

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

NOTICE IS HEREBY GIVEN that on **Wednesday, December 16, 2020** commencing **no earlier than 10:00 a.m., via GoToWebinar**, the **Governing Board** of the Tahoe Regional Planning Agency will conduct its regular meeting. Pursuant to the State of California's Executive Order No. N-29-20 and the State of Nevada's Declaration of Emergency Directive 006, the TRPA meeting will not be physically open to the public and all Governing Board Members will be participating remotely via GoToWebinar. Please go to www.trpa.org for more information on how to participate. TRPA sincerely appreciates the patience and understanding of everyone concerned as we make accommodations to conduct business using best practices to protect public health. The agenda is attached hereto and made part of this notice.

NOTICE IS FURTHER GIVEN that on **Wednesday, December 16, 2020**, 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 on the Tahoe Valley Area Plan Amendments in the City of South Lake Tahoe: Modify various policies, design standards, and substitute standards including roof pitch and height, corner building design, parking demand, coverage transfer, and related topics to encourage workforce housing development; **(Page 123) 4)** Committee Member Comments; Chair – Yeates, Vice Chair – Bruce, Aldean, Laine, Lawrence, Gustafson; **5)** Public Interest Comments

NOTICE IS FURTHER GIVEN that on **Wednesday, December 16, 2020** commencing at **9:15 a.m., via GoToWebinar**, the **TRPA Legal Committee** will meet. The agenda will be as follows: **1)** Approval of Agenda; **2)** Resolution of Enforcement Action: Walter Fisher; Unauthorized Tree Removal, 200 Edgewood Drive, Placer County, CA, Assessor's Parcel Number 093-370-017 & 093-450-007; **(Page 25) 3)** Resolution of Enforcement Action: Dave Navarro; Unauthorized Watercraft Launching without an inspection, 746 Lincoln Highway, Douglas County, NV, Assessor's Parcel Number 1318-10-310-002; **(Page 31) 4)** Closed Session with Counsel to Discuss Existing and Potential Litigation; **5)** Potential Direction Regarding Agenda Item No. 4; **6)** Committee Member Comments; Chair – Bruce, Vice Chair – Novasel, Berkbigler, Rice, Yeates; **7)** Public Interest Comments

December 9, 2020



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	
Via GoToWebinar	December 16, 2020
	No earlier than 10:00 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.

Public Participation in the Webinar:

1. Download the GoToWebinar app on your computer, tablet, or smartphone.
 - The computer app can be downloaded here: <https://support.goto.com/meeting/help/download-now-g2m010002>.
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2. Find the link to the meeting at <https://www.trpa.org/document/meetings-notice/>. 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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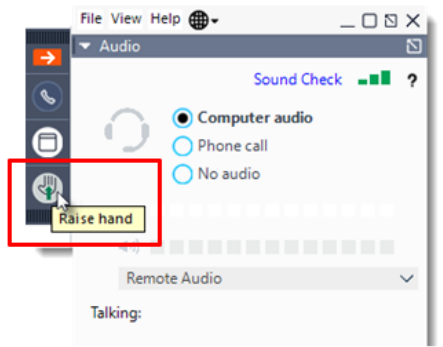
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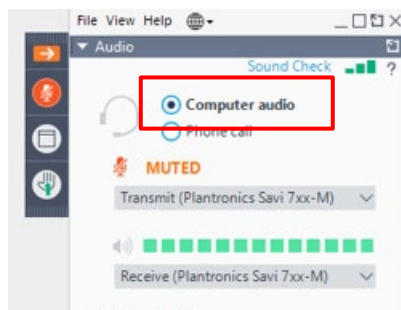
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4. On the meeting date, login in to the webinar by following the link provided in your registration email or available on www.trpa.org.
5. At the appropriate time for public comments, you will be able to "raise your hand" by clicking on the Hand icon located on the tab to the left of your GoToWebinar control panel and a TRPA staff member will unmute you and indicate that you can address the Governing Board.



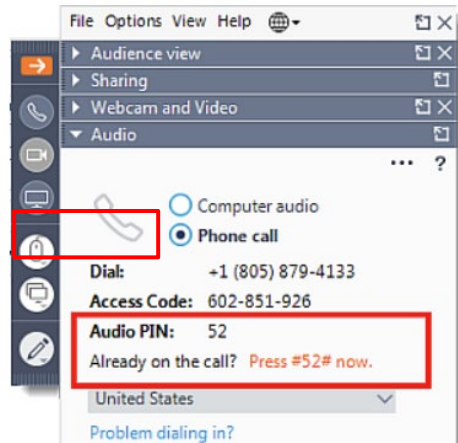
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On the meeting day, if you don't have the ability to use any of the GoToWebinar apps on your computer, smartphone, or tablet, and you would like to make a comment at the Governing Board meeting, TRPA can pre-register you for the webinar and provide 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. ADMINISTRATIVE MATTERS
 - A. Best in Basin Awards **Informational Only**
 - B. Election of Governing Board Chair and Vice Chair Effective January 1, 2021 **Approval**
 - C. Resolution recognizing Governing Board member Marsha Berkbigler, Washoe County Commissioner **Approval** **Page 107**
 - D. Resolution recognizing Governing Board member Tim Cashman, Nevada At-Large Member **Approval** **Page 109**
 - E. Resolution recognizing Governing Board member Brooke Laine, City of South Lake Tahoe Representative **Approval** **Page 111**
- VII. PLANNING MATTERS
 - A. Briefing on 2019 Threshold Evaluation and TRPAs Digital First Initiative **Informational Only** **Page 113**
 - B. 2020 Monitoring Program Update. **Informational Only** **Page 115**
- VIII. PUBLIC HEARINGS
 - A. 2021 Watercraft Inspection Fee Structure **Approval** **Page 117**
- IX. REPORTS
 - A. Executive Director Status Report **Informational Only**
 - B. General Counsel Status Report **Informational Only**
- X. GOVERNING BOARD MEMBER REPORTS
- XI. 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**

XII. 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.

XIII. ADJOURNMENT

TRPA CONSENT CALENDAR

Item	Action Requested	
1. November Financials	Approval	<u>Page 1</u>
2. Resolution of Enforcement Action: Walter Fisher; Unauthorized Tree Removal, 200 Edgewood Drive, Placer County, CA, Assessor’s Parcel Number 093-370-017 & 093-450-007	Approval	<u>Page 25</u>
3. Resolution of Enforcement Action: Dave Navarro; Unauthorized Watercraft Launching without an inspection, 746 Lincoln Highway, Douglas County, NV, Assessor’s Parcel Number 1318-10-310-002	Approval	<u>Page 31</u>
4. Annual Local Government Coordination Report and Action on Recertification of City of South Lake Tahoe’s, El Dorado County’s, and Placer County’s Permit Delegation Memorandum of Understanding	Approval	<u>Page 37</u>
5. Altnow Multiple-parcel pier designation and expansion El Dorado County APNs 032-110-004 & 032-110-024 3021 & 3023 Jameson Beach Road, El Dorado County, CA TRPA File number ERSP2020-0167	Approval	<u>Page 57</u>

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, William Yeates, California Senate Rules Committee Appointee; Vice Chair, Mark Bruce, Nevada Governor's Appointee; James Lawrence, Nevada Dept. of Conservation & Natural Resources Representative; Sue Novasel, El Dorado County Supervisor; Belinda Faustinos, California Assembly Speaker's Appointee; Shelly Aldean, Carson City Supervisor Representative; Marsha Berkgigler, Washoe County Commissioner; Cindy Gustafson, Placer County Supervisor Representative; Vacant, California Governor's Appointee; Casey Beyer, California Governor's Appointee; Barbara Cegavske, Nevada Secretary of State; Timothy Cashman, Nevada At-Large Member; A.J. Bud Hicks, Presidential Appointee; Wesley Rice, Douglas County Commissioner; Brooke Laine, City of South Lake Tahoe Councilmember.

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

GoToWebinar

November 18, 2020

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Yeates called the meeting to order at 10:30 a.m.

Members present: Ms. Aldean, Mr. Beyer, Ms. Berkgigler, Mr. Bruce, Mr. Cashman, Mrs. Cegavske, Ms. Faustinos, Ms. Gustafson, Mr. Hicks, Ms. Laine, Mr. Lawrence, Ms. Novasel, Mr. Rice, Mr. Yeates

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF AGENDA

Ms. Marchetta said Agenda Item No. VIII. A Appeal of Site Assessment Determination of Unverified Coverage, 707 Burgundy Road, Incline Village, NV, APN 126-242-02, TRPA File No. LCAP2020-0315, Appeal File No. ADMIN2020-0006 was withdrawn.

IV. APPROVAL OF MINUTES

Mr. Yeates said staff has made some minor clerical edits to Agenda Item No. VIII.A Tourist Core Area Plan Amendments in the City of South Lake Tahoe and are requesting approval of the October 28, 2020 minutes as amended.

Mrs. Cegavske moved approval of the October 28, 2020 minutes as amended.

Motion carried.

V. TRPA CONSENT CALENDAR

1. October Financials
2. Annual inflation adjustments to TRPA Filing Fees
3. Allocation of FY 2020-2021 Local Transportation Funds of \$911,254 to the Tahoe Transportation District
4. Allocation of FY 2020-2021 State Transit Assistance funds of \$358,168 to the Tahoe Transportation District
5. Allocation of FY 2020-2021 State of Good Repair funds of \$101,882 to the Tahoe Transportation District
6. Allocation of FY 2020-2021 Local Transportation Funds of \$534,163 to the Tahoe Truckee Area Regional Transit
7. Allocation of FY 2020-2021 State Transit Assistance funds of \$233,190 to the Tahoe Truckee Area Regional Transit
8. Allocation of FY 2020-2021 State of Good Repair funds of \$66,331 to the Tahoe Truckee Area Regional Transit
9. APC Membership Reappointment for the Washoe County Lay Member, Tim Callicrate

GOVERNING BOARD

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Ms. Aldean said the Operations and Governance Committee recommended approval of items one, two, three, four, five, six, seven, and eight.

Ms. Aldean moved to approve the consent calendar.

Motion carried.

VI. ADMINISTRATIVE MATTERS

A. Spirit of TRPA Awards Presentation: Honoring 50 Years of the Bi-State Partnership Protecting Lake Tahoe

Ms. Regan said to put this in context of the greater campaign that we've been running for the entire year for TRPA's 50th Anniversary. TRPA staff is proud to have done the research to find the stories that shaped the legacy of this bi-state partnership that's protecting Lake Tahoe. Some may recall the Tahoe In Depth which has captured many stories of the giants who have preceded us and leaves us all with a sense of humility that we are building on this work and carrying out the vision that many had so many decades ago. We've had to adapt this campaign and this program to recognize this anniversary amidst the pandemic. They had planned events and gatherings none of which we were able to do. In the spirit of adaptation, we've shifted gears and are doing this virtually and believes this program will do justice to the great work that we are here to celebrate. Amidst this pandemic, there's been significant loss in country and we as Americans have taken stock to what is our sense of purpose and what we see in person live today is that the people that have shaped the work of TRPA were all driven with this sense of purpose that we are proud to continue to carry out.

Today, we have a rendering of the Lake Tahoe Coin to show everyone that will book end this anniversary celebration. At the Carson City Mint in a few weeks there will be the first ever Lake Tahoe Coin minted, and everyone will have the opportunity to support the legacy of Lake Tahoe and TRPA by donating to environmental education at www.trpa.org/coin.

Ms. Ortiz said for nearly 10 years, TRPA has recognized individuals in our communities who show exceptional commitment to protecting beautiful Lake Tahoe. The Lake Spirit Awards honors these impressive individuals and agency representatives to go above and beyond to protect the beauty of our region's spectacular environment and create more resilient communities.

