcel. Because allowing ADUs as an accessory use is an exception since it's only allowed on a few parcels. They require special noticing to neighbors unlike other expansions of single-family uses.

Based on the general consensus of the working group they are proposing to lift the one acre parcel size limit. ADUs would then be allowed on any residential parcel. They are also proposing to allow up to two ADUs per parcel. This would allow a homeowner to build one junior ADU and one detached ADU. Because ADUs would be an allowed use on all residential parcels, like other accessory uses, they wouldn't require special noticing to neighbors.

Local jurisdictions can have more restrictive regulations than TRPA. The current regulations at the local level will also be in effect. The designs of the ADUs need to meet local design regulations. Douglas County and Washoe County have codified TRPA's restriction to parcels greater than once acre. Until those county's change their code, where ADUs are allowed in those county's effectively will not be any different than it is today. There are some opportunities to look at revising that through the area plan process. Each jurisdiction on the California side has passed or is in the process of passing their own ADU regulations that reflect the California law. In the California jurisdictions ADUs would be allowed on all residential parcels. However, they are not allowed to be rented out for rentals of less than 30 days. In addition, there are also size limitations. Staff is also bringing forward the area plan amendments needed for those California jurisdictions to be able to implement the codes that are also part of this packet. Whenever an accessory dwelling unit gets a bonus unit, the bonus unit also requires the ADU to be deed restricted so it can't be used as a short term rental.

The environmental analysis is being finalized for this proposal and with respect the Transportation and Sustainable Communities threshold, they found that this proposal does not cause the Basin to exceed that new threshold. The distribution pattern for ADUs is expected to be fairly similar to the anticipated distribution pattern for other allocations and bonus units.

The staff packet also includes two cleanup amendments based on the Development Rights Strategic Initiative.

There was some working group feedback that staff wasn't able to incorporate into this near term recommendation. Although, the recommendation largely does capture the feedback that they received from the working group and there was very strong support from moving the set of recommendations forward, there were a couple of key areas where working group members

June 23, 2021

wanted to see the proposal to go further. That was in the areas of coverage and development rights. The recommendations did not include any changes to coverage or development rights regulations. An ADU would require the sufficient allowable coverage on the parcel. About two thirds of parcels do not have enough allowable coverage to build a detached ADU. Some working group members were concerned that it wouldn't sufficiently incentivize this housing type.

Another concern was related to development rights. ADUs are usually small such as a studio or one bedroom. There was concern that they shouldn't use up a whole bonus unit or a whole development right which could also be used to build a much larger house. There are no size limits on the size of house that is built with a development right.

There is some precedent in having development rights have different ratios depending on the type of unit for instance through the Development Rights Strategic Initiative. There are different conversion ratios for multi-family housing then there are for single-family housing recognizing the lower impacts of multi-family housing.

They appreciate that there are potentially more incentives that need to be looked at related to ADUs. There are some places designated in the medium and long term phases where they can spend more time looking at potential incentives in those categories.

Staff has already provided informational hearings to the Advisory Planning Commission and the Local Government and Housing Committee and today to the Regional Plan Implementation Committee. Both the APC and the Local Government and Housing Committee gave staff direction to move the amendments forward and to finalize the environmental analysis and its recommendation for approval. Staff will begin bringing this forward for recommendations for approval in July.

Presentation can be found at:

[RPIC Agenda Item No. 3 Housing Code Amendments](#)

Committee Comments & Questions

Mr. Yeates thanked Ms. Fink for putting this together in a short time frame and for all the work that's been done by this working group. He's pleased in the way that it's been handled. We recognize the importance of housing and how we address that. We started with development rights changes. This is significant and am pleased staff was able to break this down in those items they feel can be accomplished quickly and then working on the longer term issues.

Ms. Aldean said she found the definition in the Code of Ordinances for moderate income housing "It's deed restricted to be used exclusively as a residential dwelling by permanent residents." The same wording is used in the definition of achievable housing but not used in the definition of affordable housing. The intent is to provide residential housing for people that work and live in the Basin. She's troubled by the fact that there's a lot of wiggle room and latitude in the definition of affordable housing. She understands that it cannot be used for housing that are rentals of less than 30 days which helps to address the concern that have been expressed by people like Carole Black that these units are going to become defacto short term rentals. She also feels that it is important that they not become extended stay motels. That would defeat the purpose of this exercise. It could be handled by the local jurisdictions in terms of imposing

June 23, 2021

additional requirements but is there a reason why that language is not included in the affordable housing definition in the fact that it's intended for permanent residents in the Basin.

Ms. Fink said she's unsure about that and is something they could look into before staff brings it back for approval. They can try to identify whether there's modification to the definition of affordable housing that's needed.

Ms. Aldean suggested staff look at the Definitions in Chapter 90. Where it refers to ADUs, it then refers you to secondary dwelling. Now we're distinguishing between secondary dwellings and ADUs. She suggested amending Chapter 90 to reflect that change.

Ms. Gustafson said Placer County has had quite a few discussions on length of duration. They have a need for both shorter term renters for summer and/or winter employees. One of the things about a year round limitation is they might eliminate some of the housing especially when they have homeowners who are willing to lease for maybe three to six months but not for a full year. There are trying to use a definition that says more than 30 days and that they have a local place of employment whenever possible. She understands that they cannot do that with some of the affordable housing and look at their employment but on the more moderate and achievable, Placer County is looking at that requirement that they work full time (30 hours) minimum in the school district boundaries which includes the Town of Truckee. One member of the household must work in that area. Also, they don't want to facilitate people maybe moving up here from San Francisco and working for a tech company in San Francisco remotely. It's tricky to get all these definitions in under the state and federal laws but those are a few other concepts Placer County has been working on to try and focus on the local workforce needed.

Mr. Yeates said that does raise the complication. Hopefully, because California law doesn't necessarily bind TRPA we can coordinate with the local governments on areas where they don't have the authority to do much on limitations on items like ADUs. We could try to put together a comprehensive Tahoe Basin approach that would address some of these issues. We should also look at other areas that we were starting to in the code changes that staff is presenting for this informational hearing of changes to terms like secondary and the term accessory dwelling unit. We need to do further clarification.

Mr. Lawrence said he participated in many of the working group meetings and extended his appreciation to Ms. Fink and the team for all of the meetings that were well ran. Meeting materials came out in advance so there was time to read it. The committee received a comment letter from Carole Black and this came up a lot with the ADUs regarding concerns about having them end up being short term rentals and not addressing some of the housing issues. He understands that we do have some safeguards in place. The global one is that if a bonus unit is used then a deed restriction is required. He agreed that more work needs to be done on the definitions. On the California side the local jurisdictions have a no less than 30-day rental requirement but that doesn't occur in Washoe or Douglas County's. Also Washoe and Douglas ordinances still have a minimum of one acre. In staff's discussions with local jurisdictions has this come up as a topic of a) them wanting to align with a parcel minimum but, b) also to discuss a minimum rental period to address the short term rental issue.

Ms. Fink asked if the question was related to Nevada counties specifically.

Mr. Lawrence said yes, for the Nevada counties. From the presentation it looks like on the California county side there is no minimum lot size and there is a minimum rental period that

June 23, 2021

doesn't occur currently in Washoe and Douglas County's. Is that being contemplated at the local level on the Nevada side?

Ms. Fink said staff has discussed accessory dwelling units with the local jurisdiction staff in Washoe and Douglas County's in their one-on-one meetings. The sense from their staff was that ADUs have not really risen to the top as a housing solution yet in Nevada as they have in California. Their staff's felt like ADUs is something that they might want to look at in the future but it wasn't a key strategy that had been identified in a housing plan. They could look at it through their area plans but it wasn't something that they were ready to look at immediately. One of their key concerns that they cited was short term rentals.

Mr. Lawrence said his personal opinion is that if Washoe or Douglas Counties were to move forward and expand to no minimum lot size, having some sort of safeguard in place, whether it's a minimum rental period or some other mechanism would be important.

Public Comments & Questions

Carole Black, Incline Village resident said she wanted to provide a scenario from the Nevada side. Incline Village has been slow to implement any kind of regulation regarding short term rentals. She's concerned about what will happen when the California side has the opportunity to put up ADUs and will be restricted to not being short term rentals. On the Nevada side depending on what might happen to have that one acre restriction removed because at least Washoe County has taken the approach of paralleling of telling TRPA, so you remove the one acre restriction, you don't include the short term rental of the 30-day restriction and they become the site for ADU development for a specific short term rentals for the Lake. She urged staff to consider putting in a clause that doesn't allow Washoe County to end up in that quagmire. Initiative design approved, workforce, affordable, achievable housing. She supports that but what she doesn't support and hopes everyone will pay increasing attention to is avoiding further collateral adverse of over tourism and over development and not addressing the underlying issues. Her written comments included other issues that she is concerned about. Some are the ability to purchase coverage, expanding the building on smaller parcels that there are worried about in their area that is constrained. This is a huge initiative and it's important that we get it right.

Brandy Brown thanked everyone for all they are doing to help bring ADUs to both the California and Nevada side. She appreciated Ms. Fink always responding to her questions. She asked if in the near future there'll be some updated descriptions on what some of these ADU units can be. Not only bonus units, junior ADUs, but also possibly addressing tiny homes as descriptions of what can be utilized as ADUs on parcels. Is that a discussion?

Mr. Yeates said he assumes that we will be looking at all of these issues.

Ms. Fink said there are a few different types of tiny homes and one is a stick built tiny home. Those are already included in the types of accessory dwelling units that would be allowed. They would need to meet local building codes. Another type of tiny home is a home on a wheeled chassis. That type of home is classified as a mobile home in TRPA's Code of Ordinances and would only be allowed currently where mobile homes are allowed. Those are also reflected throughout the plan area statements and the area plans. That is something where they would work with the local jurisdictions and if they wanted to allow tiny homes on wheeled chassis as

June 23, 2021

ADUs. They could work with TRPA through the area plan amendment process and the plan area statement amendment process.

Steve Teshara on behalf of the Tahoe Chamber agreed with those of you who have expressed your appreciation for the work of the committee. It's difficult stuff to work through, there's a lot of good ideas. He appreciated Ms. Fink's detailed presentation and the discussion that was brought forward about the other issues that the committee wants to see addressed sooner than later. He appreciated Ms. Gustafson's comments about the seasonal workforce needs and agreed that it needs to be addressed. He believes that the chairman had a suggested approach to that.

One thing during the presentation that struck him was Ms. Fink's conveying of the Douglas County planning staff that they are concerned about ADUs or dwelling units that we're discussing today because they're concerned about short term rental use. That seems to be inconsistent with the fact that the County Commission in Douglas recently approved a cap of 600 short term rentals in Tahoe Township which is the only part of the County where they allow short term rentals. He's not sure that's an appropriate response, they continue to have concerns that the overall prevailing official response to the achievable, affordable workforce housing in Douglas County is less than it should be. These types of units are a viable workforce housing solution and think that they should be available in all of the counties of the Basin. They have participated in many of the meetings and continue to do so and urge this committee on this informational to get additional items back from Ms. Fink when it comes to the committee for a recommendation.

Natalie Yanish, Contractors Association of Truckee Tahoe who also participated in the Tahoe Living Working Group. She thanked everyone for their efforts on this issue. There were a lot of meetings and time put into this. The committee had a lot of varying opinions as well. Any sort of incentives that can possibly be passed in the ordinance is important. Construction cost have gone crazy. Lumber prices have calmed down a little bit but construction prices always tend to go up, they hardly ever go back down. The cost for developers to come in and create primary residential housing is difficult to make it pencil. Deed restrictions are one consideration and being as flexible as possible with them is helpful because who ever is investing or developing in these housing or residential projects have to consider resale and deed restrictions are often a devalue of property. It's something to keep in mind on how these regulations incentivize people to put residential housing on the ground.

Committee Comments & Questions

Ms. Aldean asked if a tiny home is on wheeled chassis and not on a permanent foundation is considered temporary coverage?

Ms. Fink said it wouldn't be allowed unless mobile homes were allowed in a specific location. If mobile homes were allowed in a location, then it's considered permanent coverage.

Mr. Friedrich thanked Ms. Fink for excellent work. He participated in many of the working group meetings. There were other creative ideas that could be considered in the future to further incentivize ADUs in particular. He supported moving this along as quickly as possible. Everyday, we hear about another family in crisis in the Basin. These are all good steps in the right direction to address the systemic problem we have with lack of affordable places to live. To Ms. Brown's point, the City of South Lake Tahoe will be having a discussion on adding mobile tiny homes to

June 23, 2021

their code which will be subject to working with TRPA on plan area statements, etc. to conform should they go that direction.

Mr. Yeates said how do we deal with coverage when we're increasing development on existing areas and reducing the one acre limit. As Ms. Fink stated in her presentation that two thirds wouldn't meet coverage, so how would that be done? What comes to mind is that maybe this is somewhere that the California Tahoe Conservancy and its lots could be a place where we could bank coverage and put coverage where we want it to occur and discourage development in areas such as the stream environment zones.

On the question of putting bonus units into discreet parts which is recommended by one of the committee members. Initially, he thought that may be complicated but at the same time it would be ashamed to use an entire bonus unit for a very small junior ADU. He suggested staff look at how that can be done in a fair way and also how it would be tracked. It is a unique situation within the Tahoe Basin to try and come up with workforce housing within the Basin, meet all the requirements, and still make it affordable. When we went through the development rights initiative, they could waive everything and still the cost of housing is a problem. It was the land cost that they could possibly help out with and that was with our land bank partners in California and Nevada helping with that cost.

The work that's being is great and agreed it's time to move forward.

Ms. Aldean made a motion to recommend staff finalize these code amendments and develop them through the Tahoe Living and Housing and Community Revitalization Working Group process.

Ayes: Ms. Aldean, Mr. Bruce, Mr. Friedrich Ms. Gustafson, Mr. Lawrence, Mr. Yeates

Motion carried.

- V. Item 4: Discussion and possible recommendation of Update to the Mobility Mitigation Fee including amendments to the TRPA Rules of Procedure Section 10.8.5.A for initial update to the fee amount

TRPA staff Ms. Sloan provided the presentation.

Ms. Sloan said on April 28, the Governing Board approved updates to the Code of Ordinances for how project impacts to transportation are evaluated, using vehicle miles traveled. In that same update the air quality mitigation fee was renamed to the mobility mitigation fee. That fee was changed in how it calculated project impacts to transportation from trips to vehicle miles traveled to align with that impact assessment update.

These updates were made to implement the new vehicle miles travelled per capita threshold at the project level and to align with the California jurisdictions in the Tahoe Region, who area updating their project impact assessment processes using vehicle miles traveled, per state regulation, Senate Bill 743.

Bringing forward Phase 1 of a two phase process to update the mobility mitigation fee program. Recommendation is for an interim update to the Rules of Procedure to simply translate the current fee rate from trips to VMT.

June 23, 2021

The second phase proposes a planning process, to be completed by year end, to fully revise the mobility mitigation fee program, linking it to the VMT reducing projects and the recently adopted 2020 Regional Transportation Plan. That process will include a complete evaluation of potential fee rates, peer community fees, and robust stakeholder engagement.

Policy discussion for the second phase will return to the Regional Plan Implementation Committee later this year.

(Slide 3) This is what is currently existing in the Rules of Procedure which is the Air Quality Mitigation Fee which would be renamed to Mobility Mitigation Fee. The fee rate before you is what is charged to projects but is apportioned based on the land use type of the project. If it's generating trips, it would be charged 90 percent of that fee rate and if it's attracting trips, it would be charged 10 percent of that fee rate. Currently that's calculated using the trips a project generates.

(Slide 4) Recommendation is to adopt the updates to the Rules of Procedures to adjust the current fee rate to reflect vehicle miles traveled. The current fees in the second column are divided by the trip length for the number of miles of an average trip in Tahoe of 6.53 miles. They would take a fee charged on trips divided by the average miles of a trip and then in the last column is the updates to the Rules of Procedure. This results in an equivalent fee to what is currently charged.

Requested recommendation is to update the Rules of Procedure, Phase 1 then it would be brought to Governing Board on the Consent Calendar later today.

The impact assessment processes using vehicle miles traveled goes into effect June 26, 2021. That follows a 60-day period from the April 28 approval of the process by the Governing Board. They'll also be rolling out the online Project Impact Assessment Tool at the same time. If adopted that Phase 1, Interim mobility mitigation fee update will go into effect July 28, 2021. Between June 26 and July 28 projects would have their impact evaluated with vehicle miles traveled and fee calculated on trips. Starting on July 28 it would be both evaluated and fees charged on VMT and all of that would be able to be done with the online project impact assessment tool.

Phase 2 of the Fee Program Update once there was Governing Board action would begin in that planning process through the year end to fully update the program.

Presentation can be found at:

[RPIC Agenda Item No. 4 Mobility Mitigation Fee Update](#)

Committee Comments & Questions

None.

Public Comments & Questions

Gavin Feiger, League to Save Lake Tahoe said they're happy to see this going but as you're aware they've provided plenty of comments to the Regional Plan Implementation Committee and the Governing Board on the vehicle miles traveled package over the course of the past 1.5 years. Regarding the second phase of the mobility mitigation fee and setting the fee. Something

June 23, 2021

they talked about a lot was making sure that the mitigation fee really incentivizes development in town centers. That means that the mitigation fee for development outside town centers is going to have to be pretty high. He doesn't want that to get lost in that Phase 2.

Mr. Yeates thanked the League to Save Lake Tahoe on all the help that they provided on VMT. He assumes that when we talk about Phase 2 that we'll address these kinds of issues to incentivize things where we want it to happen and where it's more walkable and bikeable, versus the fee that would be charged for development outside of those areas where vehicle miles would be increased.

Ms. Sloan said that is correct. Taking the additional time allows them to consider multiple policy options as Mr. Feiger suggested the use of the fee for further incentive for development in those town and regional centers.

Patrick Taylor asked if there are any allowances in this change to projects outside of town centers in regard to workforce housing.

Mr. Sloan said the mobility mitigation fee charges fees on all projects that generate new VMT including affordable, moderate, and achievable housing. What they did through the impact assessment however, if that project is located in an area eligible for bonus units they screened from additional analysis. The break came more in what was expected for analysis of those types of projects. The fee as it currently stands is charged on all projects except active transportation projects. It would be charged to affordable, moderate, and achievable housing. As you can tell from the prior presentation on the housing initiative it's taking a very deep and detailed dive into all the facets that influence housing development in the region. They didn't want to advance anything ahead of that work. Instead, they are looking to that work for recommendations and will modify, adjust, and incorporate the recommendations as they come forward.

Mr. Hester said Mr. Taylor has attended the working group meetings and was invited to bring that issue up. As coverage was brought up, fees are another item being looked at. A lot of those other items have come up in the discussion and the point Mr. Taylor just brought up are on the agenda for the housing working group to look at after this first round is completed. Staff will be addressing fees and coverage and those other issues.

Committee Comments & Questions

Mr. Friedrich made a motion to adopt the findings, including a finding of no significant effect, as set forth in Exhibit 1.

Ayes: Ms. Aldean, Mr. Bruce, Mr. Friedrich Ms. Gustafson, Mr. Lawrence, Mr. Yeates
Motion carried.

Mr. Friedrich made a motion to adopt Resolution 2021-___ to amend the Rules of Procedures as set forth in Exhibit 3.

Ayes: Ms. Aldean, Mr. Bruce, Mr. Friedrich Ms. Gustafson, Mr. Lawrence, Mr. Yeates
Motion carried.

REGIONAL PLAN IMPLEMENTATION COMMITTEE
June 23, 2021

VI. COMMITTEE MEMBER REPORTS

None.

VII. PUBLIC INTEREST COMMENTS

None.

VIII. ADJOURNMENT

Ms. Aldean moved to adjourn.

Chair Mr. Yeates adjourned the meeting at 9:45 a.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Marja Ambler".

Marja Ambler
Clerk to the Board



STAFF REPORT

Date: July 21, 2021
To: TRPA Governing Board
From: TRPA Staff
Subject: Release of Douglas County Operations and Maintenance Mitigation Funds (\$100,000) towards the construction of a Stormwater Decant Facility

Summary and Staff Recommendation:

Douglas County is requesting the release of \$100,000 in Operations and Maintenance Mitigation Funds towards the construction of a Stormwater Decant Facility.

Staff recommends that the Governing Board approve Douglas County’s request, subject to the conditions cited below. The request is consistent with the Environmental Improvement Program objectives, Chapter 60 of the TRPA Code of Ordinances, and the Governing Board’s policy guidelines for the release of mitigation funds.

Required Motion:

To approve the requested release, the Board must make the following motion:

- 1) A motion to approve the release subject to the conditions contained in this memorandum.

In order for the motion to pass, an affirmative vote of any eight Board members is required.

Background:

The Nevada Department of Transportation (NDOT) and Douglas County have a need for a safe and effective way to decant and treat stormwater from various maintenance operations in the Lake Tahoe Basin.

Proposed Funding Release			
EIP #	PROJECT	Fund	Amount
01.01.02.0020	Stormwater Decant Facility	O&M	\$100,000
	Total Funding Requested		\$100,000

Douglas County have identified an ideal location (Douglas County owned parcel number 1318-24-601-006), situated near an existing NDOT maintenance yard, and zoned for industrial use. Plans for the facility are complete, and TRPA permits are in place.

The proposed facility will allow primary and secondary treatment of stormwater treatment byproducts, such as water from drop inlets or sweeper material, with wastewater eventually discharging to the sewer system. The facility also provides a safe and environmentally-friendly place to store materials and wash equipment.

Funding Match:

Operations and maintenance fund releases requires a 1:1 local funding match. According to the Mitigation Fund Release Policy guidelines “local match” matching funds may include in-kind general fund expenses provided by the local jurisdiction which are directly related to EIP project/program implementation. For this request, Douglas County proposes to use funds from the Douglas County Stormwater Maintenance fund as match.

Douglas County – Local Funding Match			
	Mitigation Funds	Local Match	Total Budget
Local Match			
Nevada Dept of Transportation		\$500,000	
Douglas County		\$10,000	
EIP Mitigation Funds			
O&M Mitigation Fund	\$100,000		
Total	\$100,000	\$510,000	\$610,000

The Operations and Maintenance mitigation fund account balance for Douglas County, as of May 19, 2021 is \$227,843.77, which is sufficient to cover this request.

Conditions:

Staff recommends approving the release of these funds subject to the following conditions of approval:

1. The recipient shall only use the funds for the project cited above and as approved by TRPA.
2. TRPA reserves the right to withhold funds to ensure project priorities, goals, and objectives are consistent with those of the Environmental Improvement Program and TRPA’s Regional Plan.
3. The County agrees to follow all laws, codes, and regulations adopted by federal, state, and local authorities/agencies.
4. The County agrees to maintain a report detailing the use and expenditures of all funds used on the project. These records shall be made available for review and audit by TRPA within thirty (30) calendar days upon written request.

5. All mitigation funds not used as described above shall be returned to TRPA. Upon written approval from TRPA, these funds may be re-allocated to another project.
6. These funds may not be used for design studies, environmental documents, application costs, or other pre-design tasks.
7. The County agrees to report the applicable EIP Performance Measures achieved by this project.

Regional Plan Compliance: The proposed release complies with the TRPA Regional Plan and Code of Ordinances.

Contact Information:

If you have any questions regarding this item please contact Tracy Campbell at tcampbell@trpa.gov, or by phone at (775) 589-5267, or Kimberly Caringer, Division Manager, Environmental Improvement Program at kcaringer@trpa.org or by phone at (775) 589-5263.

Attachment:

- A. EIP Project Fact Sheet

Attachment A

EIP Project Fact Sheet
Logging Road Stormwater Decant Facility – Douglas County

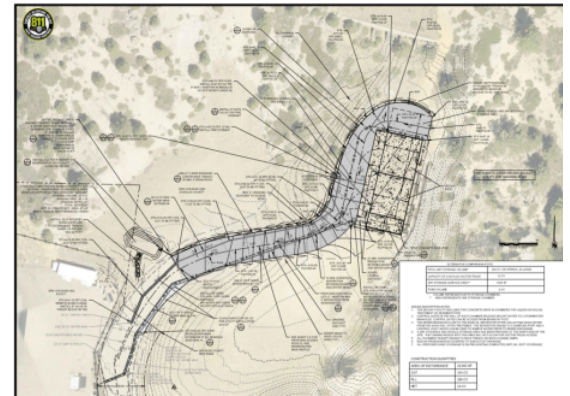


Logging Road Stormwater Decant Facility

Project Number	01.01.02.0020
Action Priority	Operate and Maintain Stormwater Infrastructure
Implementers	Nevada Tahoe Conservation District
Primary Contact	Meghan Kelly (mkelly@ntcd.org)
Stage	Planning/Design
Duration	2019 - 2021

Stormwater Management Program > Operate and Maintain Stormwater Infrastructure

The Nevada Department of Transportation (NDOT) and Douglas County have a need for a safe and effective way to decant and treat their stormwater from various maintenance operations in the Lake Tahoe Basin. Parcel number 1318-24-601-006 owned by Douglas County is an ideal location since it is situated near an existing NDOT maintenance yard and is zoned for industrial use. The proposed facility will allow primary and secondary treatment of stormwater treatment byproducts such as water from drop inlets or sweeper material with wastewater eventually discharging to the sewer system. The facility also provides a safe and environmentally-friendly place to store materials and wash equipment.



Logging Road Decant Facility

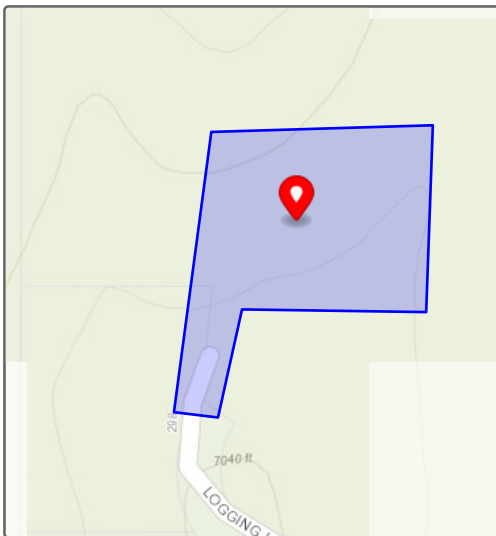
Key Accomplishments

Accomplishments to be provided upon completion of project

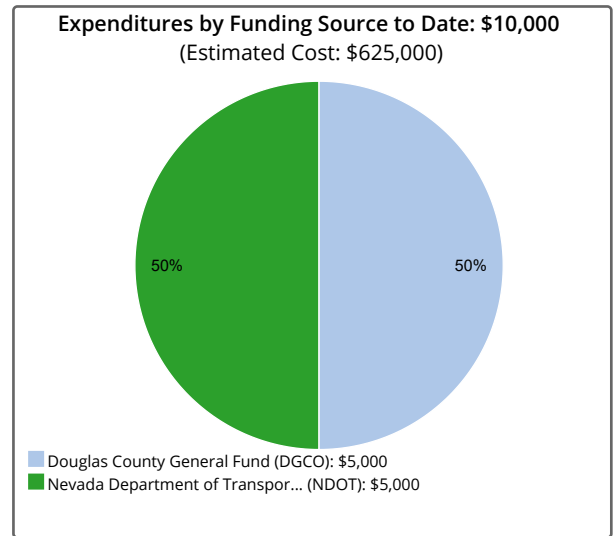
Threshold Categories

- Air Quality
- Water Quality

Location



Expenditures





STAFF REPORT

Date: July 21, 2021

To: TRPA Governing Board

From: TRPA Staff

Subject: Release of City of South Lake Tahoe Stream Environment Zone (SEZ) Mitigation Funds (\$225,000), Water Quality Mitigation Funds (\$200,000), and Water Quality Interest Mitigation Funds (\$50,000), towards acquisition of property and easements for the Tahoe Valley Greenbelt and Stormwater Improvement Project

Summary and Staff Recommendation:

Staff recommends that the Governing Board approve the City of South Lake Tahoe’s request, subject to the conditions cited below. The request is consistent with the Environmental Improvement Program and Regional Transportation Plan objectives, Chapter 60 of the TRPA Code of Ordinances, and the Governing Board’s policy guidelines for the release of mitigation funds.

Required Motion:

To approve the requested release, the Board must make the following motion:

- 1) A motion to approve the release subject to the conditions contained in this memorandum.

In order for the motion to pass, an affirmative vote of any eight Board members is required.

Proposed Funding Release			
EIP #	PROJECT	Fund	Amount
01.01.01.0033	Tahoe Valley Greenbelt and Stormwater Improvement Project	SEZ	\$225,000.00
01.01.01.0033	Tahoe Valley Greenbelt and Stormwater Improvement Project	AQ	\$200,000.00
01.01.01.0033	Tahoe Valley Greenbelt and Stormwater Improvement Project	AQI	\$50,000.00
	Total Funding Requested		\$475,000.00

Background:

The City of South Lake Tahoe is requesting the release of Stream Environment Zone (SEZ) Mitigation Funds (\$225,000), Water Quality Mitigation Funds (\$200,000), and Water Quality Interest Mitigation Funds (\$50,000), towards the acquisition of property and easements, necessary for the Tahoe Valley Greenbelt and Stormwater Improvement Project.

The project includes multi-benefit stormwater, SEZ, bicycle and pedestrian path improvements, and recreational amenities. Water quality and SEZ improvements, will include upgrading existing drainage ways and drainage systems to spread, treat, infiltrate, and retain flows from roadways, commercial areas, and other high priority, areas in accordance with the Lake Tahoe TMDL. Pedestrian and bicycle enhancements will include improving connectivity within the project area and to regional networks.

The requested Water Quality Mitigation Funds will be used to complete two property and easement acquisitions (near McDonald's and the CVS Pharmacy) deemed central to the project. The requested Water Quality Interest funds will be used to complete the design of a new water quality treatment facility.

CONCEPTUAL PLAN



DESIGNWORKSHOP
June 2018

The unencumbered account balances for the City of South Lake Tahoe as of May 19, 2021, are, \$272,365.69 for the SEZ fund, \$207,737.54 for the Water Quality fund, and \$205,111.91 for the Water Quality Interest fund, which are sufficient to cover this request.

Conditions:

Staff recommends approving the release of these funds subject to the following conditions of approval:

1. The City shall only use the funds for the project cited above and as approved by TRPA.
2. TRPA reserves the right to withhold funds to ensure project priorities, goals, and objectives are consistent with those of the Environmental Improvement Program and TRPA's Regional Plan.
3. The City agrees to follow all laws, codes, and regulations adopted by federal, state, and local authorities/agencies.
4. The City agrees to maintain a report detailing the use and expenditures of all funds used on the project. These records shall be made available for review and audit by TRPA within thirty (30) calendar days upon written request.
5. All mitigation funds not used as described above shall be returned to TRPA. Upon written approval from TRPA, these funds may be re-allocated to another project.
6. The City agrees to request from TRPA a final inspection no later than 30 days after completion of the project.
7. TRPA approved signage shall be used on all projects during construction to identify TRPA as a funding source and shall include the EIP logo.
8. The City agrees to report the applicable EIP Performance Measures achieved by this project.

Regional Plan Compliance: The proposed release complies with the TRPA Regional Plan and Code of Ordinances.

Contact Information: If you have any questions regarding this item please contact Tracy Campbell at tcampbell@trpa.gov or by phone at (775) 589-5267, or Kimberly Caringer, Division Manager, Environmental Improvement Program at kcaringer@trpa.gov or by phone at (775) 589-5263 .

Attachment:

- A. EIP Project Fact Sheet

Attachment A
EIP Project Fact Sheet



Tahoe Valley Stormwater and Greenbelt Improvement Project

Project Number	01.01.01.0033
Action Priority	Reduce Stormwater Pollution From: Roads and Highways, Forest Roads, Public and Private Parcels
Implementers	City of South Lake Tahoe
Primary Contact	Stan Hill (shill@cityofslt.us)
Stage	Planning/Design
Duration	2009 - 2024

Stormwater Management Program ➤ Reduce Stormwater Pollution From: Roads and Highways, Forest Roads, Public and Private Parcels

The Tahoe Valley Stormwater and Greenbelt Improvement project includes multi-benefit stormwater, SEZ, bicycle and pedestrian improvements and recreational amenities. Water quality and SEZ enhancements will include improving existing drainage ways and drainage systems to spread, treat, infiltrate, and retain flows from roadways, commercial areas, and other high priority, directly connected urban areas in accordance with the Lake Tahoe TMDL. Pedestrian and bicycle improvements and all-weather crossings will improve connectivity within the project area and to regional networks.



2016- Inadequate drainage creates flooding on South Avenue (major access road to Barton Hospital)

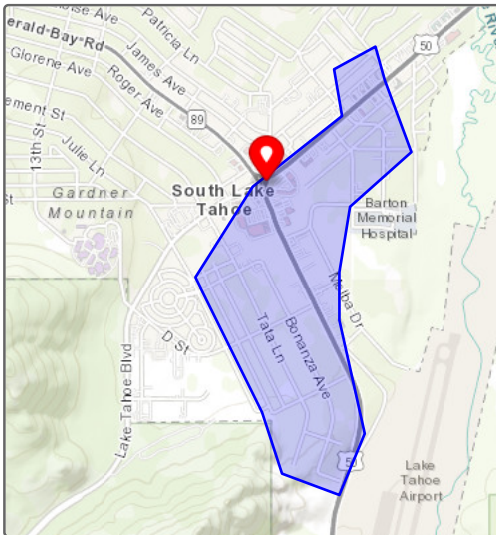
Key Accomplishments

Accomplishments to be provided upon completion of project

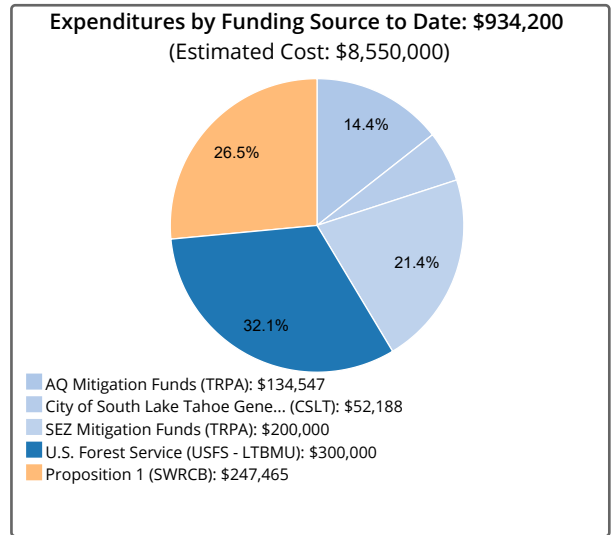
Threshold Categories

- Air Quality
- Recreation
- Soil Conservation
- Water Quality

Location



Expenditures



Photos

Before



Homeless camp and fuel loading in greenbelt SEZ area



Flooding of existing bike path in SEZ area (July, 2017)

During

CONCEPTUAL PLAN



Tahoe Valley Greenbelt

Tahoe Valley Greenbelt Concept Plan

Project Fact Sheet Data as of 07/19/

STAFF REPORT

Date: July 21, 2021

To: TRPA Governing Board

From: TRPA Staff

Subject: Resolution of Enforcement Action: ZPP LLC; Unauthorized Grading and Disturbance of vegetation Without TRPA Approval, 253 S Martin Drive, Douglas County, NV, (Assessor's Parcel Number 1318-10-417-014).

Summary and Staff Recommendation:

Staff recommends that the Governing Board accept the proposed Settlement Agreement (Attachment A) in which ZPP LLC ("ZPP") agrees to pay a \$10,000 penalty to TRPA for the unauthorized grading and disturbance to vegetation without TRPA approval at 253 S Martin Drive, Douglas County, NV, Assessor's Parcel Number 1318-10-417-014 ("ZPP Property").

Required Motions:

In order to approve the proposed violation resolution, the Board must make the following motion, based on this staff summary:

A motion to approve the Settlement Agreement as shown in Attachment A.

In order for the motion to pass, an affirmative vote of any 8 members of the Board is required.

Violation Description/Background:

This violation involves unauthorized grading and disturbance to vegetation outside of the project area absent TRPA approval at the property located at 253 S Martin Drive, Douglas County, NV, Assessor's Parcel Number 1318-10-417-014 ("ZPP Property").

In response to a complaint in November 2020, TRPA staff discovered that a large amount of grading and landscaping in the front and rear of the ZPP Property had occurred inconsistent with the submitted Qualified Exempt application. Specifically, staff learned that ZPP had expanded the parking area in the front of the residence and created a large, terraced area in the rear of the property for a volleyball court. ZPP has explained that they were trying to create some additional parking and improve the landscaping around the property. The unauthorized grading and disturbance to vegetation without TRPA approval violated: TRPA Code Section 33.2 (Requiring TRPA approval for all grading and activities in excess of three cubic yards); Section 33.3.4 (Requiring that the disposal of solid or liquid materials, including soil, silt, clay, sand, or other organic or earthen materials, be reviewed and approved by TRPA); and Section 36.5.1 (Existing natural features outside of the building site shall be retained and incorporated into the site design to the greatest extent feasible. Projects shall be designed to avoid disturbance to rock outcrops and stream environment zones and to minimize vegetation removal and maintain the natural slope of the project site); TRPA Code Section 2.3.6 (The activities listed below are

not subject to review and approval by TRPA, provided the applicant certifies on a TRPA-qualified exempt form that the activity fits within one or more of the following categories and the activity shall not result in the creation of additional land coverage or relocation of existing land coverage, and will comply with all restrictions set forth below); TRPA Code Section 36.5.1 (Existing natural features outside of the building site shall be retained and incorporated into the site design to the greatest extent feasible. Projects shall be designed to avoid disturbance to rock outcrops and stream environment zones and to minimize vegetation removal and maintain the natural slope of the project site); and TRPA Code Section 33.6.1 (Vegetation shall not be disturbed, injured, or removed except in accordance with the Code or conditions of project approval during construction).

As of the date of this Staff Summary, TRPA is working with ZPP on the required restoration landscape plan. Pursuant to the attached Settlement Agreement, ZPP will pay a penalty of \$10,000 to TRPA for the unauthorized work. The Settlement is consistent with previous grading violations resolved in 2017 with both Sava Pentchev and James Luecke.

Regional Plan Compliance:

The Tahoe Regional Planning Compact Article VI (k), Compliance, provides for enforcement and substantial penalties for violations of TRPA ordinances or regulations. The proposed resolution complies with all requirements of the TRPA Goals and Policies, Plan Area Statements, and Code of Ordinances.

Contact Information:

For questions regarding this agenda item, please contact Steve Sweet, Code Compliance Program Manager, at (775) 589-5250 or ssweet@trpa.gov.