This year, to celebrate TRPA's 50th anniversary, we are reflecting on our own legacy and highlighting the individuals who embody the "Spirit of TRPA." These people worked, and many who are still working, tirelessly to foster an atmosphere of epic collaboration to achieve our agency's vision for a lake environment that is sustainable, healthy, and safe for the community and future generations.

Members of the Governing Board, APC, and staff voted on their top candidates in each decade to arrive at today's winners. We will be honoring 15 individuals and organizations whose contributions to the lake have had a lasting impact. Chair Yeates and Vice Chair Bruce will share a few words about each recipient, and awardees or designees will have the opportunity to speak following their commendation.

We'll begin with a short video to provide historical context for the work of these impressive individuals and organizations and what it meant for Lake Tahoe. The video highlights the history of the Lake Tahoe Basin, the need for TRPA and its formation, and celebrates major plans and programs such as the Regional Plan and the Environmental Improvement Program.

Video can be found at:

<https://www.trpa.org/governing-board-documents-november-18-2020-online-meeting/>

Mr. Yeates said is pleased and honored to kick off the Spirit of TRPA Award program. Before we begin, I must make it clear that while we are proud to recognize the 15 extraordinary individuals and organizations today, this list is by no means exhaustive. TRPA has stood the test of time over these five decades because of the individuals we're recognizing and the work of countless others.

1960s Decade: Dwight Steele

Mr. Yeates said Dwight Steele is a towering figure in the conservation movement, winning great victories that have preserved both the Lake Tahoe Basin and the San Francisco Bay from misguided development and degradation.

A lawyer by trade, Dwight's list of environmental wins for Tahoe are far too numerous to include in their entirety. They include advocating to end the dumping of sewage in the Lake in the 1960s and securing \$85 million through a 1982 California bond to preserve environmentally sensitive lands. Dwight even served on our Governing Board in the late 1970s.

Dwight and the League to Save Lake Tahoe were the impetus for the Tahoe Transportation and Water Quality Coalition. This group was foundational to Tahoe's collaborative partnership model and brought together diverse interests to advocate as one voice for the Basin in Washington D.C.

Dwight also co-founded the Tahoe-Baikal Institute in 1981, for Russian and American students to visit one another's lakes and share strategies for their mutual preservation.

Dwight's poise and calming demeanor endeared him to friends and opponents alike. As one of his colleagues from the League put it, Dwight could walk into a room of strangers, and leave with a group of close confidantes. Dwight passed away in 2002, and we are honored to celebrate his legacy today. He once served with Dwight on the Board of the Planning Conservation League. Whenever Dwight entered a room, everything seemed to focus upon him and he was always the first to ask how you were doing and what you were up to.

Mr. Sevison said Dwight was an incredible person and as he looks back at the years that he served with him on the TRPA Governing Board. He was forceful and knew what he was talking about and opened your eyes to a lot of things that most people didn't see and that was very helpful for all of us to get his wide view and perspective of things as he saw them. It helped make the Regional Plan in what it is today. He thanked TRPA for all that's been put together on his behalf and have his family realize that we did appreciate his efforts and the rewards that came from it.

Ms. Goodman Collins, Executive Director, League to Save Lake Tahoe said Dwight did so much for the Lake. He's paved the way for so many of our efforts to protect the Lake. Although, she didn't have the opportunity to work closely with Dwight, she was fortunate enough to have met him a handful of times as she was an intern for the League to Save Lake Tahoe when he was a board member for many years. Dwight was such a well-known conservationist in part of the conservation movement in California not only with Lake Tahoe but in San Francisco. He helped to start Save the Bay which is a similar organization as the League to Save Lake Tahoe. She feels that her path has followed his so closely because she worked for Save the Bay before going to work for the League. She feels she's following in his footsteps and great legacy of protecting Lake Tahoe including the stopping of sewage in the Lake in the 1960s and securing the \$85 million through a 1982 California bond to preserve environmentally sensitive lands. He was the impetus for starting that Tahoe transportation water quality coalition. The momentum created by that event has resulted in more than one billion dollars of funding for Lake Tahoe. The most iteration of that group which she is honored along with partners Julie Regan, Steve Teshara, and others to be a part of, continues his legacy today. He was the co-founder of the Tahoe Baikal Institute and she was able to be a participant of the at organization as well as the board president and saw the fruits of his labors and that organization. He passed away in 2002, but his legacy will maintain as long as the Lake is blue. We're grateful to have his experience and to look at him and his ability to build relationships and work closely with people as a model as we continue this period of collaboration.

Board Comments

Mr. Yeates said Dwight Steele was a remarkable man. There are people in his path that he admired for what they were able to accomplish and he was one of them.

1960s Decade: Coe Swobe

Mr. Bruce said on the long list of people who have helped advance the conservation of Lake Tahoe's environment, Coe Swobe's name stands out. The Reno resident and third-generation Nevadan, who died in May 2016, is known as the "father of the Tahoe Compact" for his work across state lines to make protecting the lake a bi-state and bipartisan reality. As a Republican state senator in Nevada from 1966 to 1974, Coe played a leading role in crafting the agreement between California and Nevada that created TRPA through the nation's first environmental bi-state compact.

Coe also championed legislation to create Sand Harbor State Park on the East Shore of Lake Tahoe, helping create what today is one of Nevada's most popular parks. He served on the TRPA Governing Board from 2001 to 2008, raising awareness about the need to remove hazardous fuels and reduce the wildfire risk at Tahoe.

When it came to Lake Tahoe, politics didn't matter to Coe. It's a timely reminder, and we are pleased to present Coe's family with this Spirit of TRPA award to honor his great legacy.

He had the opportunity to talk with Coe a number of times and frequently he would see him eating lunch and what struck him was that you knew when he was in the room. Everyone would go over to pay their respects and talk to him to try and get little pearls of wisdom from him.

He's worked with Coe's daughter Caryn on a board for at risk children and sees in her a lot of what they saw in Coe is an effort to make the community and the state a better place.

Caryn's sister Jackie Swobe said she sees a lot of her dad in her sister in what she does for the community. Her dad would be thrilled with this. He had a lot of compassion for Lake Tahoe, it was his driving force. Lake Tahoe was above politics for him, politics didn't enter in to it for his world and his view of Lake Tahoe and trying to keep it as pristine as possible.

Board Comments

None.

1970s Decade: Dr. Charles Goldman

Mr. Yeates said Dr. Charles Goldman needs no introduction.

Dr. Charles Goldman, a distinguished professor emeritus in the UC Davis Department of Environmental Science and Policy, has devoted his career to studying the effects of environmental pollutants on lake ecology. Dr. Goldman has worked on every continent on the globe, from Oregon's Crater Lake to Antarctica, where a glacier was named after him.

Goldman's long-term Lake Tahoe ecosystem study on the early stages of eutrophication (excessive richness of nutrients) made it possible for governments to make decisions based on sound science. He founded the Tahoe Research Group at UC Davis, now known as the Tahoe Environmental Research Center with a world class laboratory here at the lake.

Dr. Goldman's enduring efforts to understand and protect Lake Tahoe have inspired many others. Over his 52 years of teaching, he was an inspiring mentor to 1,500 undergraduate students, more than 100 graduate students and 37 post-docs. These students have made lasting scientific contributions. He has served as an adviser to presidents, governors, senators, and countless other leaders about the environmental health of Lake Tahoe. His early records on lake clarity now allow Lake Tahoe to have one of the longest-running data sets of any lake in the world.

And just last week, in honor of Dr. Goldman's 90th birthday, the League to Save Lake Tahoe and UC Davis's Tahoe Environmental Research Center launched the "thanks a million" campaign to raise \$1 million for the Charles Goldman Endowed Fund for research stipends.

Dr. Goldman is having technical issues and Ms. Ortiz will read his comments.

Dr. Goldman said thank you so much. Tahoe was a lake that was early on recognized as a unique lake that could suffer the fate of many lakes during the early and mid-part of the last century which were being degraded by eutrophication the greening of lakes from excessive nutrient input.

Science was very important as I was able through our Tahoe Research Group from UC Davis able to demonstrate that the best treated sewage from the South Tahoe Public Utility District plant could not be discharged into the lake without dire consequences. Five distinguished Sanitary

engineers plus a Swiss expert accepted this finding and the export of treated and untreated sewage was begun. The most important research to application demonstration I know of .

As science has taken such a political hit in the last few years, I would like to make it very clear that Climate Change has naturally taken a rear seat to the Covid crisis but remains the greatest threat to humanity and the future water quality of Tahoe and the worlds other freshwater and marine resources in the years ahead. The greatest threat to humanity since the development of the atomic bomb.

Board Comments

None.

1970s Decade: Tahoe Water Suppliers Association

Mr. Bruce said the Tahoe Water Suppliers Association is a partnership comprised of California and Nevada municipal water agencies dedicated to providing clean and safe drinking water.

The Association is a partnership comprised of California 12 member agencies that maintain award-winning water systems and deliver some of the finest drinking water in the world. Members are being recognized for their extraordinary environmental service in maintaining state-of-the-art systems that export all treated effluent out of the Tahoe Basin to protect the lake's clarity. Based on Dr. Goldman's groundbreaking research that called for wastewater export, these agencies have constructed and maintained some of the most important environmental infrastructure in the history of the Tahoe Basin.

The Association is an active partner in our collective advocacy work to protect Lake Tahoe and we commend them with this award.

Mr. Bruce said they're at every Tahoe Summit providing those fantastic glass bottles that he and his wife take everywhere they go.

Madonna Dunbar, Executive Director of the Tahoe Water Suppliers Association said she's honored to accept this award on behalf of the Tahoe Water Suppliers Association. They also want to recognize that it's not just them, they want to accept this award in recognition of the decades of contributions to source water protection by all the water suppliers and wastewater utilities in the Tahoe Region. These utilities supply drinking of excellent and award winning quality to all the communities and visitors. Some of them also provide in the background the sewer collection, the treatment, and the export that you spoke about that is important to protecting Tahoe's delicate ecosystem. Managing this complex operation of hundreds of thousands of lines and infrastructure pieces requires and an uncommon level of environmental insensitivity and dedication. They're talking about processing millions of gallons of water and wastewater daily. This award belongs to the utility workers, the many dedicated water and wastewater utility staff who have worked 365 days per year around the clock for more than 50 years cumulatively now to provide these vital community services. From the leadership of the 1960s, before the 1970s all of Tahoe's treated sewage was being pumped out of the Basin and is still done so today. More than 50 years after this massive undertaking of creating export systems for all the communities at Lake Tahoe and removing all the septic systems, this action

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has been recognized as major factor in preserving Lake Tahoe's excellent drinking water and the recreational potential with such a fantastic and clean lake. There are very few fresh water lakes in the world that have ever received this level of protection and Tahoe is used globally as an example of that success.

Board comments

None.

1980s Decade: Dennis Machida

Mr. Bruce said Dennis Machida served as the Executive Director of the California Tahoe Conservancy from 1985 to 2005 when he unexpectedly passed away while delivering a speech on conservation near Yellowstone National Park.

Dennis dedicated his life to public service and was a compassionate voice for the environment in California. Under his leadership, the Tahoe Conservancy acquired more than 7,400 acres of land and engineered nearly 600 projects on the California side of the Lake Tahoe Basin, all to help preserve our pristine mountain environment.

Under Dennis's leadership, the Conservancy and TRPA formed a crucial partnership that prevented scores of harmful and ill-advised development projects that could have forever scarred the basin.

Coworkers and friends remember Dennis as the consummate leader, kind and driven, whose impressive understanding of the history, the politics, and the background of Tahoe environmental issues led to many victories for Tahoe's preservation.