Attachments:

A. Settlement Agreement

Attachment A

Settlement Agreement

SETTLEMENT AGREEMENT

This Settlement Agreement is made by and between Craig Zager (“Zager”) and the Tahoe Regional Planning Agency (“TRPA”). This Settlement Agreement represents the full and complete compromise and settlement of certain violations alleged by TRPA, as described below:

In August 2020, TRPA staff inspected 253 South Martin Drive, Douglas County, Nevada, 2205 Inverness Road, South Lake Tahoe, CA, Assessor Parcel Number (APN) 1318-10-417-014 (“Zager Property”) and found the following not in compliance with the provisions of law or permit approval:

1. TRPA Code Section 2.3.6: The activities listed below are not subject to review and approval by TRPA, provided the applicant certifies on a TRPA-qualified exempt form that the activity fits within one or more of the following categories and the activity shall not result in the creation of additional land coverage or relocation of existing land coverage, and will comply with all restrictions set forth below. *The applicant submitted a qualified exempt declaration to TRPA with a scope of work that meets the requirements. The project has exceeded the scope of TRPA File Qexe2018-0546 by installing additional coverage and grading in excess of 7 cubic yards. The property has a large, flat backyard and an additional parking space on the street.*
2. TRPA Code Section 36.5.1: Existing natural features outside of the building site shall be retained and incorporated into the site design to the greatest extent feasible. Projects shall be designed to avoid disturbance to rock outcrops and stream environment zones and to minimize vegetation removal and maintain the natural slope of the project site. *Retaining walls have been built around the house to flatten the landscape. A large flat yard was created behind the house and a large flat parking pad was created near the street. The site plan shows natural contours around the house.*
3. TRPA Code Section 33.6.1: Vegetation shall not be disturbed, injured, or removed except in accordance with the Code or conditions of project approval during construction. *Vegetation was damaged and removed beyond the scope of the project. The site plan shows vegetation protection fencing in the backyard. This area had vegetation removed to create a flat backyard. Additionally, the site plan shows a 14” dbh tree behind the house. TRPA is not able to verify if that tree is still onsite.*

This Settlement Agreement is conditioned upon approval by the TRPA Governing Board. Execution of the Agreement prior to Board action shall not be binding on either party in the event that the Board does not authorize settlement on the terms set forth below:

In order to fully resolve the matter, the parties hereby agree as follows:

1. Zager shall pay TRPA \$10,000 within 30 days of Governing Board approval of this settlement agreement.

2. Zager shall restore the disturbed areas pursuant to a TRPA approved Landscape Restoration Plan. The plan shall be submitted **no later than October 15, 2021** and shall be completed within 90 days of approval.
3. If Zager fails to comply with any of the actions required by this Settlement Agreement, Zager confesses to judgment against them and in favor of TRPA in the amount of \$20,000 (payable immediately) and an injunction to enforce the terms of this Settlement Agreement. Zager also agrees to pay all reasonable attorneys fees and costs associated with collecting the increased settlement of \$20,000. Notwithstanding the foregoing, the confession of judgment shall not be filed unless TRPA has provided Zager with written notice of default and notice to cure such default within ten days of the date of written notice. If the default has not been cured by that time, TRPA may file the confession of judgment.
4. Once Zager has fully complied with all of the terms herein, TRPA shall release ZAGER of all claims arising out of their failure to follow TRPA procedures during the activities described in this Settlement Agreement.

The Settling Parties have read this Settlement Agreement and understand all of its terms. The Settling Parties have executed this Settlement Agreement after opportunity to review the terms with an attorney and acknowledges that the above-described activities constitute a violation of TRPA regulations. The Settling Parties agree to comply with all applicable TRPA requirements in the future.

Signed:

Craig Zager

Date

Joanne S Marchetta, Executive Director
Tahoe Regional Planning Agency

Date

STAFF REPORT

Date: July 21, 2021

To: TRPA Governing Board

From: TRPA Staff

Subject: Phase 1 Housing Code Amendments: Amendments to the TRPA Code of Ordinances related to: **1)** Bonus Unit Boundary, including amendments to Chapter 52; **2)** Non-conforming density, including amendments to Chapter 31; **3)** Accessory Dwelling Units, including amendments to Chapters 21, 31, 39, 50, 51, 52 and 90, Meyers, Tahoe Valley, and Tourist Core Area Plans, and Rules of Procedure Section 12; **4)** Development Rights Strategic Initiative Code Clean-Up: Potential Residential Units of Use and Bonus Unit Pools, including amendments to Chapters 51 and 52.

Summary and Staff Recommendation:

TRPA staff ask that the Governing Board approve and adopt the Phase 1 housing code amendments developed through the Tahoe Living Housing and Community Revitalization Working Group process related to:

- 1) Bonus Unit Boundary, including amendments to Chapter 52;
- 2) Non-Conforming Density, including amendments to Chapter 31;
- 3) Accessory Dwelling Units (ADUs); including amendments to Chapters 21, 31, 39, 50, 51, 52 and 90, Meyers, Tahoe Valley, and Tourist Core Area Plans, and Rules of Procedure Section 12;
- 4) Code clean-up items related to Development Rights Strategic Initiative; including amendments to Chapters 51 and 52.

Required Motions:

In order to recommend approval of the requested action, the Governing Board must make the following motions, based on the staff report:

- 1) A motion to approve the required findings (Attachment A), including a finding of no significant effect, for the adoption of Amendments to the TRPA Code of Ordinances related to: 1) Bonus Unit Boundary, including amendments to Chapter 52; 2) Non-conforming density, including amendments to Chapter 31; 3) Accessory Dwelling Units, including amendments to Chapters 21, 31, 39, 50, 51, 52 and 90, Meyers, Tahoe Valley, and Tourist Core Area Plans, and Rules of Procedure Section 12; 4) Development Rights Strategic Initiative Code Clean-Up: Potential Residential Units of Use and Bonus Unit Pools, including amendments to Chapters 51 and 52, as shown in Attachment B.

2) A motion to approve and adopt Ordinance ____ - ____ (Attachment C), amending Ordinance 87-9, as amended, for the adoption of amendments to the TRPA Code of Ordinances Chapters 21, 31, 39, 50, 51, 52, and 90.

3) A motion to adopt Resolution 21-____ to amend the Rules of Procedures as set forth in Attachment D.

For the motions to pass, the vote of at least four Board members from each state is required.

Background:

As part of the Region-wide, collaborative effort to address the serious housing challenges facing Tahoe communities, in 2019 and 2020 TRPA's Governing Board took two steps to elevate housing as a priority issue and commit to working with other entities to identify the best ways for TRPA to help create housing solutions while supporting and furthering Regional Plan goals. In January of 2019, the TRPA Governing Board re-designated the Local Government Committee as the Local Government and Housing Committee, and in June of 2020, recognizing the need for an in-depth, analysis-based approach to the problem, created a new committee of the Advisory Planning Commission (APC), the Tahoe Living Housing and Community Revitalization Working Group.

Since August of 2020 these committees and the Governing Board have been working to better understand the housing issues in the Basin and identify and implement new policy directions that will proactively move the Region toward a more balanced housing pattern that simultaneously advances Regional Plan and Sustainable Communities Strategy goals of walkable, transit-supportive communities that reduce greenhouse gas emissions and other environmental impacts, while supporting local governments in meeting their housing needs, including meeting Regional Housing Needs Assessment (RHNA) requirements.

In the fall of 2020, the Tahoe Living Working Group recommended moving forward on developing a set of priority housing actions. The Working Group based the identification and prioritization of these actions on technical analysis¹ presented by TRPA staff that identified potential cost reductions and expected on-the-ground housing by strategy, as well as on in-depth discussions with local jurisdiction staff that identified major barriers to implementation of local housing plans. A key takeaway from the analysis and the discussions was that Regional Plan goals that are intended to incentivize workforce housing and mixed-use development are not yet fully supported by existing code and processes. In fact, in many cases tourist developments or homes that are likely to become second homes face fewer permitting and regulatory hurdles than workforce housing project types do. This led to a set of recommendations that included a focus on smaller homes, such as ADUs, better incentivizing tourist and commercial conversions to residential, and permitting parity between housing types, among other priority actions.

¹ The technical analysis is included in Attachments A and B of the November 2020 Tahoe Living Working Group staff packet: <https://www.trpa.gov/tahoe-living-housing-and-community-revitalization-working-group-2/>.

The Working Group supported sorting the actions into near-term, medium-term, and longer-term actions. In January 2021, upon a recommendation from the Local Government and Housing Committee, the TRPA Governing Board approved the set of priority housing actions (below).

Action Categories	Timing
ADUs/Small Homes and Residential Density	Near-Term (3-6 months)
Mixed Use Residential and Permitting/Streamlining	Medium-Term (6-12 months)
Tourist/Commercial Conversions to Residential and Coverage Incentives	Longer-Term (1-2 years)
Public Land Donations and Fees	Longer-Term (1-2 years)

Since approval of those priorities, recommendations have emerged from the Working Group process on the near-term items, ADUs and residential density. These recommendations included initial code changes. During the discussions, many Working Group members noted that these initial actions may not be enough to stimulate the housing production that was analyzed and shown in the November attachments without further incentives. The two main concerns were related to coverage and development rights requirements, no changes to which are included with this set of code amendments. Related to coverage, several Working Group members suggested that changes to coverage regulations be considered for ADUs to allow more properties to build detached ADUs. Another concern related to the small size of ADUs, and the requirement that they procure a full development right or Bonus Unit, despite the fact that that same development right could be used for a 4- or 5-bedroom, or even much larger, home. As the pool of Bonus Units is limited, Working Group members expressed concern that ADU applications for Bonus Units would draw down the pool too quickly, without providing as much housing as could be provided if the Bonus Units were used for larger units. However, even without changes in those two areas, there was support for maintaining momentum by bringing these initial actions forward while taking more time to develop additional actions as part of later phases.

The Working Group has already begun working on the medium-term actions, which will look into how the interactions between required density, height, coverage, fees and unit size can be better managed to incentivize workforce housing and walkable, sustainable development. Based on the Working Group’s discussion summarized above, TRPA staff recommends that, as part of the “Permitting/Streamlining” action, the group examine whether development rights requirements, particularly for accessory dwelling units, can be scaled based on the size of the unit.

Discussion:

The Working Group recommended moving three near-term recommendations forward in order to remove barriers to Regional Plan implementation, while beginning work on the medium-term recommendations. The three recommendations are summarized below, and the draft recommended code, Rules of Procedure, and Regional Plan changes are shown in Attachment A. Staff has also included a fourth recommendation that includes code-cleanup items from the Development Rights Strategic Initiative. Upon requests from El Dorado County and the City of South Lake Tahoe, this packet also includes corresponding changes to the Meyers Area Plan, the Tahoe Valley Area Plan, and the Tourist Core Area Plan to reflect the proposed ADU code changes.

Recommendation #1 - Bonus Unit Boundary

The boundary within which bonus units may be awarded in exchange for deed-restricting a unit to affordable, moderate, or achievable housing is described in the TRPA Code of Ordinances Section 52.3.4.F.

The current area of eligibility for these bonus units includes only those parcels that are within ½ mile of existing transit. The Working Group found that this boundary did not fully capture areas that had been identified through other planning efforts as priority areas for higher density residential development, such as the Town Centers established through the 2012 Regional Plan, some Community Priority Zones identified in the Regional Transportation Plan, and some neighborhoods that are zoned multi-family, and which in some cases have a significant amount of attached housing currently used as affordable rentals. The Working Group supported modifying the boundary to recognize that areas close to Town Centers and neighborhoods previously recognized as appropriate for affordable housing can provide walkability.

The Working Group recommended that the Bonus Unit Boundary be modified as follows:

52.3.4.F. The housing project awarded a residential bonus unit shall be within ½ mile of a designated Town Center; within ½ mile of an existing transit stop or a transit stop that will be existing concurrent with the completion of the project; or located in an area where multi-family is an allowed or special use.

This change increases the boundary by approximately 15 percent. The existing and proposed boundaries may be viewed on an interactive map, here: https://trpa.shinyapps.io/bonus_unit_boundary_map/.

The draft code changes can also be seen in Attachment B.

Recommendation #2 - Non-conforming tourist density

The second recommended code change would allow motels to keep their original Tourist Accommodation Unit (TAU) density when converting to residential. In one-on-one meetings that TRPA held with local jurisdictions in the fall of 2020, and again at the February Working Group meeting, local jurisdictions identified that existing, aging motel properties are disincentivized from converting to residential or a mix of tourist and residential uses through redevelopment because existing, non-conforming tourist densities cannot be applied to residential densities. Many older motels on small lots have tourist densities exceeding the allowable 40 units per acre. Under the existing code, if these properties redevelop, they can keep the grandfathered density if the use does not change. However, when they redevelop and convert to residential, they lose a significant number of units since the maximum residential density allowed is only 25 units per acre and units above this must be banked and transferred off the property. For example, the Seven Seas Motel in South Lake Tahoe considered redeveloping to residential but was deterred by the small number of units available using residential densities. If the project redeveloped to new tourist development, the existing 17 units on the parcel would be grandfathered in. However, when converting to residential, the required residential density would allow only 6 residential units. The proposed revision that is part of this packet would allow the property owner to redevelop from tourist to residential and grandfather in the existing density, resulting in 17 residential units onsite in the case of the example above.

This code amendment would only apply to conversions between TAUs and multi-residential uses and would only be allowed where multi-residential is an allowable use. Because the 1:1.5 conversion rates from TAUs to multi-residential would result in additional multi-residential units, over and above the number that would be allowed based on the grandfathered tourist density, TRPA will require these units to be banked onsite.

See Attachment B for detailed code amendment language. As part of this code amendment, staff is also recommending adding clarifying language to the code regarding the grandfathering in of residential density and banked residential units for use during redevelopment to new residential uses. This new language codifies the existing practice of maintaining existing, non-conforming densities as part of onsite redevelopment, and that of allowing units that are banked onsite and which resulted from development that was legally established to count toward the existing density. However, if a transfer of development from the site occurs to make the project area more conforming, it cannot be transferred back to result in non-conforming density.

Recommendation #3 - Accessory Dwelling Units (ADUs)

Accessory Dwelling Units are attached or detached units that are accessory to the main house, and are generally between 400 and 1200 square feet, averaging around 640 square feet.² TRPA's analysis of the potential for ADUs to provide workforce housing in the basin identified that a near-term strategy to allow ADUs within the framework of TRPA's existing coverage and development rights regulations could result in between 100 to 200 ADUs provided by the private market over the next eight years.³ Because of TRPA's incentives supporting deed-restricted housing within close proximity to transit and Town Centers, TRPA expects that a significant number of these units would be used for workforce housing. The California Department of Housing and Community Development (HCD) allows jurisdictions to count ADUs toward their Regional Housing Needs Assessment (RHNA) requirements regardless of whether they are deed-restricted or not, instead allowing them to base their assessment on size and rental rates of comparable properties.⁴ El Dorado County, Placer County, and the City of South Lake Tahoe have all indicated that ADUs are a key part of their strategy to meet the RHNA requirements.

TRPA's current policy restricting ADUs to parcels of one acre could be made to better align with Regional Plan Goals of encouraging workforce housing in walkable areas. Under the current policy, less than 800 parcels are even eligible to construct this housing type. And smaller parcels are often appropriate for workforce housing types – for instance the average residential parcel size within the proposed Bonus Unit Boundary and close to Town Centers and transit is about 20 percent smaller than the average parcel size outside the boundary.

² Sacramento Area Regional Council of Governments, "SACOG Regional Accessory Dwelling Unit Affordability Analysis," March 2020, Sacramento Area Regional Council of Governments, accessed May 27, 2021 at: [adu_affordability_analysis_methodology_2020-3-31_0.pdf \(sacog.org\)](https://www.sacog.org/du/du-affordability-analysis-methodology-2020-3-31-0.pdf); and Turner Center for Housing Innovation, "Jumpstarting the Market for Accessory Dwelling Units, Lessons Learned from Portland, Seattle, and Vancouver," Chapple, Wegman et al., April 2018.

³ For more information on this analysis, see Attachment A of the November 2020 Tahoe Living Working Group agenda: https://www.trpa.gov/wp-content/uploads/documents/archive/03_Attachment-A-Land-Use-Evaluation-Sheets.pdf.

⁴ California Department of Housing and Community Development, "Housing Element Site Inventory Guidebook Memorandum," June 10, 2020, accessed on May 27, 2021, at: https://www.hcd.ca.gov/community-development/housing-element/docs/sites_inventory_memo_final06102020.pdf

At the February 10, 2021 Working Group meeting, Working Group members agreed that two policy changes should move forward into code development related to ADUs. Through the discussion additional suggestions for further incentivizing ADUs surfaced, such as through coverage or development rights incentives as discussed above, but there was not consensus on these items and additional research is needed to determine their impact on the supply of workforce housing.

The proposed elements of the ADU recommendation include:

- 1. Remove 1-acre limit on ADUs basin-wide.** Currently TRPA regulations stipulate that secondary residences/ADUs are only allowed on parcels greater than one acre in size unless a jurisdiction has a TRPA-certified “Local Government Housing Program” (TRPA Code of Ordinances Section 21.3.2.B). With the advent of California’s 2019 ADU legislation, and local codes in effect in Douglas County and Washoe County, local jurisdictions have most if not all of the required elements of the “Local Government Housing Program” in place. Requiring five separate certifications along with updates over time could add an unnecessary staffing burden both for local jurisdictions and TRPA and was not supported by Working Group members. Hence, under the proposed code amendments, the 1-acre limit would be removed and local jurisdictions would have the authority to regulate ADU construction just as they regulate other single-family home construction through their area plans and their development and building codes. ADUs would still be required to comply with TRPA’s coverage, height, and growth management regulations. As part of this code amendment, TRPA is also recommending lifting the requirement of only one secondary residence/ADU per parcel. Since incentives for ADUs encourage them to locate in close proximity to transit and Town Centers, allowing two ADUs per parcel supports walkability goals. This would also help California jurisdictions comply with California law, as California law allows one ADU and one Junior ADU⁵ per parcel.

There are several elements of California law and Douglas County and Washoe County plans and codes that place further restrictions on the construction or use of ADUs. Currently, California law requires that accessory dwelling units created pursuant to section 65852.22 of the California Government Code (which applies to all new ADUs) if rented, be rented for a term longer than 30 days. Douglas County and Washoe County both currently have a 1-acre parcel size limit for ADUs in the Tahoe Basin in their codes. These 1-acre limits were based on the TRPA 1-acre limit but as they are already adopted they would remain in place until removed by these counties in a subsequent action.

⁵ California law provides the following specifications for a Junior Accessory Dwelling Unit (JADU): within the walls of the single-family house; no more than 500 square feet in size; must have an efficiency kitchen; separate entrance; may share a bathroom with the main house or have its own bathroom; requires owner-occupancy in the main house or the JADU.

Within the bonus unit boundary, an ADU would be eligible for a bonus unit in exchange for a deed-restriction for affordable to achievable income levels, and occupancy of the unit by a local resident. A bonus unit is available from the TRPA pool at no cost to the applicant. There was consensus among working group members that when a bonus unit is assigned in association with the construction of an accessory dwelling unit, the deed-restriction should require that either the accessory dwelling unit, or the main home must comply with the affordability and local residency requirements. This would allow for diversity in housing size and types through construction of ADUs and utilization of the bonus unit program. For example, an out-of-town homeowner might wish to reserve the ADU for their own, periodic use, but rent out the larger, main home to a local family.

- 2. Remove noticing requirement for ADUs.** Currently the Rules of Procedure require noticing for secondary residences as well as for affordable housing, employee housing and multi-family housing. Through the survey results, it was clear that most Working Group members supported lifting the requirement for noticing for secondary residences/ADUs. Several Working Group members, particularly planners from local jurisdictions, noted that it is not appropriate to require noticing for allowed uses, only for special uses. As accessory dwelling units would be allowed on all single-family parcels, the construction of an ADU would not be an exception to the rule; therefore, it would not require special notice. This is similar to existing code whereby a property owner may expand the footprint of a home for construction of a garage or other accessory use without notice of adjacent neighbors. This change does not preclude a local government from requiring noticing for ADUs. In order to implement this change, both the words “affordable” and “secondary residence” will be struck from Section 12.14.2, *Noticing*, of the Rules of Procedure, as many ADUs will likely be deed-restricted affordable units. This amendment does not propose to remove the requirement for noticing of multi-family projects (note that because ADUs are an “accessory” use, they are considered a single-family, not a multi-family use in TRPA’s code).

See Attachment B for detailed code amendment language.

Recommendation #4 - Code clean-up items related to the Development Rights Strategic Initiative

As more deed-restricted housing projects begin to make their way through TRPA’s permitting process, bonus units set aside in the “affordable” and “moderate/achievable” pools have begun to be drawn down. A total of 469 of the remaining 1,124 affordable, moderate, and achievable bonus units as of July 2020 have been transacted or reserved. Of those, 370 have been requested from the “affordable” pool and 99 have been requested from the “moderate/achievable” pool. The significantly higher number of unit requests from the affordable pool is due in part to the lack of state and federal tax credit and other grant programs for homes other than those deed-restricted for affordable income levels, that is, less than 80 percent of Area Median Income. Based on bonus unit transactions that have already been completed, and projects that have submitted applications, the pool dedicated solely to “affordable” has run out of bonus units, while 464 bonus units will remain in the moderate/achievable pool once the submitted applications are completed. Another 337 bonus units are set aside in local jurisdiction pools. See Table 1 for a summary of the pools and transactions since July 2020.

Table 1: Remaining Bonus Units in Affordable/Moderate/Achievable Pools

	TRPA Bonus Unit Pool - Affordable	TRPA Bonus Unit Pool - Moderate/Achievable	TRPA Centers Pool - Moderate/Achievable	Local Jurisdiction Pools	Total
Pool Description	Must be used for affordable	Must be used for moderate/achievable	Must be used in Centers; must be used for moderate or achievable housing	Carry over from Community Plans and Community Enhancement Projects, must be used in the area designated	
Pool Beginning Balances July 2020	225	299	263	337	1124
Reserved or Transacted					
Boulder Bay	-24				-24
Homewood	-12				-12
Aspens Phase 2	-8				-8
Private Project by MOU#18-334	-1				-1
South Shore Bikes Upper Floor				-3	-3
CTC - town center, affordable	-248				-248
Silver Dollar Achievable		-23			-23
Tahoe City ADU		-1			-1
Homewood ADU		-1			-1
CTC – Crossings at the “Y” Mixed-Use				-70	-70
Ski Run/Pioneer Affordable Housing	-77				-77
All Reservations and Transactions Subtracted from the Pool	-370	-25	-73	0	-468
<i>Available Balance July 2020⁶</i>	<i>-145</i>	<i>274</i>	<i>190</i>	<i>337</i>	<i>656</i>

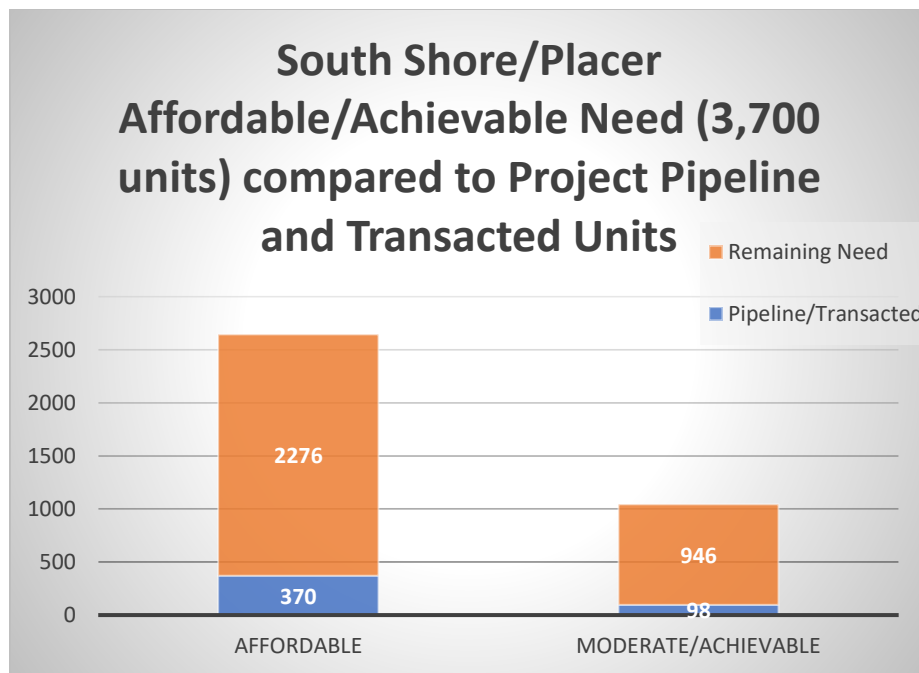
⁶ Until the pool is replenished or units can be drawn from the moderate/achievable pool, reservations that cause the pool to go into the negative cannot be honored.

Section 52.3.1 of the Residential Incentive Program section of the code identifies how residential bonus units from the TRPA pool will be used. Currently, this section identifies that half of the pool shall be used for affordable housing units, while the other half shall be used for moderate or achievable housing units.

Because both the South Shore Housing Needs Assessment and Placer County show a much higher need for homes in the affordable category than in the other two categories combined (see Figure 1), TRPA proposes to update Section 52.3.1 of the code to make it clear that bonus units from the moderate/achievable pool can be used for affordable homes. This is consistent with the definitions of moderate and achievable, which allow use as long as the income levels of occupants are below the specified levels. In response to concerns that this could lead to a shortage of moderate or achievable units, staff notes that there are a variety of bonus unit and other development rights pools that have been set aside that were not explicitly designated for affordable, moderate, or achievable units. As the income-restricted bonus units are drawn down, staff and the Governing Board can monitor the remaining pools and identify whether there is a need to shift more units into the income-restricted pools from other sources.

The change to code language is shown in Attachment B.

Figure 1: Number of housing units needed by 2026 compared to units constructed since July 2020 or that have submitted project applications (“pipeline”)⁷



⁷ A similar graph in the June 23, 2021 Regional Plan Implementation Committee staff report showed 325 affordable units in the pipeline (thus, only reserved units) and 99 units of moderate/achievable in the pipeline. The current version of the graph shows units that are both in the pipeline (reserved) and those that have been transacted from the pools. The previous graph also included one ADU application in the “moderate/achievable column,” however that application was subsequently withdrawn.

At the Local Government and Housing Committee meeting on June 9, committee member Shelly Aldean asked for clarification on the process for reserving bonus units and noted that there should be a time limit on how long bonus units may be reserved. Staff researched the internal reservation process in response to this request. Bonus units are only reserved once a completed application has been received. The bonus units would be reserved until the project is either completed, or, if not started within the allowable timeframe, when the permit expires, three years after issuance.

One additional Development Rights Strategic Initiative code clean-up item is included in this section – in Section 51.5.1.A the word “development right” will be changed to “potential unit of use.”

Informational Hearings:

Staff presented the Phase 1 Housing Amendments to the Advisory Planning Commission, the Local Government and Housing Committee, and the Regional Plan Implementation Committee (RPIC) in June. All three bodies were supportive of the amendments and recommended moving the amendments forward to final environmental review and recommendations for approval.

APC members requested that discussion of VMT, traffic, parking, effect on coverage retirement from sensitive lands and emergency evacuation be included in the final packet. Discussion of these items has been included in the IEC. Local Government and Housing Committee Members requested more information on how long a project can reserve bonus units and expressed concern that we ensure that sufficient Bonus Units go toward moderate/achievable units. This has been addressed in the discussion of Recommendation #4, above. RPIC members requested additional examination of the definition of “affordable” units in the code to specify that they are for local occupancy, and to clarify compliance procedures. Staff has added a change to the “affordable” definition in Chapter 90, and to the Bonus Unit Incentive Program compliance procedures in Section 52.3.4.D in response, which can be seen in Attachment B, under Recommendations #3 and #4. Another RPIC comment was related to working with the California Tahoe Conservancy on possible coverage incentives for ADUs.

Public comments encouraged staff to consider allowing tiny homes on wheeled chassis more widely as part of this or future recommendations, and to consider whether ADUs, particularly on the Nevada side, could lead to additional short-term rental impacts. Public comments received for these meetings are included in the attachments.

Environmental Review and Regional Plan Compliance:

The environmental documentation for the recommended changes described above consists of the Initial Environmental Checklist (IEC) (Attachment E), environmental findings and finding of no significant effect (Attachment A), thresholds evaluation (Attachment E), and compliance measures evaluation (Attachment F). The IEC tiered from the 2020 Regional Plan Environmental Impact Statement, the 2020 Linking Tahoe Regional Transportation Plan and Sustainable Communities IEC, and other recent planning efforts.

The IEC found that the amendments will not have a significant effect on the environment and a finding of no significant effect was prepared.

The environmental evaluation found that the recommendations could improve compliance with BMP requirements and improve mass transportation and scenic quality. The recommendations include incentives for new residential development and tourist redevelopment which would require implementation of BMPs as a condition of permitting, and compliance with design standards and scenic quality ratings. The evaluation also found that the recommendations could lead to improved mass transportation as they encourage development in close proximity to transit, leading to higher ridership which could in turn support higher transit frequencies.

Findings:

Based on the analysis contained in the attached IEC, the monitoring and tracking standards discussed within the IEC and included in the Regional Plan, and the environmental findings document, TRPA determined that the proposed recommendations would not have significant effects or adverse impacts on the environment. Therefore, TRPA staff prepared a Finding of No Significant Effect for the Phase 1 Housing Amendments (Attachment A).

Furthermore, based on the analysis within the thresholds and compliance measures evaluations, the Regional Plan as amended through the proposed policy and code amendments will continue to achieve and maintain thresholds. The intent of the recommended changes is to accelerate attainment of affordable and workforce housing goals for the region, support Regional Plan goals of walkable town centers and neighborhoods, maintain overall development and growth caps for the Tahoe region, and help to accelerate achievement of the environmental thresholds. Project-level review of environmental and threshold impacts shall remain in place as part of the recommended changes.

APC Recommendation

On July 14, staff presented the amendment package to the APC. Public comment at the hearing, including letters sent in advance, touched on the following areas:

- Allow for ADUs in already constructed space to not require a development right;
- Encourage affordability by design, not by government subsidy;
- Encouraged monitoring to understand how ADUs are being used before approving additional incentives; cautioned changing coverage and development rights; encouraged reducing parking requirements before loosening coverage requirements.
- Concern that future amendments to Washoe County Area Plan that might allow for ADUs on parcels of less than one acre might not include restrictions on short-term rentals.

The APC recommended approval of the amendments and a finding of no significant effect. Based on public comment and discussion, the APC approved a fifth motion to recommend that the Tahoe Living Housing and Community Revitalization Working Group work plan prioritize and evaluate the process of requiring a development right for an ADU.

Public comments from the APC meeting are included in Attachment H.

Timeline:

The Regional Plan Implementation Committee will review the amendments and the findings and be asked to make a motion to recommend approval to the Governing Board on July 29. Staff will report the result of the RPIC's deliberation at the Governing Board hearing later in the day.

Contact Information:

For questions regarding this agenda item, please contact Karen Fink, at (775) 589-5258 or kfink@trpa.gov.

Attachments:

- A. Findings and Finding of No Significant Effect
- B. Changes to the Code of Ordinances, Rules of Procedure and Area Plans Shown in Track Changes
- C. Adopting Ordinance for Changes to the Code of Ordinances
- D. Adopting Resolution for Changes to the Rules of Procedure
- E. Initial Environmental Checklist and Threshold Indicators
- F. Compliance Measures
- G. Area Plan Compliance Checklist
- H. Public Comments Received for APC July 14, 2021 Hearing

Attachment A
Findings and Finding of No Significant Effect

**REQUIRED FINDINGS & FINDING OF NO SIGNIFICANT EFFECT
FOR PHASE 1 HOUSING AMENDMENTS TO THE
TRPA CODE OF ORDINANCES AND
TRPA RULES OF PROCEDURE**

This document contains required findings per Chapter 3 and 4 of the TRPA Code of Ordinances for amendments to the TRPA Code of Ordinances Chapters 21, 31, 39, 50, 51, 52 and 90, the Meyers, Tahoe Valley, and Tourist Core Area Plans, and Rules of Procedure Section 12 as part of the Phase 1 Housing Amendments.

Chapter 3 Findings: The following finding must be made based on the information submitted in the Initial Environmental Checklist:

1. Finding 3.3.2: The proposed amendments 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.

Rationale: TRPA staff prepared an Initial Environmental Checklist (IEC) pursuant to Article VI of TRPA Rules of Procedure and Chapter 3: *Environmental Documentation* of the TRPA Code of Ordinances to evaluate potential environmental effects of the proposed Code, Rules of Procedure and Area Plan amendments for the Phase 1 Housing Amendments. In accordance with Sections 6.12 of the TRPA Rules of Procedure, the IEC tiered from the following documents:

- TRPA 2012 Regional Plan Update (RPU) Environmental Impact Statement (EIS);
- 2020 Linking Tahoe: Regional Transportation Plan & Sustainable Communities Strategy Initial Environmental Checklist and Mitigated Finding of No Significant Effect;
- 2018 Development Rights Strategic Initiative Initial Environmental Checklist and Finding of No Significant Effect; and the
- 2021 Air Quality Threshold Standard (AQ14) Update and Implementation Program (VMT Threshold Update) Initial Environmental Checklist and Finding of No Significant Effect.
2035: Regional Transportation Plan/Sustainable Communities Strategy (RTP)

The first two documents are program-level environmental documents that include a regional cumulative scale analysis and a framework of mitigation measures that provide a foundation for subsequent environmental review. 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 Phase 1 Housing Amendments are 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.

The amendments proposed fall into these major categories:

- Modification to the Bonus Unit Boundary as described in Chapter 52 of the Code of Ordinances;
- Non-conforming tourist and residential densities;
- Accessory Dwelling Units;
- Clean-up items from the Development Rights Strategic Initiative (2018) changes.

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. Based on the information contained within the IEC, the proposed amendments would not have a significant effect on the environment and TRPA staff prepared a finding of no significant effect in accordance with TRPA's Rules of Procedure Section 6.6 and Code of Ordinance Section 3.3.2.

These amendments, as described in the staff report packet, will become part of the Regional Plan. Proposed changes are programmatic and not specific to any site location nor any development project. Future projects will still be subject to environmental review and analysis in accordance with the TRPA Regional Plan.

Chapter 4 Findings: Threshold-Related Findings

1. Finding 4.4.1.A: The proposed amendments are 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: The proposed amendments help implement Regional Plan Goals and Policies that encourage redevelopment of town centers, directing development to centers, promoting walking, bicycling, and transit use, and promoting housing opportunities for full-time and seasonal residents, and workers. The amendments were intended to directly implement the following Goals and Policies:

- LU-1.2 Redeveloping town centers is a high priority.
- LU-3.3 Development is preferred in and directed toward centers.
- LU-4.1 Centers are where sustainable redevelopment is encouraged.
- Goal HS-1 Promote housing opportunities for full-time and seasonal residents and well as workers employed within the region.
- Goal HS-2 To the extent feasible, without compromising the growth management provisions of the Regional Plan, the attainment of threshold goals, and affordable housing incentive programs, moderate income housing will be encouraged in suitable locations for the residents of the region.
- T-1.1 Support mixed-use, transit oriented development, and community revitalization projects that encourage walking, bicycling, and easy access to existing and planned transit stops.

There are additional Goals and Policies that the amendments also support, including Goals and Policies in Area Plans.

The amendments are consistent with the Tahoe Regional Plan and TRPA Code of Ordinances, as shown in the Conformance Review Checklist, attached to the staff report, and as demonstrated by the IEC.

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 4.4.1.B: 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 amendments are 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 and interim target dates as identified in the **2019 Threshold Evaluation** indicator summaries. TRPA anticipates that implementation of the amendments will accelerate threshold gains as demonstrated below.

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 local jurisdictions 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.

Based on the evaluation in the IEC, evaluation of compliance measures, supplemental compliance measures, and threshold indicator sheets, TRPA finds that the amendments will not cause the thresholds to be exceeded.

3. Finding 4.4.1.C: Wherever federal, state or local air and water quality standards are 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) RPU EIS; (2) RTP **IEC**; and (3) 2019 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 Regional Plan 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). Federal, State, and local air and water quality standards remain applicable for all parcels in the region, thus ensuring environmental standards will be achieved or maintained pursuant to the Bi-State Compact.

4. Finding 4.6: To approve any amendment or adoption of the Code, Rules, or other TRPA plans and programs that implement the Regional Plan, TRPA shall find that the Regional Plan and all of its elements, as implemented through the Code, Rules, and other TRPA plans and programs, as amended, achieves and maintains the thresholds.

Rationale: As demonstrated in the IEC and threshold indicators report, as well as the compliance measures consistency evaluation, the Regional Plan and all of its elements, as amended, will achieve and maintain the thresholds. The amendments are anticipated to help accelerate threshold gain in the Transportation and Sustainable Communities threshold and Scenic Threshold by supporting environmental development and redevelopment opportunities in walkable town centers and neighborhoods, and in areas visible from scenic resource areas.

Recommendation #1, *Bonus Unit Boundary*, expands the area where bonus units can be used to include missing areas that have been identified in the Regional Plan and Regional Transportation Plan as key areas for transit-supportive densities, and which are consistent with low-trip length traffic analysis zones (TAZs). This will increase the amount and type of housing which can be built in walkable areas, contributing to attainment of the Transportation and Sustainable Communities threshold.

Recommendation #2, *Non-Conforming Tourist Density*, is anticipated to help accelerate achievement of the Transportation and Sustainable Communities threshold by allowing increased residential densities in areas close to transit, town centers, and walkable neighborhoods. This amendment is anticipated to support the scenic threshold by encouraging redevelopment along scenic corridors. This amendment is anticipated to support the water quality threshold by spurring redevelopment of older, over-covered properties, at which time the properties will be required to comply with BMPs and mitigate coverage.

Recommendation #3, *Accessory Dwelling Units*, will dramatically increase the number of parcels where this housing type can be built. By allowing ADUs on smaller parcels, which are more likely to be located close to transit and town centers and allowing them on the large number of residential parcels that are within the Bonus Unit Boundary and thus will have access to workforce housing incentives, this change is anticipated to help achieve the Transportation and Sustainable Communities threshold. Studies referenced in the IEC have shown that over 70 percent of households living in ADUs have one or zero cars, thus increasing the ability to construct this small housing type can add units that encourage low-impact transportation. Recommendation #3 could have a beneficial effect on water quality by driving more permits for ADUs. At the time of permitting, properties that are out of compliance with BMPs will need to come into compliance. ADUs must also comply with design standards which will help attain scenic standards where visible from scenic resource areas, as well as contributing to overall scenic quality of neighborhoods.

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 promote threshold achievement and maintenance by, *inter alia*, (1) incentivizing environmentally beneficial redevelopment, (2) requiring the installation of Best Management Practices improvements for all projects, and (3) requiring conformance with Design Standards that will result in improvements to scenic quality, water quality, and air-quality. In addition, as found in Chapter 4 Findings 1 through 3, 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 Tahoe Valley Area Plan, Tourist Core Area Plan, and Meyers Area Plan:

1. Finding 13.6.6: The proposed Area Plan Amendments are consistent with and further 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. Area plans shall be prepared in coordination with local residents, other stakeholders and TRPA staff, and shall be consistent with the Regional Goal and Policy plan and applicable ordinances. After being found in conformance with the Regional Plan, Area Plans shall be come a component of the Regional Plan.