Mr. Yeates said in the early days, Dennis and he shared a mentor together; Joe Petrillo who was the Executive Officer of the first California Tahoe Conservancy; the Coastal Conservancy. When Governor Deukmejian was elected as the California Governor, he wasn't a real fan of the Coastal Commission, but he appointed Gordon Van Vleck as the Secretary of Resources. Dennis knew Gordon pretty well, so he was able to convince Secretary Van Vleck that Lake Tahoe deserved to have its own Conservancy. Not only was he the first Executive Officer, but he also spawned the idea and sold Governor the Deukmejian on the idea.

Nathan Machida said thank you for giving his father this recognition. He's very grateful that his father's work in the Tahoe Basin continues to be appreciated by other team players in the local environmental community. Thanks to the efforts of TRPA and other partner organizations, future generations will be able to enjoy the Lake like he did growing up. Thank you for all the good work that you do, his father would be very honored.

Board comments

None.

1980s Decade: Clem Shute

Mr. Yeates said prior to his service on TRPA's Governing Board, Clem successfully defended land use regulations to protect Lake Tahoe in the landmark 2002 environmental law decision before the U.S. Supreme Court. Clem had a well-earned reputation for providing legal services with high ethics and collegiality and demonstrating a commitment to working on challenging environmental issues based on their merit.

While serving on the Governing Board of TRPA, Clem took a leadership role in resolving the contentious disputes over the proposed Regional Plan Update leading to the approval of the Regional Plan on December 12, 2012, earning the respect of his colleagues on the Governing Board. This landmark achievement quite literally saved the Agency from dissolution and re-committed the two states to a collaborative partnership to protect Lake Tahoe. As Chair of the Regional Plan Implementation Committee, Clem worked closely with TRPA staff and the members of the Development Rights Working Group to make changes to the regulation of "commodities" to further the implementation of the Regional Plan's goals and policies that encourage redevelopment of existing underutilized commercial buildings.

Clem's leadership was also integral to achieving a unanimous vote on the controversial shoreline plan, overcoming decades of rancorous litigation and conflict. Clem promoted broader regional objectives as TRPA began to evaluate the Tahoe Transportation District's Highway "Loop Road." Working with TRPA and the Tahoe Transportation District staff, and the California Attorney General's Office, the League to Save Lake Tahoe, and other stakeholders, this significant project identified in the Tahoe Compact is moving forward. The project will transform the south shore's tourist core area, rerouting Highway 50 and delivering critical affordable housing and neighborhood amenities for the impacted community. The Main Street Management Plan will also create more a pedestrian friendly environment in the heart of the tourist core.

When Clem retired from the Governing Board, he left behind a legacy of commitment to the ideals established in the Lake Tahoe Compact for the protection of Lake Tahoe.

Mr. Bruce said the hardest part for him was to determine what decade to put Clem in. Clem has been a great mentor to him, partner, and colleague in TRPA.

Mr. Yeates said he misses the two-hour drive with Clem on Governing Board days to talk about the history and the policy behind what we're trying to do.

Mr. Shute said it's great to see Mr. Yeates and Mr. Bruce and hear some of the voices of other board members, Ms. Aldean and Mr. Cashman during the Operations Committee meeting this morning. He started in the California Attorney General's office before 1970. In 1970, the Tahoe Regional Planning Agency came along, and the counties were supposed to provide property tax revenue to fund the Agency and they refused on the basis that it was interfering with their constitutional right to regulate land use. His first involvement in Tahoe was bringing a suit to force the counties to pay to fund the agency so it could hire staff and do a plan. From that point on for 50 years, until 2020, he mostly engaged in Tahoe issues and was passionate about it. Also, representing the League to Save Lake Tahoe, the State of California, the Tahoe Regional Planning Agency, and then nine years as a Governing Board member. During the 1980s was a period of great distrust and Nevada threatened to withdraw from the Compact which happened again in 2012. The Agency was on the brink of failing. There were lawsuits including litigation

brought by the State of California which he represented the League to Save Lake Tahoe in that suit. Through the efforts by some visionary people including Dennis Machida, Bill Morgan, and a few others a consensus process was put together and out of that came the 1987 Plan which put the Agency on the road to correct and proper way of treating the environment at Lake Tahoe. That plan served well for a lot of years then it became outdated and political fracture started to appear again. Nevada did pass a law to withdraw from the Compact, again there was no trust. It took a major effort of Governing Board members and people like Secretary Laird from the Secretary of Resources office under the second Governor Brown to adopt the 2012 Regional Plan Update. He observed that a lot of the same kind of distrust issues, fights between the states that happened in the 1980s happened again in the early 2000s. He's hoping that the cycle doesn't repeat itself over 20 years and the collaborate effort that TRPA and others in the Basin are undertaking will prevent that kind of dissolution of trust which is probably the most important thing. He appreciated receiving this award and will accept it for his 50 years of service not just the 1980s.

Board comments

Ms. Aldean said we miss Clem's leadership and his even handed approach to solving some pretty thorny issues that have become before the Agency. He's very deserving of this award and hope that he'll come back to the Lake and visit sometime.

Ms. Laine congratulated Mr. Shute. She knew Dwight Steele, her mom and Dwight worked together back in the 1970s and 1980s. She's had dinner with Dr. Goldman and had the honor of serving on the California Tahoe Conservancy with Dennis Machida when he was the executive director in the 1990s. But nothing made her more nervous as to when Clem pulled her aside at a TRPA meeting and asked if he could speak to her. She's known of him for some time, but it was an honor to work with him more recently and try to mitigate some of the problems with the Loop Road. His reputation will carry well into the future.

Mrs. Cegavske congratulated Clem and said there isn't a better person who deserves that award. She thanked him for his leadership on TRPA and has been her pleasure to get to know and serve with him.

Mr. Beyer said they both came to the Governing Board almost simultaneously years ago as California Governor Appointees. It was an honor and pleasure to serve to you. He learned not only the law but the way of the world through the California State Legislature and all that he did for the Lake Tahoe Basin. Congratulations on this well-deserved award. It should be a lifetime achievement award not only to California but to the Lake Tahoe Basin.

Mr. Cashman said it was a pleasure getting to know Clem. He spoke in his comments about trust, he learned a lot about how you build trust particularly through the Regional Plan Update in 2011 and 2012 from Clem. He congratulated him on single handedly helping to rebuild the trust between the states, it was a great accomplishment.

Ms. Faustinos congratulated Clem and thanked him for all he did to mentor her when she came onto the Governing Board. He was phenomenal and he is missed.

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Mr. Hicks said Clem was great to work with, his only regret was that he didn't have more time to work with him. He is aware of what Clem did back in the 1980s and early 2000s when the tensions were high between the two states. He was masterful and helped bring everything together and deserves this as a lifetime award.

Mr. Bruce said Mr. Lawrence is having technical difficulties otherwise he would have liked to speak to Clem today.

1990s Decade: Jim Baetge

Mr. Yeates said Jim Baetge served as the Executive Director of TRPA from 1997-2000 and recently retired as the Agency's Hearing's Officer. Staff and partners appreciated Jim's thoughtful insights. People recall that he was always asking how a project could improve the environment as opposed to just wanting to know what the negative environmental impacts of a project might be. From the simplest projects to cell phone towers that filled the room with interested parties, Jim always took the time to consider all the comments and questions from the engaged public and applicants. He was a steady, consistent, and knowledgeable leader at TRPA who will be deeply missed as he steps away from his role as Hearings Officer.

Jim is considered by many to be the father of the Environmental Improvement Program (EIP), guiding the agency through the development of what is now an unparalleled partnership working to achieve the environmental goals of the Region. Jim's mantra "the project is the fix" reflected a paradigm shift that brought disparate parties together.

Staff member Paul Nielsen was working on a project that involved a significant exterior modification to one of the casinos on the South Shore. The design was controversial and other staff were giving him a hard time about how it would look like Superman's "Fortress of Solitude." He not only was supportive of the unique design, he also suggested we add improvements to pedestrian amenities on the property which were ultimately incorporated into the project. With his leadership, the project was approved by the Governing Board but unfortunately never built. Paul suggested that Jim should be added to the list of the Supermen and Superwomen who are champions for Lake Tahoe.

Board Comments

Mr. Yeates said Jim often worked behind the scenes and did a lot of good for Lake Tahoe.

1990s Decade: Steve Teshara

Mr. Bruce said more than 30 years ago, Steve Teshara began serving the residents and visitors in the Lake Tahoe Region as a brave young journalist weathering both political and winter storms to deliver the news and his opinions on how to improve this Region.

Steve's contributions to the community are too numerous to name from leading the Tahoe Gaming Alliance to representing the north and south shores' chambers of commerce. Steve has been a tireless advocate for the Lake Tahoe Environmental Improvement Program in Washington D.C. He's also the former chair of the Federal Advisory Committee where he advocated for hundreds of millions of dollars to benefit Lake Tahoe.

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Steve was appointed to the TRPA Advisory Planning Commission in January 2012, bringing a wealth of regional history to the APC, as the Tahoe Transportation District's representative, later serving as chair. His reputation for being consistent and fair has made him instrumental in raising the awareness and knowledge of colleagues and stakeholders engaged in transportation, housing, and in main street planning.

Known as our resident historian, Steve has been a proactive community leader passionately pursuing a civic-minded duty to make our region more sustainable. His tireless work to make Tahoe a better place inspires us all.

Mr. Bruce said the single word in Tahoe that defines Steve is on the present. He is everywhere, he is part of every conversation, and he's interested in every aspect of Lake Tahoe.

Mr. Teshara said this is quite a recognition and is a tough act to follow Clem Shute and Jim Baetge who is clearly the father of the Environmental Improvement Program. He's had a lot of wonderful experiences in his time here at Tahoe which goes back almost 50 years. He got involved in the issues as a reporter in the early 1980s when he covered TRPA and the adoption of the environmental thresholds in August of 1982 at the old Chateau.

He's had a lot of great mentors along the way, certainly Jim Baetge, Dwight Steele, Clem Shute, and Stan Hanson. Mr. Hanson worked for a succession of owners of Heavenly Resort and was instrumental as a private sector leader in redevelopment in South Lake Tahoe and the building of the Gondola at Heavenly. Some of his contemporaries are the Lake Tahoe Partnership, Julie Regan, Darcie Goodman Collins, Andrew Strain, and himself. Before the Lake Tahoe Transportation Water Quality Coalition there was the Tahoe Transportation Coalition which Dwight Steele and others organized in Sacramento after years of litigation over the Regional Plan when it finally came to fruition in 1987. We who had been on opposite sides got together and decided that they wanted to try to help something specific to try and make the Regional Plan a success and focused on transportation. That evolved to the Lake Tahoe Transportation of Water Quality Coalition right before the historic presidential forum because they wanted to make sure that water quality was included in the recognition of the work that they were doing.

He worked closely over the years with TRPA, the Tahoe Transportation District, and the local governments of Tahoe, officials at the state level in both California and Nevada, and at the federal level. But his role has primarily been one as a representative and advocate for the private sector and the broader community. It's an honor to be recognized with this elite group of leaders and organizations who are being recognized today and is honored to be a part of the great team over the decades that have worked to support and preserve Lake Tahoe for future generations. He accepts this recognition in part on behalf of his late wife Penny. She was a guiding light and a steering current for him throughout all these years and couldn't do it without her support.

Mr. Yeates said everywhere he went when he first joined the Governing Board, there was Steve Teshara present.

Board comments

Mr. Rice said he first met Steve when he was interviewed for a vacancy on the Round Hill General Improvement District. He shepherded him through the learning process. He left the board because he was termed out. When Mr. Rice ran for the Douglas County Commissioner, Steve was very helpful to him and cannot thank him enough for all that he's done for him, Round Hill, the community, and the Lake.

Ms. Gustafson said they've been through so much together. He's been a mentor to her. There is no one with more energy, passion, and commitment and no one that can attend more meetings than Steve. There was no one else that she could call at 5:00 a.m. and know he was up and energized and ready for the day. Very few friends that you can call at 5:00 a.m.! He's been incredibly dedicated to our region and deserves this so much as do all the recipient's. She's proud to know him and have served with him through many of those. From the beginning with their work with Dwight Steele, Steve truly was the father of transportation and keeping the momentum with transportation issues in the Basin.

Ms. Novasel said she missed just being able to congratulate Clem Shute. He was huge in providing wisdom and direction in her first years on the Governing Board. Mirroring what she heard from Ms. Gustafson and others is that Steve has been very much a part of Tahoe and all the boards and is "Mr. Transportation." She appreciated his mentoring and his ability to get us to the bottom line on a lot of things. She also appreciated his wisdom and all his hard work for the community.

Ms. Aldean said she believes she and Steve first met when he became the head of the Gaming Alliance. (Mr. Teshara said it was actually when he was the Executive Director for the Board of the Preservation Council). Steve is ubiquitous and has an incredible sense of dedication and commitment and appreciated that he has illustrated that actions to benefit business and the environment are not mutually exclusive. Thank you for your balanced approach and for always offering his sage advice on issues that confront us at the Governing Board. We are better for having his input.

Ms. Laine congratulated Steve and said she's had the honor of working with you politically since the 1990s. One thing she admired about Steve was that whether they agree or disagree completely or partially, he is always supportive and always has positive things to say. It's very admirable.

Mr. Teshara said Ms. Laine's mother, Del Laine was the Mayor for the City of South Lake Tahoe and Chair of the Tahoe Transportation District Board when he first started going to meetings in the 1980s was another great mentor. She was a leader he very much admired and appreciated all the contributions she and her family have made over the years.

2000s Decade: Harry Reid

Mr. Yeates said he'll start by paraphrasing Senator Harry Reid's own story that he told at the Sand Harbor Summit. He talked about Tahoe really needed something, things were not looking good at Tahoe. He was troubled with what could be done and thought maybe a hearing, but a hearing wasn't good enough and a workshop didn't really fit. What he really wanted was a

summit, something big and a presidential summit sounded good but didn't quite know how one would go about those kinds of things. He called up an old friend from the Senate, Vice President, Al Gore and talked about doing a presidential summit at Lake Tahoe. It was agreed upon, and Bill Clinton and Al Gore came to the Summit and that launched what we do annually now. It is galvanizing nationally for the Lake. As a result of having President Clinton, he closed out his tenure by inviting President Obama to come to the Summit at Harvey's Lake Tahoe to address us and recognize Senator Reid's historic career not only as a politician but someone who cared so much about Lake Tahoe and did so much for it.

Meghan McGowen former staff on behalf of Senator Reid. He extends his thanks for the recognition as well as expresses his gratitude for the work that continues to preserve Lake Tahoe. Senator Reid had a goal of bringing federal attention to the needs of Lake Tahoe and the surrounding Basin. In 1997, Senator Reid invited then President Clinton to Lake Tahoe to see first-hand the beauty of the Lake and the need for federal support to protect one of the nation's natural wonders. At the inaugural Lake Tahoe Summit, President Clinton, Vice President Gore, four cabinet secretaries, the senators from Nevada and California, and the states governors worked with various stakeholders, task forces, and working groups to commit support and collaboration to keep Tahoe blue. Twenty years later in 2016, Senator Reid bookended his involvement with the Summit by hosting President Obama as the keynote speaker with over 7,000 attendees learning about Lake Tahoe. Over the years, Senator Reid's efforts have brought in over two billion dollars of support to do the work of improving the Lake Tahoe area and the Basin. Senator Reid considers this an important personal legacy.

Board Comments

None.

2000s Decade: Dianne Feinstein

Mr. Yeates said if there was someone to bookend and represent the west side of Lake Tahoe it would have to be Senator Dianne Feinstein. She will tell you that any number of dinners we go to around the Summit time her childhood experiences on the Lake, even her husband's experiences as a young man at the Lake and even worked at the Lake. There isn't a nook or cranny at Lake Tahoe that Senator Feinstein doesn't know or care about. She along with Senator Reid helped put Lake Tahoe on that federal map as a national treasure garnering hundreds of millions of dollars in restoration and funding from the Federal Government. From assisting Senator Reid in bringing Bill Clinton to the shores of the Lake for the first Tahoe Summit and delivering on the Lake Tahoe Restoration Acts of 2000 and in addition, working with Senator Heller on the LTRA in 2016. These leaders have unparalleled legacies protecting the beauty of Lake Tahoe.

Caitlin Meyer, Feinstein staffer on behalf of Senator Feinstein. She's been with Senator Feinstein for about 7.5 years and one thing she's learned about the Senator is that she loves Lake Tahoe with all her heart. She's derived so much satisfaction out of her work around the Lake with all of you over the years. On behalf of the Senator: "Good morning, I so wish that I could join you all today. As many of you know that Lake Tahoe has long been one of my favorite places on earth. Accepting this award along colleagues I respect so much is a great honor, thank you. While I very much appreciate the recognition what I appreciate even more is your tremendous partnership over the years. Joanne, Julie, your staff, your board, and the rest of team Tahoe, you do the hard

work every single day of bringing stakeholders together to protect our national treasure and ensure it remains pristine for generations to come. I am deeply grateful to you for all you do and proud of what we've accomplished together. We've secured several hundred million dollars in federal funding, pulled off 24 summits and so much more. I know the best is yet to come. I'm eager to continue what we've started and so happy we get to do it together. Thank you again and take good care, I hope to see all of you soon."

Board comments

None.

2000s Decade: Dean Heller

Mr. Bruce said throughout his career, Senator Heller has been an extraordinary champion for Lake Tahoe, actively and behind the scenes. In all of his capacities, Senator Heller has fought for state and federal funding, legislation, and policy beneficial to Lake Tahoe. Senator Heller is the only member of Lake Tahoe's congressional delegation to have served on TRPA's Governing Board. As Nevada's Secretary of State, he served on the board for nearly a decade, including as Chair in 2001 and 2002, presiding over the landmark scenic shoreland ordinances decision. This policy was a heavy lift and one that Senator Heller used significant political to push over the finish line.

Our threshold evaluations have proven that the adoption of those policies significantly improve the scenic quality along the shoreline. Ensuring that homes and other structures would blend into the natural landscape to a much greater degree. Senator Heller hosted several Lake Tahoe Summits where he focused the Basin's attention on public private partnerships; transportation , economic development, and wildfire. His leadership in the United States Senate was also instrumental to the passage of the Lake Tahoe Restoration Act in 2016. The Lake Tahoe Restoration Act authorized up to \$415 million for Lake Tahoe. Funding which has proved extremely to the health, protection, and restoration of our Lake. He would be remiss if he didn't mention that Senator Heller has inspired many Nevadan's including himself to follow in his footsteps and to dedicate their time and resources to Lake Tahoe. Thank you to Senator Heller for his unwavering commitment to protect Lake Tahoe.

Senator Heller said it's an honor to be here today and be a part of these distinguished people who have done great things for the State of Nevada. Including colleagues Senator Feinstein and Senator Reid who he admires highly and grateful to have had the opportunity to serve with them.

As much as they did while they were in Congress, the most enjoyable part of this was the work he did is when he sat on the TRPA Governing Board. Jeff DeLong did a wonderful article in the Tahoe In Depth on that scenic ordinance and the efforts of getting that passed. When he reluctantly became Chairman of the Governing Board, he asked staff what's the toughest thing that's in front of us and the response was the scenic ordinance. He had two years as the chair to get that solved and was a heavy lift. He doesn't take all the credit for this. If there's anything he would have changed in Jeff DeLong's article was to give more people credit for the work that went into making this happen. He couldn't have done this without Larry Sevison. Larry was a solid person that helped get this done. Governing Board member, Jerry Waldie was also a wonderful participant. That was the best part about the board was being able to put their heads

together to solve these problems that affect the Lake the most. It wasn't just the board, but also the staff. Board member Coe Swobe also played a role and was great to see him as a recipient of this because he had as much influence and impact that anyone else did as did Steve Teshara. It's great to be able to stand side by side with good people who had solid thoughts on what we could do to improve the Lake. Carl Hasty, John Marshall, Julie Regan, all were incredible to get this done. He visited the Lake with his grandparents and is now bringing his grandchildren to the Lake. Thank you, it was a labor of love. This is a beautiful place and needs our help to keep it as pristine as it is.

Board comments

Ms. Aldean thanked the Senator for his service to Lake Tahoe, the State of Nevada, and the United State Senate. She's suspects that his service to the public and a lot of worthy causes aren't finished.

Mr. Yeates said as Senator Heller said that our recent history has brought out even more champions for the Lake. From the creation of the Tahoe Fund, the Tahoe Prosperity Center, to the League to Save Lake Tahoe's community grounded citizen engagement, the Tahoe community is coming together more than ever to face the challenges of the 21st Century head on. There are so many individuals, organizations that we work together to help keep this Lake blue and to maintain the sustainability of the communities in and around the Basin.

2010s Decade: TMDL Team

Mr. Yeates said the first award for the 2010 decade goes to the Lake Tahoe Tahoe Maximum Daily Load (TMDL) Team. They developed a plan to restore Lake Tahoe's famed clarity which was no small task. Like everything at Tahoe, it required unprecedented partnership. The Lahontan Water Board, the Nevada Division of Environmental Protection, and the U.S. Environmental Protection Agency led the charge on what ultimately became known as the Total Maximum Daily Load. Along with public academic institutions, federal research partners, and private consultants that provided critical science support, the team delivered a science-based plan that formed the framework for environmental policy.

The TMDL program required states and other responsible entities to identify the pollutants causing water quality harm. For Lake Tahoe, this meant digging deep into the drivers of the lake's clarity and performing a detailed accounting of pollutant sources. The TMDL team partnered with scientists both near and far, leveraging local universities' experience at Lake Tahoe and bringing in national experts on stream systems and watershed analysis. Working together with scientists to craft the clarity restoration plan, the TMDL team set a new standard for science-based community engagement in the Tahoe region.

The TMDL Team delivered a water quality restoration plan in 2011 that serves as the gold standard throughout the nation for science-based policy-making in the Tahoe Basin. Without question, the TMDL changed the way we think about Lake Tahoe's clarity and our understanding of how to restore it. The new emphasis on very very fine sediment shifted the way we manage our roads and highlighted the importance of stream restoration and watershed protection. In

the face of climate change and other new threats, the TMDL Team continues to take a measured approach to managing clarity that is supported by science.

Jennifer Carr, Deputy Administrator, Nevada Division of Environmental Protection said she's proud to accept this award on behalf of the Nevada Division of Environmental Protection. The spirit of TRPA is a spirit of collaboration and that very spirit amongst the state, the local and federal agencies that they work with and a countless list of valued stakeholders is all fundamental to the success of our ongoing implementation of the TMDL.

With each decade of program and development and implementation, we've had new challenges to address. As mentioned, they have upcoming efforts to handle the effects of climate change and will be learning from new science that deepens their understanding of the interconnectedness of the Tahoe ecosystems. All of that work, not only of the past but going forward will continue to exercise the spirit of collaboration and that collaborative skill set.

With this award, she would also like to celebrate Jason Kuchnicki who has committed his career long efforts for passion for improving Tahoe's deep lake clarity, nearshore water quality, and a healthy basin wide environment. While others in the NDEP leadership have come and gone, Jason has been working in this area and its alphabet soup of committees since inception of this effort in 2001 when the TMDL was in its initial planning stages. Jason has provided a steady guiding hand throughout the years. For that the TMDL team and the NDEP are truly grateful.