The proposed area plan 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 (attached to the staff summary), and as described in Chapter 4 findings above. The amendments allow the City of South Lake Tahoe and El Dorado County to implement the Phase 1 Housing Amendments within the geographic areas of the area plans.



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FINDING OF NO SIGNIFICANT EFFECT

Project Description: Phase 1 Housing Amendments to the TRPA Code of Ordinances, Rules of Procedure, Tahoe Valley Area Plan, Tourist Core Area Plan, and Meyers 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.

TRPA Executive Director/Designee

Date

Attachment B
Changes to the Code of Ordinances, Rules of Procedure and Area Plans Shown in Track Changes

Phase 1 Housing Code Amendment Package – Code of Ordinances, Rules of Procedure, and Area Plan tracked changes

Recommendation #1 - Expand the bonus unit eligibility boundary to include ½ mile from existing transit, ½ mile from a Town Center, and within areas that are zoned multi-family

CODE OF ORDINANCES

52.3. RESIDENTIAL INCENTIVE PROGRAM

52.3.4. Affordable, Moderate, and Achievable-Income Housing

All projects receiving a residential bonus unit for affordable, moderate, or achievable housing development as defined in Chapter 90: Definitions shall comply with criteria in Section 52.3.4A-F. TRPA shall report to the TRPA Governing Board biennially on the implementation of the residential bonus unit program for affordable, moderate, and achievable housing development. This report shall include, but is not limited to, the number of housing developments and units awarded and constructed bonus units, number of bonus units awarded to and constructed in each income category, number of bonus units awarded to and constructed in single and multi-family housing developments, location of housing developments, and compliance with the program.

- A.** Residential bonus units may be awarded to single or multi-family housing developments.
- B.** The owner of the parcel, through a deed restriction running with the land, shall restrict the unit for which the bonus unit was awarded from being used as a second home or a vacation rental.
- C.** A bonus unit may be used for an accessory dwelling unit ~~secondary residence~~ as defined by Section 21.3.2, notwithstanding 52.3.4.A above, provided it is consistent with all provisions of the applicable area plan or this Code of Ordinances.
- D.** The owner of the parcel, through a deed restriction running with the land, shall limit the unit for which the bonus unit was awarded to the approved use and restrict the occupants' household income to affordable, moderate, or achievable housing limits set forth in Chapter 90: Definitions, depending on the applicable income level for which the bonus unit was awarded. The restriction shall also include the requirement to disclose the restrictions associated with the unit at the time of sale of the unit, the requirement to submit an annual compliance report to TRPA, and the potential to be fined up to 1/10 of the current cost of a ~~bonus unit~~ residential unit of use annually for failure to submit the compliance report or comply with these requirements.

E. An owner-occupant of a unit who has provided all required annual compliance reports and who has had an increase in income so that they are no longer eligible for the bonus unit may apply to TRPA and receive an exemption to the income requirement until the unit is sold. The owner must continue to be the occupant, provide annual compliance reports to remain eligible for the exemption and not be subject to the annual fine, rent the unit only to an income qualified renter if no longer the occupant, or sell the unit only to an income qualified buyer.

F. The ~~housing~~ project awarded a residential bonus unit shall be within ½ mile of a designated Town Center; within ½ mile of an existing transit stops or a transit stop that will be existing concurrent with the completion of the project; or located in an area where multi-family is an allowed or special use.

Recommendation #2 - Allow motels to keep their original TAU density when converting to residential

CODE OF ORDINANCES

31.4 INCREASES TO MAXIMUM DENSITY

31.4.1. Affordable Housing

A. Affordable Housing

Affordable housing projects meeting TRPA requirements may be permitted to increase the maximum density established in Section 31.3 by up to 25 percent, provided TRPA finds that:

1. The project, at the increased density, satisfies a demonstrated need for additional affordable housing; and
2. The additional density is consistent with the surrounding area.

B. Affordable Housing within Kings Beach Commercial Community Plan

Affordable housing projects meeting TRPA requirements and located in designated special areas for affordable housing within the Kings Beach Commercial Community Plan may be permitted to increase the maximum density established in Section 31.3 by 100 percent, provided TRPA finds that:

1. The project, at the increased density, satisfies a demonstrated need for additional affordable housing;
2. The additional density is consistent with the surrounding area; and
3. The project meets the Kings Beach Commercial Community Plan improvement requirements and special policies of the Special Area.

31.4.2. Timeshare Uses (Residential Design)

A timeshare use (residential design) in an adopted community plan area may increase the permitted density by a factor of two, or a timeshare use (residential design) in an adopted TRPA Redevelopment Plan Area may increase the permitted density by a factor of 2.5, provided TRPA makes the following findings:

- A. The special use findings in subsection 21.2.2 are satisfied;
- B. The project provides transit service for its patrons directly or by contract with a transit provider;
- C. The project provides pedestrian and access amenities within the project area or within adjacent rights-of-way, consistent with the community or redevelopment plan; and
- D. If the project area contains excess land coverage, the land coverage will be reduced to no more than 75 percent of the project area.

31.4.3. Density in Special Height Districts

The maximum densities established in Section 31.3 may be exceeded for projects located in designated Special Height Districts as defined in subsection 37.5.4. The amount of deviation from the density standards shall be established by a density analysis report approved by TRPA; however, the deviation shall not exceed the maximum densities established in Section 31.3 by a factor of three. To approve any project relying on the increase in density specified in the density analysis report, TRPA shall make the findings pursuant to subparagraphs 31.4.2.A through D.

31.4.4. Density in Area Plan Overlays

The maximum densities established in Section 31.3 may be exceeded for project located in the Town Center, Regional Center, and High-Density Tourist District Overlays in approved Area Plans pursuant to Section 13.5.3.

31.4.5 Tourist Accommodation to Residential Conversion

Existing tourist accommodation developments that change the use of or redevelop the existing structures to multi-residential pursuant to Section 21.2, *Permissible Uses*, and convert the units pursuant to Section 51.4, *Conversion of Development Rights* may maintain existing densities. If the density exceeds the maximum allowed density for multi-residential, the multi-residential use will be considered a legally existing non-conforming use for density purposes. Such conversions shall be subject to the following standards:

- A. The tourist accommodation units shall have been legally established prior to July 1, 1987.
- B. Additional units that result from the conversion shall be banked onsite provided all applicable requirements of Section 51.3, *Banking of Development Rights* are met.

31.4.6 Legal, Non-Conforming Tourist and Residential Density

Tourist accommodation or residential developments may maintain existing densities as part of onsite redevelopment. If the resulting density exceeds the maximum allowed density, the use will be considered a legally existing non-conforming use for density purposes. Tourist accommodation and residential uses with legal non-conforming density shall be subject to the following standards:

- A. The units shall have been legally established prior to July 1, 1987.
- B. Residential units shall be maintained as a residential use.
- C. Tourist accommodation uses may be converted to a residential use, in accordance with Subsection 31.4.5.
- D. Units that are banked onsite and which resulted from development that was legally established on that parcel prior to July 1, 1987 may be counted toward the existing density.
- E. If a transfer of development from the site occurs to make the project area more conforming, it cannot be transferred back to result in non-conforming density.

31.4.7 Calculation of Density with Accessory Dwelling Units

See Recommendation #3, below, for new language related to Accessory Dwelling Units

Recommendation #3 - Remove 1-acre limit on ADUs basin-wide, allow more than one ADU, remove noticing requirement for ADUs

CODE OF ORDINANCES

21.3. ACCESSORY USES

Accessory uses shall be regulated pursuant to the regulations applicable for the primary use upon which the accessory use is dependent. No project or activity pursuant to an accessory use may be permitted without a related existing or approved primary use on the same parcel.

21.3.1. Examples of Accessory Use

Accessory uses are defined in Section 90.2. Examples of accessory uses and related major categories of primary uses are as follows:

A. Residential

Accessory uses such as garages, green houses, homeowner association offices, art studios, workshops, swimming pools, storage structures, exempt home occupations, tennis courts, dog runs, emergency facilities, home occupations, ~~secondary residence~~ accessory dwelling unit, and other uses listed in the definition of a “primary use” as accessory.

B. Tourist Accommodation

Accessory uses such as garages, parking lots, swimming pools, tennis courts, bars and restaurants, equipment rental, maintenance facilities, laundries, gymnasiums, coin operated amusements, meeting rooms, managers quarters, child care facilities, emergency facilities, employee facilities other than housing, ~~secondary residence~~ accessory dwelling unit, restricted gaming (Nevada only), and other uses listed in the definition of a “primary use” as accessory.

C. Commercial

Accessory uses such as garages, parking lots, emergency facilities, maintenance facilities, employee facilities other than housing, ~~secondary residence~~ accessory dwelling unit, restricted gaming (Nevada only), storage buildings, and other uses listed in the definition of a “primary use” as accessory.

D. Public Service

Accessory uses such as garages, ~~secondary residence~~ accessory dwelling unit, and emergency facilities.

E. Recreation

Accessory uses such as garages, emergency facilities, child care, related commercial sales and services such as ski shops, pro shops, marine sales and repairs, parking lots, maintenance facilities, swimming pools, tennis courts, employee facilities other than housing, ~~secondary residence~~accessory dwelling unit, outdoor recreation concessions, bars and restaurants, and other uses listed in the definition of a “primary use” as accessory.

21.3.2. ~~Secondary Residence~~Accessory Dwelling Units (formerly Secondary Residences)

Accessory dwelling units (ADUs) shall be considered an accessory use to the primary use it serves and may be permitted where the primary use is a permissible use. An accessory dwelling unit shall be considered a residential unit subject to the residential allocation limitations and transfer provisions. An accessory dwelling unit shall be eligible for a residential bonus unit provided it meets the requirements of Section 52.3.4. Accessory dwelling units shall not be considered in the calculation of density.

A. Up to two accessory dwelling units shall be considered accessory uses where the primary use is a single-family or multi-family use and is a permissible use. These units may include a guest house or an affordable, moderate, achievable or market-rate rental unit. They may be attached, within, or detached from the main dwelling.

B. One ~~secondary residence~~accessory dwelling unit shall be considered an accessory use ~~to the primary use it serves and may be permitted where the primary use is a commercial use, public service or recreational use~~permissible use. ~~Secondary~~These units may include ~~a guest house; an affordable or market-rate rental unit; a caretaker residence for a residential use, commercial use, public service or recreational use; and a manager's quarters for a tourist accommodation~~use or multi residential use other than multi-family or multi-residential use. ~~A secondary residence shall be considered a residential unit subject to the residential allocation limitations and transfer provisions. If the primary use is residential, a secondary unit may be permitted only if either subparagraph 21.3.2.A.1 or 21.3.2.A.2 below is met.~~

~~A. Residential Secondary Unit Parcel Size~~

~~A secondary residence may be permitted as accessory to a single-family house if:~~

- ~~1. The parcel on which the residence is located is greater in size than one acre; or~~
- ~~2. The parcel on which the secondary residence would be located is within a jurisdiction certified by TRPA to possess an adequate local government housing program and the secondary unit is restricted to affordable, moderate, or achievable housing.~~

~~B. TRPA Certified Local Government Housing Program~~

~~TRPA may certify by resolution a local government housing program upon a finding that it adequately addresses, at a minimum, subparagraphs 1 through 3 below:~~

- ~~1. A local government-adopted housing **element** that addresses the housing needs and issues of the jurisdiction pursuant to state standards;~~
- ~~2. Special ordinance standards for **development** of secondary residences, including but not limited to:
 - ~~— a. Minimum parcel size;~~
 - ~~— b. Maximum unit floor area for the secondary unit;~~
 - ~~— c. Parking standards; and~~
 - ~~— d. Building setback standards; and~~~~

~~3. An adequately funded and staffed compliance **and** monitoring program. This program shall through deed restriction limit the project area to the approved use and restrict both rental rates and occupants' household income to affordable, moderate, or achievable housing limits. Secondary units approved under this program shall be made available for long term occupancy and shall be occupied for at least ten months in each calendar year. Failure to comply for more than six months with use, rental rates/household income levels, or occupancy requirements shall require removal of the unit or modification of the use to bring the project area into compliance with otherwise applicable development standards.~~

~~The local government shall document and enforce the special **standards** through an MOU with TRPA. The MOU shall include objective compliance standards to ensure adequate funding, staff resources, permitting, compliance, and monitoring consistent with the local government housing program.~~

21.3.6. Living Area Associated with Residential Accessory Structures

Living area associated with a permissible residential accessory structure that does not constitute a residential unit, as defined in Chapter 90: Definitions, may be permitted ~~for parcels ineligible for a secondary residence under Subsection 21.3.2 or an Area Plan adopted under Chapter 13~~ provided that such living area does not ~~constitute a secondary residence. Residential accessory structures, other than an authorized secondary residence, shall not~~ contain any of the following:

- A.** Any item listed under “cooking facilities” as defined in Chapter 90: Definitions, or areas for the insertion of these items;
- B.** Both a bathing facility and a wet bar (either a bathing facility or a wet bar may be permitted);
- C.** More than one toilet or more than one bathing facility; or
- D.** Living area greater than 50 percent of the living area of the primary residence, or greater than 640 square feet, whichever area is less.

TABLE 21.4-A LIST OF PRIMARY USES AND USE DEFINITIONS

Multiple-family dwelling	More than one residential unit located on a parcel. Multiple-family dwellings may be contained in separate buildings such as two or more detached houses on a single parcel, or in a larger building on a parcel such as a duplex, a triplex, or an apartment building. Vacation rentals are included, up to but not exceeding a four-plex, provided they meet the Local Government Neighborhood Compatibility Requirements as defined in this Code. One detached secondary residence is <u>Up to two accessory dwelling units are</u> included; see <u>“Accessory Dwelling Unit/Secondary Residence.”</u>
Single-family dwelling	One residential unit located on a parcel. A single-family dwelling unit may be contained in a detached building such as a single-family house, or in a subdivided building containing two or more parcels such as a town house condominium. Vacation rentals are included provided they meet the Local Government Neighborhood Compatibility Requirements as defined in this Code. A caretaker residence is included (see “Secondary Residence” <u>Up to two Accessory Dwelling Units are included; see “Accessory Dwelling Unit).”</u>

31.3.2. Table of Maximum Densities

Except where a TRPA plan area statement or adopted plan sets a more restrictive standard, no person shall create a density that exceeds the limits set forth in Table 31.3.2-1, except as provided in Section 31.4, Increases to Maximum Density.

Use	Maximum Density
Residential Uses	
Single-family dwelling (parcels less than one acre)	1 unit per parcel, <u>excluding ADUs.</u>
Single family dwelling (parcels greater than or equal to one acre)	2 units per parcel, provided one unit is an authorized secondary residence

31.4 INCREASES TO MAXIMUM DENSITY

31.4.1. Affordable Housing

A. Affordable Housing

Affordable housing projects meeting TRPA requirements may be permitted to increase the maximum density established in Section 31.3 by up to 25 percent, provided TRPA finds that:

1. The project, at the increased density, satisfies a demonstrated need for additional affordable housing; and
2. The additional density is consistent with the surrounding area.

B. Affordable Housing within Kings Beach Commercial Community Plan

Affordable housing projects meeting TRPA requirements and located in designated special areas for affordable housing within the Kings Beach Commercial Community Plan may be permitted to increase the maximum density established in Section 31.3 by 100 percent, provided TRPA finds that:

1. The project, at the increased density, satisfies a demonstrated need for additional affordable housing;
2. The additional density is consistent with the surrounding area; and
3. The project meets the Kings Beach Commercial Community Plan improvement requirements and special policies of the Special Area.

31.4.2. Timeshare Uses (Residential Design)

A timeshare use (residential design) in an adopted community plan area may increase the permitted density by a factor of two, or a timeshare use (residential design) in an adopted TRPA Redevelopment Plan Area may increase the permitted density by a factor of 2.5, provided TRPA makes the following findings:

- A. The special use findings in subsection 21.2.2 are satisfied;
- B. The project provides transit service for its patrons directly or by contract with a transit provider;
- C. The project provides pedestrian and access amenities within the project area or within adjacent rights-of-way, consistent with the community or redevelopment plan; and
- D. If the project area contains excess land coverage, the land coverage will be reduced to no more than 75 percent of the project area.

31.4.3. Density in Special Height Districts

The maximum densities established in Section 31.3 may be exceeded for projects located in designated Special Height Districts as defined in subsection 37.5.4. The amount of deviation from the density standards shall be established by a density analysis report approved by TRPA; however, the deviation shall not exceed the maximum densities established in Section 31.3 by a factor of three. To approve any project relying on the increase in density specified in the density analysis report, TRPA shall make the findings pursuant to subparagraphs 31.4.2.A through D.

31.4.4. Density in Area Plan Overlays

The maximum densities established in Section 31.3 may be exceeded for project located in the Town Center, Regional Center, and High-Density Tourist District Overlays in approved Area Plans pursuant to Section 13.5.3.

31.4.5 Tourist Accommodation to Residential Conversion

See Recommendation #2, above, for proposed language related to Tourist Accommodation to Residential Conversion.

31.4.6 Legal, Non-Conforming Tourist and Residential Density

See Recommendation #2, above, for proposed language related to legal, non-conforming tourist and residential density.

31.4.7 Calculation of Density with Accessory Dwelling Units.

Accessory dwelling units shall not be considered in the calculation of density.

39.2 SUBDIVISION STANDARDS

39.2.5. Subdivision of Post-1987 Projects

L. Secondary Residences and Accessory Dwelling Units

Secondary residences or accessory dwelling units approved on or after July 1, 1987, shall not be subdivided.

50.5. ALLOCATION OF ADDITIONAL RESIDENTIAL UNITS

TRPA shall allocate the development of additional residential units as follows:

50.5.1. Requirement of Residential Allocation

No person shall construct a residential project or commence a residential use that creates one or more additional residential units without first receiving an allocation approved by TRPA and awarded by the appropriate jurisdiction. This requirement does not apply to affordable, moderate, or achievable housing units approved after January 1, 1986, but shall apply to conversions of such affordable, moderate, or achievable housing to market-priced status. In order to construct the project or commence the use for which the allocation or the exemption has been approved, the recipient of the allocation or exemption shall comply with all other applicable provisions of this Code.

A. Applicable Residential Uses

The following residential uses referred to in Chapter 21: Permissible Uses, contain residential units: secondary residences; accessory dwelling units (formerly secondary residences); employee housing; mobile home dwellings; multi-family dwellings; multi-person dwellings; nursing and personal care facilities; residential care facilities; single-family dwellings; and summer homes.

51.5. TRANSFER OF DEVELOPMENT RIGHTS

Development rights as defined by Chapter 90: *Definitions* may be transferred from one parcel to another provided the transfer complies with this section. The following development rights shall be eligible for transfer: commercial floor area, tourist accommodation units, residential units of use (including potential residential units of use and residential allocations), and bonus units.

51.5.1. Transfer of Potential Residential Unit of Use

A potential residential unit of use, as defined in Chapters 90: *Definitions*, and 31: *Density*, may be transferred to another parcel pursuant to the following provisions:

A. Vacant Parcel

The parcel from which the ~~development right~~ potential residential unit of use is to be transferred shall have a potential residential unit of use pursuant to Section 50.3.1.

B. Parcel Restriction

At the time of and as a condition of the transfer of a potential residential unit of use, the parcel from which the potential residential unit of use is transferred shall be restricted pursuant to Section 51.5.4.

C. Receiving Area

The parcel receiving the potential residential unit of use shall be in an area where residential uses are permissible and shall meet the following criteria:

1. Parcels Eligible to Receive One or More Potential Residential Units of Use

The following parcels are eligible to receive one or more potential residential units of use:

- a. Parcels located in a plan area, adopted community plan, or subdistrict within an adopted area plan designated as a receiving area for multi-residential units shall be eligible to receive one or more potential residential units of use; or
- b. Up to two potential residential units of use may be transferred to a parcel for the purpose of constructing accessory dwelling units, provided the building sites for the accessory dwelling units are in Land Capability Districts 4, 5, 6, or 7, or, if applicable, is above the initial IPES line of 726.

2. Parcels Eligible to Receive One Potential Residential Unit of Use

The following parcels are eligible to receive one potential residential unit of use:

- ~~a. One potential residential unit of use may be transferred to a parcel for the purpose of constructing a secondary residence, provided the building site for the secondary residence is in Land Capability Districts 4, 5, 6, or 7;~~
- ba. One potential residential unit of use may be transferred to a parcel that was not assigned a potential residential unit of use provided the parcel has a building site in Land Capability Districts 4, 5, 6, or 7, or, if applicable, is above the initial IPES line of 726.

3. Transfer of Potential Residential Units of Use to Centers; Bonus Unit Incentive

- a. Receiving parcels in Centers are eligible to receive potential residential units of use based on the land capability district of the sending parcel and the distance of the sending parcel from Centers, and from primary transit routes.
- b. Transfers of development that result in transfer ratios greater than 1:1 pursuant to this section shall be eligible to receive bonus units in the amount provided below and be allowed only if the applicant provides TRPA with binding assurance that the potential residential units of use of the sending parcels are permanently restricted as if they were sensitive lands pursuant to subsection 51.5.4.H.
- c. Notwithstanding limitations in Chapters 50 and 52, bonus units received pursuant to this section shall not require an allocation to construct a residential unit.

- d. TRPA may assign a residential allocation from TRPA’s residential allocation incentive pool to match the transferred potential residential unit of use when a transfer earns a bonus unit or portion thereof.
- e. Transfer ratios shall be determined by considering two factors and multiplying the two resulting ratios, pursuant to the table below.

52.3.4. Affordable, Moderate, and Achievable-Income Housing

All projects receiving a residential bonus unit for affordable, moderate, or achievable housing development as defined in Chapter 90: Definitions shall comply with criteria in Section 52.3.4A-F. TRPA shall report to the TRPA Governing Board biennially on the implementation of the residential bonus unit program for affordable, moderate, and achievable housing development. This report shall include, but is not limited to, the number of housing developments and units awarded and constructed bonus units, number of bonus units awarded to and constructed in each income category, number of bonus units awarded to and constructed in single and multi-family housing developments, location of housing developments, and compliance with the program.

- A. Residential bonus units may be awarded to single or multi-family housing developments.
- B. The owner of the parcel, through a deed restriction running with the land, shall restrict the unit for which the bonus unit was awarded from being used as a second home or a vacation rental.
- C. A bonus unit may be used for an ~~secondary residence~~ accessory dwelling unit as defined by Section 21.3.2, notwithstanding 52.3.4.A above, provided it is consistent with all provisions of the applicable area plan or this Code of Ordinances.
- D. The owner of the parcel, through a deed restriction running with the land, shall limit the unit for which the bonus unit was awarded to the approved use and restrict the occupants’ household income to affordable, moderate, or achievable housing limits set forth in Chapter 90: Definitions, depending on the applicable income level for which the bonus unit was awarded. The restriction shall also include the requirement to disclose the restrictions associated with the unit at the time of sale of the unit, the requirement to submit an annual compliance report to TRPA, and the potential to be fined up to 1/10 of the current cost of a ~~bonus unit~~ residential unit of use annually for failure to submit the compliance report or comply with these requirements.
- E. An owner-occupant of a unit who has provided all required annual compliance reports and who has had an increase in income so that they are no longer eligible for the bonus unit may apply to TRPA and receive an exemption to the income requirement until the unit is sold. The owner must continue to be the occupant, provide annual compliance reports to remain eligible for the exemption and not be subject to the annual fine, rent the unit only to an income qualified renter if no longer the occupant, or sell the unit only to an income qualified buyer.
- F. The ~~housing~~ project awarded a residential bonus unit shall be within ½ mile of existing transit stops or a transit stop that will be existing concurrent with the completion of the project.

90.2. OTHER TERMS, DEFINED

Accessory Dwelling Unit (ADU)

Formerly “Secondary Residence.” See subsection 21.3.2“Secondary Residence”.

Affordable Housing

See Recommendation #4 for changes to the “Affordable Housing” definition.

Secondary Residence

See “Accessory Dwelling Unit,” subsection 21.3.2.

MEYERS AREA PLAN

TABLE 2-1: PERMITTED, CONDITIONAL USES AND PROHIBITED USES

USE	MAP-1 (Center)	MAP-2 (Ind)	MAP-3 (Res/T)	MAP-4 (Rec)	MAP-5 (River)
Residential					
Employee Housing	CUP ⁽³⁾	—	CUP	CUP	—
Multiple Family -Dwelling	p ⁽⁶⁾	—	P	—	—
Multiple Person Dwelling (i.e., dormitories, etc.)	CUP	—	—	—	—
Nursing and Personal Care	CUP	—	—	—	—
Single Family Dwelling	p ⁽⁴⁾⁽⁶⁾	—	P	—	—
<u>Accessory Dwelling Unit</u>	<u>P</u>	<u>=</u>	<u>P</u>	<u>=</u>	<u>=</u>
<p>⁽¹⁾ Applies only to parcels on Santa Fe Road.</p> <p>⁽²⁾ Maintenance facilities not allowed within any new transit facilities.</p> <p>⁽³⁾ One employee-housing unit allowed without a CUP per commercial building with at least 1000 sq. ft. of CFA.</p> <p>⁽⁴⁾ Single family dwellings in Meyers Community Center limited to condominiums or townhouses with at least 3 attached units.</p> <p>⁽⁵⁾ Non-motorized public trails are a permitted use.</p> <p>⁽⁶⁾ These uses are not allowed within the portion of the ground floor of a structure that faces the primary entry point for projects adjacent to US 50. This restriction may be waived if the Meyers Advisory Council and the Planning Commission find that the use is otherwise consistent with the intent of the Meyers Area Plan.</p> <p>⁽⁷⁾ Hotels/motels are only allowed in the Town Center portion of MAP-3.</p>					

TABLE 2-2: DEVELOPMENT STANDARDS

		MAP – 1 (Center) ⁽⁶⁾	MAP-2 (Ind)	MAP-3 (Res/T)	MAP-4 (Rec)	MAP-5 (River)
Maximum Height and Density for All Uses	Maximum Height (Ft.) ⁽⁸⁾	42	TRPA Code Chapter 37	42, TRPA Code Sec. 37.4 ⁽⁹⁾	TRPA Code Sec. 37.4	TRPA Code Sec. 37.4
	Density, Single Family Residential	NA	NA	1 unit/ parcel (parcels less than 1 acre); 2 units if greater than one acre	NA	NA
	<u>Accessory Dwelling Unit</u>	<u>NA</u>	<u>NA</u>	<u>(See Section 130.40.300 of the El Dorado County Code and Chapter 21 of the TRPA Code of Ordinances)</u>	<u>NA</u>	<u>NA</u>
	Density, Multiple Family ⁽⁴⁾	20 units/ acre	NA	15 units/ acre	NA	NA
	Density, Multi-person/ Nursing & personal care	25 persons/ acre	NA	NA	NA	NA
	Density, Bed and Breakfast	10 units/ acre	NA	10 units/acre	NA	NA
	Density, all other Tourist accommodation	30 units/ acre	NA	30 units/ acre ⁽⁷⁾	NA	NA
	Density, Group facilities	25 persons/ acre	NA	25 persons/ acre	25 persons/ acre	NA
	Density, Campgrounds & Recreational Vehicle Parks	NA	NA	NA	8 sites/ acre for campgrounds, 10 sites/ acre for RV Parks	8 sites/ acre for camp grounds

70 DEVELOPMENT STANDARDS

The following provisions shall apply in all MAP Zones.

- A. Table 2-2 sets forth the applicable lot area, lot width, building height, development density, land coverage, and setback requirements for each MAP Zone. Design standards are further regulated under the Meyers Area Plan Design Standards and Guidelines, included as Attachment A of the Meyers Area Plan.
- B. Any new development, additions to existing development, change in use, or exterior modifications to existing development shall be reviewed for consistency with the Meyers Design Standards and Guidelines, and subject to a Design Review Permit in compliance with Section 130.52.030 (Design Review Permit) in Article 5 (Planning Permit Processing) of the El Dorado County Zoning Ordinance.

Upon receiving a complete application for any project requiring a Design review permit other than a single family detached residence or Accessory Dwelling Unit, and prior to issuance of a Design Review Permit, the TRPA, El Dorado County Planning Department or El Dorado Planning Commission shall request and consider a recommendation from the Meyers Advisory Council on the consistency of the proposed activity with the policies of the Meyers Area Plan and the Meyers Design Standards and Guidelines.

ATTACHMENT B – DEFINITION OF USES

Multiple-family dwelling

More than one residential unit located on a parcel. Multiple-family dwellings may be contained in separate buildings such as two or more detached houses on a single parcel, or in a larger building on a parcel such as a duplex, a triplex, or an apartment building. Vacation rentals are included, up to but not exceeding a four-plex, provided they meet the Local Government Neighborhood Compatibility Requirements as defined in this Code. ~~One detached secondary residence is~~ Up to two accessory dwelling units are included; see “Accessory Dwelling Unit/Secondary Residence.” in the TRPA Code of Ordinances.

Single-family dwelling

One residential unit located on a parcel. A single-family dwelling unit may be contained in a detached building such as a single-family house, or in a subdivided building containing two or more parcels such as a town house condominium. Vacation rentals are included provided they meet the Local Government Neighborhood Compatibility Requirements as defined in this Code. ~~A caretaker residence is included (see “Secondary Residence”~~ Up to two Accessory Dwelling Units are included; see “Accessory Dwelling Unit” in the TRPA Code of Ordinances.

TAHOE VALLEY AREA PLAN

7.1 Goals and Policies

Policy H-1.2 – Housing Incentives

Provide the following incentives to encourage the development of a range of housing options in the Tahoe Valley plan area:

- 70 percent land coverage in the TRPA designated Town Center;
- A maximum of 25 dwelling units an acre in the Town Center;
- Height up to 45 feet in the Town Center Core District and 42 feet elsewhere;
- Access to the City’s banked coverage pool to offset excessive coverage mitigation fee and for transfer of coverage (see Policy NCR-7.2); and
- ~~Secondary units allowed on parcels less than an acre in the Town Center Neighborhood Professional District.~~

13.1 Incentive Programs

Residential Bonus Units

A total of 488 residential bonus units remaining from the 1987 Regional Plan and a total of 600 new residential bonus units for use in Centers only were made available under the 2012 Regional Plan and are available for use region wide. Residential bonus units may be earned and used by projects in accordance with Section 52.3: Multi-Residential Incentive Program of the TRPA Code. Residential bonus units used for affordable housing under this section do not require residential allocations. Residential bonus units used for moderate income housing require a residential allocation. The City of South Lake Tahoe has a Certified Moderate Income Housing Program pursuant to Section 50.5.2.B and 52.3.6 of the TRPA Code, thus moderate income housing units are eligible to earn allocations from TRPA’s unused allocation pool subject to TRPA’s allocation procedures.

~~Pursuant to TRPA Code Section 21.3.2.B, r~~Residential bonus units can also be earned under the City’s Local Government Housing Program certified by TRPA. The program allows for the conversion of illegal ~~secondary residential~~ units into deed restricted affordable housing units.

In addition, residential bonus units may also be earned and used for projects in accordance with TRPA Code Section 51.3.3.C: Transfer of Development Rights to Centers or TRPA Code Section 51.5.3: Transfer of Existing Development to Centers. See Transfer of Development Rights to the Tahoe Valley and Transfer of Existing Development to the Tahoe Valley Area Plan program descriptions below.

Secondary Accessory Dwelling Units

Secondary units are permitted on parcels located in the Town Center Professional Neighborhood District that are less than one acre in size where single family residential units are permitted. In addition to the requirements of the TRPA Regional Plan, All secondary accessory dwelling units must meet City development standards for minimum lot size, setbacks, and parking. Units that are accessory to non-residential uses or are on parcels of one acre or greater (formerly known as secondary units) are subject to TRPA development standards.

APPENDIX C Development and Design Standards

Table 2 LIST OF PRIMARY USES AND USE DEFINITIONS	
USE	DEFINITIONS
Multiple-family dwelling	More than one residential unit located on a parcel. Multiple-family dwellings may be contained in separate buildings such as two or more detached houses on a single parcel, or in a larger building on a parcel such as a duplex, a triplex, or an apartment building. Vacation rentals are included, up to but not exceeding a four-plex, provided they meet the Local Government Neighborhood Compatibility Requirements as defined in this Code. One detached secondary residence is <u>Up to two accessory dwelling units are</u> included; see <u>“Accessory Dwelling Unit”</u> “Secondary Residence.” <u>in the TRPA Code of Ordinances.</u>
Single-family dwelling	One residential unit located on a parcel. A single-family dwelling unit may be contained in a detached building such as a single-family house, or in a subdivided building containing two or more parcels such as a town house condominium. Vacation rentals are included provided they meet the Local Government Neighborhood Compatibility Requirements as defined in this Code. A caretaker residence is included (see “Secondary Residence” <u>Up to two Accessory Dwelling Units are included; see “Accessory Dwelling Unit).”</u> <u>in the TRPA Code of Ordinances.</u>

Development Standards

LOT AND DENSITY

TABLE 4 DEVELOPMENT STANDARDS								
DISTRICT	TC-C	TC-MUC	TC-G	TC-NP	TC-HC	CMX-S	OS	

Maximum Density

Single Family Dwelling <i>(parcels less than one acre)</i>	1 unit per parcel	1 unit per parcel 2 units per parcel, provided one unit is an authorized secondary residence (A)	1 unit per parcel	1 unit as part of a mixed use	-
Single Family Dwelling <i>(parcels greater than or equal to one acre)</i>	2 units per parcel, provided one unit is an authorized secondary residence				-

- ~~**A. Secondary Units.** Lots less than an acre in size in the Town Center Neighborhood Professional District may have an authorized secondary unit pursuant to the following:~~
- ~~1. The unit is not intended for sale and may be rented for residential uses only.~~
 - ~~2. The lot contains an existing single family dwelling.~~
 - ~~3. The second unit is either attached to the existing dwelling and located within the living area of the existing dwelling or detached from the existing dwelling and located on the same lot as the existing dwelling.~~
 - ~~4. The total area of floor space for a secondary unit shall not exceed 640 square feet.~~
 - ~~5. One covered or uncovered parking is required for the secondary unit.~~
 - ~~6. Height, building setbacks, minimum lot size, architectural review and other zoning requirements generally applicable to residential construction in the zone in which the property is located shall apply.~~
 - ~~7. Secondary units shall have the colors, materials and textures and architecture similar to the main dwelling unit.~~
 - ~~8. A secondary unit shall be considered a residential unit subject to TRPA's residential allocation limitations and transfer provisions.~~
 - ~~9. A secondary unit shall be subject to the land coverage and Best Management Provisions of the TRPA Code.~~

TOURIST CORE AREA PLAN

10.3 INCENTIVE PROGRAMS

- Residential Bonus Units

A total of ninety (90) residential bonus units are assigned to the Tourist Core Area Plan that may be used for affordable housing units or as a match for transferring development rights to centers. The remaining 488 in TRPA's pool that may be used region wide and 600 new residential units are available for use only in Town Centers, the Regional Center or the High Density Tourist District. Residential bonus units may be earned and used by Projects in accordance with TRPA Code Section 52.3: Multi-Residential Incentive Program of the TRPA Code. Residential bonus units used for affordable housing under this section does not require residential allocations. Residential bonus units used for moderate income housing required an allocation. The City of South Lake Tahoe has a Certified Moderate Income Housing Program pursuant to Section 50.5.2.B and 52.3.6 of the TRPA Code, thus moderate income housing units are eligible to earn allocations from TRPA's unused allocation pool subject to TRPA's allocation procedures.

~~Pursuant to TRPA Code Section 21.3.2.B, r~~ Residential bonus units can also be earned under the City's Local Government Housing Program that has been certified by TRPA. The program allows for the conversion of illegal secondary residential units into deed restricted affordable housing units.

In addition, residential bonus units may also be earned and used for projects in the Tourist Core in accordance with TRPA Code Section 51.3.3.C: Transfer of Development Rights to Centers or TRPA Code Section 51.5.3: Transfer of Existing Development to Centers. See Transfer of Development Rights to the Tourist Core and Transfer of Existing Development to the Tourist Core Area Plan program descriptions below.

APPENDIX C

Development and Design Standards

Table 2

LIST OF PRIMARY USES AND USE DEFINITIONS

USE	DEFINITIONS
Multiple-family dwelling	<p>More than one residential unit located on a parcel. Multiple-family dwellings may be contained in separate buildings such as two or more detached houses on a single parcel, or in a larger building on a parcel such as a duplex, a triplex, or an apartment building. Vacation rentals are included, up to but not exceeding a four-plex, provided they meet the Local Government Neighborhood Compatibility Requirements as defined in this Code. One detached secondary residence is <u>Up to two accessory dwelling units are</u> included; see <u>“Accessory Dwelling Unit/Secondary Residence.” in the TRPA Code of Ordinances.</u></p>
Single-family dwelling	<p>One residential unit located on a parcel. A single-family dwelling unit may be contained in a detached building such as a single-family house, or in a subdivided building containing two or more parcels such as a town house condominium. Vacation rentals are included provided they meet the Local Government Neighborhood Compatibility Requirements as defined in this Code. A caretaker residence is included (see “Secondary Residence” Up to two Accessory Dwelling Units are included; see “Accessory Dwelling Unit);” in the TRPA Code of Ordinances.</p>

TABLE 4

LOT AND DENSITY STANDARDS

DISTRICT	TSC-C	TSC-MU	TSC-MUC	TSC-G	TSC-NMX	REC
Maximum Density: Single Family Dwelling						<p>1 unit per parcel for parcels less than one acre 2 units per parcel for parcels greater than or equal to one acre, provided one unit is an authorized secondary residence</p>

RULES OF PROCEDURE

12.14. PROJECT OR MATTER REQUIRING NOTICE TO AFFECTED PROPERTY OWNERS

12.14.2. Residential (new or increase in density)

- A. ~~Affordable/E~~employee housing
- B. Mobile home parks (except for placement of mobile homes on existing pads in existing parks)
- C. Multi-residential
- ~~D. Secondary residence~~
- E. Home occupations – nonexempt

Recommendation #4 – Code Clean-Up Items Related to the Development Right Strategic Initiative

CODE OF ORDINANCES

51.5. TRANSFER OF DEVELOPMENT RIGHTS

Development rights as defined by Chapter 90: *Definitions* may be transferred from one parcel to another provided the transfer complies with this section. The following development rights shall be eligible for transfer: commercial floor area, tourist accommodation units, residential units of use (including potential residential units of use and residential allocations), and bonus units.

51.5.1. Transfer of Potential Residential Unit of Use

A potential residential unit of use, as defined in Chapters 90: *Definitions*, and 31: *Density*, may be transferred to another parcel pursuant to the following provisions:

A. Vacant Parcel

The parcel from which the ~~development right~~ potential residential unit of use is to be transferred shall have a potential residential unit of use pursuant to Section 50.3.1.

52.3 RESIDENTIAL INCENTIVE PROGRAM

52.3.1. Assignment of Bonus Units

A maximum of 1,400 residential bonus units may be approved by TRPA pursuant to this section. Residential bonus units may be made available to affordable, moderate, and achievable-income single and multi-family housing projects subject to the criteria in subsection 52.3.4 below. Five hundred and sixty two (562) of the 1,124, or one half of the remaining as of December 24, 2018, residential bonus units from the TRPA pool, whichever is less, shall be used for affordable housing units; the remaining 562, or one half of the remaining, residential bonus units from the TRPA pool, whichever is less, ~~shall~~ may be used for moderate or achievable housing units.

90.2. OTHER TERMS, DEFINED

Affordable Housing

Residential housing, deed-restricted to be used exclusively as a residential dwelling by seasonal workers or permanent residents that are ~~for~~ lower-income households (income not in excess of 80 percent of the respective county's median income) and ~~for~~ very low-income households (not to exceed 50 percent of the respective county's median income). Such housing units shall be made available to individuals whose median income does not exceed the recommended state and federal standards. Each county's median income shall be determined according to the income limits published annually by the US Department of Housing and Urban Development and, if applicable, the California Department of Housing and Community Development.

Attachment C
Adopting Ordinance for Changes to the Code of Ordinances

TAHOE REGIONAL PLANNING AGENCY
ORDINANCE 2021-__

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

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 forth 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 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.
- 1.25 Compact Art. V(c) states that the TRPA Governing Board and Advisory Planning Commission shall continuously review and maintain the Regional Plan.
- 1.30 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").
- 1.35 Concurrent with this Ordinance, the TRPA Governing Board will approve Ordinance 2021-__, An Ordinance to modify the Bonus Unit Boundary, including amendments to Chapter 52; allow non-conforming density to remain onsite during redevelopment, including amendments to Chapter 31; introduce Accessory Dwelling Units, including amendments to Chapters 21, 31, 39, 50, 51, 52 and 90; and modify code related to the Development Rights Strategic Initiative including Potential Residential Units of Use and Bonus Unit Pools, including amendments to Chapters 51 and 52.
- 1.40 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.
- 1.55 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.0 **Amendment of the TRPA Code of Ordinances**

2.10 Ordinance 87-9, as previously amended, is hereby amended as shown in Attachment B.

Section 3.0 **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 4.0 **Effective Date**

4.10 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 _____ by the following vote:

Ayes:

Nays:

Abstain:

Absent:

Mark Bruce, Chair
Tahoe Regional Planning Agency
Governing Board

Attachment D
Adopting Resolution for Changes to the Rules of Procedure

TAHOE REGIONAL PLANNING AGENCY
TRPA RESOLUTION NO. 2021 –

RESOLUTION OF THE GOVERNING BOARD OF THE TAHOE REGIONAL PLANNING
AGENCY TO ADOPT AMENDMENTS TO ARTICLE 12.14.2 OF THE TRPA RULES
OF PROCEDURE REGARDING THE PHASE 1 HOUSING AMENDMENTS

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, TRPA adopted Rules of Procedure to govern its affairs, including Rule 12.14.2 regarding projects or matters requiring notice to affected property owners; and

WHEREAS, Chapter 21 of the TRPA Code of Ordinance provisions that regulate the allowable parcel size for construction of an accessory dwelling unit (formerly called “secondary residence”) were recently amended pursuant to TRPA Ordinance 2021-__; and

WHEREAS, the revisions to Chapter 21 of the TRPA Code of Ordinances specify that accessory dwelling units are no longer limited to parcels of one acre or greater in the case of residential uses and instead are allowed on all residential parcels, regardless of size and thus are considered consistent with other residential uses; and

WHEREAS, TRPA made the necessary findings to adopt the amendments to 12.14.2 of the Rules of Procedure as required by Article V of the Compact, Chapter 4 of the Code, and all other applicable rules and regulations; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the Tahoe Regional Planning Agency hereby amends TRPA Rules of Procedure Rule 12.14.2 as shown in Attachment B hereto in order to implement the amendments to Chapter 21 of the TRPA Code of Ordinances adopted under Ordinance 2021-__.

PASSED and ADOPTED by the Governing Board of the Tahoe Regional Planning Agency this ____ day of _____, 2021, by the following vote:

Ayes:
Nays:
Absent:

Mark Bruce, Chair
Tahoe Regional Planning Agency
Governing Board

Attachment E
Initial Environmental Checklist and Threshold Indicators

INITIAL DETERMINATION OF ENVIRONMENTAL IMPACT CHECKLIST/THRESHOLD INDICATORS

Project Name:

Phase 1 Housing Amendments

Project Location:

The Tahoe Region within the planning area of the Tahoe Regional Planning Agency.

Amendment Description:

The Phase 1 Housing Amendments consist of three near-term recommendations by the Tahoe Living Housing and Revitalization Working Group that will remove barriers to Regional Plan implementation and help increase the supply of affordable and workforce housing. There is also a fourth recommendation added by staff that includes code-cleanup items from the Development Rights Strategic Initiative. The Tahoe Living Working Group identified that although the Regional Plan envisioned redevelopment of town centers with sufficient workforce housing in walkable areas, the combination of zoning regulations, permitting requirements and market forces are driving delivery nearly exclusively of large, single-family homes that are unaffordable to local residents and workers. The recommendations seek to build upon existing incentives to direct housing toward town centers and walkable areas, by adding options that encourage a diversity of home types and sizes to help make better use of these incentives. Upon requests from El Dorado County and the City of South Lake Tahoe, this packet also includes corresponding changes to the Meyers Area Plan, the Tahoe Valley Area Plan, and the Tourist Core Area Plan to reflect the proposed ADU code changes.

Recommendation #1 - Bonus Unit Boundary

The boundary within which bonus units may be awarded in exchange for deed-restricting a unit to affordable, moderate, or achievable housing is described in the TRPA Code of Ordinances Section 52.3.4.F.

The current area of eligibility for these bonus units includes only those parcels that are within ½ mile of existing transit. This boundary does not fully capture areas that have been identified through other planning efforts as priority areas for higher density residential development, such as the Town Centers established through the 2012 Regional Plan, some Community Priority Zones identified in the Regional Transportation Plan, and some neighborhoods that are zoned multi-family, and which in some cases have a significant amount of attached housing currently used as affordable rentals. The Working Group supported modifying the boundary to recognize that areas close to Town Centers and neighborhoods previously recognized as appropriate for affordable housing can provide walkability.

The amendments propose to modify the Bonus Unit Boundary as follows:

52.3.4.F. The housing project awarded a residential bonus unit shall be within ½ mile of a designated Town Center; within ½ mile of an existing transit stop or a transit stop that will be existing concurrent with the completion of the project; or located in an area where multi-family is an allowed or special use.

This change increases the boundary by approximately 15 percent. The existing and proposed boundaries are shown in Figures 1-4 below, and may be viewed on an interactive map, here:

https://trpa.shinyapps.io/bonus_unit_boundary_map/

Figure 1: Existing Bonus Unit Boundary (1/2 Mile Buffer of Existing Transit)

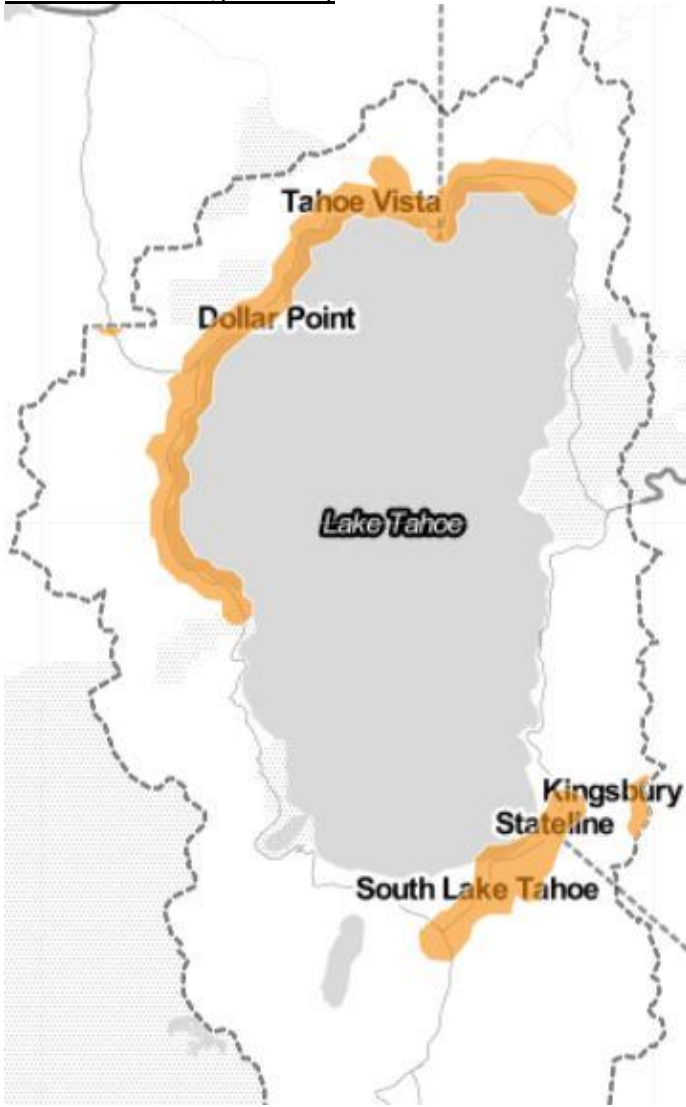


Figure 2: Existing Bonus Unit Boundary (yellow), plus 1/2 Mile Buffer of Town Centers (red)

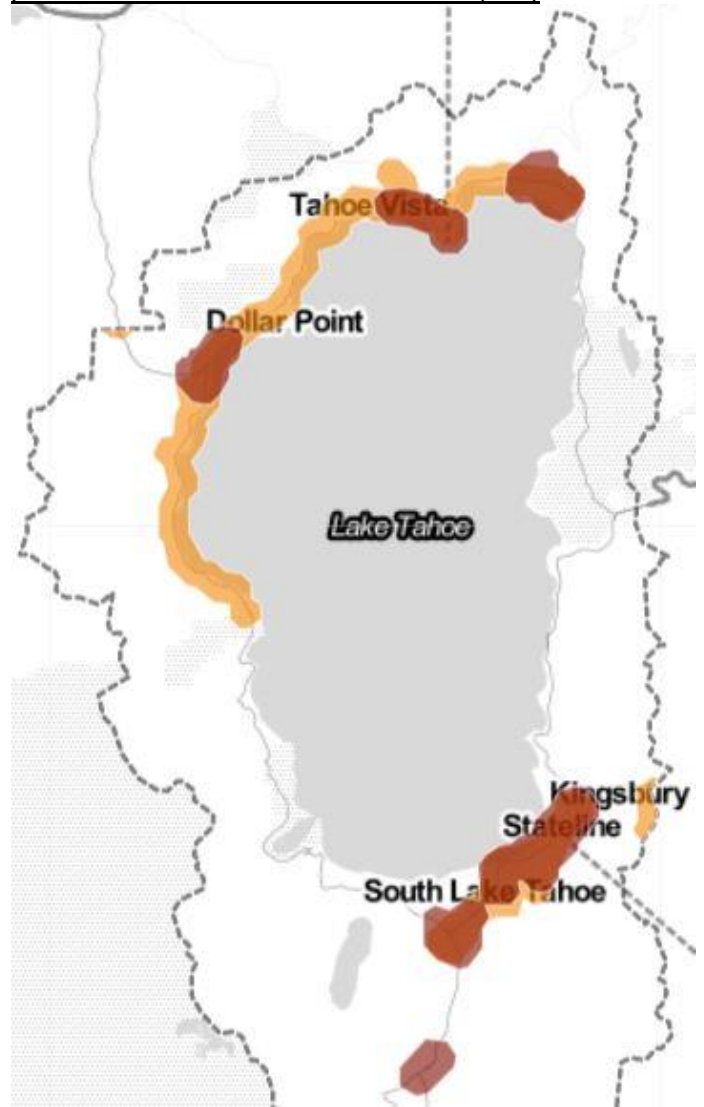


Figure 3: Existing Bonus Unit Boundary (yellow),
 ½ Mile Buffer of Town Centers (red),
 Neighborhoods Zoned Multi-Family (blue)

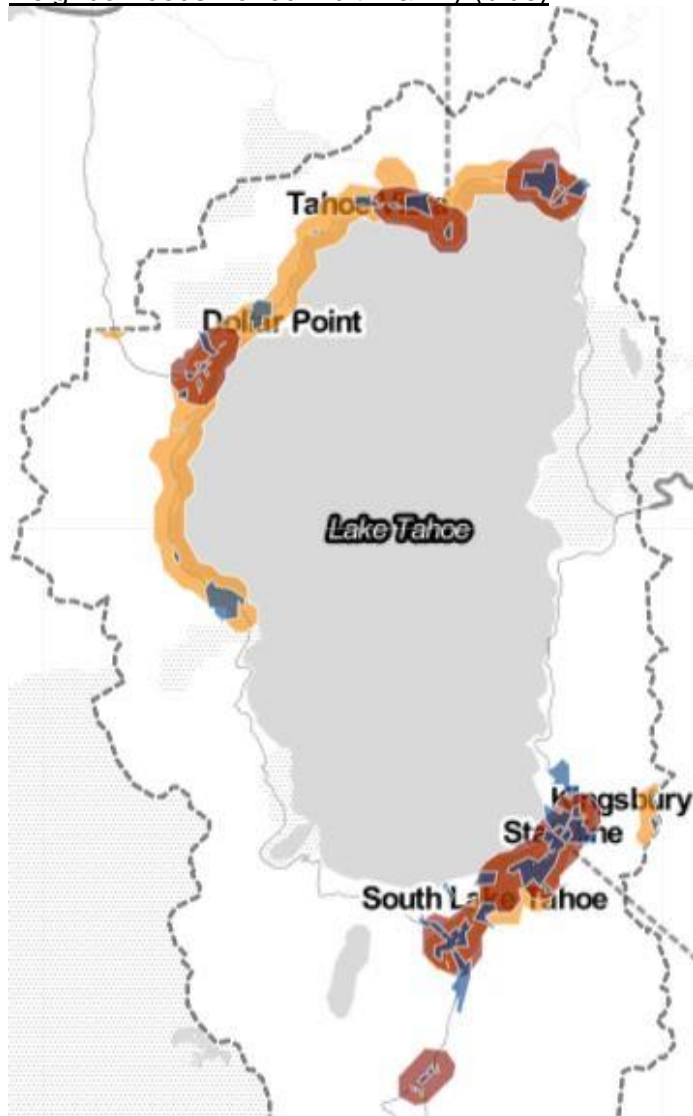


Figure 4: Proposed Bonus Unit Boundary



Recommendation #2 – Allow non-conforming tourist density to be used as residential density onsite
 The second recommended code change would allow motels to keep their original Tourist Accommodation Unit (TAU) density when converting to residential. Local jurisdictions have identified that aging motel properties are disincentivized from converting to residential or a mix of tourist and residential uses through redevelopment because existing, non-conforming tourist densities cannot be applied to residential densities. Many older motels on small lots have tourist densities exceeding the allowable 40 units per acre. Under the existing code, if these properties redevelop, they can keep the grandfathered density if the use does not change. However, when they redevelop and convert to residential, they lose a significant number of units since the maximum residential density allowed is only 25 units per acre and units above this must be banked and transferred off the property. The proposed revision would allow property owners to redevelop from tourist to residential and grandfather in the existing density. This code amendment would only apply to conversions between TAUs and multi-residential uses and would only be allowed where multi-residential is an allowable use. Because the 1:1.5 conversion rates from TAUs to multi-residential would result in additional multi-residential units, over and above the number that would be allowed based on the grandfathered tourist density, TRPA will require these units to be banked onsite.

As part of this code amendment, staff is also recommending adding clarifying language to the code regarding the grandfathering in of residential density and banked residential units for use during redevelopment to new residential uses. This new language codifies the existing practice of maintaining existing, non-conforming residential densities as part of onsite redevelopment, and that of allowing units that are banked onsite and which resulted from development that was legally established to count toward the existing density. However, if a transfer of development from the site occurs to make the project area more conforming, it cannot be transferred back to result in non-conforming density.

A map of existing tourist units can be seen at: <https://tinyurl.com/y3mtwn6c>, and in Figures 5-7, below. Existing tourist units are shown in blue. The map also shows the Proposed Bonus Unit Boundary from Recommendation #1, above, for comparison (orange), as well as areas where multi-residential development is allowed (green), to demonstrate where this recommended code change could be implemented. Any existing tourist development outside of areas zoned multi-residential would not be eligible to carry over the non-conforming tourist densities. There are very few existing tourist developments that are in an area that would not be eligible.

Figure 5: Existing Tourist Units Compared to the Proposed Bonus Unit Boundary and Areas Zoned Multi-Residential, South Shore

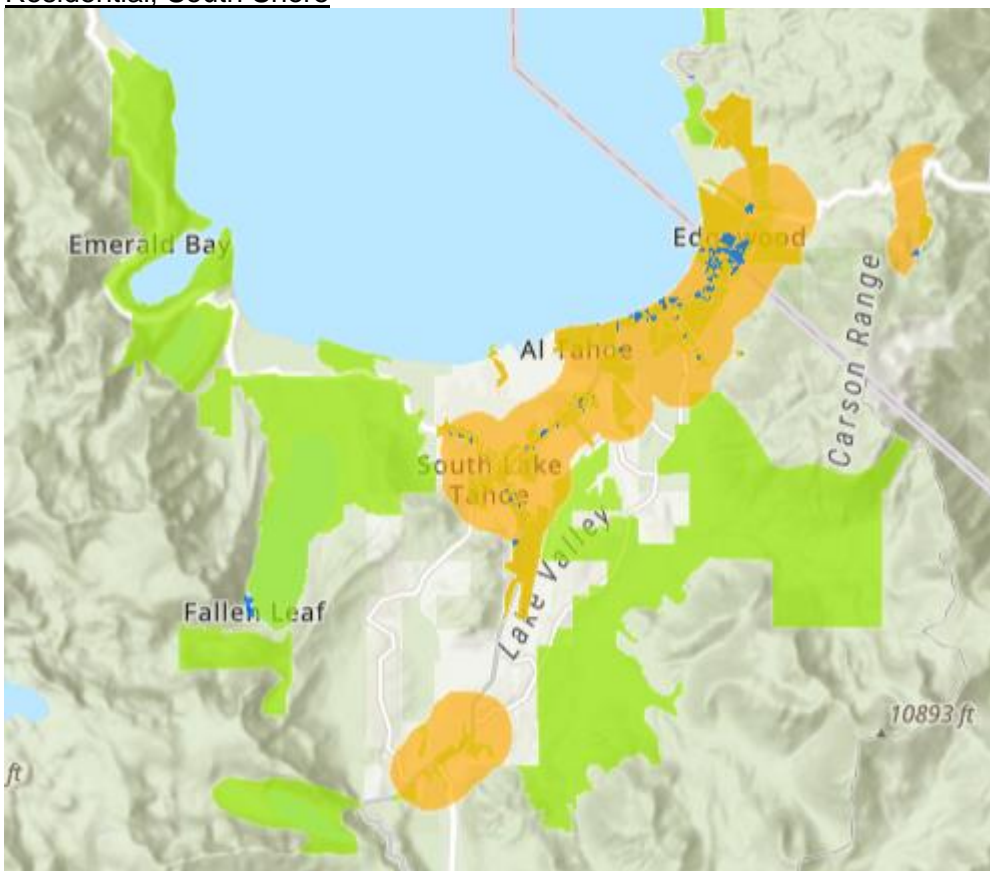


Figure 6: Existing Tourist Units Compared to the Proposed Bonus Unit Boundary and Areas Zoned Multi-Residential, West Shore



Figure 7: Existing Tourist Units Compared to the Proposed Bonus Unit Boundary and Areas Zoned Multi-Residential, North Shore



Recommendation #3 - Accessory Dwelling Units (ADUs)

Accessory Dwelling Units are attached or detached units that are accessory to the main house, and are generally between 400 and 1200 square feet, averaging around 640 square feet.¹

The proposed elements of the ADU recommendation include:

- 1. Remove 1-acre limit on ADUs basin-wide.** Currently TRPA regulations stipulate that secondary residences/ADUs are only allowed on parcels greater than one acre in size unless a jurisdiction has a TRPA-certified “Local Government Housing Program” (TRPA Code of Ordinances Section 21.3.2.B). Under the proposed code amendments, the 1-acre limit would be removed and local jurisdictions would have the authority to regulate ADU construction just as they regulate other single-family home construction through their area plans and their development and building codes. ADUs would still be required to comply with TRPA’s coverage, height, and growth management regulations. As part of this code amendment, TRPA is also recommending lifting the requirement of only one secondary residence/ADU per parcel. Since incentives for ADUs encourage them to locate in close proximity to transit and Town Centers, allowing two ADUs per parcel supports walkability goals. This would also help California jurisdictions comply with California law, as California law allows one ADU and one Junior ADU² per parcel.

There are several elements of California law and Douglas County and Washoe County plans and codes that place further restrictions on the construction or use of ADUs. Currently, California law requires that accessory dwelling units created pursuant to section 65852.22 of the California Government Code (which applies to all new ADUs) if rented, be rented for a term

¹ Sacramento Area Regional Council of Governments, “SACOG Regional Accessory Dwelling Unit Affordability Analysis,” March 2020, Sacramento Area Regional Council of Governments, accessed May 27, 2021 at: [adu_affordability_analysis_methodology_2020-3-31_0.pdf \(sacog.org\)](https://www.sacog.org/Portals/0/du_affordability_analysis_methodology_2020-3-31_0.pdf); and Turner Center for Housing Innovation, “Jumpstarting the Market for Accessory Dwelling Units, Lessons Learned from Portland, Seattle, and Vancouver,” Chapple, Wegman et al., April 2018.

² California law provides the following specifications for a Junior Accessory Dwelling Unit (JADU): within the walls of the single-family house; no more than 500 square feet in size; must have an efficiency kitchen; separate entrance; may share a bathroom with the main house or have its own bathroom; requires owner-occupancy in the main house or the JADU.

longer than 30 days. Douglas County and Washoe County both currently have a 1-acre parcel size limit for ADUs in the Tahoe Basin in their codes. These 1-acre limits were based on the TRPA 1-acre limit but as they are already adopted they would remain in place until removed by these counties in a subsequent action.

ADUs would be eligible for bonus units, which require a deed-restriction for affordable to achievable income levels, and occupancy of the unit by a local resident. When a bonus unit is assigned in association with the construction of an accessory dwelling unit, the deed-restriction will require that either the accessory dwelling unit, or the main home must comply with the affordability and local residency requirements. This will allow for diversity in housing size and types through construction of ADUs and utilization of the bonus unit program. For example, an out-of-town homeowner might wish to reserve the ADU for their own, periodic use, but rent out the larger, main home to a local family.

- 2. Remove noticing requirement for ADUs.** Currently the Rules of Procedure require noticing for secondary residences as well as for affordable housing, employee housing and multi-family housing. Generally, noticing is not required for allowed uses, only for special uses. As accessory dwelling units would be allowed on all single-family parcels, the construction of an ADU would not be an exception to the rule; therefore, it would not require special notice. This change does not preclude a local government from requiring noticing for ADUs. In order to implement this change, both the words “affordable” and “secondary residence” will be struck from Section 12.14.2, *Noticing*, of the Rules of Procedure, as many ADUs will likely be deed-restricted affordable units. This amendment does not propose to remove the requirement for noticing of multi-family projects (note that because ADUs are an “accessory” use, they are considered a single-family, not a multi-family use in TRPA’s code).

Recommendation #4 - Code clean-up items related to the Development Rights Strategic Initiative

As more deed-restricted housing projects begin to make their way through TRPA’s permitting process, bonus units set aside in the “affordable” and “moderate/achievable” pools have begun to be drawn down. Significantly higher number of unit requests from the affordable pool has occurred, due in part to the lack of state and federal tax credit and other grant programs for homes other than those deed-restricted for affordable income levels, that is, less than 80 percent of Area Median Income. Based on bonus unit transactions that have already been completed, and projects that have submitted applications, the pool dedicated solely to “affordable” has run out of bonus units, while over 400 bonus units remain in the moderate/achievable pool.

Section 52.3.1 of the Residential Incentive Program section of the code identifies how residential bonus units from the TRPA pool will be used. Currently, this section identifies that half of the pool shall be used for affordable housing units, while the other half shall be used for moderate or achievable housing units.

Because both the South Shore Housing Needs Assessment and Placer County show a much higher need for homes in the affordable category than in the other two categories combined (a need of approximately three affordable units to every one moderate or achievable unit), TRPA proposes to update Section 52.3.1 of the code to make it clear that bonus units from the moderate/achievable pool can be used for affordable homes. This is consistent with the definitions of moderate and achievable, which allow use as long as the income levels of occupants are below the specified levels.

One additional Development Rights Strategic Initiative code clean-up item is included in this section – in Section 51.5.1.A the word “development right” will be changed to “potential unit of use.”

Tiering:

This Initial Environmental Checklist (IEC) tiers from and incorporates by reference the analysis within several key planning documents and their associated environmental analysis documents. These include:

- 2012 Regional Plan Environmental Impact Statement (EIS). This document can be accessed at: <https://www.trpa.gov/regional-plan/2012-regional-plan-update/>.
- 2018 Development Rights Strategic Initiative Initial Environmental Checklist and Finding of No Significant Effect. This initiative amended the Regional Plan Goals and Policies and the Code of Ordinances to allow for conversion of development rights and creation of the Bonus Unit Incentive Program, among other changes. The IEC can be found in the October 2018 Governing Board packet and also accessed here: https://www.trpa.gov/wp-content/uploads/documents/archive/3-Attachment-A1_DRIS-IEC_100318.pdf.
- 2020 Linking Tahoe: Regional Transportation Plan & Sustainable Communities Strategy Initial Environmental Checklist and Mitigated Finding of No Significant Effect. This document can be found in the April 2021 Governing Board packet and also accessed at: <https://www.trpa.gov/rtp/>.
- 2021 Air Quality Threshold Standard (AQ14) Update and Implementation Program (VMT Threshold Update) Initial Environmental Checklist and Finding of No Significant Effect. This document can be found in the April 2021 Governing Board packet and also accessed here: <https://www.trpa.gov/wp-content/uploads/Attachment-I-IEC-for-VMT-Update.pdf>.

Because the amendment maintains nearly all provisions of the 2012 Regional Plan, as amended, without change, this IEC focuses only on those changes that deviate from the Regional Plan. Impacts arising from development under current policy were already evaluated in the Environmental Impact Statement prepared for the Regional Plan Update (RPU) and the other environmental analyses listed above.

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.

I. Environmental Impacts

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"/>
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

- a. The amendments do not change the requirements to comply with coverage allowances consistent with the Bailey land capability and Individual Parcel Evaluation systems. Recommendation #2, *Non-conforming tourist density*, may result in reductions to coverage in the basin as it could encourage redevelopment of older properties, many of which are significantly over-covered and could benefit by retiring and banking unneeded coverage. Regarding recommendation #3, ADUs, concerns have been raised that the low parking ratios for ADUs required by the State of California for California jurisdictions could lead to illegal, off-street parking that could contribute to soil compaction. The analysis shows that allowing ADUs is not expected to result in significant additional coverage or compaction for several reasons. Housing studies have shown that approximately 70% of second unit dwellers own only one car, while the remaining 30% are generally split evenly between no car ownership and ownership of at least

two vehicles.^{3,4} Further, allowing ADUs does not change the overall amount of living space that can be provided on a parcel, which is ultimately dictated by height and coverage restrictions. Under current regulations, many single-family homes are shared by multiple households, which can result in a varying number of vehicles parked at the house. While ADUs provide independent living space, it is not additional living space above what is currently allowed. Finally, because ADUs require a development right, they do not increase the overall amount of new units above what was analyzed in the 2012 Regional Plan. The 2012 Regional Plan emphasizes concentrating the remaining allowable development close to transit and town centers due in large part to the correlation between proximity to transit and reduction in overall vehicle miles traveled.⁵ Other research has shown that proximity to transit combined with low parking availability correlates to a reduction in vehicle ownership.⁶ Thus, strategies to locate housing in close proximity to transit can provide the environment that helps the region meet its goals – a reduced need for parking and a corresponding reduction in vehicle ownership and VMT.

The amendments are not expected to result in a change to incentives to bank and retire coverage from sensitive parcels. Although Recommendation #3, *Accessory Dwelling Units*, will provide an additional option for ways that homeowners can use allowable coverage on their property, the incentives for transferring coverage off of sensitive lands remain in place and are expected to impact the construction of ADUs the same way that they impact other construction. There are a variety of policies in place to incentivize the transfer of coverage from sensitive lands, such as assignment of market-rate bonus units in exchange for moving development out of sensitive areas. Given the current market trends that push single-family homes to maximize their coverage, ADUs are not anticipated to increase demand for coverage on sensitive lands over current levels.

Threshold Indicators – Soil Conservation

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

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

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

³ Chapple, Wegmann, Nemirow, Dentel-Post (2012). *Yes in My Backyard: Mobilizing the Market for Secondary Units*. Center for Community Innovation. Accessed July 5, 2021, at: https://communityinnovation.berkeley.edu/sites/default/files/yes_in_my_backyard_mobilizing_the_market_for_secondary_units.pdf?width=1200&height=800&iframe=true.

⁴ Portland State University (2018). *Accessory Dwelling Units in Portland, Oregon*. ISS Study, 1st Report. Accessed July 5, 2021, at: <https://static1.squarespace.com/static/570a958bab48de7164536ffe/t/5b510ced88251b908ec9e0f5/1532038403977/Portland+ADU+Survey+Report+June+2018.pdf>.

⁵ Tal, Handy, Boarnet (2013). *Policy Brief on the Impacts of Transit Access (Distance to Transit) Based on a Review of the Empirical Literature*; Policy Brief for the California Air Resources Board. Accessed at: https://ww2.arb.ca.gov/sites/default/files/2020-06/Impacts_of_Transit_Access_%28Distance_to_Transit%29_Based_on_a_Review_of_the_Empirical_Literature_Policy_Brief.pdf on June 28, 2021.

⁶ Chatman, Daniel (2015). *Does Transit-Oriented Development Need the Transit?* Access Magazine, Number 47, Fall 2015. Accessed at: <https://www.accessmagazine.org/fall-2015/does-transit-oriented-development-need-the-transit/> on June 28, 2021.

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

a-e.

The amendments are consistent with the existing growth management system and help to implement Regional Plan and Regional Transportation Plan goals of concentrating development close to transit and town centers, where it will have reduced air quality impacts. Thus, they do not result in substantial air emissions, deterioration of ambient air quality, the creation of objectionable odors, change in climate, or increased use of diesel fuel beyond what was analyzed in the Regional Plan.

On April 28, 2021, the TRPA Governing Board approved a new Transportation and Sustainable Communities threshold indicator to replace the previously existing air quality threshold standard intended to reduce nitrate deposition into the lake. The new indicator is a per capita VMT standard to reduce reliance on the automobile, reduce greenhouse gas emissions, and promote mobility. The new VMT standard is 11.63 VMT per capita by 2045. New plans that implement changes to land use must use the transportation model and its modeling factors to evaluate consistency with the threshold. Region-wide VMT per capita is estimated based on the amount of VMT each person is anticipated to generate per day. People and households that are located in traffic analysis zones (TAZs) that are closer to transit and services tend to generate lower vehicle miles traveled per person rates than those located in TAZs further away, where it is harder for people to get to their destinations by walking, bicycling, or transit. The transportation modeling effort for the 2020 Linking Tahoe Regional Transportation Plan identified which TAZs have residential VMT-per-capita at or below the new threshold. Households located in TAZs with VMT per capita below the threshold will be expected to contribute to lowering the region-wide VMT per capita, while TAZs with VMT per capita above the threshold would increase region-wide VMT per capita.

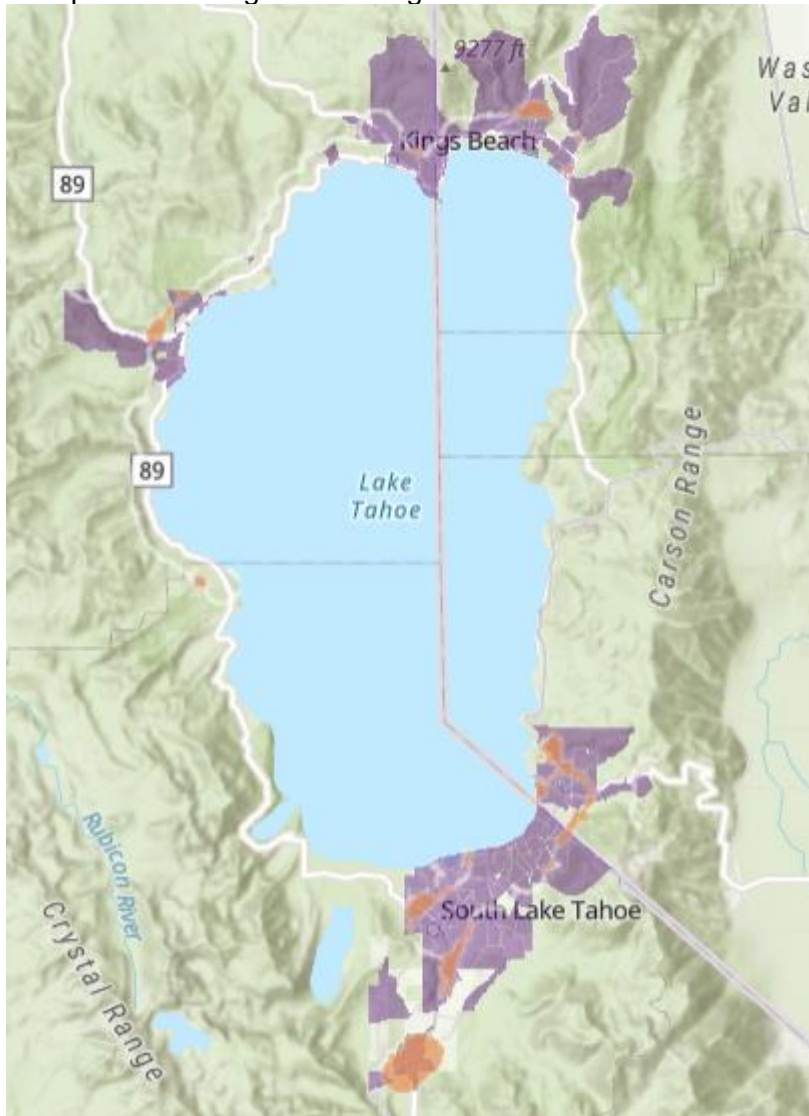
TRPA analyzed each of the recommended elements above using information from the model on trip length and trip rates, or by running the model itself. The analysis is described below.

Recommendation #1: Bonus Unit Boundary. The amendments would expand the Bonus Unit Boundary to add the ½ mile buffer of Town Centers and neighborhoods zoned multi-family to the existing buffer. TRPA determined that this change would have a less than significant impact as the new areas added correspond very closely to the TAZs that have trip lengths less than or equal to the regional average. Even if household trip rates stayed the same irrespective of location (and studies indicate that they are reduced with proximity

to transit and centers)⁷, the VMT per person⁸ would be expected to be lower in areas with lower trip lengths. Thus, incentivizing development within the Bonus Unit Boundary is expected to help achieve and maintain the Transportation and Sustainable Communities threshold.

The map in Figure 8 and at the link: <https://tinyurl.com/36djse75> shows the new area to be added to the Bonus Unit Boundary (orange) compared to TAZs with trip lengths less than or equal to the regional average (purple):

Figure 8: New Area to be added to Bonus Unit Boundary Compared to TAZs with Trip Lengths Less than or Equal to the Regional Average



While there is a small amount of area that does not correspond exactly to low-trip length TAZs, TRPA conducted a further analysis by running the transportation model and distributing all bonus units within the proposed Bonus Unit Boundary, and assuming that a conservatively high number of remaining

⁷ Handy, Shafizadeh, Schneider (2013), *California Smart Growth Trip-Generation Rates Study*, University of California Davis, Urban Land Institute and Transportation Center. Accessed at: <https://dot.ca.gov/-/media/dot-media/programs/research-innovation-system-information/documents/final-reports/ca13-1940-finalreport-a11y.pdf>, on June 29, 2021.

⁸ Average VMT per person can be calculated by multiplying the average trip length by the average trip rate and divided by the total number of people.

development rights were distributed to areas zoned single-family only, as described further in Recommendation #3. The model run for this conservative scenario resulted in a VMT per capita of 11.64, nearly the same as was forecast for the 2045 RTP scenario and the VMT threshold: 11.63. Thus, the proposed Bonus Unit Boundary change can be considered a less than significant impact on the VMT threshold.

Recommendation #2: Non-Conforming Density. The non-conforming density recommendation allows legally existing tourist units that do not conform to current density standards to be used onsite as either tourist units or residential units. It also clarifies an existing interpretation of the code that allows existing legally existing residential units that either remain onsite or are banked onsite to be rebuilt as residential units. This change was already evaluated during the 2018 Development Rights Strategic Initiative through the conversion of development rights analysis, which developed conversion ratios for tourist to residential units based on comparable transportation and other environmental impacts. Thus, this change would not result in a significant air quality impact.

Further, TRPA's available data on existing tourist units do not show any tourist units outside of the proposed Bonus Unit Boundary where multi-residential development is also allowed. Thus, the redevelopment and higher allowed residential densities would occur in areas that would contribute to reducing VMT per capita and achieving and maintaining the Transportation and Sustainable Communities threshold. The map of existing tourist development compared to the Proposed Bonus Unit Boundary and areas where multi-residential development is an allowed use can be found here:

<https://tinyurl.com/y3mtnw6c>.

Recommendation #3: Accessory Dwelling Units. The recommendation would allow accessory dwelling units on any residential parcel. Under the existing Code of Ordinances, they are allowed only on parcels of greater than one acre, unless a jurisdiction has a Local Government and Housing Program in place. Placer County has had such a program in place for all residential parcels in the Tahoe Basin portion of the county since 2017. The City of South Lake Tahoe has had this program in place for one district in the Tahoe Valley Area Plan since 2015.