Ben Letton, Lahontan Regional Water Quality Control Board thanked TRPA for the recognition and echoed Ms. Carr's comments. The development of the TMDL on the part of Lahontan was before his time and stands on the shoulders of amazing work done by great team at Lahontan.

He recognized Bob Larsen for working with the urban jurisdictions and for managing the US Environmental Protection Agency funded work on the Pollution Reduction Opportunity Report, the Integrated Water Quality Management Strategy, and the Lake Clarity Crediting program. Hannah Bartholomew for managing the science advisory contract and completing the responses to the scientific peer review and updates, the technical and final reports. Carly Nilson for handling the references web page updates and all the last minute logistics and document fixes. Dan Sussman for helping address climate and wildfire effects. Emphasis for Bob Larsen and Hannah Bartholomew for being the primary authors on the final TMDL report. And a thank you to retired staff; Executive Officer, Harold Singer, Assistant Executive Officer, Laurie Kemper, and Assistant Executive Officer, Doug Smith.

Board comments

None.

2010s Decade: Joanne Marchetta

Mr. Bruce said Joanne Marchetta has delivered transformative change during her historic record of service as TRPA's Executive Director since 2009. Her passion for partnership has been a catalyst for what we now call epic collaboration at Lake Tahoe. From delivering an updated Regional Plan in 2012 to the record accomplishments of a new Shoreline Plan, Development Rights, Highway 50 Revitalization and Events Center Projects in recent years, Joanne's leadership at the Tahoe Regional Planning Agency has been nothing short of transformational.

We're living in the world of Covid and a lot of us because of that have been watching Netflix. For him, the story of protecting Tahoe reminds him of watching an inspirational movie, living and watching it at the same time based on a true story. It's his favorite genre Saving Private Ryan, McFarland, the Perfect Game, and Critical Thinking are a few of those based on true story movies that come to mind. If our honorees are movie stars, then Joanne must be our director. No one has directed the prep and staging of more scenes or cut and edited more film to create more successful outcomes in our true life moving, than Joanne. She has helped us understand that we need each other, we're all part of this real life movie that we're creating. She makes sure that we'll find our way into the credits whether or not our names actually appear. Thank you, Joanne, and thanks to all the honorees and everyone's who have contributed to Lake Tahoe for helping inspire the making of our true Tahoe story.

Ms. Marchetta said it is extremely humbling to be part of the group of honorees today and is deeply appreciative to the Governing Board, the Advisory Planning Commission, and the staff. The stars aligned for her years ago and put her in the right place at the right time to draw on a set of interests, passions, and strengths that she has. In 2005, it was the mountains and the lake that drew her, but it was something that took hold for her. What she saw was deep divides and became more and more interested in and believed that we could bridge those divides because we were talking so much more about what we couldn't accomplish than what we could. She gets to work in this spectacular place at a landscape scale and do all the things that she loves. She gets to work with issues that run the full gamut. We have a full plate of complex systems change that we work with so it's never uninteresting and she gets to work with amazing teams of people; the Governing Board, the Advisory Planning Commission, staff, leaders of other organizations, and hundreds of partners.

The most important thing that she gets to do is bring a set of values to TRPA that was at the root of her soul and is a value set around collaborative leadership. It's a value system that's rooted in common ground and sharing power and finding collaborative consensus solutions and listening to other people and respecting diverse views. Today in the world, it's a set of values that's in too short of supply. Collaborative leadership is the hardest thing on the planet. It takes a different set of skills and our staff is so good at it. The work here has been tremendously fulfilling for her and more so for the Basin. It's been more challenging than she ever imagined it would be but without a good challenge, then what's the point. She couldn't have done it without everyone. All of you who are willing to collaborate in a common cause to protect the place that we so love and so sustains us.

Board Comments

Mr. Yeates said Joanne's leadership is extraordinary. She gets blamed for most everything and at least we get to recognize her for all that's she has done. As chair, the biggest benefit he's had is the time that she's spent to develop a staff that works so well together. It makes his job easy when he just (parachutes) drops in to projects and issues. Right now, he's working with staff on his favorite topic of vehicle miles traveled for example is extraordinary. He's most grateful for that. It's been an interesting time for someone who was just looking for a part time job to be involved after the approval of the Regional Plan but also to help in the implementation of it. Joanne's leadership is extraordinary and appreciated her friendship.

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Ms. Laine said she's been around politics but has never participated in this at the TRPA level. Joanne was an attraction for her wanting to join the Governing Board, just her style was attractive. She's wise, fair, strategic, and intelligent. She always enjoys her bi-monthly meetings with her and Julie. Sometimes wondering what they needed to talk about at their meetings but always filled the time and had to defer items to the next meeting. She's learned so much from Joanne. Her leadership on collaboration is becoming a new norm here locally at all different levels. Thank you for being a very powerful role model.

Ms. Aldean said she was on the interview committee when Joanne applied for the General Counsel position. A question she asked Joanne to get a sense of where she was philosophically; was a good lawsuit better than a semi-good settlement? She responded that she would opt for a semi-good settlement rather than litigating. She then knew at that moment that this was a woman who could drive agreement and compromise. She then would like to think that she single-handedly persuaded Joanne to leave her role as agency counsel and take over the reins of Executive Director. A conversation they had some time ago was that Ms. Aldean would continue to serve on the board for as she served as Executive Director. Little did she know that Joanne never intended to retire! Thank you for all that you've done and for her leadership and willingness to give 110 percent every day. She's made a huge difference in the agency's ability to weather the storm with controversy and come up with reasonable solutions to some very thorny problems.

Ms. Novasel said if Joanne is a movie director then she is the Martin Scorsese of Lake Tahoe and the wolf of Wallstreet. She does an amazing job and has set everyone on the right course and continues to do so. Her hard work and dedication to doing what we need to do in Tahoe and is constantly battling for that. She appreciated her hard work for the environment, it's a tough job and doesn't know how she does it.

Mr. Beyer said congratulations on a milestone achievement. He's been on the board as long as she's been the Executive Director. It's a tribute to her excellence and leadership. She not only pulls the board together but also pulls that staff with her. A few years ago, he led a team from his Santa Cruz Chamber to Lake Tahoe to see how things were done in Lake Tahoe. In the meeting that she led at the Agency in front of that group, she left them with one word "Collaboration." That is the tribute that she does for Lake Tahoe and thank you for all you do.

Ms. Gustafson said she can't add too much more than all the wonderful and well deserved things that have been said. But from a perspective of working in the Basin in a small agency and the honor and respect she shared with her early on to respect the role of so many of the partners, whether large or small and what it takes to build a team that's going to protect this Lake. Her incredible knowledge, vision, and dedication led to the transformation and the 2012 Regional Plan. The collaboration was shown at every level. She's glad to be a part of the team that gets to work with her much more now.

Mrs. Cegavske said she's a rock star! She has always shown nothing but kindness and willingness to help. She's had tours and learned so much about Lake Tahoe. Even though she owned a condo in Lake Tahoe for 24 years, she never learned as much as she has since she has been on the board. She was in the discussion about dissolving the partnership with California and knows

that history. Since Joanne has been here, things have turned around and she's done a fabulous job. She thanked her for everything she does every day; she's nonstop and returns calls.

Presentation can be found at:

[Agenda-Item-VI.A-No.-Spirit-of-TRPA-Awards.pdf](#)

Public Comments & Questions

Victoria Ortiz on behalf of Dr. Goldman. He said thank you again to TRPA for this award. I regret that my computer and phone skills did not meet the requirements of coming through, but I was able to follow the meeting by sound alone. Most of the awardees have done the heavy political lifting of taking the flack and moving the best efforts of protecting the lake moving forward. Had I been able to speak I would have made the important observation that without the League to Save Lake Tahoe and the heroes of the organization from the first organizers and legal expertise of my good friend Dwight Steele none of the Science would have penetrated the political fog that so often obscures the truth. The League, with leadership over the years by people like Darcie make the transition to the public understanding of the problems understandable. Climate Change must be faced on both the global and local scene as we move forward.

She thanked everyone who attended today and specially to emcees, Mr. Yeates and Mr. Bruce.

Mr. Yeates thanked Victoria for all the work that she did in coordinating this. She made it easy for him to follow the script to award these amazing people who have helped to contribute to the protection to Lake Tahoe.

Mr. Bruce said thank you this was very uplifting and made his day.

VII. PLANNING MATTERS

A. TRPA Strategic Direction: 2020 and Beyond

Ms. Marchetta said this informational item that will build some on what we just heard and celebrated as part of the Spirt of TRPA. The Strategic Plan document is a summary that explains the 50-year story of TRPA. It places our history alongside what are our current strategic initiatives and that set of challenges that we now have in front of us. We prepared this document in that there's the potential for new board members which inevitability happens at every election and change in administration.

This document was a recognition on our part that our 2014 Strategic Plan is now too dated to use as orientation material for new members. Staff regularly updates the strategic work initiatives through the annual workplans and now is the best time in conjunction with the 50th anniversary to wrap those current initiatives into a more versatile and succinct up to date strategic summary document. This document summarizes who TRPA is, the history of where we have been and more importantly where we are now headed. This can be used not just with new Governing Board members but new staff.

The key message of this document is the 50-year legacy of collaboration and partnership with the bedrock of Tahoe's preservation. Over 50 years, we have evoked polarized view points and

deep divides time and time again. Every time there's trouble, the core value for TRPA and Tahoe's success is this idea of collaborative leadership which is the willingness of multi-sector partners to come together, coordinate across boundaries, bring shared purpose and develop shared goals, and engage in collective problem solving to generate shared solutions for Tahoe. It has become the secret sauce for breakthroughs in Tahoe's progress and that collaborative leadership. They want board members and staff and others to recognize that it is indelibly embedded in the DNA of TRPA because it's in the Compact. It is the partnership approach of two states, the federal government, all the local jurisdictions that touch the Lake, and the private sector. Over the last decade, that culture has taken hold in a shared regional mindset. Occasionally, we encounter bumps in the road, but it's been put into very broad practice and needs to continue, and it needs to be cultivated and nurtured.

It has been the Governing Boards of the last decade that have embraced this commitment to what we call epic collaboration as the primary strategic direction for the region. They believe that legacy was so crucial that they wanted that core value of collaborative leadership written and be memorialized for those who come after us. We wanted new Governing Board members, new staff, and key stakeholders to understand that core value is the way we do business. Hopefully, we'll emerge from the Covid pandemic and hope to have a Governing Board retreat in person if possible. We'll use this updated strategic direction together with the current workplan as essentially an update to what is now the 2014 Strategic Plan and use that to orient new Governing Board members on direction and priorities.

Board Comments & Questions

Mr. Yeates said he has a call this week with his appointing authority and will send this document out to them in advance of the call and emphasize the collaboration that we've been working on since he's been on the board. Whether it's the fact that it's the Lake, the iconic nature of the Lake that made Harry Reid think about how he organized some big federal event. But he actually brought President Clinton out and later invited President Obama. It is something extraordinary that we work collaboratively across partisan divide for a common purpose. This nation needs that. As iconic a Lake as it is, the country itself is pretty iconic and hope we can start it here, but we do need to work together and care for one another and listen to one another to find solutions that address some of the common ills that we have. At the same time, looking forward for the things that we care about. We've done it here, thanks to Ms. Marchetta's leadership. He's enjoyed being Governing Board chair for two years with a group of people that work well collegiately. He was warned about divisions on this board that he never saw and is grateful for that and said we've accomplished a lot. We wouldn't have done it if we had lived in our own silos.

Public Comments & Questions

None

- B. Main Street Management Plan and Acceptance of the Completed Components in Partial Satisfaction of the US 50 South Shore Community Revitalization Project Permit Main Street Management Plan Condition of Approval

TRPA team member Ms. Bettinger provided the presentation.

Ms. Bettinger said at the October Governing Board meeting she provided an informational update on this plan in detail. Today, there will not be as much detail but rather a high level review of what's included in the Main Street Management Plan and talk about the comments received and how they were addressed.

The Main Street Management Plan is one of the permit conditions for the South Shore Community Revitalization Project. It's looking at what will become of the existing Highway 50 as shown in orange on slide two between Lake Parkway Avenue and Pioneer Trail after the highway is realigned. The board is being asked to consider the components of Street design; Wayfinding; and Performance Measures. The remaining components of transit, parking management, ownership, maintenance, and operations would come in the next phase. The reason for this piecemeal approach is getting the approval on the conceptual design that we're bringing forward today will all then go into that 60 percent design phase which is the more detailed design that involves engineering to help identify where the rights-of-way boundaries are. It also helps to continue working with the local jurisdictions and the property owners along this corridor to identify who would be best to take ownership and develop the ownership, maintenance, and operations plan. The parking management plan and the transit go hand in hand.

The Tahoe Transportation District and their consultants are working on a set of parking management recommendations for this corridor and are anticipating bringing those to the board early next year. The transit component is included in this document but is more focused on the transit infrastructure of what's included in the design of this corridor. There's a transit circulator requirement that will be further looked at in conjunction with the parking management plan in the future.

In January 2019, they developed a steering committee that is made up of staff from TRPA, the Tahoe Transportation District, the City of South Lake Tahoe, and Douglas County managers. They helped them look at the technical details throughout the process. They formed about an 18 member stakeholder working group which had a few representatives of the Governing Board. This group was made up of business owners, local residents, local jurisdictions partners, and environmental representatives. This group helped them make decisions on the policy and design as they moved through the process. All recommendations from the stakeholders working group were vetted with the community. There were a variety of public open houses where they collected quite a few comments about what people wanted to see. In addition, they had a great consultant team that help guide them through the facilitation process and develop the design being presented today. This consultant team was led by the Design Workshop Denver, Colorado office and also included City ID, Fehr & Peers, and Orca.

The goal of the plan was to be a hub for not only visitors but also residents, therefore, the outreach was focused on the local community and were able to collect comments on what was working well and what wasn't. This summer they arrived at the proposed street design that's being proposed today that meets the need of the community while using a multi-modal street design approach. The plan is broken out into uses such as pedestrians, cyclists, transit, vehicles, and activation.

Pedestrians: There is a vast difference between what you see in the pedestrian realm on the California side versus the Nevada side. The Heavenly Village and village core in general have

done a great job with the redevelopment in allocating quite a bit of space for pedestrians. But on the Nevada side and going down along the corridor towards Pioneer Trail those pedestrian areas go away. The plan recommends a minimum of eight feet of sidewalk throughout the corridor, larger where there was additional space to work with. They're also adding four additional crosswalks for a total of ten throughout the corridor. The plan proposes a shared use path that would run along the lakeside and connect into the existing shared use path that ends near the Pioneer Trail intersection. It would also connect into future plans for multi-modal access near Kahle Drive on the Nevada side. Looking further than the main street itself, they're proposing to extend the design and the facilities of main street to the surrounding streets such as Pine Boulevard, Stateline Avenue, Transit and Heavenly Village Way. This would provide a natural guide for people to continue from the main street to the surrounding recreation sites such as Van Sickle Bi-State Park and the Lake.

Cyclist infrastructure: This is not an ideal area for biking. They heard a lot of comments from people when they are biking in this area that they either avoid this corridor completely or if they bike through this corridor, they'll take up an entire lane. In order to provide connections to the existing and proposed network, the plan proposes dedicated bike lanes on both sides of the street. Bikes can also use that multi-use path.

Vehicle infrastructure: With this plan they understood that vehicle access would no longer be the first priority but needed to understand how vehicles would travel through this corridor to destinations and surrounding the corridor. Today's highway is very much designed for cars and during the peak pedestrian times they see major backups. The goal of the vehicle section is to maintain vehicle access to these destinations within the corridor but not jeopardize the safety for these non-auto modes. The vehicle section proposes one travel lane in each direction with a center turn lane where necessary to provide that access to businesses. They've narrowed driveway widths wherever possible to increase that safety for bikes and pedestrians. They've relocated departures away from main street, a vehicle can enter a destination from main street but where ever possible they've pushed exit points either to will be Highway 50 or down to Lake Parkway and Pine Boulevard. Looking into the future, they've allocated space for rideshare pick-up and drop off locations. They've also heard that there are conflict zones where people are pulling out into transit areas.

Transit infrastructure: They are proposing a total of six transit stops throughout this core; one in each major zone. Each of these would have a dedicated shelter to help with ridership in the winter. There are also dedicated bus pullouts to prevent traffic backup and to provide additional safety for riders getting on and off of the bus. The general transit will remain as it is today with the Stateline Transit Center in the same location. The idea is to have Transit Way to become more of a focal point because of the future pedestrian bridge to Van Sickle Bi-State Park. They're hoping that because people will be walking by the transit center, there will be a positive increase in transit ridership.

Activation: Having potential for an activated street this summer is very important. Activation is defined as anything that provides a use that attracts people to the outdoor realm such as outdoor dining, retail, event space, and street vendors. They looked at a variety of event closure scenarios in the plan and how they would maintain that vehicle and delivery access to these key businesses if they were to shut down the street for an entire event closure or a California or Nevada side closure.

Last month, they asked their partner organizations and community members for feedback on plan. They heard a lot of support for the plan, in general people are excited to see the street be transformed. They also received comments that helped inform the plan. The first being the need for quick wins. This project is probably more than a few years out realistically. Included in the document is a next steps chapter describing what they can do between now and then to use this space and the funding that they have now to start making these changes. The highway would still run through this corridor but there are changes that can be made to the pedestrian route.

They also heard from some individual property owners that their access needs to be maintained from the main street. There are a couple of property owners that don't have access from the rear exit points. During event street closures they've provided recommendations for how those businesses could be accessed. They provided an expanded green infrastructure section based on a few comments. They looked at rain gardens and bioswales and how that relates to the Total Maximum Daily Load goals in this area. They updated the design to include a few different features. Included are smaller medians at pedestrian crossings to help with safety and to provide a good visual in breaking up the pavement throughout the corridor. Also included space allocated for local art throughout the corridor. There is also an area dedicated as a play space for children. They heard that there needs to be an emphasis on transit coordination. They want to ensure that the transit is based on the transit need when the project is implemented and that they are working with the local stakeholders to develop a transit route that works for all. There were quite a few comments received on the funding and management plan which will be addressed in the next phase.

The next steps for the Main Street Management Plan and the overall South Shore Community Revitalization Project: Today, staff is requesting approval from the Governing Board for three of the components of the Main Street Management Plan. This will allow the Tahoe Transportation District to begin looking at the ownership, management, and operations as well as the funding, parking management implementation, and the transit plan. Concurrently with those items the Tahoe Transportation District will be working on the Pioneer Ski Run housing project and developing the Rocky Point Amenities Plan. All of these items need to be complete and will be brought to the Governing Board for approval before the highway realignment construction can begin.

They received a comment from the League to Save Lake Tahoe that they would like transit to be included in the second whereas clause in the resolution language. This language better reflects the permit condition 3B which is the Main Street Management Plan permit condition for the South Shore Community Revitalization Project. It makes the resolution more complete. They've discussed this with Mr. Hasty of the Tahoe Transportation District, and he is okay with the change.

Presentation can be found at:

[Agenda-Item-VI.A-No.-Spirit-of-TRPA-Awards.pdf](#)

Board Comments & Questions

Mr. Yeates said in the League to Save Lake Tahoe's letter, they seem to be most exercised over the fact that we weren't considering the circulator as part of the approval. They're also saying that the circulator is part of the permit decision made by this body when they approved the

South Shore Revitalization Project. He asked staff to address their concerns about the transit circulator and whether we are or are not following through with those permit conditions.

Ms. Bettinger said a earlier this year, the Events Center came to the board for approval and there was a requirement for that to have a microtransit service in this same general area.

Mr. Marshall said this is just a whereas clause to the introduction to the acceptance of the Main Street Management Plan as a partial satisfaction of condition 3B of the Highway 50 permit. What he felt that the League wanted to see was that we were not forgetting that transit and they would like a specific reference to the circulator. That is part of those other plans that need to be submitted. This Main Street Management Plan is not in satisfaction of those other parts of the plan. This doesn't alter the requirements of 3B which includes reference to the circulator. Both the Tahoe Transportation District and TRPA staff were comfortable referencing the transit plan condition of 3B which is the controlling mechanism that calls for a transit plan that includes a circulator. What was contemplated back then is what will eventually be included is an open question. But they felt that the condition controls and not this whereas clause. Therefore, what they included was just a reference to the transit plan in order to meet what he feels is the intent of the League but at the same time provide any flexibility that the parties might need going forward.

Public Comments & Questions

Gavin Feiger, League to Save Lake Tahoe said this Main Street Management Plan development process is really been one of the more effective working groups that they've been a part of. Everyone was considerate, all the ideas were considered, TRPA did a good job balancing various and sometimes disparate big visions and specific requests. They know that there is one process ahead of us but are excited to keep it moving forward and excited about some of these quick wins that are identified in the next steps.

The one issue is the circulator plan. This was something that they negotiated over a couple of years starting with the draft environmental impact statement, environmental impact report into the final, and then into the permit conditions. Regardless of the Event Center microtransit, that is a very separate and specific service. This circulator service is supposed to have specific aspects to it. There is talk about headways, frequency, it has to be in place by time the Loop Road is built. A big part of it is that they want to be sure that this is not forgotten. They also want to ensure that we don't end up with lesser service. The concerning pieces to them was the language that stated, "potential circulator service", the language that states "based on funding availability." That was never a part of the agreement or what they negotiated out of the approval of the Loop Road. That is the part that they want to ensure that they don't end up with a lesser service. If it's a different service or slightly different service area, that's fine but not anything less than what was committed to. They thanked staff for incorporating tons of their other recommendations along with everyone else on the working group. This will be a huge benefit to the South Shore when it's done.

Mr. Yeates asked Mr. Feiger if the League is okay with a partial approval of this that's before the board.

Gavin Feiger said yes. Just including the word "transit" in that whereas gives them some comfort

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that it's still committed to. They don't want to lose sight of the fact that part of this permit condition is for the Tahoe Transportation District to update their short range transit plan to include this specific circulator service and that it's in place by the time the Loop Road project is finished.

Carl Hasty, Tahoe Transportation District said they haven't forgotten. They'll be following the conditions of the permit that includes the transit circulator and developing the scenario for that. They'll be updating their short range transit plan and will not forget it.

Board Comments & Questions

Mr. Bruce made a motion to approve the completed components and partially satisfy the Main Street Management Plan permit condition.

Ayes: Ms. Aldean, Mr. Beyer, Mr. Bruce, Mr. Cashman, Mrs. Cegavske, Ms. Faustinos, Ms. Gustafson, Mr. Lawrence, Ms. Novasel, Mr. Rice, Mr. Yeates

Absent: Ms. Berkgigler, Ms. Laine

Motion carried.

VIII. APPEAL

- A. Appeal of Site Assessment Determination of Unverified Coverage, 707 Burgundy Road, Incline Village, NV, APN 126-242-02, TRPA File No. LCAP2020-0315, Appeal File No. ADMIN2020-0006

This agenda item has been withdrawn.

IX. REPORTS

- A. Executive Director Status Report

None.

- C. General Counsel Status Report

None.

X. GOVERNING BOARD MEMBER REPORTS

Mr. Yeates as the representative of the Tahoe Transportation District he was drafted by the chair of the TTD along with herself and Andy Chapman to have some form of a public workshop to address the concerns they've been hearing about the mobility hub at Incline Village. He's unsure when this will be scheduled but they felt it was necessary to allow the public an opportunity to be heard on the question of this potential location of a mobility hub based on the fact that the Tahoe Transportation District is getting in position to acquire this site.