Under the recommendation, to construct an ADU, a residential development right is required. This can be a free bonus unit in exchange for deed-restricting the unit to affordable, moderate, or achievable housing within the Bonus Unit Boundary. If the property owner does not wish to deed-restrict the unit or is not eligible for a bonus unit, a full residential unit of use must be obtained. Residential units of use can be purchased on the open market (the most recent appraisal in 2019 by the California Tahoe Conservancy valued a full residential unit of use on the California side at \$27,500)⁹ or can be obtained by applying to a local jurisdiction for an allocation and pairing that allocation with a potential unit of use, which must also be obtained on the open market (the CTC report appraised these at \$7,500). Due to the time and cost constraints associated with obtaining a full residential use, TRPA expects that most ADUs will be built within the Bonus Unit Boundary. In analyzing the possible VMT impacts of the ADU ordinance, however, TRPA modeled a very conservative ADU distribution scenario. This scenario assumed that banked, converted and transferred development rights and remaining, unreserved Bonus Units would all be used as ADUs and would be distributed to parcels in neighborhoods zoned single-family only (i.e. where multi-family is not allowed) (1,846 units). Occupancy rates, persons per unit and income levels were assumed to be the same as those used in the 2045 RTP forecast for the underlying TAZs for these 1,846 units distributed to single-family only neighborhoods. These occupancy rates already assumed that many Bonus Units would be occupied, that there would be additional residential occupancy due to Measure T and additional residential occupancy due to success with other housing efforts. In addition, 706 Bonus Units were distributed to the parcels for which they have been reserved or requested and were assigned 100% occupancy and the income level that corresponded with the type of bonus unit to be used (affordable/low-income; moderate/medium-income or achievable/medium-income).

⁹ Barnett (2019). *Market Value of Development Rights Banked in the California Tahoe Conservancy's Land Bank; owned and appraised for the California Tahoe Conservancy.* June 7, 2019.

This scenario captured a “worst-case” scenario because it assumed that ADUs would only be built on parcels zoned single-family, thus capturing an outcome where development is intensified on parcels not previously anticipated to have more than one unit. In reality, nearly a third of parcels are zoned multi-family but have only one single-family home on them, and thus, would be likely candidates for ADU construction. It is reasonable to expect that most ADUs would be constructed within the Bonus Unit Boundary, where they are incentivized, however the scenario assumed that while all ADUs using Bonus Units would be constructed within the Bonus Unit Boundary (as is required), the remaining banked and transferred development rights would be randomly distributed throughout the region to parcels zoned single-family only. This distribution of units is also highly conservative in that, in addition to ADUs being disincentivized outside of the boundary, it is unlikely that all of the remaining banked, converted and transferred residential development rights units would be constructed on parcels zoned single-family only. In general banked and transferred development rights are sought after for market-rate multi-family and it is expected that this trend will continue.

The model results from this analysis showed a region-wide VMT per capita in 2045 of 11.64. As noted, given the very small deviation from the VMT threshold of 11.63 and the fact that this scenario encapsulated a distribution of ADUs only to areas that were previously assumed to have the lowest allowable densities, this is not considered a significant impact to VMT. Further, TRPA has embedded an adaptive management loop into the VMT per capita process that will pick up on any significant deviations from what has been modeled and will propose implementation changes if needed to bring the region back into a trajectory that attains the threshold.

Recommendation #4: Allowing Moderate/Achievable Bonus Units to be used for Affordable. This is not expected to cause a negative impact to VMT per capita as lower income units have been shown to generate lower trip rates than higher-income or market-rate units.¹⁰ The RTP 2045 forecast assumed occupancy levels that accounted for bonus units being utilized and occupied.

Threshold Indicators – 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](#)

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

¹⁰ Clifton, Currans, Schneider, Handy (2018). *Affordable Housing Trip Generation Strategies and Rates*, California Department of Transportation, Final Report. Accessed on July 5, 2021, at: <https://dot.ca.gov/-/media/dot-media/programs/research-innovation-system-information/documents/final-reports/ca18-2465-finalreport-a11y.pdf>
TRPA--IEC 14 of 30 June 2021

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"/>
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

- b. All projects that would be completed under these amendments would be required to complete temporary and permanent Best Management Practices to treat the 20 year, 1 hour storm runoff event onsite.
- c. All projects that would be completed under these amendments would be required to complete temporary and permanent Best Management Practices to prevent discharge into surface waters.
- g. There are no changes to grading regulations included in these amendments.
- h. The regional water demand at build-out would be less than the regional surface water allocation. Future projects must comply with TRPA Code Section 32.4, which addresses water supply and fire flow requirements.

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 amendments is not anticipated to result in water quality impacts, as all projects must demonstrate compliance with the Code of Ordinances.

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](#)

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

a-h. The amendments do not introduce any changes to vegetation standards and all future projects must comply with Chapter 61, *Vegetation and Forest Health*, of the TRPA code.

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.

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](#)

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

a-d. The amendments do not introduce any changes to wildlife protections and all future projects must comply with Chapter 62, *Wildlife Resources*, of the TRPA code.

Threshold Indicators – Wildlife

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

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

- [Special Interest Species](#)

Threshold Indicators – Fisheries

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

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

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

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

a-f. The proposed amendments do not introduce any new uses to Area Plans, Plan Area Statements, Community Plans or Master Plans where they are not already allowed. Accessory Dwelling Units are considered a single-family use and are appropriate where other single-family uses are allowed.

Threshold Indicators – Noise

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

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

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

7. Light and Glare

Will the proposal result in:	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

- a-c. Future development with proposed new or modified sources of exterior lighting must follow TRPA requirements consistent with Code of Ordinances Section 36.8, *Exterior Lighting Standards*.
- d. Future development must be consistent with Code of Ordinances Section 36.6, *Building Design Standards*, including roofs that are constructed of non-glare finishes and earthtone colors that minimize reflectivity, and earthtone colors that meet the Munsell® Colors set forth in Appendix G, TRPA Approved Earthtone Colors, of the Design Review Guidelines for projects visible from Scenic Threshold Travel Routes and from Public Recreation Area and Bicycle Trails identified in the 1993 Lake Tahoe Basin Scenic Resource Evaluation.

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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Expand or intensify an existing non-conforming use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- b. The analysis in the 2018 Development Rights Strategic Initiative (DRSI) demonstrated that the amendments will not expand or intensify existing non-conforming uses. Recommendation #2, *Non-conforming tourist density* would allow existing non-conforming tourist density to remain onsite and be used as residential density. The 2018 DRSI developed conversion ratios between tourist accommodation units and residential units that were shown in the IEC to be neutral with respect to environmental impacts. For instance, because multi-residential units have been shown to have lower average daily trip rates than tourist units,¹¹ the DRSI approved a conversion ratio of two TAUs to three multi-family units. While the DRSI allowed for tourist units to be converted to multi-family units at a

¹¹ Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition (2017)

ratio of 2:3, Recommendation #2 of the Phase 1 Housing Amendments would simply say that a number of residential units equal to the number of verified, legally existing tourist units can be constructed on the same site, even if the density of those units exceeds the allowable residential densities. Because the impact of multi-family units is less than that of tourist units, this would not be considered an expansion or intensification.

8. 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

a-b. The amendments do not alter the amount of growth that was analyzed and planned for in the 2012 Regional Plan.

9. Risk of Upset

Will the proposal result in:	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

b. The amendments do not change the amount of overall development that was analyzed in the 2012 Regional Plan and the 2012 Regional Transportation Plan and Sustainable Communities Strategy and which found the buildout of these units to be consistent with evacuation planning capacity. The 2012 Regional Plan included new defensible space and fuel load reduction requirements, as well as requiring that new development in urban areas be adequately served by fire hydrants to the satisfaction of local fire districts and the adopted fire code. Hence, beginning April 14, 2008, all permit applications and qualified exempt declarations requiring TRPA review that involve construction must receive pre-approval from the appropriate fire protection district or department.

10. Population

Will the proposal result in:

	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 checked="" type="checkbox"/>	<input 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

- a. No elements of the amendments alter the growth rate of the human population planned for the region beyond what was approved in the 2012 Regional Plan. Recommendation #1, *Bonus Unit Boundary*, would expand the boundary within which bonus units can be assigned in exchange for an affordable, moderate, or achievable deed-restriction by approximately 15 percent above the boundary that was approved through the 2018 Development Rights Strategic Initiative. The expansion, however, adds areas that have been identified as appropriate for affordable, workforce, and walkable development through multi-family zoning or the town center concept approved in the Regional Plan. The Bonus Unit Boundary recommendation does not increase densities within the boundary, however it does incentivize developers to place deed-restricted affordable, moderate, and achievable units within the boundary. Recommendation #2, *Non-conforming tourist density*, would allow increased residential densities above what was approved in the 2012 Regional Plan, but only in places where that density already exists in the form of tourist units. Thus, populations of tourists could be shifted to populations of local residents or other residential populations, such as second homeowners. As most motels and hotels are located within walking distance of transit and within the proposed Bonus Unit Boundary, this shift of the residential population is consistent with Regional Plan goals and the “Transportation and Sustainable Communities” threshold to reduce vehicle miles traveled and create walkable communities. Recommendation #3, *Accessory Dwelling Units*, expands this accessory residential use to parcels of less than one acre. Because ADUs are subject to the same development right requirements, costs, timelines, and location incentives as other residential development, the amendments are not expected to significantly shift the distribution of the population, but instead would provide further support and an additional option for using bonus units in areas close to transit and town centers.
- b. Recommendation #2, *Non-conforming tourist density*, would remove an existing barrier to redevelopment into residential use by allowing all tourist units on a parcel to be redeveloped into residential units, regardless of the allowable residential densities for that parcel. Many older motels that may want to take advantage of this amendment may be occupied by low-income residents who would need to find a new place to live while the property undergoes redevelopment, leading to temporary displacement while they search for new housing. Because the housing shortage in Lake Tahoe communities is acute, the loss of multiple units, even temporarily, could lead to relocation challenges for local residents. While overall the amendments are intended to break a cycle of low housing inventory leading to long-term residency in tourist units, for any individual redevelopment project it is unknown what the affordability level of new units would be compared to the income levels of the previous occupants. However, the loss will be addressed on a case-by-case basis through the environmental analysis of each individual project. The checklist will be used to identify and require mitigation for temporary or permanent displacement at the project level.

Under existing code, tourist properties have the option to redevelop their units into new tourist units or timeshares, which could also lead to displacement. The amendments provide an additional option for property owners to convert to residential development. Over the long-term, this should increase the supply of housing, while removing a restriction that tends to incentivize larger, more expensive

residential units. Where the redevelopment is within the Bonus Unit Boundary, property owners would be eligible for bonus unit incentives in exchange for deed-restricting the units. They could then sell off the existing development rights to offset development costs.

11. Housing

Will the proposal:	Yes	No	No, with mitigation	Data insufficient
<p>Affect existing housing, or create a demand for additional housing?</p> <p>To determine if the proposal will affect existing housing or create a demand for additional housing, please answer the following questions:</p>				
a. 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"/>
b. 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"/>
c. 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"/>	<input type="checkbox"/>

Discussion

- The amendments are anticipated to increase the supply of permanent housing.
- The amendments are anticipated to increase the amount of housing that is affordable by lower and very-low-income households by providing more options and incentives for small units.
- Many older motels are currently being used as de-facto housing by lower-income households because of the lack of available affordable housing units. While this de-facto housing could be lost through re-development, the loss will be addressed on a case-by-case basis through the environmental analysis of each individual project. The checklist will be used to identify and require mitigation for loss to housing at the project level.

12. 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?
- e. Alterations to waterborne, rail or air traffic?
- f. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?

Discussion

- a. The project does not change the overall amount of development that was analyzed in the 2012 Regional Plan. The location of new development is not anticipated to be substantially different than what was analyzed in the 2012 Regional Plan, thus no significant change to Daily Vehicle Trip Ends is anticipated.
- b. The amendments do not change existing parking facilities or create new demand for parking that was not analyzed in the Regional Plan. Because the amendments focus on lifting barriers to developing smaller, more affordable units, the expectation and one of the intended goals of the amendments is that the demand for parking overall will decrease, as smaller homes typically house smaller households with fewer vehicles per household,¹² particularly when close to transit and services; and because parking supply explains more of the variation in motorized trip rates than any other variable.¹³ Recommendation #2, *Non-conforming tourist density*, within the Bonus Unit Boundary, is consistent with Regional Plan goals to locate development in areas that reduce reliance on the automobile. Recommendation #3, *Accessory Dwelling Units*, allows accessory units on all residential parcels. ADUs are subject to local parking requirements just like other development, however the State of California has passed legislation that restricts local jurisdictions from requiring more than one parking space for new ADUs, or from requiring any new parking spaces when the ADU is within a half-mile from transit. Presumably this legislation is related to encouraging ADUs near transit in advancement of strategies for meeting greenhouse gas and vehicle miles traveled (VMT) reduction goals, and because requiring too much parking has been found to significantly increase the cost of housing, particularly smaller units.^{14, 15} Housing studies have shown approximately 70% of accessory unit dwellers own only one car, while the remaining 30% are generally split evenly between no car ownership and ownership of at least two vehicles.^{16,17}
- c. The amendments do not change the overall amount of growth anticipated for the region, thus a substantial impact on the overall transportation system is not expected. The amendments build on

¹² Bureau of Transportation Statistics (2011). *Household, Individual and Vehicle Characteristics*. Accessed July 5, 2021 at:

https://www.bts.gov/archive/publications/highlights_of_the_2001_national_household_travel_survey/section_01.

¹³ Clifton, Currans, Schneider, Handy (2018). *Affordable Housing Trip Generation Strategies and Rates*, California Department of Transportation, Final Report. Accessed on July 5, 2021, at: <https://dot.ca.gov/-/media/dot-media/programs/research-innovation-system-information/documents/final-reports/ca18-2465-finalreport-a11y.pdf>

¹⁴ Ibid.

¹⁵ Litman, Todd (2014). *Parking Requirement Impacts on Housing Affordability*. Victoria Transport Policy Institute. Accessed July 5, 2021, at:

https://www.researchgate.net/publication/235360401_Parking_Requirement_Impacts_on_Housing_Affordability

¹⁶ Chapple, Wegmann, Nemirow, Dentel-Post (2012). *Yes in My Backyard: Mobilizing the Market for Secondary Units*. Center for Community Innovation. Accessed July 5, 2021, at:

https://communityinnovation.berkeley.edu/sites/default/files/yes_in_my_backyard_mobilizing_the_market_for_secondary_units.pdf?width=1200&height=800&iframe=true.

¹⁷ Portland State University (2018). *Accessory Dwelling Units in Portland, Oregon*. ISS Study, 1st Report. Accessed July 5, 2021, at:

<https://static1.squarespace.com/static/570a958bab48de7164536ffe/t/5b510ced88251b908ec9e0f5/1532038403977/Portland+ADU+Survey+Report+June+2018.pdf>.

existing incentives to locate new development close to transit and active transportation facilities, thus demand for these facilities may increase, in accordance with Regional Plan goals and in support of achieving and maintaining the Transportation and Sustainable Communities threshold.

- d. No significant change to patterns of circulation or movement of people and/or goods is anticipated. The amendments support and operate within the existing incentives to locate development in close proximity to transit and town centers.

13. 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

- a. Projects shall be required to demonstrate and ensure adequate fire flow and protection services per Section 32.4.2.A, *Fire Flow Requirements*, of the TRPA Code of Ordinances, and in accordance with local ordinances. The proposal does not add additional growth beyond what was analyzed in the 2012 Regional Plan.
- b. The proposal does not add additional growth beyond what was analyzed related to police protection in the 2012 Regional Plan, and the anticipated location of any new growth is consistent with existing uses or supports the incentives to concentrate development close to centers and transit.
- c. The amendments do not make any changes to TRPA Regional Plan's growth rate and are not expected to exceed the existing capacity or result in changes to current facilities. New development pays fees to school districts to accommodate new growth which may lead to changes in student population.
- d. No changes to parks or other recreational facilities are proposed. The proposal does not add additional growth that could impact parks or other recreational facilities beyond what was analyzed in the 2012 Regional Plan.
- e. The amendments will not result in an unplanned effect on maintenance of public facilities, including roads. An increase in the local resident population could increase revenues available for maintenance of public facilities, through increased participation in taxes and fees.
- f. There are no other known governmental services that would be directly affected by the amendments.

14. 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

- Utility companies serving Lake Tahoe project that the available capacity would far exceed the demand generated at build-out of the Regional Plan (TRPA 2012. pg. 3.13).
- Energy demand created by implementation of the amendments would not exceed available capacity or require the development of new sources of energy.

15. 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

- Available capacity would far exceed the demand generated at build-out of the TRPA Regional Plan; demand would not result in new or altered systems.
- Development permitted through the amendments will all be located within existing service areas for communication systems providers.
- The amendments do not generate additional water demand beyond what has already been planned for, therefore there is no anticipated impact. On a Region-wide basis, surface water allocation to the Tahoe Region pursuant to the TROA is 34,000 acre-feet per year (afy), and current Region-wide water demand is approximately 28,079 afy (2012 Regional Plan EIS, Section 3.13, *Public Services and Utilities*).

- d. On a Region-wide basis, existing average wastewater flow rates are approximately half of the total export capacity; in addition, TRPA Code Section 32.5 requires that all projects be served by facilities that provide treatment and export of wastewater from the Tahoe Region; Code Section 50.4.1(C) prohibits distribution of allocations to jurisdictions with insufficient wastewater to support residential development; and TRPA Code Section 13.10.7 requires demonstration of adequate sewer capacity prior to occupancy of a transferred unit (2012 Regional Plan EIS Section 3.13, *Public Services and Utilities*). A need for new systems, or substantial alterations to utilize additional treatment capacity would not occur.
- e. The proposed amendments do not affect storm water drainage regulations and requirements.
- f. Generation rates for the 2012 Regional Plan were anticipated to increase to 115,200 tons per year under the maximum allowable growth that would be permitted. Existing capacity at the Lockwood Regional Landfill was 22 million tons, with a planned expansion that would allow for a total capacity of 204 million tons. Waste disposal needs are determined to be adequately filled in the future, and the Phase 1 Housing Amendments do not add additional growth beyond what was planned for in the 2012 Regional Plan (2012 Regional Plan EIS Section 3.13, *Public Services and Utilities*).

16. 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"/>

17. Scenic Resources / Community Design

Will the proposal result in:	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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Be visible from any public recreation area or TRPA designated bicycle trail?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be inconsistent with the height and design standards required by the applicable ordinance or Community 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

- a-c. The amendments are programmatic changes and it is unknown where future development will be located. Any new development must comply with TRPA Code of Ordinances Chapter 66, *Scenic Quality*. The amendments are anticipated to lead to improvements in scenic quality ratings as they encourage redevelopment along scenic corridors, particularly through Recommendation #2, *Non-Conforming Tourist Density*.
- d. The amendments do not make any changes to height and design standards.
- e. The amendments do not make any changes that would allow projects to be inconsistent with the SQIP or Design Review Guidelines. The amendments may lead to better scenic quality within neighborhoods by introducing variability in the types of housing that is constructed, reducing incentives to maximize allowable height and coverage on a parcel through large, boxy home types. Recommendation #3, *Accessory Dwelling Units*, encourages construction of ADUs, which must comply with Chapter 36, *Design Standards*.

Threshold Indicators – Scenic Resources

As discussed above, no significant scenic impacts are anticipated. Continued application of design standards and guidelines and maintenance of scenic quality numeric ratings will ensure improvement of overall scenic quality.

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

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

18. Recreation

Will the proposal result in:	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

a-d. The amendments do not change the overall amount of planned growth, but rather further incentivize growth patterns that support travel to recreation areas by transit, bicycle, and other low-impact means. By emphasizing a shift in housing occupancy from second/vacation home use to local resident/workforce use, the amendments may encourage a more dispersed recreation pattern throughout the week and year.

Threshold Indicators – Recreation

As discussed above, the amendments are not anticipated to result in significant recreational impacts.

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](#)

19. Archaeological / Historical

Will the proposal result in:

	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?	<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

a-e. The amendments are a programmatic change. Future development must comply with federal and state regulations as well as TRPA Code (Chapter 67) to avoid adverse effects on archaeological or historic sites, or if any resources of cultural or historical significance are found on a specific project site.

20. Findings of Significance

Will the proposal result in:

	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"/>

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 _____

Title of Evaluator

Attachment F
Compliance Measures

Attachment F - COMPLIANCE MEASURES PHASE 1 HOUSING AMENDMENTS

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 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 policies that would impact the Capital Improvement Program for Erosion and Runoff Control.
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	New subdivisions will continue to be limited by the provisions in Chapter 39, Subdivision, of the TRPA Code of Ordinances. There is no change to limitations on new subdivisions.

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	Y	The Phase 1 Housing Amendments amend Chapter 21 to change “secondary residence” to “accessory dwelling unit (ADU),” and to allow up to two ADUs per parcel when they are accessory to residential uses.
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 and Individual Parcel Evaluation System (IPES) 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	No changes to limits on land coverage are proposed with the amendments.
12	Transfer of development: Goals and Policies: Land Use Element and Implementation Element	WQ, Soils/SEZ	N	The Phase 1 Housing Amendments are consistent with the Regional Plan strategies to focus development near transit and near town centers. The amendments do not make any changes to incentives to transfer coverage or development out of sensitive areas and onto higher-capability lands and into town centers. The amendments continue to incentivize development near transit and near town centers by supporting higher residential densities in these areas through ADU incentives (Bonus Units, Mobility Mitigation Fees), and allowing non-conforming tourist density to be used as residential density.
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	N	The amendments will not alter existing restrictions on SEZ encroachment and vegetation alteration in the TRPA Code of Ordinances, Chapters 30 and 61.

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 53	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 Phase 1 Housing Amendments do not change the rate of allocation distribution or add any new development potential.
19	Improved BMP implementation/enforcement program	WQ, Soils/SEZ	Y	See response to Compliance Measures 1 through 4. The amendments may lead to increased BMP implementation as there will be additional project applications coming in for ADUs, under which BMPs will need to be completed for the entire parcel. Incentives to convert older motels to residential may also lead to implementation of BMPs on these properties.
20	Increased funding for EIP projects for erosion and runoff control	WQ, Soils/SEZ	N	The amendments will not directly 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	N	The amendments do not affect existing provisions regarding the transfer of development from SEZs.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
23	Improved mass transportation	WQ, Trans, Noise	Y	The amendments do not directly improve mass transportation, however they may indirectly support mass transportation systems by facilitating and better incentivizing new residential development in districts that are in close proximity to transit, providing additional ridership.
24	Redevelopment and redirection of land use: Goals and Policies: Land Use Element and Code of Ordinances Chapter 13	WQ, Soils/SEZ, Scenic	Y	The Phase 1 Housing Amendments specifically encourage the redirection of residential land uses to areas well-served by transit and services by allowing higher residential densities for redeveloped tourist sites, expanding the bonus unit boundary to areas recognized as walkable based on previous planning efforts, and allowing ADUs, which are smaller homes with reduced parking requirements, and which are incentivized through bonus units and fees to be close to transit and town centers.
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, stationary source controls, sewage transport, treatment, or release, garbage or hazardous materials and waste.
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	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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.
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	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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.
42	Control of encroachment and coverage in sensitive areas	WQ, Soils/SEZ, Wildlife, Rec, Scenic	N	No changes to coverage regulations or regulations related to encroachment into sensitive areas are included in the amendments.
43	Control on shorezone encroachment and vegetation alteration: <i>Code of Ordinances</i> Chapter 83	WQ, Soils/SEZ, Scenic	N	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	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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 TBAP does not alter the list of exempt activities. No changes are proposed.
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				

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
62	Fixed Route Transit - South Shore	Trans, Rec	N	As noted in Compliance Measure 23, above, the amendments to not change plans or goals and policies related to transit or active transportation, but they will support transit indirectly by directing new residential development to areas served by transit and active transportation facilities.
63	Fixed Route Transit - North Shore: TART	Trans, Rec	N	
64	Demand Responsive Transit - South Shore	Trans	N	
65	Seasonal Trolley Services - North and South Shores: South Shore TMA and Truckee-North Tahoe TMA	Trans, Rec	N	
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	The amendments do not make any changes to wood or gas heater controls, or stationary source controls.
73	Wood heater controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
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	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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.
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	N	The amendments do not make any changes related to parking management areas, parking fees, or parking facilities.
85	Parking Management Areas	Trans	N	
86	Parking Fees	Trans	N	
87	Parking Facilities	Trans	N	
88	Traffic Management Program - Tahoe City	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.
89	US 50 Traffic Signal Synchronization - South Shore	Trans	N	
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	
93	Air Quality Studies and Monitoring	WQ, AQ	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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 23, 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	
109	Parking Inventories and Studies Standards	Trans	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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	The amendments do not make any changes to the project review process or compliance inspections.
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 weeks.
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 education and outreach efforts for wildlife and fish.
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. There are no changes to allowed uses.

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 Measures 10 and 18. There are no changes to the allocation of development.
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 altering where hiking and riding facilities are permissible. See also Compliance Measure 40.
194	Scenic quality of recreation facilities	Rec, Scenic	N	The amendments do not include any changes to provisions related to scenic quality of recreation facilities.
195	Density standards	Rec	Y	The amendments allow non-conforming tourist density to be used as residential density for onsite redevelopment. They remove the restriction from Table 31.3.2, "Table of Maximum Densities" that previously limited accessory dwelling units only to parcels of greater than one acre, and that limited them to only one ADU per parcel.
196	Bonus incentive program	Rec	Y	The amendments expand the Bonus Unit Boundary by approximately 15% to add a ½ mile buffer of Town Centers, and neighborhoods where multi-family development is an allowed or special use.
197	Required Findings: <i>Code of Ordinances</i> Chapter 4	Rec	N	The amendments do not affect required findings.
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

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
202	Reserve additional resource capacity	Rec	N	reservations of additional resource capacity, or include economic modeling.
203	Economic Modeling	Rec	N	
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	N	The proposal does not make any changes to the Driveway and Parking Standards in Chapter 34.
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	N	The amendments do not make any changes to the Design Standards in Chapter 36. The amendments could lead to accelerated implementation of design standards as more projects are incentivized to undergo redevelopment or construct new ADUs that must comply with the standards.
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	
213	Grading Standards: <i>Code of Ordinances</i> Chapter 33	WQ, Scenic	N	Grading and vegetation protection during construction shall continue to meet the

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
214	Vegetation Protection During Construction: Code of Ordinances Chapter 33	AQ, Veg, Scenic	N	provisions of the TRPA Code of Ordinances, Chapter 33, Grading and Construction.
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 any changes to the Design Review Guidelines.
217	Scenic Quality Improvement Program(SQIP)	Scenic	N	The amendments do not conflict with the SQIP and are not anticipated to impact scenic ratings. The recommendations could improve scenic quality ratings as new projects undergoing redevelopment along scenic resource areas will provide an opportunity to improve scenic quality 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 G
Area Plan Compliance Checklist

Area Plan Finding of Conformance Checklist

Area Plan Name: Tahoe Valley Area Plan (TVAP), Tourist Core Area Plan (TCAP), Meyers Area Plan

Lead Agency: City of South Lake Tahoe, El Dorado County

Submitted to TRPA: N/A

TRPA File No: N/A

Lead Agency Area Plan Amendment Approval Date: TBD

APC Hearing Date: July 14, 2021

Governing Board Hearing Date: July 29, 2021

Appeal Deadline: N/A

MOU Approval Deadline: N/A

Geographic Area and Description: All residentially zoned parcels in the Tahoe Valley Area Plan, Tourist Core Area Plan, and Meyers Area Plan

Land Use Classifications Included in the Area Plan: N/A

Alternative Development Specific Standards: N/A

Contents of Area Plans	Code	Conformance
<p>General</p> <p>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.</p>	13.5.1	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<p>Notes: The TVAP, TCAP, and Meyers Area Plan consists of applicable policies, maps, ordinances, and related materials that conform to the Regional Plan.</p>		

<p>Relationship to Other Sections of the Code</p> <p>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.</p>	13.5.2	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<p>Notes: The TVAP, TCAP include existing substitute design standards that emphasize requirements for pedestrian open space, landscaping, signage, and parking. The Development and Design Standards of the Area Plans supplement and are equal to or superior to TRPA's standards set forth in Chapter 36. The Phase 1 Housing Amendments do not propose any changes to these standards.</p>		

Development and Community Design Standards for Area Plans		
Area Plans shall have development standards that are consistent with those in Table 13.5.3-1.		
Maximum Building Height	Code	Conformance
Area Plans shall have development standards that are consistent with those in Table 13.5.3-1.		
Outside of Centers building height standards consistent with Code Section 37.4	13.5.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The Phase 1 Housing Amendments do not propose any changes to maximum height outside of the Centers.		
Within Town Centers up to 4 stories (56 ft.) maximum	13.5.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The Phase 1 Housing Amendments do not propose any changes to the maximum height within Centers.		
Within the Regional Center up to 6 stories (95 ft.) maximum	13.5.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: The Phase 1 Housing Amendments does not propose any changes to height within a Regional Center.		
Within the High-Density Tourist District up to 197 feet maximum	13.5.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: The Phase 1 Housing Amendments does not propose any changes to height within a high-density tourist district.		
Density	Code	Conformance

Single Family Dwelling consistent with Code Section 31.3	13.5.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The Area Plan Amendments included as part of the Phase 1 Housing Amendment Package will allow the TVAP, TCAP and Meyers Area Plan to be consistent with proposed changes to the Table of Maximum Densities in Code Section 31.3 to accommodate Accessory Dwelling Units (ADUs).		
Multiple-Family Dwelling outside of Centers consistent with Code Section 31.3	13.5.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The Phase 1 Housing Amendments do not propose any changes to Multi-Family Dwelling density outside town centers.		
Within Centers Multi-Family Dwelling Residential 25 units/acre maximum Tourist (other than bed & breakfast) 40 units/acre maximum	13.5.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The Phase 1 Housing Amendments do not propose any changes to multi-family or tourist use densities within centers.		
Land Coverage		
Land coverage consistent with Section 30.4 of the TRPA Code	13.5.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The Phase 1 Housing Amendments do not propose to change land coverage standards.		
Alternative Comprehensive Coverage Management System (see below)	13.5.3.B.1	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: N/A		
Complete Streets		
Area Plan conforms to Section 36.5 of the Code of Ordinances.	13.5.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The Phase 1 Housing Amendments is consistent with Section 36.5, Site Design Standards such as traffic circulation, screening, snow storage, setbacks, bicycle and pedestrian facility maintenance. The amendment does not propose any changes to these standards.		
Within Centers plan for sidewalks, trails, and other pedestrian amenities providing safe and convenient non-motorized circulation within Centers, as applicable, and incorporation the Regional Bike and Pedestrian Plan	13.5.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The Phase 1 Housing Amendments doe not include any changes to planned sidewalks, trails, or pedestrian amenities.		
Alternative Development Standards and Guidelines Authorized in Area Plans		
Comprehensive Coverage Management Systems		
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	13.5.3.B.1	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

<p>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.</p>		
<p>Notes: N/A</p>		
<p>Alternative Parking Strategies</p>	<p>Code</p>	<p>Conformance</p>
<p>Area Plan includes 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.</p> <ul style="list-style-type: none"> ○ 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 	<p>13.5.3.B.2</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>
<p>Notes: The Phase 1 Housing Amendments do not propose any changes to shared or area-wide parking strategies in the Area Plans.</p>		
<p>Area-wide Water Quality Treatments and Funding Mechanisms</p>	<p>Code</p>	<p>Conformance</p>
<p>Area Plan includes water quality treatments and funding mechanisms in lieu of certain site-specific BMPs, subject to the following requirements.</p> <ul style="list-style-type: none"> ○ 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 	<p>13.5.3.B.3</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p>

<p>maintenance;</p> <ul style="list-style-type: none"> ○ 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. 		
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Notes: The Phase 1 Housing Amendments do not make any changes to previously conforming sections of the Area Plans that conformed with area-wide water quality treatments and funding mechanisms.

Alternative Transfer Ratios for Development Rights	Code	Conformance
<p>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.</p>	13.5.3.B.4	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

Notes: The Phase 1 Housing Amendments do not make any changes to previously established alternative transfer ratios for development rights.

Development Standards and Guidelines Encouraged in Area Plans	Code	Conformance
<p>Urban Bear Strategy</p> <p>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.</p>	13.5.3.C.1	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<p>Notes: The Phase 1 Housing Amendments do not make any changes to urban bear strategies already determined to be in conformance in the Area Plans.</p>		
<p>Urban Forestry</p> <p>In Area Plans, lead agencies are encouraged to develop</p>	13.5.3.C.2	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

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 Phase 1 Housing Amendments do not make any changes to previously developed urban forestry strategies already determined to be in conformance in the Area Plans.		

Development on Resort Recreation Parcels	Code	Conformance
<p>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:</p> <ul style="list-style-type: none"> ○ 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. 	13.5.3.D	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

Notes: The Phase 1 Housing Amendments do not make any changes related to Resort Recreation District parcels depicted on Map 1.

Greenhouse Gas Reduction Strategy	Code	Conformance
<p>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:</p> <ul style="list-style-type: none"> ○ 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. 	13.5.3.E	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Notes: The Area Plans have conforming Greenhouse Gas Reduction Strategies. The Phase 1 Housing Amendments do not make any changes to these strategies.

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.

Site Design	Code	Conformance
<p>Development in All Areas</p> <p>All new development shall consider, at minimum, the following site design standards:</p> <ul style="list-style-type: none"> ○ 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, sage, and meet the requirements of the transportation element. 	13.5.3.F.1.a	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<p>Notes: The Phase 1 Housing Amendments do not propose any changes to these standards.</p>		
<p>Development in Regional Center or Town Center</p> <p>In addition to the standards above, development in Town Centers or the Regional Center shall address the following design standards:</p> <ul style="list-style-type: none"> ○ 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. 	13.5.3.F.1.b	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

<ul style="list-style-type: none"> 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. 		
<p>Notes: The Area Plans comply with these standards, and the housing amendments do not propose any changes to these standards.</p>		
<p>Building Height</p> <ul style="list-style-type: none"> 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. 	<p>13.5.3.F.2</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>
<p>Notes: The housing amendments do not propose any changes to maximum building height limits.</p>		
<p>Building Design</p> <p>Standards shall be adopted to ensure attractive and compatible development. The following shall be considered:</p> <ul style="list-style-type: none"> 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. 	<p>13.5.3.F.3</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>
<p>Notes: The housing amendments do not propose any changes to these standards.</p>		
<p>Landscaping</p> <p>The following should be considered with respect to this design component of a project:</p> <ul style="list-style-type: none"> Native vegetation should be utilized whenever 	<p>13.5.3.F.4</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>

Updated October 2017

<p>possible, consistent with Fire Defensible Space Requirements.</p> <ul style="list-style-type: none"> ○ 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. 		
<p>Notes: The housing amendment does not propose any changes to these standards.</p>		
<p>Lighting</p> <p>Lighting increases the operational efficiency of a site. In determining the lighting for a project, the following should be required:</p> <ul style="list-style-type: none"> ○ 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. 	<p>13.5.3.D.5</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>
<p>Notes: The housing amendment does not propose any changes to these standards.</p>		
<p>Signing</p> <p>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.</p>	<p>13.5.3.F.6</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p>
<p>Notes: The housing amendments do not proposed any changes to alternative sign standards previously found to be conforming.</p>		

<p>Signing</p> <p>In the absence of a Conforming Area Plan that addresses sign standards, the following policies apply, along with implementing ordinances:</p> <ul style="list-style-type: none"> ○ 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. 	13.5.3.F.6	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<p>Notes: The housing amendments do not propose any changes to sign policies and standards.</p>		
<p>Modification to Centers (Town Center, Regional Center and High Density Tourist District Boundary)</p> <p>When Area Plans propose modifications to the boundaries of a Center, the modification shall comply with the following:</p> <ul style="list-style-type: none"> ○ 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. 	13.5.3.G	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<p>Notes: The housing amendments do not propose modifications to the boundaries of designated Centers.</p>		

Conformity Review Procedures For Area Plans		
<p>Initiation of Area Planning Process by Lead Agency</p> <p>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.</p>	13.6.1	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<p>Notes: The Phase 1 Housing Area Plan amendments were requested and initiated by El Dorado County and the City of South Lake Tahoe.</p>		
<p>Initial Approval of Area Plan by Lead Agency</p> <p>When TRPA is Not the Lead Agency 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.</p> <p>When TRPA is the Lead Agency 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.</p>	13.6.2	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
<p>Notes: The Area Plan amendments have had informational hearings at the TRPA’s Advisory Planning Commission (APC) and Local Government and Housing Committee (LGHC) on June 9, 2021 and Regional Plan Implementation Committee (RPIC) on June 23, 2021. Final Governing Board approval will not be requested until the local jurisdictions’ City Council and Board of Supervisors have approved the amendments. Amendments to the City of South Lake Tahoe’s ADU ordinances for the non-Area Plan geographies of the City have been heard and approved by the City Council, and are in the process of being heard and reviewed for El Dorado County.</p>		
<p>Review by Advisory Planning Commission</p> <p>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.</p>	13.6.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Notes: The amendments are scheduled to be reviewed by the APC on July 14, 2021.		
Approval of Area Plan by TRPA 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.	13.6.4	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The amendments will come back to the Governing Board for final approval after approvals are complete at the local level.		
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	Code	Conformance
The submitted Area Plan shall:		
Identify zoning designations, allowed land uses and development standards throughout the plan area.	13.6.5.A.1	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The TVAP, TCAP, and Meyers Area Plan identify zoning designations, allowed land uses, and development standards throughout the plan area. The amendments propose minor changes to the descriptions of single-family and multi-family land uses to accommodate accessory dwelling units.		
Be consistent with all applicable Regional Plan policies, including but not limited to the regional growth management system, development allocations and coverage requirements.	13.6.5.A.2	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The TVAP, TCAP and Meyers Area Plan comply with all Regional Plan policies, including the regional growth management system and coverage requirements. The amendments do not propose changes that would result in inconsistency with applicable Regional Plan policies.		
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	13.6.5.A.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Regional Plan policies and provide threshold gain.		
Notes: The amendments do not propose any modifications to the Land Use Map.		
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.	13.6.5.A.4	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The amendments do not propose any changes to these policies or planned, new, or enhanced EIP projects.		
Promote environmentally beneficial redevelopment and revitalization within town centers, regional centers and the High Density Tourist District.	13.6.5.A.5	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The amendments encourage construction of ADUs on parcels of less than one acre. Smaller parcels are more likely to be found closer to town centers and areas where environmentally beneficial redevelopment and revitalization is encouraged.		
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.	13.6.5.A.6	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The proposed amendments would provide additional opportunities for compliance with BMP requirements as all project seeking a permit for an ADU would be required to implement BMPs as a condition of the permit. ADUs are required to comply with area plan design standards, which would preserve and improve the character of established residential areas.		
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.	13.6.5.A.7	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The proposed amendments would not alter existing natural resource protections that direct future development away from sensitive areas and seek opportunities for environmental improvement.		
Identify facilities and implementation measures to enhance pedestrian, bicycling and transit opportunities along with other opportunities to reduce automobile dependency.	13.6.5.A.8	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The amendments do not propose any changes to the proposed transportation network but the are anticipated to facilitate local resident and workforce housing in close proximity to existing		

transit networks, and existing and planned bicycle and pedestrian facilities, further reducing automobile dependency.

TRPA Utilization of Load Reduction Plans	Code	Conformance
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.	13.6.5.B	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Notes: Pollutant load reduction targets are established in the Lake Tahoe TMDL. Load reduction targets are being achieved with Water Quality Improvement Projects in high priority catchments, pollutant control management measures in road maintenance operations, and the completion of private parcel Best Management Practices (BMPs). The amendments do not propose any changes to established load reduction plans.