Ms. Gustafson said she heard the announcement about Mr. Cashman leaving the board.

Mr. Cashman said he's not leaving until January 1, so he'll be here for the December meeting.

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XI. COMMITTEE REPORTS

A. Main Street Management Plan and other components of the US 50 South Shore Community Revitalization Project

None.

B. Local Government & Housing Committee

Ms. Novasel said the California Association of Counties meeting was also happening today. Governor Newsome got on their meeting virtually and mentioned the Sugar Pine Project and how excited he was that they're working on the affordable housing. There's a virtual public forum on the project tonight from 5:30-6:30 p.m. The Local Government & Housing Committee will be receiving a report out from the housing working group in the next month or two. That group is working more at a staff level on items such as accessory dwelling units and other issues that can be addressed over the next year.

Mr. Hester said the Local Government & Housing Committee is scheduled for December 15.

C. Legal Committee

Mr. Yeates asked if the appeal that was withdrawn on today's agenda will be coming back to the board.

Mr. Marshall said the issues were resolved and they've withdrawn their appeal.

D. Operations & Governance Committee

Ms. Aldean said the state of Nevada had requested and received a 19 percent reduction in the funding over the next biennium. Mr. Keillor also said that they've requested an additional 12 percent cut which we'll have to address.

E. Environmental Improvement, Transportation, & Public Outreach Committee

Mr. Cashman said there's been a lot of work done and there is a lot that will continue to be done particularly with the Bi-State Consultation. The Regional Transportation Plan is continued to be worked on and is a good plan.

F. Forest Health and Wildfire Committee

None.

G. Regional Plan Implementation Committee

Mr. Yeates said the committee will be hearing proposed code amendments to the Tahoe Valley Area Plan in December for the Sugar Pine Housing Project. There's also a

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Technical Transportation Advisory Committee meeting for the vehicle miles traveled in December.

Mr. Hester said the Placer County Tahoe Basin Area Plan Amendments are scheduled tentatively in the next couple of months.

Mr. Yeates said at today's meeting the committee gave direction to staff to work on some language changes that address the question of the difference between dining and seating outdoors and to focus in on providing clarity to people now. Although, they're operating under a memorandum of understanding based on the Covid restrictions on what can or cannot be done. In California, it's based on what color tier an area is in. Also, that we would codify something so that the restaurants, bars, and businesses could take advantage of outside seating without violating TRPA code. And if there were going to be any possible conflicts, we would have a qualified exemption that hopefully would be quick. Staff said that TRPA would be notified three days in advance that a business needed to make changes. If it didn't raise an issue with TRPA, the business would be allowed to go forward.

XII. PUBLIC INTEREST COMMENTS

None.

XIII. ADJOURNMENT

Ms. Aldean moved to adjourn

Chair Mr. Yeates adjourned the meeting at 1:36 p.m.

Respectfully Submitted,

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

Marja Ambler
Clerk to the Board

TAHOE REGIONAL PLANNING AGENCY
REGIONAL PLAN IMPLEMENTATION COMMITTEE

GoToWebinar

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Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Yeates called the meeting to order at 8:32 a.m.

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

II. APPROVAL OF AGENDA

Mr. Yeates deemed the agenda approved as posted.

III. APPROVAL OF MINUTES

Mr. Yeates said staff has made some minor clerical edits to Agenda Item No. 4, Draft Tourist Core Area Plan Amendments in the City of South Lake Tahoe and are requesting approval of the September 30, 2020 minutes as amended.

Ms. Aldean moved approval.
Motion carried.

IV. Item No. 4: Discussion and possible direction to staff for Amendments to Chapters 2, 50, and 90 of the TRPA Code of Ordinances to address outdoor dining and outdoor seating uses

TRPA team member Mr. Conger provided the presentation.

Mr. Hester said in May when staff presented on the Main Street Management Plan Report, they identified that we needed to address outdoor dining sometime after the Main Street Management Plan was approved. Because of the Covid-19 pandemic, temporary guidance was issued to allow businesses to expand the distance between tables which led to outdoor dining. The board supported staff's idea of working on some quick code amendments to address that. Today, Mr. Conger will present two tiers: One is a straightforward response to those two items of the Main Street Management Plan and the pandemic. But there are some longer term bigger changes that probably need to be made but aren't part of this, but the committee will have the option to provide direction on.

Mr. Conger said this is an informational item for discussion and direction to staff. Dining is an important component of creating active and vibrant streetscapes. At the same time, there's a lot of uncertainty as to how TRPA regulates these uses. Staff will provide some background on TRPA's regulation of outdoor dining and discuss a set of potential code amendments that start to address that uncertainty.

The 2012 Regional Plan Update marked a major paradigm shift for planning in the Lake Tahoe region. One of the key strategies in the Regional Plan is to direct development towards designated town centers. Redevelopment efforts within those town centers in turn would focus on creating pedestrian friendly environments. This strategy helps to reduce the frequency and length of vehicle trips while also enhancing environmental and economic opportunities. Outdoor dining is one of the many tools that can be used to activate the streetscape by creating visual interest and by helping transition adjacent development down to the pedestrian scale.

Commercial floor area is a concept that was originally established in the 1987 Regional Plan. While the Regional Plan does promote active streetscapes, it also regulates growth using commercial floor area (CFA). Under this system, commercial uses including outdoor commercial uses require CFA before they can be established. The 2012 Regional Plan Update maintained that 1987 development right system, therefore, having both strategies in place. There's a growth control strategy and then a strategy around activating the town centers. With regards to outdoor dining there's a lot of uncertainty around the regulatory requirements. Much of this stems from a lack of written code provisions addressing outdoor dining uses. Specific areas of uncertainty include permitting, coverage, and CFA. The lack of written rules has made it difficult to communicate clear requirements to the public, business owners, and to the Memorandum of Understanding partners. Right now, the line is often hazy. As these uses increase and intensify the need to draw clear distinctions on permitting, coverage, and CFA grows. The uncertainty around outdoor dining came to head this year as a result of the Covid-19 pandemic. Under public health orders, restaurants have been required to reduce their indoor capacity which has led to an increase demand for creating additional outdoor capacity.

To address this uncertainty, TRPA released a memo in May 2020 to provide guidance for bars and restaurants looking to shift some of their existing capacity outdoors. At the same time, the Main Street Management Plan process was paused for work on parking management. As part of the Governing Board update in May, staff indicated that they would change direction and start focusing on addressing the outdoor dining requirements to help facilitate implementation of the Main Street Management Plan.

The way TRPA currently administers outdoor dining stems from the need for addition commercial floor area (CFA). Under the Regional Plan commercial growth is regulated using the growth control tool of commercial floor area. All new commercial activities and new structures require CFA. Over the years, code interpretations have resulted in creation of a narrow class of outdoor uses that do not require CFA. Those outdoor uses do not require CFA when they're no commercial activities occurring outdoors, for example, no wait staff service and when there are no enclosed structures involved. In all other circumstances, CFA is required. An example of when CFA isn't required is for takeout style dining with no enclosed structures.

The approach staff used in scoping a potential amendment package was largely an effort in balancing the Regional Plan strategy of growth control and creating active streets as envisioned through the Main Street Management Plan. While this is not a silver bullet solution, the package is meant to be a first step in addressing uncertainty around permitting, coverage, and commercial floor area by codifying current practices. The potential amendments that they considered are divided into those that would allow quick action and those that would require amendments to the Regional Plan or additional substantial environmental analysis.

In following that approach they identified three policy solutions that address outdoor dining and reduce uncertainty while allowing quick action by the Governing Board. The first is formalizing the unwritten standard for when commercial floor area is required and when it is not. Secondly, the proposal would introduce a new qualified permit exemption. This establishes parameters by which a project can be exempted from TRPA permits. The third component is making the Covid-19 memo permanent by allowing restaurants to shift existing indoor capacities outdoors under a qualified exemption without requiring CFA. In addition to the code amendments staff is preparing a guidance manual to advise restaurant owners on the qualified exemption process.

The proposal has a few different benefits. First, it reduces uncertainty by establishing clear standards. Having clear standards is important to making sure that we and our Memorandum of Understanding partners are administering the requirements consistently. It's also important for business owners to know what they can and can't do before they invest in costly improvements. To help in this effort, staff proposes to develop a guidance manual that would accompany the ordinance. Secondly, the qualified exemption process provides us with a record that helps to track and monitor the permitted level of development. At present, it's difficult to discern what uses were properly permitted. Lastly, the ordinance would provide additional flexibility to restaurants seeking to shift their existing indoor capacity outside on a more permanent basis.

In reviewing the full spectrum of amendments, staff considered a wide range of potential solutions to encourage outdoor dining use. The first three solutions are included in the package just outlined. The last four could be pursued but would require substantial additional environmental analysis which is not budgeted. To focus on these solutions, they would need to allocate additional staff time, fund the environmental analysis, and extend the adoption schedule. Some of the policy solutions they're recommending deferring at this time include creating a full permit exemption, creating coverage exemptions, creating a new CFA exclusion, and establishing a pool of CFA for outdoor dining.

Staff recommends with moving forward with the amendment package as described as this can be acted on right away without requiring additional analysis and resources and provides some clarity and reduces the uncertainty and incrementally moves us in the right direction. Alternatives that the committee may pursue include taking no action, expanding the scope, or pursuing a second phase when necessary resources are available.

Presentation can be found at:

[RPIC-Item-No.-3-Outdoor-Dining-Amendments.pdf](#)

Board Comments & Questions

Ms. Aldean said thank you for undertaking this effort. It's important under the current circumstances to do everything in our power to assist local businesses to enable them to survive the restrictions that are in place in connection to the pandemic. In Chapter 90, Definitions, she finds the distinction between outdoor dining and outdoor seating somewhat confusing. She made a proposal that might provide clarity and might be more easily interpreted for the people who are relying on this provision to enable them to move some of their outdoor dining outside. We're talking about dining rather than seating. A person can eat food on their lap and technically they would just be sitting, or they could eat their food from a table in a chair. She suggested that there are two types of outdoor dining; one would be commercial outdoor dining

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which would be defined using much of the existing terminology. “As the commercial use of an outside area by an eating or drinking place for the same activities that occur within the establishment, commercial dining and outdoor or temporarily enclosed areas is commercial outdoor dining.” In regard to non-commercial outdoor dining which she believes what we’re trying to accomplish here so we can avoid requiring that vendors get additional commercial floor area, she suggested “The non-commercial use of unenclosed outdoor areas for seating, picnicking, or informal consumption of food brought from home or obtained from a nearby business. An unenclosed facility not served by waitstaff and where no commercial transactions occur is non-commercial outdoor dining.” She believes that we’re focused on dining and moving some of the activities that would normally be contained inside an establishment outdoors so businesses can continue to survive the pandemic.

Mr. Conger said that’s something the committee could consider. Staff struggled with coming up with a term and landed on outdoor seating. He doesn’t see an issue with changing that terminology to non-commercial outdoor dining.

Ms. Aldean said it may be easier for people to interpret to determine whether or not what they’re proposing to do is permissible and falls within the exemption category.

Mr. Lawrence said this is critical for these businesses to survive during this time and commends staff for taking this on. In regard to “outdoor”, is the focus just dining? Because when he thinks about outdoor seating and thinking about some of the businesses in Reno such as hair stylist that have put seating outside in order to meet standards. He doesn’t have a huge thought between Ms. Aldean’s suggestion and staff’s suggestion, but he doesn’t want those other outdoor retail establishments to be forgotten about. Regarding point number three in the staff report which is allowing restaurants to shift existing capacity outdoors without triggering commercial floor area. Is it contemplated that there’s going to be a time frame associated with this? The direction memo that TRPA provided earlier this year, tied it to the Covid restrictions. Going through the qualified exempt activity there needs to be a high level of communication between the expectations of the Agency and the retail establishment. Is the qualified exempt open ended or is there a time period on it?