Additional Review Standards for Town Centers and the Regional Center	Code	Conformance
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.	13.6.5.C.1	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Notes: The TVAP, TCAP and Meyers Area Plan include development and design standards that are appropriate and reflect the unique character of each area. The Phase 1 Housing amendments do not propose any changes to these standards.

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.	13.6.5.C.2	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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Notes: See existing TVAP, TCAP and Meyers Area Plan recreation and transportation policies and projects that promote enhanced pedestrian and bicycle facilities and expanded transit opportunities.

Use standards within town centers and regional centers addressing the form of development and requiring that projects promote pedestrian activity and transit use.	13.6.5.C.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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Notes: Existing TVAP, TCAP and Meyers Area Plan policies encourage walking, bicycling, transit use. The amendments do not propose any changes to these policies. Encouragement of ADUs as local and resident housing should promote pedestrian activity and transit use as they are incentivized to be in walkable areas, and over 70 percent of ADU households are shown to have one or fewer vehicles (Yes in My Backyard: Mobilizing the Market for Secondary Units [2011]; ADUs in Portland, Oregon ISS Survey Report [2018]).

Ensure adequate capacity for redevelopment and transfers of development rights into town centers and regional centers.	13.6.5.C.4	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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Notes: The existing TVAP, TCAP and Meyers Area Plan height and density allowances are in conformance with the Regional Plan. The proposed height and density allowances provide adequate capacity for redevelopment and transfers. The amendments does not propose any changes to these allowances. Allowing ADUs provides an additional opportunity for transfer of development rights into centers.		
Identify an integrated community strategy for coverage reduction and enhanced stormwater management.	13.6.5.C.5	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: The amendments do not propose changes to community strategies for land coverage reduction and enhanced stormwater management.		
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.	13.6.5.C.6	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The Initial Environmental Checklist prepared for the Phase 1 Housing amendments, as well as the Threshold Indicators checklist demonstrate that the proposed amendments would not interfere with threshold gain, and in fact should provide for threshold gain by encouraging redevelopment in centers that supports biking, walking, and transit use, and water quality improvements.		
Additional Review Standards for the High Density Tourist District	Code	Conformance
Include building and site design standards that substantially enhance the appearance of existing buildings in the High Density Tourist District.	13.6.5.D.1	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: The TVAP, TCAP and Meyers Area Plan do not have any areas designated as High-Density Tourist District.		
Provide pedestrian, bicycle and transit facilities connecting the High Density Tourist District with other regional attractions.	13.6.5.D.2	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: The TVAP, TCAP and Meyers Area Plan do not have any areas designated as High-Density Tourist District.		
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.	13.6.5.D.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: The TVAP, TCAP and Meyers Area Plan do not have any areas designated as High-Density Tourist District.		
Conformity Review for Amendments to Area Plans	Code	Conformance

<p>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.</p>	<p>13.6.6</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>
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Notes: The proposed amendment will be reviewed by the APC on July 14, 2021.

<p>Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan</p>	<p>Code</p>	<p>Conformance</p>
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<p>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.</p>	<p>13.6.7.A</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>
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Notes: These amendments are being brought forward in response to communication between TRPA and lead agencies of changes that could affect the Area Plan, and with the intention of utilizing new code amendments as soon as possible.

<p>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.</p>	<p>13.6.7.B</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p>
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Notes: This amendment was initiated by the City of South Lake Tahoe and El Dorado County to provide additional opportunities for construction of ADUs and to support more opportunities

for affordable and workforce housing, not to incorporate changes necessitated by amendments that affect the Area Plan.

Effect of Finding of Conformance of Area Plan	Code	Conformance
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.	13.6.8	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Notes: The TVAP, TCAP and Meyers Area Plan serve as the standards and procedures for implementation of the Regional Plan in the respective area plan geographies.

Procedures for Adoption of Memorandum of Understanding	Code	Conformance
Area Plan is consistent with Procedures for Adoption of Memorandum of Understanding	13.7	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Notes: The amendments do not propose any changes that would make the area plans inconsistent with the procedure for adopting a Memorandum of Understanding.

Monitoring, Certification, and Enforcement of Area Plan	Code	Conformance
Area Plan includes Notification, Monitoring, Annual Review, and Recertification procedures consistent Code Section 13.8	13.8	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Notes: The amendments do not make any changes that would change previous conformance with notification, monitoring, annual review, and recertification procedures.

Appeals	Code	Conformance
Area Plan Appeal Procedure is consistent with Code Section 13.9	13.9	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Notes: The amendments do not make any changes that would change previous conformance with Area Plan Appeal Procedure.

Attachment H
Public Comments Received for APC July 14, 2021 Hearing

Good morning Advisory Planning Commissioners, I'm Chase Janvrin, Program Manager for the Tahoe Prosperity Center, and active member of the TRPA's Housing Work Group. I want to start by thanking you and TRPA staff for staying so focused on addressing the housing crisis in the basin.

There has been some great progress out of the workgroup that I want to acknowledge. Allowing tourist density to grandfather in to residential density should allow developers to pencil hotel/motel conversions. We have so many old, dilapidated hotels and motels that are already serving as defacto affordable housing because we have such limited housing stock, I hope this spurs a new wave of redevelopment in the coming years. However, most of these type of projects could be years away.

That said, I don't think we've done enough to incentivize ADUs, which is one of the easiest, cheapest, and fastest types of housing that could be provided. Expanding the bonus unit boundaries is a step in the right direction for the City of South Lake, but it doesn't go far enough for residents of Meyers as it omits most of the area due to lack of transit.

But the biggest issue is with development rights. Requiring a full development right to permit an ADU serves as a deterrent to affordable by design development. I understand that coverage is a core tenant of the TRPA, so when the existing footprint of an already constructed home can include an ADU, why should a development right be required? Attached ADUs, junior ADUs, and existing construction shouldn't require a second development right, period. I've submitted a couple pictures of examples where this could apply.

There is a critical need for workforce housing here. It's truly become a crisis, and we need to find ways to allow new, affordable by design housing as quickly as possible so the local workforce can afford to stay here. Simply allowing already constructed space to become legal ADUs is the ***fastest path to increasing housing that has no impact on coverage, requires no government subsidies, allows our community to participate in the solution, and the net result is simply increased density, which is exactly what the other recommendations are already incentivizing.*** We should be doing all that we can to not just allow, but to incentivize affordable by design housing, and not depend solely on affordable by government subsidy housing.

As one of the regional conveners on housing in Lake Tahoe, the Tahoe Prosperity Center strongly supports the recommendations made by TRPA staff, but we encourage an amendment to allow for ADUs in already constructed space to not require a development right.

Thank you for your time today and keep up the great work.

Chase Janvrin
Program Manager, Tahoe Prosperity Center



From: kathie julian
Sent: Wednesday, July 14, 2021 12:33 AM
To: Tracy Campbell <tcampbell@trpa.gov>
Subject: Comment on TRPA Code Change for ADUs

On the subject of Accessory Dwelling Units (ADUs), I remain concerned that, after the proposed TRPA code recommendation passes to allow ADUs on parcels less than 1 acre, we will see Washoe County moving (as they did earlier this year) to make Washoe County code in IV/CB consistent with TRPA's code. Washoe County would do this through the Tahoe Area Plan, right? **But I am highly doubtful Washoe County will insert the California provision that restricts ADU's from being rented for less than 30 days.** The California provision prevents these ADUs (intended for workforce housing) from being used as Short-Term Rentals (STRs).

But, Nevada tends not to place such restrictions on private property, especially if it is perceived to follow the example of California. Further, there is for Washoe County a strong financial interest in Incline Village and Crystal Bay generating maximum tourism taxes from STRs.

As such, we may end up with these new ADUs being allowed in Incline Village and Crystal Bay on lots smaller than 1 acre **AND** being allowed as STRs. **This will exacerbate the "hotelification" of Incline Village and Crystal Bay, and do nothing to increase the inventory of affordable housing units for our working community, which is the rationale for this code change by TRPA.**

I support the concept of ADU development on smaller parcels for long-term workforce housing. I do not support building ADUs to provide more STRs in the Incline Village and Crystal Bay.

I suspect this is what may happen when put in the hands of the Washoe County Commission. TRPA should make a strong statement to discourage the misuse of this code change to bolster tourism and STRs at the expense of residential neighborhoods and our local workers.

Kathie M. Julian



STAFF REPORT

Date: July 21, 2021
To: TRPA Governing Board
From: TRPA Staff
Subject: Update on the US 50 Tahoe East Shore Corridor

Summary and Staff Recommendation:

Staff will provide an update on the US 50 Tahoe East Shore Corridor Management Plan (CMP) and projects that are planned for implementation along the corridor in the next few years. The projects include the Warrior Way Intersection Safety and Drainage Improvement Project and The Round Hill Pines Intersection Improvement Project. This item is for informational purposes and no action is required.

US 50 East Shore Corridor Management Plan:

The Nevada Department of Transportation (NDOT), in collaboration with partners, launched the CMP in early 2021. The CMP will assess and evaluate transportation and sustainable recreation needs along the 13-mile corridor from Spooner Summit to the California/Nevada Stateline. The CMP will focus on improving safety, expanding multi-modal transportation options, enhancing visitor experience, promotion of economic vitality, and protection of Lake Tahoe. The CMP planning process will identify improvement strategies for the corridor based on existing regional plans, stakeholder input and assessment of travel and safety data.

NDOT hosted public meetings in June 2021 and there is currently a public survey available on the project website. A draft CMP will be released in 2022 and a final CMP will be considered in late 2022.

More information on the CMP may be found on the project website and the Storymap created for the project at the following links:

<https://www.dot.nv.gov/projects-programs/programs-studies/u-s-50-tahoe-east-shore-corridor-management-plan>

<https://storymaps.arcgis.com/stories/4bb45e6f1ea94ef9b86dd65a6006618a>

The following projects were identified as a high priority and were planned and will be implemented prior to completion of the CMP. The projects will be referenced in the CMP as projects implemented along the corridor that meet the plan goals and objectives.

US 50 at Warrior Way Intersection Safety and Drainage Improvement Project (EIP # 01.01.01.0199):

The Warrior Way Safety and Drainage Improvement Project will improve the safety of this intersection by adding a traffic signal and pedestrian crossing improvements. The current non-signalized intersection accesses Zephyr Cove Elementary School, George Whittell High School, and the Zephyr Cove Park and has caused safety concerns. NDOT traffic and safety data has indicated that improvements at this intersection are necessary, and it was determined that a signalized intersection would be the best option. Drainage and water quality improvements will also be included as part of the project to treat urban stormwater making this a multi-benefit EIP project. The Warrior Way intersection improvements will be implemented by NDOT in 2022.

The intersection will provide the space for a second ingress/egress into Zephyr Cove Resort, which is owned by the USDA Forest Service Lake Tahoe Basin Management Unit (LTBMU). The LTBMU has future plans to add a second entrance to the Zephyr Cove Resort at this location and improve circulation and parking within the resort. The plans are still in development for these improvements and there is currently not a time set for implementation.

Round Hill Pines Intersection Improvement Project (EIP # 03.01.02.0070):

The Round Hill Pines Intersection Improvement Project proposes a new entrance to Round Hill Pines Resort. The new entrance will be 0.2 miles north of the existing entrance and will include a left turn lane into the resort and a northbound acceleration lane along US 50. The current US 50 entrance configuration into the Round Hill Pines Resort is unsafe due to limited sight distance in both directions and unprotected turning movements across US 50. The project will improve the sight distance for vehicles and make turning movements into and out of the resort safer for all users.

The Federal Highway Administration (FHWA) Central Federal Lands Highway Division (CFLHD) in cooperation with LTBMU and TRPA has prepared a public Draft Environmental Assessment (EA) to analyze the impacts of the proposed project. The public draft EA was available for public comment from May 28th to June 27th, 2021. Six comment letters were received on the public draft EA which will be addressed in the final EA. The final EA will be issued in late 2021 and final project consideration will occur shortly thereafter. Construction is planned for 2022.

As a separate but linked project, the LTBMU is proposing access, parking, and circulation improvements to the Round Hill Pines Resort. The current Round Hill Pines Resort access road contains a narrow roadway width, steep grades, and sharp curves. This limits the flow for two-way traffic and is not conducive to larger vehicles including transit. There is also parking along the unimproved road shoulders causing significant erosion. The project will construct a new entrance that is wider and safer, two new parking lots, a roundabout for transit, and Best Management Practices (BMPs). Once the resort improvements are made vehicles will no longer be able to access the unimproved parking areas. The project will not result in an increase in capacity at the resort. The LTBMU plans on implementing these improvements in 2021. The new entrance from US 50 into the resort will tie into the internal parking and circulation improvements.

Contact Information:

For questions regarding this agenda item, please contact Shannon Friedman, TRPA Senior Planner, at (775) 589-5205 or sfriedman@trpa.gov.

Attachment:

- A. U.S. 50 Tahoe East Shore Corridor Map

Attachment A

U.S. 50 Tahoe East Shore Corridor Map

**LAKE
TAHOE**



CAVE ROCK



**SPOONER
SUMMIT**

**KINGSBURY
GRADE RD**



**NEVADA
CALIFORNIA**

497



STAFF REPORT

Date: July 21, 2021
To: TRPA Governing Board
From: TRPA Staff
Subject: Meeks Bay Restoration Project Update

Summary:

Staff will provide an update on the Meeks Bay Restoration Project, including public feedback received thus far, selection of a preferred alternative, and anticipated environmental effects. This item is for informational purposes and no action is required.

Project Description/Background:

The [Meeks Bay Restoration project](#) area extends from Highway 89 to Lake Tahoe in Meeks Bay and includes Meeks Creek, Meeks Marina, the campground and resort on the north side of Meeks Creek, as well as the campground and day use area south of Meeks Creek. A small section of Meeks Creek upstream from Highway 89 is also included in the project area.

Recreational use and development along the shoreline of Meeks Bay began in 1928 with the establishment of a private resort and grew steadily into a destination that included at its height cabins, a dance hall, a movie theater, boat house, stable, a pier and car camping. A bridge was constructed across Meeks Creek on SR 89 in 1929 that is still in place today.

In 1960 a marina with approximately 120 boat slips and a boat launch facility was dredged at the mouth of Meeks Creek in the natural lagoon. In 1974 the Meeks Bay Resort, Marina and Campground were acquired by the U.S. Forest Service. The Lake Tahoe Basin Management Unit (LTBMU) maintains the resort and campground operations through special use permits. The marina operator discontinued its lease and ceased operation of the marina in 2015. Since that time, the LTBMU removed the floating docks to begin an aquatic invasive species control project in the lagoon.

MEEKS BAY RESTORATION PROJECT AREA

Aerial Imagery Acquired 2016


 MeeksRestorationProjectArea

Other Parcel Ownership

 COUNTY

 OTHER GOVERNMENTAL ENTITY

 PRIVATE

 STATE

 Highways



0 0.05 0.1 0.2 Miles

89

The deteriorating condition of the marina infrastructure, concerns over aquatic invasive species, and concerns over degraded habitat for native species have prompted the need for action at Meeks Bay. The purpose of this project is to restore the Meeks creek stream channel and wetland/lagoon below Highway 89 to a more natural condition where geomorphic and hydrologic processes support a functioning ecosystem while continuing to support sustainable recreation opportunities. Ecological improvements involve removing the marina infrastructure and replacing the Highway 89 bridge to facilitate restoration of Meeks Creek, lagoon, and barrier beach. Restoring the reach of Meeks Creek below the highway would complement the Washoe Meadow restoration project, led by the Washoe Tribe, to restore 300 acres of meadow habitat by conifer removal, vegetative treatments, and prescribed fire.

The LTBMU is considering recreation improvements to the site including improved paddle craft facilities, redesign of the campgrounds, parking, bicycle/pedestrian connectivity, and a pier.

Related Plans and Programs

The design of recreation amenities, circulation, and parking at Meeks Bay is being closely coordinated with implementation of the Highway 89 Recreation Corridor Management Plan. The trail would be designed at Meeks Bay to connect with the proposed Tahoe Trail, closing the gap between West Shore and South Shore. Additional parking, transit service, and trail connections would help alleviate roadside parking congestion and safety concerns along the highway at Meeks Bay. The project must also be consistent with the Lake Tahoe Shoreline Plan, which includes design and location standards for shoreline infrastructure.

Replacing the Caltrans Highway 89 Bridge is critical component of the restoration project and the Corridor Plan. The bridge, constructed in 1929, would be replaced with a wider span to allow natural stream flow, fish and wildlife passage, and be updated to current seismic and safety standards. Caltrans has agreed to participate in the Meeks Bay Restoration planning process to ensure that the design meets the restoration and transportation objectives mentioned above. Including the bridge in the Meeks Bay Restoration Project environmental analysis will demonstrate agency collaboration and position Caltrans, the LTBMU, and local partners to compete for implementation funding.

This project has been identified as a high priority Environmental Improvement Project (EIP # 01.02.02.0039).

Project Goals include the following:

- Restore a functioning stream and lagoon ecosystem.
- Control and eradicate aquatic invasive species.
- Enhance fish and wildlife habitat.
- Provide sustainable recreation opportunities and access.
- Improve educational and interpretive opportunities.
- Restore habitat for Tahoe yellow cress, Lahontan cutthroat trout, and species of value to the Washoe Tribe of Nevada and California.

Environmental Review:

The USDA Forest Service Lake Tahoe Basin Management Unit (LTBMU), TRPA, and Lahontan Regional Water Quality Control Board (Lahontan) released a scoping notice for the project in September 2018.

The LTBMU, as the land manager for Meeks Bay, is the joint environmental document lead as well as the project implementor. TRPA, under a participating agreement with the LTBMU, is managing the joint environmental analysis and facilitation contracts for the project. TRPA contracted with Ascent Environmental and the Consensus Building Institute (CBI) to complete the environmental analysis and public engagement. The project planning team consists of staff from the three lead agencies and the consultant team.

The LTBMU, Lahontan, and TRPA will prepare a joint Environmental Impact Statement (EIS) and Environmental Impact Report (EIR) for the Meeks Bay Restoration Project. This joint document is an EIR prepared by Lahontan pursuant to the California Environmental Quality Act (CEQA); an Environmental Impact Statement (EIS) prepared by the LTBMU pursuant to the National Environmental Policy Act (NEPA), and an EIS prepared by TRPA pursuant to the Tahoe Regional Planning Compact, Code of Ordinances, and Rules of Procedure. The planning team anticipates that the Draft EIS/EIS/EIR will be available for public review in Fall 2021, with consideration of the final document in Spring 2022.

The planning team has prepared a range of environmental alternatives as required by NEPA, CEQA, and TRPA. The alternatives represent varying levels of infrastructure improvements, with the stream restoration as the element central to each of the action alternatives. Project features that are common to all action alternatives include:

- Restoration of the creek and lagoon
- Removal of the remaining marina infrastructure and boat ramp
- On-site paddle craft storage
- Bike path along the highway with a spur loop through the project area
- Interpretive trail around creek
- Shoreline stabilization
- Reconfigured and expanded parking near the resort (North)
- Replacement of the Highway 89 bridge to improve fish passage
- Best Management Practices
- Aquatic Invasive Species Control
- Utility infrastructure relocation
- Formalize parking lot near resort cabins
- Tahoe Yellowcress habitat enhancement and protection
- Waterfowl nest structures, bat boxes, and willow plantings

Selection of Preferred Alternative

CEQA requires the lead agency to select a preferred alternative (i.e., the proposed project) prior to publishing a Draft Environmental Impact Report. Under NEPA, the lead federal agency is not required to identify a preferred alternative prior to release of a draft Environmental Impact Statement. The TRPA Rules and Procedures remain silent on this issue. Because this project is being planned through a multi-agency collaborative process, the agencies intend to select a preferred alternative prior to releasing the public

document. The draft environmental document will evaluate all the alternatives at an equal level of detail. Following public review and input on the draft document, the agencies could choose to modify the preferred alternative which will ultimately become the proposed action that is considered for decision by the LTBMU, the TRPA Governing Board, and Lahontan.

The agencies are considering the following range of alternatives shown below and in Attachment A:

	1 RESTORATION W/BOATING PIER	2 RESTORATION W/PEDESTRIAN PIER	3 RESTORATION FOCUS	NO ACTION
Alternative Features				
PIER	Central pier with boating and pedestrian access. Fire boat lift	Central pedestrian pier	No pier	No pier
CAMPGROUNDS	Reconfigure Meeks Resort (North): 36 Meeks (South): 36-42	Reconfigure Meeks Resort (North): 36 Meeks (South): 36-42	Reconfigure and expand (+20) Separate tent & RV sites Meeks Resort (North): 41-46 Meeks (South): 42-52	No change Meeks Resort (North): 36 Meeks (South): 40
CABINS	Relocate cabins	No change	No change	No change
PARKING	Formalize lot near cabins. Reconfigure South parking Meeks Resort: 300 Meeks Day Use: 76	Formalize lot near cabins Meeks Resort: 300 Meeks Day Use: 76	Formalize lot near cabins Expand South parking (+14) and relocate from beach w/drop off Meeks Resort: 300 Meeks Day Use: 90	 Meeks Resort: 300 Meeks Day Use: 76
DAY USE-SOUTH	Expand	Reconfigure & Expand	Reconfigure & Expand	No change
NON-MOTORIZED FEATURES	Paddle craft storage at south end	Paddle craft storage at south end	Paddle craft storage at south end, accessible paddle launch	No change

Alternative 1: Full Restoration & /Public Pier with Boating Access

This alternative achieves the restoration objectives while including opportunity for short-term motorized boat mooring, and pedestrian viewing via a pier in a protected bay. This alternative also provides improved emergency access and response within proximity to the Meeks Bay Fire District and Forest Service fire stations.

This alternative involves full restoration of the Meeks Creek stream channel and removal of the marina infrastructure. A new public pier would be located slightly north of Meeks Creek near the Meeks Bay Resort

“snack shack”. The pier would be approximately 300’ long to reach a navigable depth at lakebed elevation 6,217’. The pier would also include a boat lift to accommodate the Meeks Bay Fire District 28’ long firefighting boat. Both resort cabins would be removed to expand the available beach area and compensate for public beach area that is affected by the pier.

Alternative 2: Full Restoration with Pedestrian Pier

This alternative achieves restoration objectives while including opportunities for pedestrians to access the lake via a shorter public viewing pier. This alternative involves full restoration of the Meeks Creek stream channel and removal of the marina infrastructure. A pedestrian pier would be approximately 100 feet long and located near the Meeks Bay Resort snack shack. The pier would be available for pedestrian viewing and walking only, with no motorized boat mooring. Depending on the design, paddle craft may be able to temporarily tie off to the pier. The parking in the south would be reconfigured to expand and improve the day use picnic area.

Alternative 3: Full Restoration with No Pier

This alternative achieves restoration objectives and focuses recreation improvements on upland facilities. This alternative involves full restoration of the Meeks Creek stream channel and removal of the marina infrastructure. The main parking in the south would be relocated and serve as a buffer between the highway and the campground, allowing for an expanded day use picnic area and accessible drop off and paddle craft launch. This alternative would also reconfigure and expand the campgrounds, adding up to 20 campsites.

No Action Alternative:

The No Action Alternative will evaluate a range of feasible conditions that could occur if the project were not implemented, ranging from an inoperable marina to re-opening the marina. If the project were not implemented, the LTBMU could leave the stream channel “as is”, continuing to treat aquatic invasive species and implement limited BMPs on the site. The LTBMU could also re-open the marina under a new concession contract. In either scenario, the purpose and need for the project would not be addressed and restoration objectives of the project would not be met.

Alternative concepts Considered but Dismissed from Further Evaluation:

South Pier and Ramp:

Based on public feedback and input from the Stakeholder Forum members, the LTBMU is no longer considering a pier and boat launch in the south side of Meeks Bay. There is concern that this would disrupt the day use and swimming area. A boat launch would introduce noise, exhaust, and result in loss of beach.

Public Safety Pier:

The Meeks Bay Fire Protection District requested that the planning team consider a pier that would provide greater access for emergency response, including protected mooring for multiple boats. The scale and design of this type of public safety pier would be much larger than what is proposed in Alternative 1, and access would be limited to emergency response providers. The LTBMU could not support a pier that does not allow public access, as it would not meet the recreation objectives of the project. Furthermore, the Highway 89 Recreation Corridor Plan identifies improved public safety access and a water taxi stop at Sugar Pine Point State Park, just north of Meeks Bay. The planning team recommends a more comprehensive evaluation of lake wide emergency response needs prior to proposing such a public safety pier.

Reduced Capacity Marina:

The planning team investigated the feasibility of a “partial marina” where a limited number of slips and a boat launch would be retained. A ramp only design was also considered that would involve dredging a channel to the north of the stream to allow for some restoration. Another option would be to provide upland boat storage outside of the stream channel with a launch. The Forest Service deemed these options to be operationally infeasible given the low revenue that would be gained from limited moorings. Maintaining a dredged channel would require installation of barriers to separate a lagoon from the restoration area, limiting the ability of the stream to meander and for beach restoration.

Public Engagement and Outreach:

Based on feedback received during the scoping period, a stakeholder assessment, Stakeholder Forum meetings, and public workshops, the key issues and concerns raised include the following (described in more detail below):

- Desire to retain quiet recreation experience at Meeks Bay where motorized boating and swimming/paddling conflicts are avoided
- Necessity of additional infrastructure such as a pier
- Concern over removing marina mooring and launch opportunity for recreational boaters.
- Concern with impacts from increased visitation
- Desire to improve emergency access to and from the lake, specifically for the Meeks Bay Fire District

Scoping:

The LTBMU published the proposed action on September 12, 2018 and provided a 45-day scoping period for the public to provide input on the project. At that time, the LTBMU also led a site tour at Meeks Bay to discuss the proposed action, demonstrate the need for restoration, and solicit feedback from the public. During the scoping period, the LTBMU received over 100 comments on the project, the majority of which were supportive of restoration but opposed to a new pier or boat ramp at Meeks Bay. Others questioned the need to remove the existing marina to achieve restoration objectives.

Stakeholder Assessment:

Based on these scoping comments, In March 2020, CBI conducted interviews with 29 individuals to assess perspectives on the future of Meeks Bay; identify areas of convergence and divergence; and to clarify key issues. Interviewees generally supported the restoration opportunities but shared mixed perspectives on a pier and relocated boat ramp. There was considerable resistance to placing a pier and boat launch in the southern section of Meeks Bay and concerns that any new infrastructure would be disruptive to the quiet recreation experience. Others would prefer to see the marina remain in place and returned to operable condition. The interviewees expressed the need to evaluate a range of technical information to support a robust alternatives analysis. A summary of the stakeholder assessment can be found in Appendix B.

Stakeholder Forum:

Following the assessment, the planning team invited stakeholder representatives to participate in a Stakeholder Forum. Participants included representatives from the Washoe Tribe, Friends of the West Shore, Lake Tahoe Marina Association, Tahoe Lakefront Owners Association, Meeks Bay Yacht Club, League to Save Lake Tahoe, Lake Tahoe Water Trail, and the Meeks Bay Fire District. TRPA hosted five stakeholder forum meetings this past year to flesh out concerns, get input on project alternatives and design features, and compile the best available information for the environmental analysis. The forum members had the

opportunity to provide input on design features such as campground layout, bike and pedestrian path alignments, paddle amenities, and the feasibility of various pier and ramp locations. Stakeholder Forums were held virtually and open to the public.

Public Workshops:

TRPA also hosted two virtual public workshops, one in August and the other in January. The first was to introduce the project, describe the purpose and need, and to solicit feedback on a range of site conditions. Approximately 72 people attended the webinar. The second webinar, focused on the project alternatives and restoration objectives, was held on January 7 with 95 attendees.

Project Website and Interactive Tool:

TRPA created a Meeks Bay project interactive website that includes maps, background documents, history of the project and site, and information on workshops. <http://meeksbayproject.org/>.

The public continues to weigh in on specific elements of the design alternatives through an interactive online tool. The tool, posted in March, has received 141 individual comments from 95 commenters. Feedback on the design features shown in the tool is summarized below:

Pier: Only one respondent was in favor of the pier.

Paddle Amenities: Most preferred no paddlecraft launch, but a few respondents support storage racks and suggested they be available on both the campground and resort side of Meeks Bay.

Marina and lagoon: Most respondents prefer complete restoration, while a few would like the marina to remain due to limited mooring opportunities elsewhere.

Piers: Only one respondent supported a pedestrian pier, and all respondents were opposed to a motorized boating pier.

Campgrounds: Respondents provided a mix of opinions regarding campground capacity and configuration. Most would prefer to see a separation between recreational vehicles and tent camping.

Parking: Most respondents prefer to leave the parking configuration as it is today.

Interpretation: All respondents support interpretive signage.

Bicycle/Pedestrian Path: Most respondents favored the bike/pedestrian path alignment proposed in Alternative 2 to minimize conflicts between bikers, pedestrians, and campers. This route brings the path across the creek connecting the resort with the campground, but slightly removed from the beach parking lot.

Cabin Removal: Most respondents favored removing the cabin infrastructure to provide more beach and restore natural beach deposition processes. Other respondents were concerned with loss of revenue to the resort and affordable lodging options.

Publications and Printed Material:

TRPA published an article about the Meeks Bay project in the Summer Edition of "Tahoe In Depth", which is distributed widely and sent to all property owners in the Tahoe Basin. The article described the project, its relationship to plans on the west shore, and its cultural significance to the Washoe Tribe.

TRPA is also working with the LTBMU to distribute rack cards to visitors at Meeks Bay so they can learn more about the project and provide feedback through the interactive online tool.

Contact Information:

For questions regarding this agenda item, please contact Rebecca Cremeen, Associate Planner, at (775) 589-5214 or rcremeen@trpa.gov

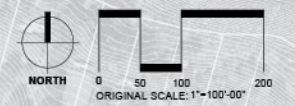
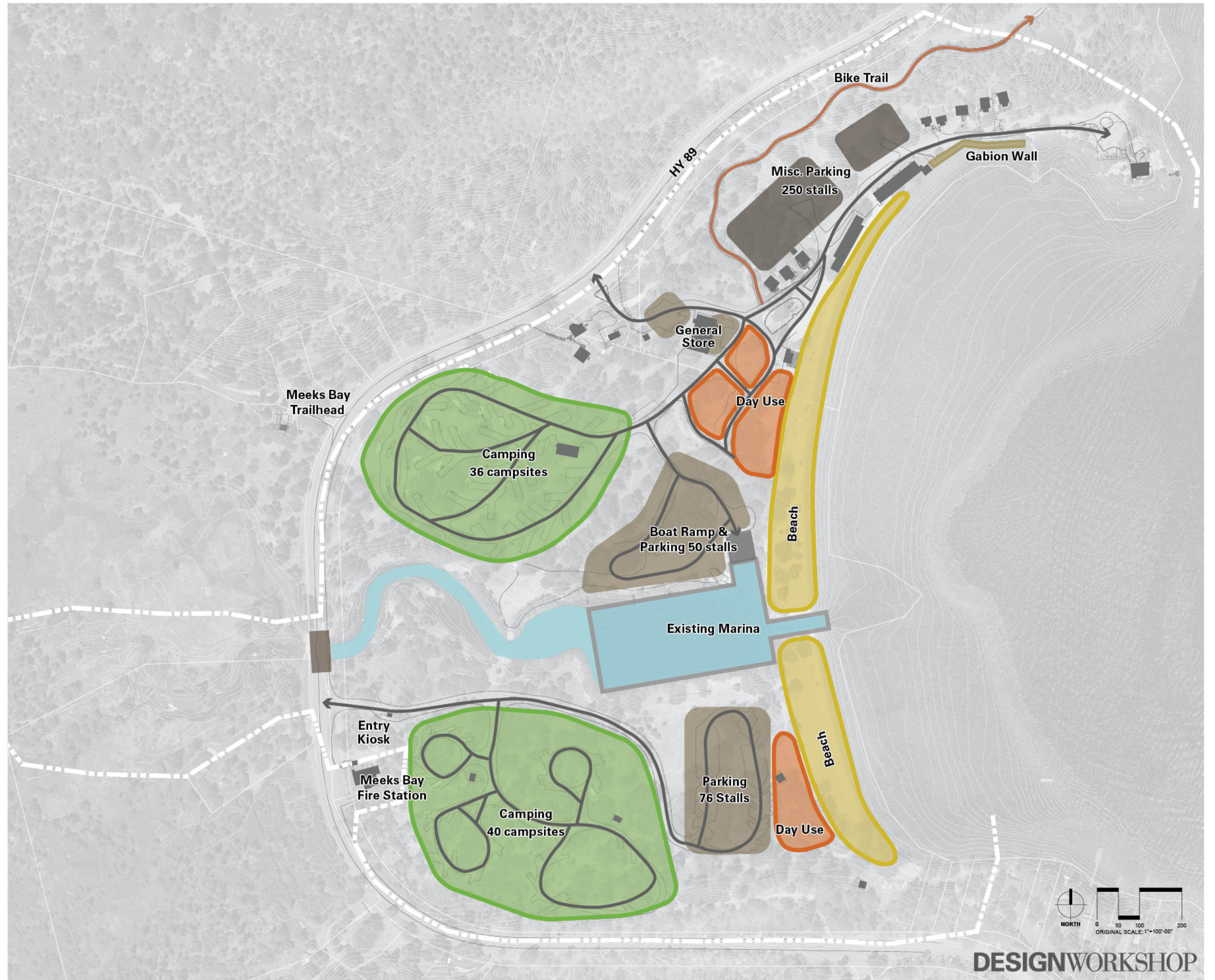
Attachment:

- A. Alternative Diagrams

Attachment A
Alternative Diagrams

No Action Plan

- Legend**
- Day Use
 - Beach
 - Camping
 - Shore Improvements
 - Restoration
 - Parking
 - Roads
 - New Bike Path
 - Existing Bike Path
 - Combined Road/Bike Path
 - Interpretive Trail
 - Buildings
 - Vehicular Bridge
 - Pedestrian Piers/Ramps



DESIGNWORKSHOP

Alternative #1

Full Restoration with Boating Pier

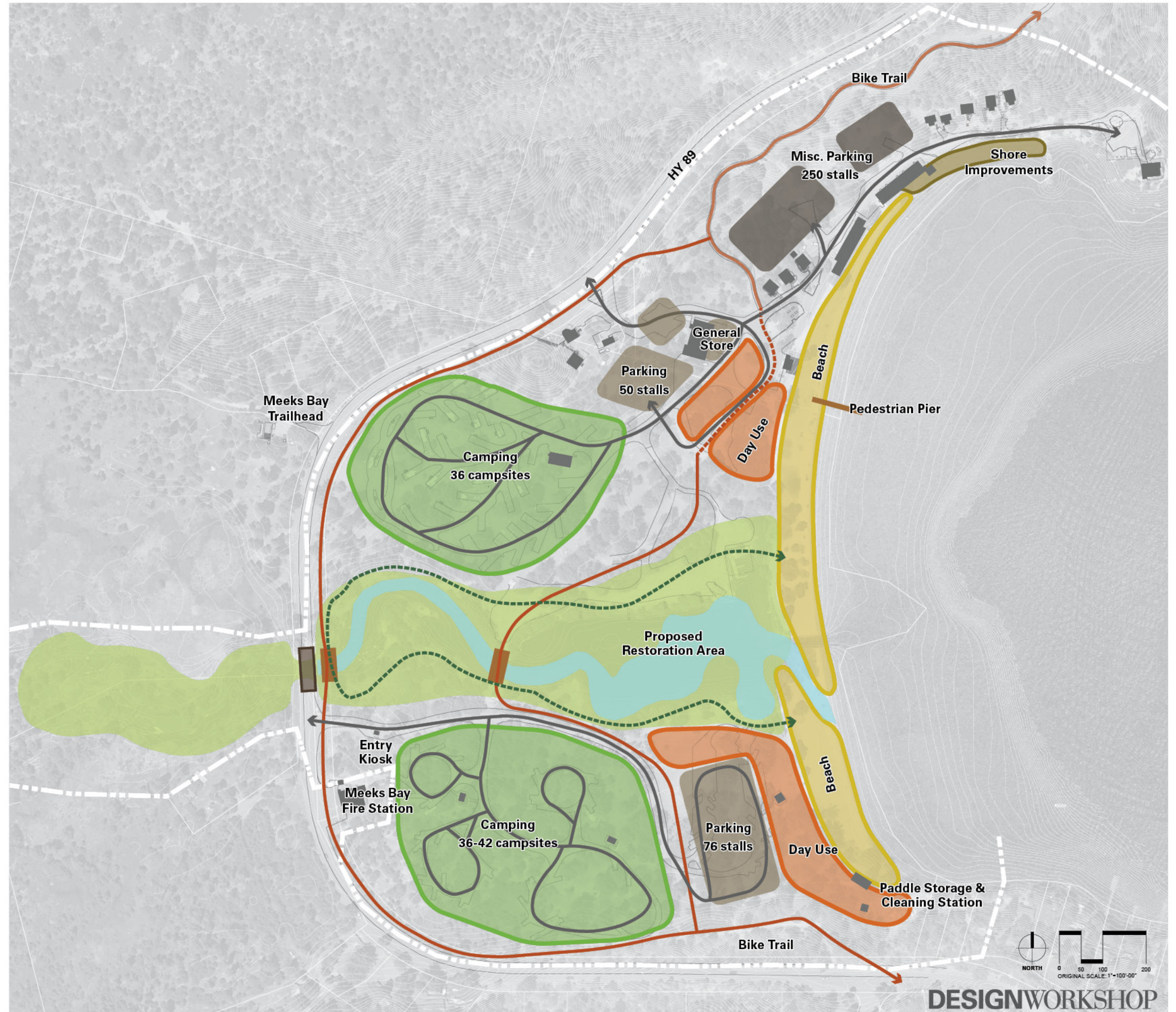


Legend

- Day Use
- Beach
- Camping
- Shore Improvements
- Restoration
- Parking
- Roads
- New Bike Path
- Existing Bike Path
- Combined Road/Bike Path
- Interpretive Trail
- Buildings
- Vehicular Bridge
- Pedestrian Piers/Ramps

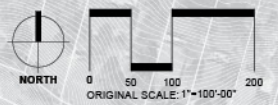
Alternative #2

Full Restoration with Pedestrian Pier



Legend

- Day Use
- Beach
- Camping
- Shore Improvements
- Restoration
- Parking
- Roads
- New Bike Path
- Existing Bike Path
- Combined Road/Bike Path
- Interpretive Trail
- Buildings
- Vehicular Bridge
- Pedestrian Piers/Ramps



DESIGNWORKSHOP

AGENDA ITEM NO. VII.B

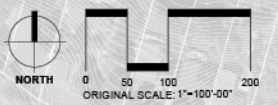
Alternative #3

Full Restoration with No Pier



Legend

- Day Use
- Beach
- Camping
- Shore Improvements
- Restoration
- Parking
- Roads
- New Bike Path
- Existing Bike Path
- Combined Road/Bike Path
- Interpretive Trail
- Buildings
- Vehicular Bridge
- Pedestrian Piers/Ramps



DESIGNWORKSHOP
AGENDA ITEM NO. VII.B

2021 QUARTERLY REPORT

TAHOE REGIONAL PLANNING AGENCY

Second Quarter: April – June 2021



TAHOE
REGIONAL
PLANNING
AGENCY



TABLE OF CONTENTS

TRPA STRATEGIC INITIATIVES

<i>Building Resiliency: Climate Change Strategic Initiative</i>	2
<i>Keep Tahoe Moving: Transportation & Sustainable Recreation Strategic Initiative</i>	2
<i>Tahoe Living: Housing & Community Revitalization Strategic Initiative</i>	5
<i>Restoration Blueprint: Environmental Improvement Program</i>	6

ONGOING INITIATIVES AND ANNUAL ACTIVITIES

Long Range & Transportation Planning Division	9
Current Planning Division	9
Environmental Improvement Program Division	11
Research & Analysis Division	14
External Affairs	16
Finance, Information Technology, & Facilities	18
Human Resources	19

TRPA STRATEGIC INITIATIVES

TRPA is moving forward with strategic initiatives the Governing Board identified as major priorities for the agency. These initiatives align directly with the objectives in the agency's Strategic Plan.

BUILDING RESILIENCY: CLIMATE CHANGE STRATEGIC INITIATIVE

Every TRPA initiative includes strategies to strengthen the resilience of Tahoe's environment, communities, and economy to the emerging stresses of climate change and to improve the region's sustainability. TRPA's Climate Change Strategic Initiative is harmonizing the goals of both states and local governments in the Tahoe Region while maintaining the region's reputation as a global leader in sustainability.

Basin-Wide Greenhouse Gas Emission Inventory

TRPA completed the updated regional greenhouse gas (GHG) inventory update. This report provides an updated accounting of the Tahoe Basin's greenhouse gas emissions by major source and jurisdiction, looks at the potential for reducing emissions by changing or removing buildings located in sensitive areas like stream environment zones, provides an assessment of carbon stored in natural ecosystems that can help offset emissions from the built environment, and highlights actions that have already been forging progress toward GHG emission reduction goals. From 2005 to 2018, the Tahoe Region's emissions have declined significantly by 38.7 percent.

The 2014 Sustainability Action Plan set a GHG reduction target of 15 percent by 2020, 49 percent by 2035, and net-zero by 2045. The 2020 reduction goal has been met in the region. Additional GHG reduction actions are needed to meet the 2035 and 2045 goals.

KEEP TAHOE MOVING: TRANSPORTATION & SUSTAINABLE RECREATION STRATEGIC INITIATIVE

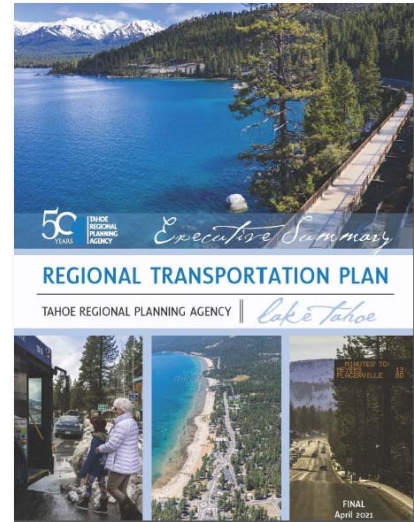
This initiative includes an update of the Regional Transportation Plan/Sustainable Communities Strategy, which encompasses GHG reduction, the Bi-State Consultation on Transportation Action Plan, sustainable recreation planning, and ongoing transportation corridor planning.

Regional Transportation Plan Adopted

At its April meeting, the TRPA Governing Board unanimously approved a new Regional Transportation Plan which will do more to reduce reliance on the automobile and get more projects on the ground than any previous plan. The Regional Transportation Plan is broadly supported by Lake Tahoe transportation organizations and was developed with input from more than 8,500 people through an inclusive information gathering process with some elements provided in English and in Spanish.

Tahoe’s Regional Transportation Plan, the blueprint for connecting land uses to transportation services both regionally and inter-regionally, emphasizes improvements to transit, technology, and equity of access to further reduce GHG emissions and reliance on the auto. Reducing reliance on the automobile has been a fundamental goal of the agency since it was created more than 50 years ago. Elements of the new transportation plan include:

- A sustainable funding plan to get projects completed.
- A full trail system including completion of the Tahoe Trail encircling the lake.
- Maintaining free transit and increasing frequency of service.
- On-demand rideshare, bikeshare, and micro shuttle services.
- Shuttles to and from communities outside the basin.
- 17 new mobility hubs throughout the region.
- Employer and employee transportation programs.
- Technology improvements such as smartphone apps.
- Parking management and variable parking pricing.



Vehicle Miles Traveled (VMT) Threshold Standard Update

The TRPA Compact's success is measured by a system of adopted environmental standards (threshold standards) the vast majority of which are 40 years old, with some needing to be updated with the most current science, circumstances, or conservation strategies. Also in April, the TRPA Governing Board updated the 40-year-old nitrate-based vehicle miles traveled threshold standard. The update aligned the standard with the region’s transportation and land-use goals and the vision for a more walkable, bikeable, transit-oriented, sustainable Tahoe as laid out in the Regional Plan and Regional Transportation Plan. The update codified as a threshold standard the Compact’s directive to “reduce dependency on the automobile by making more effective use of existing transportation modes and of public transit to move people and goods within the region.” The adaptive management framework for the updated standard establishes a series of milestones to measure progress towards attainment, and links directly to the funding necessary to achieve that vision.

Sustainable Recreation and Tourism Workshop

TRPA, in partnership with the USDA Forest Service, continued to facilitate weekly calls to coordinate messaging and identify tactical actions to mitigate litter and other recreation site management concerns. Summer 2021 priority actions have been launched including on-site ambassador programs with more than 80 trained staff members, securing over \$400,000 in funding for the Clean Tahoe litter abatement expansion to North Lake Tahoe, formation of a data working group, and creation of a multi-stakeholder summer recreation playbook. The partnership also released a request for proposals to begin development of a regional vision, mission, and roadmap for the future of recreation and tourism.



Tahoe Regional Trails Plan

This winter, TRPA and a steering committee of land managers and trail stewards, began work on a regional Tahoe Trails Plan that will create a shared vision for a world-class trail network in Tahoe. The plan will link Tahoe's backcountry, front country, and urban trail systems. This will be the first time regional partners have come together to consider a full-scale, comprehensive trail network.

To help develop the plan, the steering committee released a public survey in early June and is encouraging residents, visitors, trail users, and non-trail users to provide their input. As of mid-July, TRPA had received over 800 survey responses. Additionally, TRPA staff are doing intercept surveys at popular trails and trailheads to gain further input on the user's trail experience. The plan is anticipated to be complete by next summer.

Commute Tahoe

TRPA staff continued work with Placer County and the North and South Shore transportation management associations to kick off employer recruitment for the Commute Tahoe program this quarter. Partners developed outreach materials to advertise the program and encourage employers to take part in the pilot phase through August 2021. Eleven employers of various sizes attended Commute Tahoe orientations and committed to participating in the pilot phase. TRPA will work with partners over the summer to continue recruiting employers for the pilot phase. Starting in September, employers and key stakeholders will be invited to participate in a working group to begin updating the employer-trip reduction ordinance. Commute Tahoe is a priority trip reduction program identified in the new Regional Transportation Plan.

A vertical graphic with a green background. At the top, it says 'WE WANT TO HEAR FROM YOU!' in white. Below that is a photograph of a dirt trail winding through a green valley with mountains in the background. Underneath the photo, it says 'Help create a shared vision for a world-class trail network in the Tahoe Basin.' followed by a QR code and the text 'To get involved, scan the QR code and fill out the survey:'. At the bottom, the website 'tahoetrailsplan.org' is listed in white.

WE WANT TO HEAR FROM YOU!

Help create a shared vision for a world-class trail network in the Tahoe Basin.

To get involved, scan the QR code and fill out the survey:

tahoetrailsplan.org

Tahoe Bike Challenge

The June 2021 Tahoe Bike Challenge was a huge success with 300 participants riding nearly 40,000 miles. TRPA and the Tahoe Bike Coalition partner every year to manage the Tahoe Bike Challenge and promote alternative modes of transportation. Over the last two years, 813 people kept approximately 23,000 pounds of carbon dioxide out of the atmosphere during the challenge.

State Route 89 Trail Feasibility Study Started

Implementation of the State Route 89 Corridor Plan moved forward this quarter. TRPA and partners have started background research, field visits, and stakeholder engagement for a key element of the plan, the multi-use West Shore Tahoe Trail. The work will identify issues and opportunities for the development of segments, trail elements and amenities, and alignment evaluation criteria to seek public input in early Fall.

US 50 East Shore Corridor Management Plan Launched

TRPA staff supported the Nevada Department of Transportation in launching the US 50 East Shore Corridor Management Plan. The plan will develop alternative designs to improve roadway safety, transit, trails, and innovative mobility options between Spooner Summit and Stateline on the South Shore. Partners will develop plan alternatives over the next 18 months.

TAHOE LIVING: HOUSING & COMMUNITY REVITALIZATION STRATEGIC INITIATIVE

This initiative addresses strategies for implementing affordable and achievable workforce housing as a key component of the region's communities, the Regional Plan, the housing needs identified in the Regional Transportation Plan/Sustainable Communities Strategy, and the Regional Housing Needs Allocation.

Washoe County Housing Action Plan

TRPA participated in the launch of the Washoe-Tahoe Housing Partnership Needs Assessment and Action Plan, led by the Tahoe Prosperity Center. This is a public-private partnership to understand and identify strategies to address the housing needs of residents and employees in the Washoe County portion of Lake Tahoe. The objective is to assemble data to understand the housing needed by residents and employees under current market conditions and within the context of this area. The outcome will identify actions to address needs locally and through regional partnerships and involvement. The needs assessment and action plan are anticipated to be complete in the Fall.

Tahoe Living Working Group

The Tahoe Living Working Group recommended moving forward with Phase 1 of regional housing updates. The set of recommendations includes code changes related to:

1. More flexibility and incentives to allow accessory dwelling units (ADUs) for residents and workers.
2. Modifying the bonus unit boundary to fully capture town centers and walkable neighborhoods.

3. Allowing non-conforming tourist density to be used onsite for residential projects.

TRPA held informational hearings in June and will begin moving the recommendations forward for approval in July. Proposed changes will further reduce barriers to developing affordable workforce housing in the Tahoe Region.

RESTORATION BLUEPRINT: ENVIRONMENTAL IMPROVEMENT PROGRAM

This initiative includes implementing transportation and community revitalization projects of regional significance, seeking additional funding sources for the Environmental Improvement Program (EIP), creating forest health implementation tools based on the results from the Lake Tahoe West landscape-scale restoration project, implementing the Aquatic Invasive Species Control Action Plan Agenda, and focusing on areawide stormwater management projects with multiple benefits. EIP restoration programs will be responsive to climate adaptation and resilience measures as they are developed under the Climate Change Strategic Initiative.

Lake Tahoe West Forest and Watershed Health Restoration Partnership

The West Shore landscape, more than 60,000 acres of overly dense, second-growth forest, is highly vulnerable to severe wildfire, drought, insect and disease outbreaks, and the growing impacts of climate change. The Lake Tahoe West Restoration Partnership is a landscape-scale forest resilience project forging the future of collaborative forest management right here in the Tahoe Basin. With vital support from TRPA staff, the partnership will achieve multiple benefits through forest thinning, prescribed fire, reforestation, and restoration of forests, meadows, streams, and wildlife habitat. The goal of the partnership is to make communities safer while improving the resilience of Tahoe's landscape to future disturbances.

This quarter the Lake Tahoe West Restoration Partnership continued to refine the project description/proposed action for environmental review and analysis. TRPA staff facilitated multi-agency working groups to refine the project description including adding details about roads and watershed improvements. The partnership has engaged the environmental consultant in developing an analysis workplan to effectively coordinate the environmental analysis and subsequent document preparation. The team continues to work on the Lake Tahoe West Monitoring Plan and identifying appropriate indicators.

Code of Ordinance Changes in Support of Vegetation Protection and Management Provisions

With the severity of fires growing season over season, forest management and fire agencies at every level of government have been looking hard at the efficiency of forest management practices. TRPA has been streamlining, removing redundancy, and adding best practices to vegetation provisions of the Regional Plan as well.

In May, staff and partner agencies presented to the TRPA Governing Board on forest health updates including upcoming priority projects and work accomplished, fire prevention outreach and messaging within the basin, and grants and funding opportunities.

In July, staff will present to the Governing Board the analysis associated with the use of mechanical equipment on steeper slopes. The University of Idaho and USDA Forest Service Pacific Southwest Research Station will present their initial modeling results regarding a variety of treatments on a range of slopes under varying conditions.

Tahoe Fire and Fuels Team

The Tahoe Fire and Fuels Team (TFFT) finalized their 2021 Incident Action Plan that outlines priority work across the Tahoe Basin for the 2021 field season. Additionally, TFFT submitted a comprehensive portfolio of projects for Southern Nevada Public Land Management Act (SNPLMA) consideration and funding. The SNPLMA steering committee recommended funding for roughly \$45 million across the majority of submitted projects with some projects recommended for partial funding.

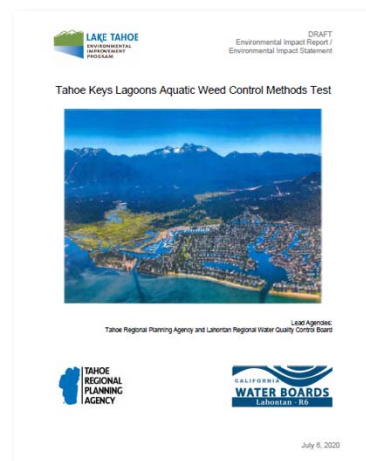
Collaborative Forest Landscape Restoration Program Federal Advisory Committee:

The Collaborative Forest Landscape Restoration Program (CFLRP) began in 2009 and is a federally funded restoration program on USDA Forest Service lands that prioritizes large-landscape restoration on lands greater than 50,000 acres. The program provides multi-year funding for implementation and monitoring on projects that are collaboratively designed, implemented, and monitored. There have been two rounds of CFLRP projects (2010 and 2012) with an additional recent round of project nominations and awardees in 2020. TRPA is participating in the 2021 CFLRP Federal Advisory Committee, reviewing 2012 Project Extension Requests and determining proposals that should be recommended for additional federal funding.

Tahoe Keys Weed Management Environmental Documentation

Aquatic weeds in the Tahoe Keys lagoons are the highest priority aquatic invasive species control threat in the Tahoe Region. In response to the need to control and prevent the spread of the abundant growth of non-native and nuisance aquatic weeds, the Tahoe Keys Property Owners Association (TKPOA) worked with agencies and key stakeholders to develop a permit application for the Tahoe Keys Lagoons Aquatic Weeds Control Methods Test. The proposed control methods test will evaluate a range of aquatic weed control methods independently and in combination in the Tahoe Keys lagoons.

TRPA and the Lahontan Regional Water Quality Control Board continue to work with environmental consultants responding to comments received on the Draft Environmental Impact Report/Statement and preparing for the release of the final environmental document later in 2021. A comprehensive monitoring plan has been developed by TKPOA and has been submitted to the Tahoe Science Advisory Council who will oversee a peer review of the critical components of the plan.



Plans, contracts, and funding to increase testing ultraviolet light treatments in the Tahoe Keys lagoons were finalized and work is expected to begin in the next quarter. This work will cover 5 acres in the Tahoe Keys west lagoon.

Ski Run “Mountain to Marina” Green Infrastructure Project

Area-wide projects like this one that elevate the role of natural infiltration strategies are a centerpiece of meeting water quality standards as well as multiple-benefit adaptations to climate change. During this quarter, work continued collecting stakeholder input on opportunities and constraints for multiple-benefit green infrastructure in the watersheds draining to Ski Run Marina, including drafting an online public survey. The project will identify green infrastructure opportunities for regional stormwater treatment, parking, bike and pedestrian connectivity, enhanced recreation access, and enhancements for wildlife.

Through GIS analysis, TRPA staff identified 31 site constrained multi-family residential properties without BMPs within the project area’s Bijou Park Creek catchment. TRPA prioritized these properties to receive materials on TRPA’s BMP requirements and source control BMPs.

Tahoe Keys Green Infrastructure Project

TRPA continues to pursue funding opportunities for the Tahoe Keys Green Infrastructure Project. This project involves implementation of innovative regional stormwater technologies in the Tahoe Keys subdivision such as modular floating treatment wetlands. This regional treatment approach with public and private partnerships will help improve water quality and enhance wildlife habitat and help protect investments in aquatic invasive species control within the Tahoe Keys lagoons.

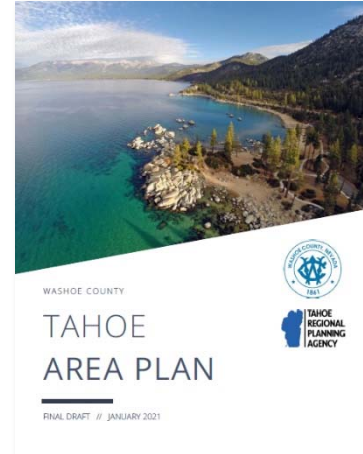
In April, the Tahoe Keys Water Company announced a major water shortage for its customers and issued a prohibition on all landscape irrigation. TRPA facilitated a collaborative discussion between key stakeholders and a coordinated response to the outdoor water use restrictions. Meetings on May 21 and June 24, 2021, helped leverage available resources from different agencies and included discussion of the opportunities that now exist to reduce turf as the dominate landscape choice in the Tahoe Keys.

ONGOING INITIATIVES AND ANNUAL ACTIVITIES

LONG RANGE & TRANSPORTATION PLANNING DIVISION

Washoe County Tahoe Area Plan Approved

The TRPA Governing Board unanimously approved the Washoe County Tahoe Area Plan on May 26, 2021. This marks the sixth area plan approved since the 2012 Regional Plan Update. The area plan covers all of Washoe County's territory within the Tahoe Basin and harmonizes Washoe County zoning with TRPA regulations. It also incorporates incentives to help catalyze redevelopment in town centers, such as additional height, density, and transferred coverage. The Tahoe Area Plan replaces 23 former plan area statements and four former community plans.



Meeks Bay Restoration Project

This past quarter, the consultant team completed a cultural resources survey, invasive plant assessment, aquatic resources assessment, and geomorphology study for the environmental analysis. This information will help define site constraints, the development footprint, and inform restoration design.

Public engagement continued with a new interactive web tool. This tool provides an opportunity for the public to weigh in on design features of the various project alternatives. Participants can provide input on the configuration of campgrounds, trails, paddle craft launches, piers, parking, and other features being considered. This information will help the agencies select a preferred project alternative.

To reach a broader audience, TRPA published an article in the summer edition of Tahoe In Depth. The article focused not only on the Meeks Bay project, but also highlighted the cultural significance of Meeks Bay and Meeks Meadow to the Washoe Tribe. Information can be found at <http://meeksbayproject.org/>.

CURRENT PLANNING DIVISION

Permit Application Review

The number of permit applications submitted this quarter was 315, up 35 percent compared to a year ago. Online application submittals continue at a high rate with 79 percent of applications during the second quarter submitted electronically, up from 67 percent electronically submitted during the second quarter of 2020.

Summary of TRPA Project Applications Received Quarter 2 2020 through Quarter 2 2021					
	Q2 CY2020	Q3 CY2020	Q4 CY2020	Q1 CY2021	Q2 CY2021
Applications Received¹	234	270	201	251	315
Residential Projects ²	64	71	41	71	74
Commercial Projects ²	0	5	0	4	4
Recreation/Public Service Projects ²	4	7	9	8	16
Environmental Improvement Construction Projects	1	3	1	5	4
Shorezone/Lakezone Projects ²	10	15	6	12	13
Grading Projects	11	15	3	7	13
Verifications and Banking ³	64	102	95	67	111
Moorings	48	20	19	16	19
Transfers of Development	7	10	3	24	18
Other ⁴	25	22	24	37	43
Notes: (Data is sourced from TRPA Accela Permit Records)					
1 Does not include Exempt projects, Qualified Exempt declarations, Tree Removal applications, or Administrative applications					
2 Includes New Development and Additions/Modification					
3 Includes Soils/Hydrology Verifications, IPES, Land Capability Verifications, Land Capability Challenges, Verifications of Coverage, Verifications of Uses, Site Assessments and standalone Banking Applications					
4 Includes Historic Determinations, Lot Line Adjustments, Temporary projects, Scenic, Underground Tank Removal, Subdivision of Existing Uses, Signs, Allocation Assignments, and other miscellaneous project types					

Hearings Officer Meetings

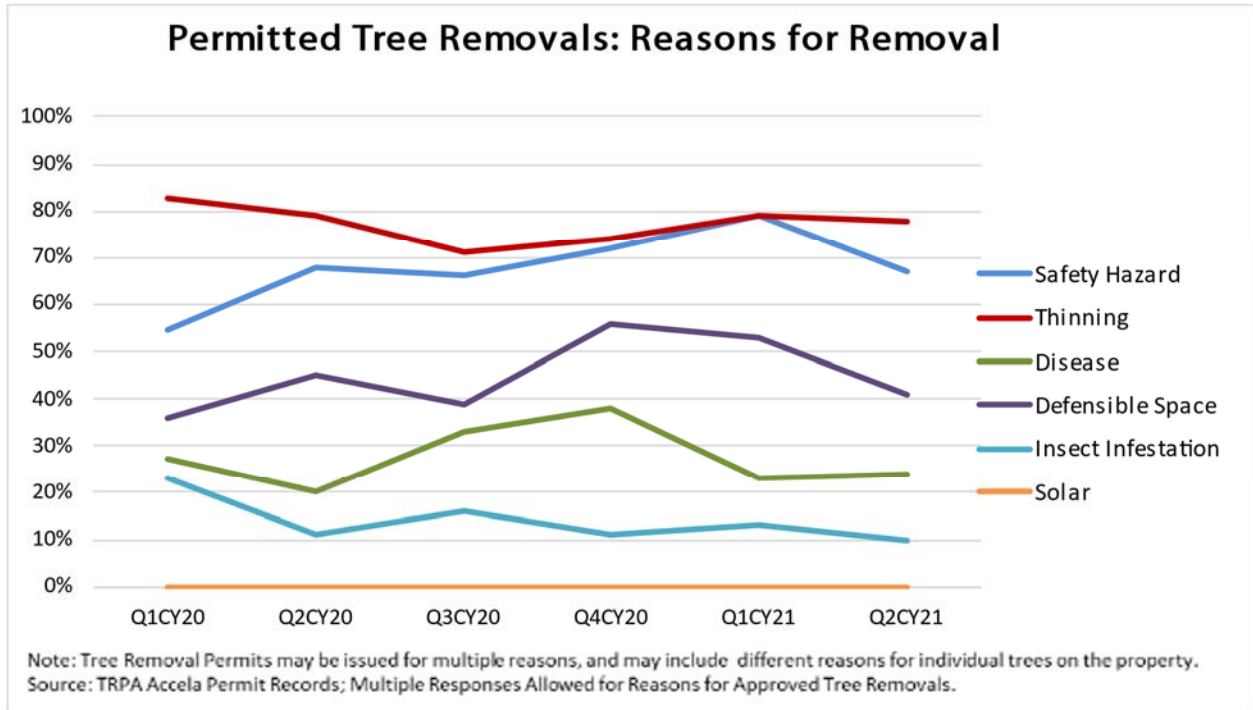
The Hearings Officer approved six project applications this quarter, including:

- A commercial boating operation to remove crayfish, an aquatic invasive species, from the Nevada portion of Lake Tahoe.
- A new single parcel pier as a result of the pier lottery, near Carnelian Bay, CA.
- Construction of a shoreline protective structure to stabilize the shoreline for a lakefront parcel in Incline Village, NV.
- Demolition and rebuild of a historic single-family residence located at Zephyr Cove, NV.
- Two land capability challenge applications.

Urban Forestry/Tree Removal Permits on Private Property

TRPA forester Bruce Barr is part of a network of forestry and fire professionals in the Tahoe Basin who help private landowners keep their property safe and defensible from wildfire. He provides expertise in tree risk assessment and serves property owners with thorough tree evaluations. In the second quarter of 2021, TRPA processed 532 tree removal applications. TRPA permitted the removal of 2,181 individual trees during the second quarter with thinning and safety hazard being the primary reasons for removal.

Summary of TRPA Tree Removal Applications & Permitting Activity Quarter 2 2020 through Quarter 2 2021					
	Q2 CY2020	Q3 CY2020	Q4 CY2020	Q1 CY2021	Q2 CY2021
Tree Removal Applications Received	485	557	238	200	532
Number of Trees Permitted for Removal	2,018	2,390	1,022	887	2,181
Percent Applications Submitted Online	94%	92%	90%	92%	95%
Source : TRPA Accela Permit Records					



ENVIRONMENTAL IMPROVEMENT PROGRAM DIVISION

Air Quality Mitigation Funds Released

This quarter, the TRPA Governing Board approved the release of air quality mitigation funds to Placer County (\$86,375), and to El Dorado County (\$50,000), for their woodstove replacement programs. These funds will be used to help low-income households replace their old, high particulate matter producing woodstoves and fireplaces, with new, cleaner burning, EPA certified appliances.

To date, over 273 non-compliant stoves have been replaced across the Tahoe Region through these programs. According to EPA estimates, that is equivalent to the emission reductions of taking 1,365 diesel buses off the road, and a reduction of 11 tons in fine particulates per year. The approved funding will support continuity of the programs in Placer and El Dorado Counties, and will provide air quality benefits for the Tahoe Region.

Stormwater Management Program

Best Management Practices (BMP) Certificates Issued: TRPA, in partnership with the states and federal government, establishes water quality programs for the region and looks to implementers in every sector to carry out those programs. The Stormwater Management Program at TRPA targets priority properties for BMP compliance in coordination with local jurisdictions to achieve required pollutant load reductions to improve Lake Tahoe’s impaired water quality. TRPA itself issues BMP certificates to private property owners to recognize a parcel’s compliance with stormwater management requirements in TRPA’s Code of Ordinances. The agency currently concentrates its BMP compliance resources on commercial and large multi-family (six units or more) properties. Compliance in that type of development has been shown to reduce more pollutant load than other property types.

This quarter, TRPA issued 50 BMP certificates: 41 for single-family residential parcels, three for multi-family residential parcels, and six for commercial parcels. Of the total, 10 were source control certificates and two were the result of accelerated enforcement. Cumulative year-to-date BMP certificates issued for 2021 are shown in the table below:

BMP Certificates issued from January 1 through June 30 2021					
	Land Use	Total Certificates Issued Year to Date	Certificates Issued Through Permitted Projects	Certificates Issued Through Voluntary Compliance	Certificates Issued Through Enforced Compliance
California	Single-Family Residential	40	29	11	0
	Multi-Family Residential	2	2	0	0
	Commercial	11	2	9	0
	California Total	53	33	20	0
Nevada	Single-Family Residential	11	3	6	2
	Multi-Family Residential	2	0	1	1
	Commercial	1	0	1	0
	Nevada Total	14	3	8	3
	Total Certificates Issued	67	36	28	3

Reissued Certificates: During this quarter, TRPA reissued 11 BMP certificates following verification of BMP maintenance and effectiveness. Ten of these were for single-family residential parcels and one for a multi-family residence.

Education and Outreach:

- **Contractors BMP Webinar:** On April 8, TRPA held its annual BMP webinar training for Tahoe contractors and BMP installers. Thirty-eight participants attended the webinar presentation, which was recorded and the video posted to the Tahoe BMP website along with presentation materials (<https://www.tahoebmp.org/bmpresources.aspx>). Following the training TRPA updated the list of BMP Resource Professionals available to the public at the same link.
- **Online BMP Retrofit Application:** As part of TRPA's Digital First initiative to streamline processes, TRPA stormwater program staff developed an electronic version of the BMP Retrofit Permit Application and are in the process of posting and activating it online.

Aquatic Invasive Species Program

Prevention: Boat inspection stations opened on May 1 and included the ability to make an appointment for an inspection. Over 2,400 inspections have occurred this season with 59 percent of those being done through an appointment. Many more boaters are choosing to come mid-week because of appointment availability, which significantly reduces wait times on the weekend and creates more stability for staffing.

This quarter, boat inspectors intercepted 56 boats with AIS detected, 13 of which had mussels present. These boats were decontaminated in coordination with state wildlife officials.

An educational gazebo was installed at the Meyers inspection station that includes helpful information on AIS and Lake Tahoe and provides a shady respite for boaters and families waiting for their thorough inspection. A grant from the Tahoe Fund supported this project.



Educational gazebo at the Meyers AIS inspection station.

Control: As project manager for the Taylor Tallac AIS control project, TRPA has been coordinating with Lahontan Regional Water Quality Control Board and US Army Corps of Engineers partners to finalize necessary permits for implementation. Work to control the over 17-acre infestation is expected to begin in August. TRPA along with the USDA Forest Service coordinated an executive field trip to the site to show the importance of the project and to ensure the partnership understands the cooperation necessary to implement a successful project. Continuing TRPA's successful fostering of public-private

partnerships, the project has been conditionally awarded \$100,000 from the Tahoe Fund, which will complement federal funds received through both TRPA and the USDA Forest Service.

Ultraviolet light treatment began at Lakeside Marina and Beach in June 2021 and continued this quarter. Approximately 2 acres are being monitored and treated with this season's work expected to be sufficient to conclude the project. Ongoing monitoring will occur to ensure treatments are successful.

Contractors installed bubble curtains to prevent the movement of invasive aquatic plant fragments at three locations this quarter: the Tahoe Keys East channel, the entrance to the Elk Point Homeowners Marina, and the entrance to Lakeside Marina. The Elk Point and Lakeside bubble curtains are intended to prevent fragments from entering these previously treated marinas. The Tahoe Keys East channel curtain was installed to prevent fragments from leaving as the Tahoe Keys lagoons are highly infested. Funds from TRPA, the League to Save Lake Tahoe, the Tahoe Fund, Elk Point Homeowners Association, Lakeside Homeowners Association, and the Tahoe Keys Property Owners Association contributed to the installation of these innovative systems.

AIS control work resumed in the lake outside of the Tahoe Keys this quarter, continuing work that began last fall. Divers are focusing on areas with dense plant populations lakeward of the Tahoe Keys east channel.

RESEARCH & ANALYSIS DIVISION

2019 Threshold Evaluation Issued

Every four years, TRPA leads the development of a report of the agency's environmental threshold standards. It is a point-in-time snapshot that assesses conditions relative to the goals of the adopted standards. The final 2019 Threshold Evaluation was issued this quarter after being unanimously endorsed by both the Advisory Planning Commission and the Governing Board. The 2019 evaluation marks a major milestone for the Tahoe Region as it was the first evaluation presented primarily as an online, interactive dashboard at <https://thresholds.laketahoeinfo.org>.

Parcel Tracker Updates

The Lake Tahoe Info Parcel Tracker (<https://parcels.laketahoeinfo.org/>) is the best source of detailed public information about the land use characteristics of properties in the Lake Tahoe Region and provides development histories upon which property owners and realtors have come to rely. TRPA staff reviewed and updated information on 460 parcels in the tracker during the quarter. TRPA responded to 169 unique requests from property owners, real estate agents, and local government partners for updated permitting information on parcels, up more than 40 percent from the same



quarter last year. The number of help requests submitted and the number of parcels updated are on the rise as knowledge of the site's usefulness becomes more widespread.

Geographic Information Systems Updates

TRPA's operating goal is to be the region's best source of GIS information and services. During this quarter, staff made several updates to the agency's geographic information systems. Specifically:

- **GIS training and outreach**
 - Provided an intensive, free two-week web GIS training session for TRPA staff and community members. The curriculum covered creating web maps, online data, story maps, and dashboards.
 - Provided an overview of TRPA's GIS systems to South Lake Tahoe High School environmental science students (<https://bit.ly/3yAdFmY>).
- Supported the **Tahoe Regional Trails Plan Mapping** project by creating a Trails Conflict web map for collection of trail user conflicts (<https://gis.trpa.org/trailconflicts/>) and created online, offline, and Spanish versions of the Tahoe Regional Trails Plan survey to gather public input.
- Released version 2.1 of the **Tahoe Boating App** to the iOS (Apple) and Android app stores. Deployed behind-the-scenes modifications to bring the app up to date.
- **GIS Mapping and Maintenance**
 - Improved the web map service publishing workflow to utilize ArcGIS Pro, fully migrating away from the outdated ArcMap publishing workflows.
 - Created a collector map for calcium samples to be collected at 80 sites around Lake Tahoe.
 - Partnered with California State Parks to create an offline survey to collect 2021 data on osprey nest locations.
 - Created static maps for the Tahoe Douglas Area Plan to show land use, districts, and property ownership in Douglas County.
 - Created a boater visitor map for the Meyers watercraft inspection station gazebo .
 - Reviewed and organized all data deliverables, created web layers and web maps in support of the GHG Inventory Update. Began investigating other uses of the data and analysis results that will help inform goals for reducing GHG in the built environment and sequestering more carbon in meadows and stream environment zones.
- **Lake Tahoe Info Support:** In support of the final version of the Threshold Dashboard, GIS staff restructured the version control system for uploading maps and charts. Participated in the development of a plan that aims to better integrate Lake Tahoe Info with TRPA's other information systems. The plan's main goals are to document current data integrations between systems, further develop agency web services to better support the threshold update process, and identify connections between raw monitoring data, monitoring programs, and threshold indicators. Implementation has started on some of the recommendations outlined in the plan and will be wrapping up this work in the upcoming quarter.

EXTERNAL AFFAIRS

TRPA supports a culture committed to public education, outreach, and community engagement to implement the Regional Plan. The External Affairs team leads public engagement initiatives in collaboration with a variety of agency and nonprofit stakeholders. This quarter, the team provided multi-faceted communications support for each of the Strategic Initiatives approved by the TRPA Governing Board.

Legislative Affairs:

- Assisted US Senator Alex Padilla's (D, Calif.) office with early preparations for the Tahoe Summit, scheduled for August 19.
- Testified at numerous Nevada Legislative hearings during the 2021 session to support critical policy and Environmental Improvement Program initiatives including transportation, east shore corridor implementation, and the Tahoe Science Advisory Council.
- Hosted a briefing in May for members and staffers of the entire congressional delegation and "friends of Tahoe" members in the US Congress to share updates on the approved Regional Transportation Plan and associated federal funding needs.
- Supported the advocacy work of the California Tahoe Alliance to create a new Tahoe Caucus in the California Legislature.

Education, Outreach, and Engagement

- Received a Bronze Spike Award from the Sierra Nevada Chapter of the Public Relations Society of America for the Tahoe Commemorative Coin program.
- Launched Virtual 2021 Earth Week Celebrations in partnership with the South Tahoe Environmental Education Coalition. The Earth Day celebration became a week-long campaign of socially distanced challenges that were shared online through local news outlets and with Lake Tahoe Unified School District teachers and families.
- Led the charge to make Earth Day materials bilingual.
- Educated over 40 seventh grade students about aquatic invasive species (AIS) at the Meyers watercraft inspection station, in partnership with the League to Save Lake Tahoe.
- Awarded two local high school seniors with TRPA Environmental Scholarships. Brandon Salas of Incline High School and Koson Verkler of North Tahoe High School each received \$500 scholarships and are featured in the latest edition of Tahoe In Depth. Staff and board member donations support the annual scholarship, which has awarded nearly \$12,000 since 2004.



Bronze Spike Award from the Sierra Nevada Chapter of the Public Relations Society of America.

- Partnered with the Lake Tahoe West Restoration Partnership team to invite a local second grade class to the opening day of the Reading Forest art installation at Taylor and Tallac Creek. TRPA led the environmental education segment of the day and facilitated a Q&A session with the artists for the students.



Community Engagement Manager Victoria Ortiz with a second-grade class at the Reading Trees art installation.

- Assisted GIS Team presentations to South Tahoe High School’s environmental engineering class on how TRPA and basin partners use data to make sound environmental decisions. The presentation also showed students a possible career path in local environmental work.
- Joined the Sugar Pine Foundation to plant trees in Van Sickle Bi-State Park.
- Helped communicate with Spanish speakers at a COVID-19 vaccination clinic.
- Produced the 19th issue of Tahoe In Depth (<https://trpa.gov/tahoe-in-depth/>) printing 43,000 copies of the award-winning newspaper.
- Increased the urgency and volume of watercraft inspection program messages in response to a high number of intercepts, especially among newly purchased vessels coming from infested areas. In partnership with the Tahoe Resource Conservation District, communications staff hosted a media event, conducted media interviews, broadcast live on Facebook, published online articles, and used social media channels to help reduce the number of boaters arriving unprepared to their inspection.
- Continued to educate boaters and paddlers on the Clean, Drain, and Dry and No Wake Zone principles of the watercraft inspection and shoreline programs by using billboards, rack cards, print and online advertising, social media, and targeted e-newsletters.



- Supported the Tahoe Keys AIS control project with website support, e-newsletters, media relations, and other outreach materials.
- Kicked off the Tahoe Bike Challenge with production of bi-lingual promotional video (<https://vimeo.com/558739030>) and social media promotion. Formed three teams within TRPA to encourage staff to use alternative transportation and to represent the agency among regional challenge participants.
- Supported outreach and messaging for the Meeks Bay Restoration Project and Lake Tahoe West Restoration Partnership.
- Organized a “TRPA 102” webinar (<https://vimeo.com/553024519>) to engage Lake Tahoe realtors and consultants on land coverage, development rights, and more. Over 200 people attended the webinar and TRPA staff fielded more than 75 questions.
- Continued to host weekly Sustainable Recreation land managers working group and public information team calls coordinating and sharing communications strategies throughout the region. The coordination has strengthened the partnership among regional communications staff, non-profits, and visitors’ authorities in influencing behavior among outdoor recreators and visitors.

FINANCE, INFORMATION TECHNOLOGY, & FACILITIES

Finance Update

Finance staff carried a heavy load this quarter as it marked the end of the fiscal year and the beginning of new budgets.

- Worked with both states to finalize their contributions to the agency for the coming fiscal year.
- Supported the Long Range and Transportation Planning Division in submitting and receiving US Federal Highways Administration approval for their overall work program.
- Assembled a complete budget for fiscal year 2021/2022 and secured Governing Board approval in June.

The Finance Team collaborated with two agency divisions to expand public services.

- Worked with the AIS prevention program to provide a credit card solution to enable the new watercraft inspection appointment system.
- Collaborated with the Current Planning Division to offer permitting customers an additional payment method to submit application filing fees which advances the Digital First Initiative by expanding on-line permitting activities.

The team also submitted an indirect cost proposal to the California Department of Transportation and are awaiting approval. The approval of the indirect cost rate allows TRPA to recover indirect costs on certain grant funds, which is a cost savings to the agency and allows greater use of the general fund.

Facilities/IT Update

TRPA continues to provide most services online. The agency is planning for the future and incorporating the lessons learned and significant achievements from more than a year of remote work. Paradigms about how to serve the public are changing, and the agency intends to lead in delivering services in a more effective way by replacing outmoded, less efficient processes. These include:

- Planning for a new hybrid work model that captures the benefits of both in-person collaboration and remote work.
- Continuing to expand online permitting to reduce the need for applicants to travel to the TRPA offices for business. This will be a major advantage for North Shore and West Shore residents and those property owners and part-time residents.

The Facilities Team is moving forward on deferred maintenance and necessary building repairs with funds from the refinancing of TRPA's long-term debt conducted last year. A request for proposals for the most significant project, replacing the leaky roof, has been issued with a goal of having a contract in place later this year.

HUMAN RESOURCES

This quarter, TRPA welcomed back several seasoned boat crew members for the 2021 boating season. Kris Morehead, Ted Truscott, Cory Talbot, and Jeff Miller were rehired and joined by a new team member, Will Renfort. In addition to providing on-the-water education of the 600-foot No Wake Zone, this season the crew will be taking on field monitoring responsibilities to assist the Research and Analysis and Long Range and Transportation Planning divisions.

Current Planning completed recruitment for a new, entry-level planner position with a July start date. The position has a duration of two years and will provide critical assistance to permit applicants and staff who are experiencing record workloads.

The Long Range and Transportation Planning team had the pleasure of promoting two planners to Senior Planner: Alyssa Bettinger (Long Range Planning) and Kira Smith (Transportation Planning).

As part of the ongoing "Manager/Leader Foundations" workshops, held six times a year, John Hester designed and facilitated a multi-part workshop on "Systems Thinking." Managers have attended two of these sessions and are now forming teams to identify and work on specific projects.

The agency has entered a post-pandemic phase of hybrid work, with more staff members returning to in-office work this quarter. Meeting cameras have been added to some conference rooms to allow team and external meetings to be conducted as hybrid in-person/remote meetings.

All of #TeamTRPA was invited to a parking-lot barbeque in late June to recognize the hard work that has kept the agency functioning successfully and producing outstanding work through the pandemic.

STAFF REPORT

Date: July 21, 2021

To: Regional Plan Implementation Committee

From: TRPA Staff

Subject: Phase 1 Housing Code Amendments: Amendments to the TRPA Code of Ordinances related to: **1)** Bonus Unit Boundary, including amendments to Chapter 52; **2)** Non-conforming density, including amendments to Chapter 31; **3)** Accessory Dwelling Units, including amendments to Chapters 21, 31, 39, 50, 51, 52 and 90, Meyers, Tahoe Valley, and Tourist Core Area Plans, and Rules of Procedure Section 12; **4)** Development Rights Strategic Initiative Code Clean-Up: Potential Residential Units of Use and Bonus Unit Pools, including amendments to Chapters 51 and 52.

Summary and Staff Recommendation:

TRPA staff ask that the Regional Plan Implementation Committee (RPIC) recommend approval and adoption of Phase 1 housing code amendments to the TRPA Governing Board developed through the Tahoe Living Housing and Community Revitalization Working Group process related to:

- 1) Bonus Unit Boundary, including amendments to Chapter 52;
- 2) Non-Conforming Density, including amendments to Chapter 31;
- 3) Accessory Dwelling Units (ADUs); including amendments to Chapters 21, 31, 39, 50, 51, 52 and 90, Meyers, Tahoe Valley, and Tourist Core Area Plans, and Rules of Procedure Section 12;
- 4) Code clean-up items related to Development Rights Strategic Initiative; including amendments to Chapters 51 and 52.

Required Motions:

In order to recommend approval of the requested action, the RPIC must make the following motions, based on the staff report:

- 1) A motion to recommend approval of the required findings (Attachment A), including a finding of no significant effect, for the adoption of Amendments to the TRPA Code of Ordinances related to: 1) Bonus Unit Boundary, including amendments to Chapter 52; 2) Non-conforming density, including amendments to Chapter 31; 3) Accessory Dwelling Units, including amendments to Chapters 21, 31, 39, 50, 51, 52 and 90, Meyers, Tahoe Valley, and Tourist Core Area Plans, and Rules of Procedure Section 12; 4) Development Rights Strategic Initiative Code Clean-Up: Potential Residential Units of Use and Bonus Unit Pools, including amendments to Chapters 51 and 52, as shown in Attachment B.

- 2) A motion to recommend approval and adoption of Ordinance ___-___ (Attachment C), amending Ordinance 87-9, as amended, for the adoption of amendments to the TRPA Code of Ordinances Chapters 21, 31, 39, 50, 51, 52, and 90.

- 3) A motion to adopt Resolution 21-_____ to amend the Rules of Procedures as set forth in Attachment D.

- 4) A motion to recommend approval and adoption of amendments to the Meyers Area Plan, Tahoe Valley Area Plan, and Tourist Core Area Plan as shown in Attachment B, separate adopting ordinances for which will be presented to the Governing Board after the local jurisdictions have taken action on the changes.

In order for motions to pass, an affirmative vote of a majority of the quorum is required.

Background:

As part of the Region-wide, collaborative effort to address the serious housing challenges facing Tahoe communities, in 2019 and 2020 TRPA's Governing Board took two steps to elevate housing as a priority issue and commit to working with other entities to identify the best ways for TRPA to help create housing solutions while supporting and furthering Regional Plan goals. In January of 2019, the TRPA Governing Board re-designated the Local Government Committee as the Local Government and Housing Committee, and in June of 2020, recognizing the need for an in-depth, analysis-based approach to the problem, created a new committee of the Advisory Planning Commission (APC), the Tahoe Living Housing and Community Revitalization Working Group.

Since August of 2020 these committees and the Governing Board have been working to better understand the housing issues in the Basin and identify and implement new policy directions that will proactively move the Region toward a more balanced housing pattern that simultaneously advances Regional Plan and Sustainable Communities Strategy goals of walkable, transit-supportive communities that reduce greenhouse gas emissions and other environmental impacts, while supporting local governments in meeting their housing needs, including meeting Regional Housing Needs Assessment (RHNA) requirements.

In the fall of 2020, the Tahoe Living Working Group recommended moving forward on developing a set of priority housing actions. The Working Group based the identification and prioritization of these actions on technical analysis¹ presented by TRPA staff that identified potential cost reductions and expected on-the-ground housing by strategy, as well as on in-depth discussions with local jurisdiction staff that identified major barriers to implementation of local housing plans. A key takeaway from the analysis and the discussions was that Regional Plan goals that are intended to incentivize workforce housing and mixed-use development are not yet fully supported by existing code and processes. In fact, in many cases tourist developments or homes that are likely to become second homes face fewer permitting and regulatory hurdles than workforce housing project types do. This led to a set of recommendations that included a focus on smaller homes, such as ADUs, better incentivizing tourist and commercial conversions to residential, and permitting parity between housing types, among other priority actions.

The Working Group supported sorting the actions into near-term, medium-term, and longer-term actions. In January 2021, upon a recommendation from the Local Government and Housing Committee, the TRPA Governing Board approved the set of priority housing actions (below).

Action Categories	Timing
ADUs/Small Homes and Residential Density	Near-Term (3-6 months)
Mixed Use Residential and Permitting/Streamlining	Medium-Term (6-12 months)
Tourist/Commercial Conversions to Residential and Coverage Incentives	Longer-Term (1-2 years)
Public Land Donations and Fees	Longer-Term (1-2 years)

Since approval of those priorities, recommendations have emerged from the Working Group process on the near-term items, ADUs and residential density. These recommendations included initial code changes. During the discussions, many Working Group members noted that these initial actions may not be enough to stimulate the housing production that was analyzed and shown in the November attachments without further incentives. The two main concerns were related to coverage and development rights requirements, no changes to which are included with this set of code amendments. Related to coverage, several Working Group members suggested that changes to coverage regulations be considered for ADUs to allow more properties to build detached ADUs. Another concern related to the small size of ADUs, and the requirement that they procure a full development right or Bonus Unit, despite the fact that that same development right could be used for a 4- or 5-bedroom, or even much larger, home. As the pool of Bonus Units is limited, Working Group members expressed concern that ADU applications for Bonus Units would draw down the pool too quickly, without providing as much housing as could be provided if the Bonus Units were used for larger units. However, even without changes in those two areas, there was support for maintaining momentum by bringing these initial actions forward while taking more time to develop additional actions as part of later phases.

The Working Group has already begun working on the medium-term actions, which will look into how the interactions between required density, height, coverage, fees and unit size can be better managed to incentivize workforce housing and walkable, sustainable development.

¹ The technical analysis is included in Attachments A and B of the November 2020 Tahoe Living Working Group staff packet: <https://www.trpa.gov/tahoe-living-housing-and-community-revitalization-working-group-2/>.

Based on the Working Group’s discussion summarized above, TRPA staff recommends that, as part of the “Permitting/Streamlining” action, the group examine whether development rights requirements, particularly for accessory dwelling units, can be scaled based on the size of the unit.

Discussion:

The Working Group recommended moving three near-term recommendations forward in order to remove barriers to Regional Plan implementation, while beginning work on the medium-term recommendations. The three recommendations are summarized below, and the draft recommended code, Rules of Procedure, and Regional Plan changes are shown in Attachment A. Staff has also included a fourth recommendation that includes code-cleanup items from the Development Rights Strategic Initiative. Upon requests from El Dorado County and the City of South Lake Tahoe, this packet also includes corresponding changes to the Meyers Area Plan, the Tahoe Valley Area Plan, and the Tourist Core Area Plan to reflect the proposed ADU code changes.

Recommendation #1 - Bonus Unit Boundary

The boundary within which bonus units may be awarded in exchange for deed-restricting a unit to affordable, moderate, or achievable housing is described in the TRPA Code of Ordinances Section 52.3.4.F.

The current area of eligibility for these bonus units includes only those parcels that are within ½ mile of existing transit. The Working Group found that this boundary did not fully capture areas that had been identified through other planning efforts as priority areas for higher density residential development, such as the Town Centers established through the 2012 Regional Plan, some Community Priority Zones identified in the Regional Transportation Plan, and some neighborhoods that are zoned multi-family, and which in some cases have a significant amount of attached housing currently used as affordable rentals. The Working Group supported modifying the boundary to recognize that areas close to Town Centers and neighborhoods previously recognized as appropriate for affordable housing can provide walkability.

The Working Group recommended that the Bonus Unit Boundary be modified as follows:

52.3.4.F. The housing project awarded a residential bonus unit shall be within ½ mile of a designated Town Center; within ½ mile of an existing transit stop or a transit stop that will be existing concurrent with the completion of the project; or located in an area where multi-family is an allowed or special use.

This change increases the boundary by approximately 15 percent. The existing and proposed boundaries may be viewed on an interactive map, here: https://trpa.shinyapps.io/bonus_unit_boundary_map/.

The draft code changes can also be seen in Attachment B.

Recommendation #2 - Non-conforming tourist density

The second recommended code change would allow motels to keep their original Tourist Accommodation Unit (TAU) density when converting to residential. In one-on-one meetings that TRPA held with local jurisdictions in the fall of 2020, and again at the February Working Group meeting, local jurisdictions identified that existing, aging motel properties are disincentivized from converting to residential or a mix of tourist and residential uses through redevelopment because existing, non-conforming tourist densities cannot be applied to residential densities. Many older motels on small lots have tourist densities exceeding the allowable 40 units per acre.

Under the existing code, if these properties redevelop, they can keep the grandfathered density if the use does not change. However, when they redevelop and convert to residential, they lose a significant number of units since the maximum residential density allowed is only 25 units per acre and units above this must be banked and transferred off the property. For example, the Seven Seas Motel in South Lake Tahoe considered redeveloping to residential but was deterred by the small number of units available using residential densities. If the project redeveloped to new tourist development, the existing 17 units on the parcel would be grandfathered in. However, when converting to residential, the required residential density would allow only 6 residential units. The proposed revision that is part of this packet would allow the property owner to redevelop from tourist to residential and grandfather in the existing density, resulting in 17 residential units onsite in the case of the example above. This code amendment would only apply to conversions between TAUs and multi-residential uses and would only be allowed where multi-residential is an allowable use. Because the 1:1.5 conversion rates from TAUs to multi-residential would result in additional multi-residential units, over and above the number that would be allowed based on the grandfathered tourist density, TRPA will require these units to be banked onsite.

See Attachment B for detailed code amendment language. As part of this code amendment, staff is also recommending adding clarifying language to the code regarding the grandfathering in of residential density and banked residential units for use during redevelopment to new residential uses. This new language codifies the existing practice of maintaining existing, non-conforming densities as part of onsite redevelopment, and that of allowing units that are banked onsite and which resulted from development that was legally established to count toward the existing density. However, if a transfer of development from the site occurs to make the project area more conforming, it cannot be transferred back to result in non-conforming density.

Recommendation #3 - Accessory Dwelling Units (ADUs)

Accessory Dwelling Units are attached or detached units that are accessory to the main house, and are generally between 400 and 1200 square feet, averaging around 640 square feet.² TRPA's analysis of the potential for ADUs to provide workforce housing in the basin identified that a near-term strategy to allow ADUs within the framework of TRPA's existing coverage and development rights regulations could result in between 100 to 200 ADUs provided by the private market over the next eight years.³

² Sacramento Area Regional Council of Governments, "SACOG Regional Accessory Dwelling Unit Affordability Analysis," March 2020, Sacramento Area Regional Council of Governments, accessed May 27, 2021 at: [adu affordability analysis methodology 2020-3-31 0.pdf \(sacog.org\)](https://www.sacog.org/du/du-affordability-analysis-methodology-2020-3-31-0.pdf); and Turner Center for Housing Innovation, "Jumpstarting the Market for Accessory Dwelling Units, Lessons Learned from Portland, Seattle, and Vancouver," Chapple, Wegman et al., April 2018.

³ For more information on this analysis, see Attachment A of the November 2020 Tahoe Living Working Group agenda: https://www.trpa.gov/wp-content/uploads/documents/archive/03_Attachment-A-Land-Use-Evaluation-Sheets.pdf.

Because of TRPA’s incentives supporting deed-restricted housing within close proximity to transit and Town Centers, TRPA expects that a significant number of these units would be used for workforce housing.

The California Department of Housing and Community Development (HCD) allows jurisdictions to count ADUs toward their Regional Housing Needs Assessment (RHNA) requirements regardless of whether they are deed-restricted or not, instead allowing them to base their assessment on size and rental rates of comparable properties.⁴ El Dorado County, Placer County, and the City of South Lake Tahoe have all indicated that ADUs are a key part of their strategy to meet the RHNA requirements.

TRPA’s current policy restricting ADUs to parcels of one acre could be made to better align with Regional Plan Goals of encouraging workforce housing in walkable areas. Under the current policy, less than 800 parcels are even eligible to construct this housing type. And smaller parcels are often appropriate for workforce housing types – for instance the average residential parcel size within the proposed Bonus Unit Boundary and close to Town Centers and transit is about 20 percent smaller than the average parcel size outside the boundary.

At the February 10, 2021 Working Group meeting, Working Group members agreed that two policy changes should move forward into code development related to ADUs. Through the discussion additional suggestions for further incentivizing ADUs surfaced, such as through coverage or development rights incentives as discussed above, but there was not consensus on these items and additional research is needed to determine their impact on the supply of workforce housing.

The proposed elements of the ADU recommendation include:

- 1. Remove 1-acre limit on ADUs basin-wide.** Currently TRPA regulations stipulate that secondary residences/ADUs are only allowed on parcels greater than one acre in size unless a jurisdiction has a TRPA-certified “Local Government Housing Program” (TRPA Code of Ordinances Section 21.3.2.B). With the advent of California’s 2019 ADU legislation, and local codes in effect in Douglas County and Washoe County, local jurisdictions have most if not all of the required elements of the “Local Government Housing Program” in place. Requiring five separate certifications along with updates over time could add an unnecessary staffing burden both for local jurisdictions and TRPA and was not supported by Working Group members. Hence, under the proposed code amendments, the 1-acre limit would be removed and local jurisdictions would have the authority to regulate ADU construction just as they regulate other single-family home construction through their area plans and their development and building codes. ADUs would still be required to comply with TRPA’s coverage, height, and growth management regulations.

⁴ California Department of Housing and Community Development, “Housing Element Site Inventory Guidebook Memorandum,” June 10, 2020, accessed on May 27, 2021, at: https://www.hcd.ca.gov/community-development/housing-element/docs/sites_inventory_memo_final06102020.pdf

As part of this code amendment, TRPA is also recommending lifting the requirement of only one secondary residence/ADU per parcel. Since incentives for ADUs encourage them to locate in close proximity to transit and Town Centers, allowing two ADUs per parcel supports walkability goals. This would also help California jurisdictions comply with California law, as California law allows one ADU and one Junior ADU⁵ per parcel.

There are several elements of California law and Douglas County and Washoe County plans and codes that place further restrictions on the construction or use of ADUs. Currently, California law requires that accessory dwelling units created pursuant to section 65852.22 of the California Government Code (which applies to all new ADUs) if rented, be rented for a term longer than 30 days. Douglas County and Washoe County both currently have a 1-acre parcel size limit for ADUs in the Tahoe Basin in their codes. These 1-acre limits were based on the TRPA 1-acre limit but as they are already adopted they would remain in place until removed by these counties in a subsequent action.

Within the bonus unit boundary, an ADU would be eligible for a bonus unit in exchange for a deed-restriction for affordable to achievable income levels, and occupancy of the unit by a local resident. A bonus unit is available from the TRPA pool at no cost to the applicant. There was consensus among working group members that when a bonus unit is assigned in association with the construction of an accessory dwelling unit, the deed-restriction should require that either the accessory dwelling unit, or the main home must comply with the affordability and local residency requirements. This would allow for diversity in housing size and types through construction of ADUs and utilization of the bonus unit program. For example, an out-of-town homeowner might wish to reserve the ADU for their own, periodic use, but rent out the larger, main home to a local family.

- 2. Remove noticing requirement for ADUs.** Currently the Rules of Procedure require noticing for secondary residences as well as for affordable housing, employee housing and multi-family housing. Through the survey results, it was clear that most Working Group members supported lifting the requirement for noticing for secondary residences/ADUs. Several Working Group members, particularly planners from local jurisdictions, noted that it is not appropriate to require noticing for allowed uses, only for special uses. As accessory dwelling units would be allowed on all single-family parcels, the construction of an ADU would not be an exception to the rule; therefore, it would not require special notice. This is similar to existing code whereby a property owner may expand the footprint of a home for construction of a garage or other accessory use without notice of adjacent neighbors. This change does not preclude a local government from requiring noticing for ADUs. In order to implement this change, both the words “affordable” and “secondary residence” will be struck from Section 12.14.2, *Noticing*, of the Rules of Procedure, as many ADUs will likely be deed-restricted affordable units. This amendment does not propose to remove the requirement for noticing of multi-family projects (note that because ADUs are an “accessory” use, they are considered a single-family, not a multi-family use in TRPA’s code). See Attachment B for detailed code amendment language.

⁵ California law provides the following specifications for a Junior Accessory Dwelling Unit (JADU): within the walls of the single-family house; no more than 500 square feet in size; must have an efficiency kitchen; separate entrance; may share a bathroom with the main house or have its own bathroom; requires owner-occupancy in the main house or the JADU.

Recommendation #4 - Code clean-up items related to the Development Rights Strategic Initiative

As more deed-restricted housing projects begin to make their way through TRPA’s permitting process, bonus units set aside in the “affordable” and “moderate/achievable” pools have begun to be drawn down. A total of 469 of the remaining 1,124 affordable, moderate, and achievable bonus units as of July 2020 have been transacted or reserved. Of those, 370 have been requested from the “affordable” pool and 99 have been requested from the “moderate/achievable” pool. The significantly higher number of unit requests from the affordable pool is due in part to the lack of state and federal tax credit and other grant programs for homes other than those deed-restricted for affordable income levels, that is, less than 80 percent of Area Median Income. Based on bonus unit transactions that have already been completed, and projects that have submitted applications, the pool dedicated solely to “affordable” has run out of bonus units, while 464 bonus units will remain in the moderate/achievable pool once the submitted applications are completed. Another 337 bonus units are set aside in local jurisdiction pools. See Table 1 for a summary of the pools and transactions since July 2020.

Table 1: Remaining Bonus Units in Affordable/Moderate/Achievable Pools

	TRPA Bonus Unit Pool - Affordable	TRPA Bonus Unit Pool - Moderate/Achievable	TRPA Centers Pool - Moderate/Achievable	Local Jurisdiction Pools	Total
Pool Description	Must be used for affordable	Must be used for moderate/achievable	Must be used in Centers; must be used for moderate or achievable housing	Carry over from Community Plans and Community Enhancement Projects, must be used in the area designated	
Pool Beginning Balances July 2020	225	299	263	337	1124
Reserved or Transacted					
Boulder Bay	-24				-24
Homewood	-12				-12
Aspens Phase 2	-8				-8
Private Project by MOU#18-334	-1				-1
South Shore Bikes Upper Floor				-3	-3
CTC - town center, affordable	-248				-248
Silver Dollar Achievable		-23			-23
Tahoe City ADU		-1			-1
Homewood ADU		-1			-1
CTC – Crossings at the “Y” Mixed-Use				-70	-70
Ski Run/Pioneer Affordable Housing	-77				-77
All Reservations and Transactions Subtracted from the Pool	-370	-25	-73	0	-468
<i>Available Balance July 2020⁶</i>	<i>-145</i>	<i>274</i>	<i>190</i>	<i>337</i>	<i>656</i>

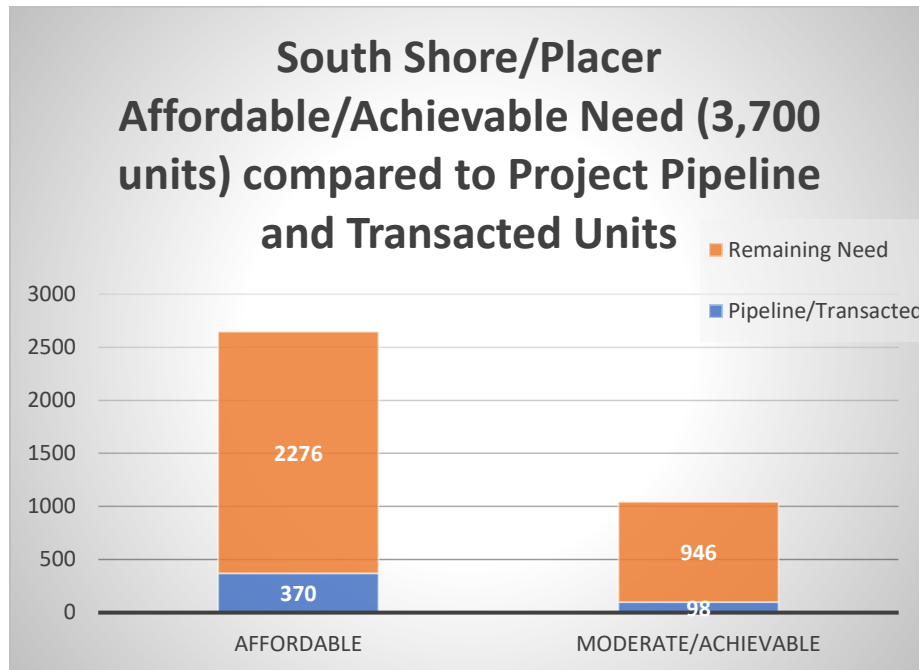
⁶ Until the pool is replenished or units can be drawn from the moderate/achievable pool, reservations that cause the pool to go into the negative cannot be honored.

Section 52.3.1 of the Residential Incentive Program section of the code identifies how residential bonus units from the TRPA pool will be used. Currently, this section identifies that half of the pool shall be used for affordable housing units, while the other half shall be used for moderate or achievable housing units.

Because both the South Shore Housing Needs Assessment and Placer County show a much higher need for homes in the affordable category than in the other two categories combined (see Figure 1), TRPA proposes to update Section 52.3.1 of the code to make it clear that bonus units from the moderate/achievable pool can be used for affordable homes. This is consistent with the definitions of moderate and achievable, which allow use as long as the income levels of occupants are below the specified levels. In response to concerns that this could lead to a shortage of moderate or achievable units, staff notes that there are a variety of bonus unit and other development rights pools that have been set aside that were not explicitly designated for affordable, moderate, or achievable units. As the income-restricted bonus units are drawn down, staff and the Governing Board can monitor the remaining pools and identify whether there is a need to shift more units into the income-restricted pools from other sources.

The change to code language is shown in Attachment B.

Figure 1: Number of housing units needed by 2026 compared to units constructed since July 2020 or that have submitted project applications (“pipeline”)⁷



At the Local Government and Housing Committee meeting on June 9, committee member Shelly Aldean asked for clarification on the process for reserving bonus units and noted that there should be a time limit on how long bonus units may be reserved. Staff researched the internal reservation process in response to this request. Bonus units are only reserved once a completed application has been received. The bonus units would be reserved until the project is either completed, or, if not started within the allowable timeframe, when the permit expires, three years after issuance.

One additional Development Rights Strategic Initiative code clean-up item is included in this section – in Section 51.5.1.A the word “development right” will be changed to “potential unit of use.”

⁷ A similar graph in the June 23, 2021 Regional Plan Implementation Committee staff report showed 325 affordable units in the pipeline (thus, only reserved units) and 99 units of moderate/achievable in the pipeline. The current version of the graph shows units that are both in the pipeline (reserved) and those that have been transacted from the pools. The previous graph also included one ADU application in the “moderate/achievable column,” however that application was subsequently withdrawn.

Informational Hearings:

Staff presented the Phase 1 Housing Amendments to the Advisory Planning Commission, the Local Government and Housing Committee, and the Regional Plan Implementation Committee (RPIC) in June. All three bodies were supportive of the amendments and recommended moving the amendments forward to final environmental review and recommendations for approval.

APC members requested that discussion of VMT, traffic, parking, effect on coverage retirement from sensitive lands and emergency evacuation be included in the final packet. Discussion of these items has been included in the IEC. Local Government and Housing Committee Members requested more information on how long a project can reserve bonus units and expressed concern that we ensure that sufficient Bonus Units go toward moderate/achievable units. This has been addressed in the discussion of Recommendation #4, above. RPIC members requested additional examination of the definition of “affordable” units in the code to specify that they are for local occupancy, and to clarify compliance procedures. Staff has added a change to the “affordable” definition in Chapter 90, and to the Bonus Unit Incentive Program compliance procedures in Section 52.3.4.D in response, which can be seen in Attachment B, under Recommendations #3 and #4. Another RPIC comment was related to working with the California Tahoe Conservancy on possible coverage incentives for ADUs.

Public comments encouraged staff to consider allowing tiny homes on wheeled chassis more widely as part of this or future recommendations, and to consider whether ADUs, particularly on the Nevada side, could lead to additional short-term rental impacts. Public comments received for these meetings are included in the attachments.

Environmental Review and Regional Plan Compliance:

The environmental documentation for the recommended changes described above consists of the Initial Environmental Checklist (IEC) (Attachment E), environmental findings and finding of no significant effect (Attachment A), thresholds evaluation (Attachment E), and compliance measures evaluation (Attachment F). The IEC tiered from the 2020 Regional Plan Environmental Impact Statement, the 2020 Linking Tahoe Regional Transportation Plan and Sustainable Communities IEC, and other recent planning efforts.

The IEC found that the amendments will not have a significant effect on the environment and a finding of no significant effect was prepared.

The environmental evaluation found that the recommendations could improve compliance with BMP requirements and improve mass transportation and scenic quality. The recommendations include incentives for new residential development and tourist redevelopment which would require implementation of BMPs as a condition of permitting, and compliance with design standards and scenic quality ratings. The evaluation also found that the recommendations could lead to improved mass transportation as they encourage development in close proximity to transit, leading to higher ridership which could in turn support higher transit frequencies.

Findings:

Based on the analysis contained in the attached IEC, the monitoring and tracking standards discussed within the IEC and included in the Regional Plan, and the environmental findings document, TRPA determined that the proposed recommendations would not have significant effects or adverse impacts on the environment. Therefore, TRPA staff prepared a Finding of No Significant Effect for the Phase 1 Housing Amendments (Attachment A).

Furthermore, based on the analysis within the thresholds and compliance measures evaluations, the Regional Plan as amended through the proposed policy and code amendments will continue to achieve and maintain thresholds. The intent of the recommended changes is to accelerate attainment of affordable and workforce housing goals for the region, support Regional Plan goals of walkable town centers and neighborhoods, maintain overall development and growth caps for the Tahoe region, and help to accelerate achievement of the environmental thresholds. Project-level review of environmental and threshold impacts shall remain in place as part of the recommended changes.

APC Recommendation:

On July 14, staff presented the amendment package to the APC. Public comment at the hearing, including letters sent in advance, touched on the following areas:

- Allow for ADUs in already constructed space to not require a development right;
- Encourage affordability by design, not by government subsidy;
- Encouraged monitoring to understand how ADUs are being used before approving additional incentives; cautioned changing coverage and development rights; encouraged reducing parking requirements before loosening coverage requirements.
- Concern that future amendments to Washoe County Area Plan that might allow for ADUs on parcels of less than one acre might not include restrictions on short-term rentals.

The APC recommended approval of the amendments and a finding of no significant effect. Based on public comment and discussion, the APC approved a fifth motion to recommend that the Tahoe Living Housing and Community Revitalization Working Group work plan prioritize and evaluate the process of requiring a development right for an ADU.

Public comments from the APC meeting are included in Attachment H.

Timeline:

The Phase 1 Housing Amendments are scheduled to go to the Governing Board for a request for approval on July 29.

Contact Information:

For questions regarding this agenda item, please contact Karen Fink, at (775) 589-5258 or kfink@trpa.gov.

Attachments:

All attachments can be found with Agenda Item No. VI. A, of the TRPA Governing Board July 21, 2021 meeting packet.

- A. Findings and Finding of No Significant Effect
- B. Changes to the Code of Ordinances, Rules of Procedure and Area Plans Shown in Track Changes
- C. Adopting Ordinance for Changes to the Code of Ordinances
- D. Adopting Resolution for Changes to the Rules of Procedure
- E. Initial Environmental Checklist and Threshold Indicators
- F. Compliance Measures
- G. Area Plan Compliance Checklist
- H. Public Comments Received for APC July 14, 2021 Hearing



STAFF REPORT

Date: July 21, 2021

To: TRPA Forest Health and Wildfire Committee

From: TRPA Staff

Subject: Briefing on Watershed Erosion Prediction Project (WEPP) and Forest Treatments Steep Slopes within the Tahoe Basin

Summary and Staff Recommendation:

Agency partners and staff will provide an overview presentation on the Watershed Erosion Prediction Project (WEPP) modeling completed for the Lake Tahoe basin. This item is for informational purposes and no action is required.

Background:

The Lake Tahoe West Restoration Partnership, which includes TRPA staff and agency partners, is working together to plan forest health treatments and conduct an environmental review of approximately 60,000 acres across the west shore of Lake Tahoe. Last year, the LTW team engaged researchers and scientists to model and predict potential erosion impacts of forest treatments on Lake Tahoe watersheds basin wide. This model predicts what erosion may occur from different treatment types on various slopes.

The University of Idaho and US Forest Service- Pacific Southwest Research Station will present on their initial findings regarding various forest treatments (mechanical thinning, hand thinning, prescribed fire, etc.) on a variety of hillslopes and soil types across watersheds. Researchers used the Watershed Erosion Prediction Project (WEPP) model, which integrates hydrology, plant science, hydraulics, and erosion mechanics to predict erosion at the hillslope and watershed scale. These results and analysis will help inform the Lake Tahoe West environmental document and will aid in determining if an expansion of innovative ground-based mechanical treatments on slopes between 30%-50% should be considered within the basin.

Contact Information:

For questions regarding this agenda item, please contact Kat McIntyre, at (775)589-5268 or kmcintyre@trpa.gov



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STAFF REPORT

Date: July 21, 2021
To: TRPA Environmental Improvement, Transportation, and Public Outreach Committee
From: TRPA Staff
Subject: Transportation Funding Update

Summary and Staff Recommendation:

Briefing on the transportation funding initiative and meet the consultant team of Regional Government Services (RGS), recently hired to advance the funding initiative. This item is for informational purposes only. No action is requested at this time.

Background:

New transportation funding to deliver transportation priorities in the Regional Transportation Plan has been elevated to top priority in the last few years. TRPA has worked with the Bi-State Consultation on Transportation, local partners, and Tahoe Transportation District to engage in a collaborative approach to developing sustainable funding for transportation priorities in the Regional Transportation Plan (Attachment A). TRPA and TTD staff are cooperatively leading this effort.

The Environmental Improvement Program, Transportation and Public Outreach (EITPO) Committee will be providing important policy guidance in the development of a sustainable transportation funding proposal. Periodic updates such as this to the Committee are needed to guide the technical work and work through regional policy issues that may come up. The consulting firm, Regional Government Services (RGS) (Attachment B), with more than thirty years of experience helping regions around the globe find the right transportation funding solutions, has been hired by TRPA to assist in this crucial initiative. RGS will be engaging the committee to review upcoming milestones, review policy objectives, and explore funding source examples.

Contact Information:

For questions regarding this agenda item, please contact Nick Haven, Division Manager, Long Range and Transportation Planning, at nhaven@trpa.gov.

Attachments:

- A. RTP Transportation Priorities
- B. Regional Government Services Team

Attachment A

RTP Transportation Priorities

LAKE TAHOE TRANSPORTATION ACTION PLAN

Transportation affects Lake Tahoe's environment, economy, and local communities' quality of life. Traffic congestion and parking shortages degrade air and water quality and impact the visitor experience, which Lake Tahoe depends upon to fuel its annual \$5-billion economy. The states of California and Nevada have convened a Bi-State Consultation on Transportation to bring public and private partners together to accelerate transportation investment at Lake Tahoe.



Transportation Action Plan from Bi-State Consultation

The states of California and Nevada have convened a Bi-State Consultation on Transportation to bring public and private partners together to accelerate transportation investment at Lake Tahoe. The following represents a collaborative commitment to funding \$1.2 billion in regionally significant transportation investments, which equates to half of the \$2.4 billion in anticipated revenues and one-third of the overall Regional Transportation Plan needs.

U.S. 50 South Stateline Community Revitalization

Reclaiming a main street along U.S. Highway 50 will make the heart of the South Shore more walkable, bikeable, and economically viable while protecting Lake Tahoe's spectacular environment. The project will deliver new affordable housing and reduce greenhouse gas emissions.

Project Cost: \$100 million (transportation), \$56 million (housing)



State Route 89 Emerald Bay Corridor

The newly launched corridor management plan calls for Emerald Bay shuttles every 15 minutes, parking management, new trails, and other infrastructure improvements.

Project Cost: \$20 million



State Route 28 Stateline-to-Stateline Bikeway

Infrastructure investments are needed to complete the trail along the entire East Shore linking Incline Village to Spooner Summit. Parking and safety enhancements, pedestrian crossings, and a link to Spooner Front Country facilities are needed.

Project Cost: \$68 million



Placer Resort Triangle Priority Transit Lanes

Placer County is leading this innovative project to dedicate transit lanes on State Routes 89 and 267 during peak travel times to reduce congestion and improve traffic flow and safety.

Project Cost: \$30 million



Delivering the Regional Transportation Plan

Transformational investments in Transit, Trails, Technology, and maintaining the transportation system at Lake Tahoe.

TRANSIT

Transit investments are needed to improve service to the local community and the millions of visitors to Lake Tahoe. By growing public-private partnerships on transit, Lake Tahoe will benefit from reduced congestion and greenhouse gas emissions.

Key projects: Free local transit and new transit routes to recreation hot spots.

Cost: \$407 million

TECHNOLOGY

Technology creates opportunities to better connect people with information about travel around the region. New systems are crucial to reduce pressure points on roadways in peak seasons. Clean technology is also critical to address climate impacts.

Key projects: Intelligent Transportation System (ITS) upgrades, regional parking, and traffic management.

Cost: \$160 million

TRAILS

The Tahoe Region has a growing system of shared-use paths, sidewalks, bicycle lanes, crosswalks, and accessible facilities. The network is critical to increasing trips by foot and bike in the region.

Key projects: Resort Triangle Bikeway Network, Pioneer Trail Sidewalks, and the South Tahoe Greenway network.

Cost: \$47 million

OPERATIONS & MAINTENANCE

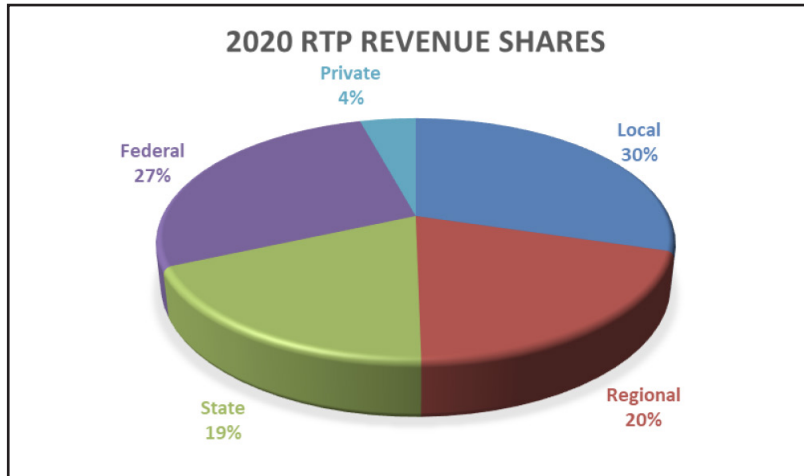
Continued investment in operations and maintenance ensures the transportation system functions at a high level and reduces the impact from emissions and stormwater runoff on Lake Tahoe.

Key projects: Closing the funding gap on maintaining local roads, existing trails, and new complete streets projects.

Cost: \$345 million

Funding Transportation at Tahoe

Regional Transportation Plan Funding by Source



Regional Transportation Plan Total Cost

\$2.4 billion - 25-year RTP list ➤ *includes \$20 million/year in regional revenue.*

\$1 billion - additional projects

\$3.4 billion - full transportation needs

The Lake Tahoe partnership is committed to turning the vision for the plan into reality to benefit the lake's environment, economy, and communities' quality of life.



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 ENVIRONMENTAL IMPROVEMENT March 2021

Attachment B

Regional Government Services Team

Team



Josh Metz

Project Manager,
Intergovernmental
Coordination, Economic
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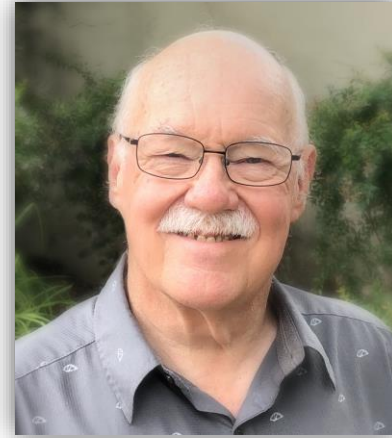
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Jen Simon

Project Coordinator