Mr. Conger said as proposed, it would be an ongoing use and wouldn’t be a time limited use. A restaurant could regularly as the seasons permit expand outdoors and then reduce their indoor capacity at a similar amount.

Mr. Marshall asked Mr. Conger to comment on how the temporary activities section also might play into this.

Mr. Conger said there are temporary activities that are exempt under TRPA’s Code of Ordinances but it’s very limited as to what someone could do under an exempt temporary activity. Beyond that, someone could get a temporary use permit which can create temporary coverage and temporary commercial floor area without triggering the need for additional CFA or coverage. Those permits are issued for a six month period and can get up to one six month extension. Theoretically, is someone was doing it for winter use, they could do it for two winters under a temporary use permit.

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Mr. Marshall said what staff was trying to do was shift away from that exemption to allowing this kind of activity in non-Covid times. If there's a way to expand to enliven the streetscape to allow that to happen indefinitely, essentially if the criteria within the qualified exempt is followed. Staff is trying to look further out, and this would allow these types of commercial businesses to move outside without having to rely on the temporary qualified exempt.

Mr. Lawrence said he would like to see some sort of time frame. Open ended is going to put an enforcement and monitoring burden in the long run. Other types of qualified exempts activities are largely repairs of a permanent nature so there's not much on going enforcement or compliance. Shifting capacity in and out of an indoor establishment could be problematic as the years go on regarding the development caps which is a foundation of the 2012 Regional Plan. We need to think about having some side boards so there's a clear expectation between the Agency and the establishments.

Mr. Marshall said that's a great point. We don't want to get into a situation where we're having to constantly monitor the inside business areas. That's one of the major topics for the next phase which would be how should we be regulating commercial floor area generally within areas where we want to enliven the streetscape without generating these kind of potential enforcement issues.

Mr. Lawrence said he agreed with that concept and goal. Trying to figure out how to do that and having some side boards would be ideal.

Ms. Aldean said there's a reference in the Main Street Management Plan about pop up shops for local vendors. She would assume those are seasonal and asked if they would file under the qualified exempt category. Although, these wouldn't be a pop up shop but is similar in that you're moving the vending of merchandise onto the sidewalk. What is the plan for permitting those sorts of activities?

Mr. Conger said there are a couple of different ways that could be handled. Outdoor retail sales are a separate use in the Code of Ordinances and regulated separately. It's different from the outdoor use associated with a restaurant. They generally would require either a temporary use permit to operate or they would fall under the exempt activities for exempt temporary activities. The third possibility which is a likelihood in the main street area is that we would establish a special event area and that area would obviate the need for temporary use permits for that type of use.

Ms. Aldean asked if deciding the areas for these pop up shops would be on a first come first serve basis.

Mr. Hester said what they're anticipating is that someone might get a permit either from the City of South Lake Tahoe or Douglas County if they were managing an event would probably get a master permit from TRPA. For example, for the Sparks Rib Cook Off, they would manage who gets what booth and where, but they get the whole event permitted. That would probably be something that would be addressed in more detail with the next phase of the Main Street Management Plan that the Tahoe Transportation District is working out with the two local governments of who owns the rights-of-way, who permits and maintains it, etc.

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Ms. Aldean said she's not sure if there's a definition for a pop up shop. There are pop up shops associated with special events but there are also existing vendors for example, who move their merchandise onto the sidewalk for sales. She's not sure if it's envisioned that those would fall under the pop up shop definition but suggested we may need to look at that. Also, it's her understanding that there is 15,000 square feet of additional commercial floor area for potential outdoor dining space in the Main Street Management Plan. Some of the restaurants that might be using outdoor seating and dining temporarily to deal with the challenges of Covid. Is it correct that they could continue those activities if they applied for, received, or purchased a portion of the 15,000 square feet of CFA?

Mr. Hester said yes, that is something they've discussed looking at in phase two. There's a large unallocated amount of the commercial floor area pool. Something they were thinking about in the second phase is should we take some of that pool and allocate it to these corridors that are in town centers for this very purpose but are not prepared to recommend today.

Ms. Gustafson said regarding the Covid situation and the timing of allowing people to move outdoors, can it be tied to the Governor's emergency orders from each state or to the most restrictive as far as putting that time limit on it?

Mr. Conger said under the current memo is exactly how it's limited based on the existing orders.

Ms. Gustafson urged everyone to be aware that for instance on the North Shore restaurant seats are tied to the sewer bills and treatment. Their special districts monitor that very closely as well. Working with them will alleviate some of the concerns about how many seats are being used inside and outside at any given time understanding that others are looking at that as well. She's unsure how TRPA works with TTSA for instance and the local sewer districts on the North Shore to validate their inspection process because then they don't have to do their own separate check on that capacity issue which they do routinely.

Mr. Conger said they address that within the proposed ordinance with a general requirement that "you must comply" with all necessary local requirements including building and fire code. That would also include special districts and water codes. They didn't reach out specifically to the special districts, but they had not considered that particular issue, but staff will do that before they move forward.

Ms. Gustafson said the board received a comment letter from the League to Save Lake Tahoe regarding the enforcement. Working with the local jurisdictions, counties, city, and special districts you can have some level of assurance that people are watching that for purposes of billing and other enforcement. Her only thought is how we coordinate that.

Ms. Laine said by the time the Main Street Management Plan gets to be boots on the ground it could be at least two to five years from now and none of us have that crystal ball to see how that's going to relate with Covid-19. What we do know with Covid is that we've been struggling with it for almost one year and we've gone from purple to red to almost yellow and the situation continues to move. Her concern is that we put in place too many restrictions that cause people to jump through hoops for extended periods of time in order to get permits. When in fact what they're trying to do is survive. The City of South Lake Tahoe has tried to be very nimble and responsive to the restaurants and needs and tried not to make extensive red tape.

She asked who is going to a) receive the applications and review the checklist and issue the permits and b) who is the enforcer and how will that be handled?

Mr. Conger said with respect to the permits, TRPA generally takes on qualified exemptions for commercial purposes. He doesn't believe we have any Memorandum of Understanding partners that do qualified exemptions for commercial uses but is not positive on that. TRPA would also be the ones to enforce TRPA's Code of Ordinances. The way this is set up, effectively if someone is what they've termed as outdoor seating or what Ms. Aldean termed non-commercial outdoor dining, if someone falls in that category and your legally established before adoption of this ordinance, they wouldn't expect any further action from someone at this point. But if you are the commercial outdoor dining, that technically is already non-conforming if someone doesn't have commercial floor area for that use. With the proposed ordinance, they wouldn't be changing the non-conforming status of those particular uses.

Ms. Laine asked what does that turnaround time look like for TRPA.

Mr. Conger said for the qualified exemption there is not a permit. For the qualified exemption someone would file a declaration of what they're going to do three days ahead of initiating the use. During that time, TRPA is able to review or screen the application to see if there are any major issues that might push it out of the qualified exemption and require a permit. But absent that, someone could carry on with the activities three days after filing the qualified exempt activity declaration.

Mr. Hester said how they envision this working is similar to how it works in other places for example in the midtown area of Reno. There are a number of things that limit the capacity besides what we do such the utility hookups and certificates of occupancy. There are a number of other organizations or different parts of organizations that are looking at capacity too. What TRPA is trying to do for two reasons, allow that fixed capacity to move in and out of the building on a permanent basis. It moves in during the bad weather and moves out when you want to activate the street in nice weather but there's still the fixed capacity. We and others would be enforcing the capacity and if they could move in and out without needing commercial floor area and coverage that's fine. If they need commercial floor area and coverage that's something they want to try and address in phase two. That's how they see all the pieces working together. The qualified exempt is a relatively a straight forward process through TRPA. They feel that it will not only work during Covid, but it activates the streets consistent with the Regional Plan and area plans on a permanent basis.

Ms. Aldean said under stakeholder coordination ultimately there will be some sort of merchants association or a business improvement district. In Carson City they have a bid in the downtown area and there is a lot of self enforcement. They had some people who were concerned about allowing this temporary movement of dining outdoors and how do restaurants that have permits for outdoor dining, are they placed at some sort of disadvantage? Once a bid is in place, you'll have merchants coordinating with one another and keeping track of what all the other merchants in the main street area are doing. That bid can help with enforcement issues. That's long term and doesn't address any violations that may be a result of loosening up the requirements with respect to offering these qualified exempt activities during Covid. Ultimately, a lot of it will be self-regulated.

Public Comment & Questions

Lew Feldman thanked Mr. Conger and Mr. Hester for teeing this up. This a remarkably awkward moment in time and appreciated the Agency's effort to be responsive to the Food and Beverage community which is fundamentally on life support. This has taken resources and stretched them thinner than any of us can ever recollect. These interim measures to enable businesses to navigate this extraordinary difficult time is a very positive step. There is a bigger issue with commercial floor area and dining. For 30 plus years he's watched TRPA try and manage this fiction about if you have outdoor seats and there's wait service, you maybe should have CFA but if you don't have wait service, you don't need CFA. That's never worked, it's never been enforced. It's a credibility issue because he thinks that we all think that outdoor dining that activates the areas and a resort community is positive. On the interim basis, being flexible and responsive to the challenges that folks are trying to save their businesses is laudable. He's disappointed that we didn't accelerate this next phase and conversation and recognize that a restaurant that can serve indoors and outdoors shouldn't have to cut itself off at the knees and say, "I'm going to reduce my indoor capacity because people would rather be in fresh air but if business is good, maybe they'll sit indoors, and I can make some money." He respected Mr. Marshall's earlier comments. The longer term solution is to look at this pool of 400,00 square feet of unallocated commercial floor area and reconcile the discrepancy between us trying to animate and activate public places and not look the other way but legitimize it because a lot of this has been permitted even though TRPA has been missing in action. It's time to correct and direct and allocate the resources that staff has indicated are required for us to solve this problem on the longer vision.

Steve Teshara on behalf of the Tahoe Chamber and the South Tahoe Restaurant Association. He said as Mr. Feldman pointed out and everyone knows that this has been a particularly challenging time for many businesses and certainly restaurants. He appreciated the agency's efforts to try an address the lack of clarity on some of these issues. We need to be thoughtful in the approach and one of the things that TRPA has done successfully when faced with challenges such as this in terms of ordinance amendments is convene a stakeholder's group or workshop. Those who are directly affected such as the restaurant owners, operators, and those who own the properties can be part of the solution. Some of the day to day operating challenges that they faced which Mr. Feldman spoke about several of those. He's concerned right now that this approach in its initial form doesn't necessarily reduce uncertainty. That's something that we want to try and reduce. He agreed with Councilmember Laine's comments that the City of South Lake Tahoe as an example has been very responses to the flexibility that restaurants have needed this year to continue in operation. We ought to be mindful of that same need for flexibility thinking about it in terms of TRPA code. We don't want to create more red tape. This week we went from orange at the beginning of the week in El Dorado County to purple as of yesterday. The changes that restaurant owners face in terms of trying to operate vary greatly and that variability needs to be contemplated moving forward. Lastly, his last thought to leave with the committee is the importance of convening a stakeholder's group or having a workshop or two so that some of the people who are directly involved can be part of the discussions.

Board Comments & Questions

Mr. Yeates said for about six years, he was the Coastal Commission's lobbyist, and the biggest challenge was when the commission, well-meaning as it was, got down in the weeds of issues

that we're probably more local governments responsibility. Legislature got impatient at times when they got into that mode and would introduce legislation that he had to deal with that would exempt certain activities from the Coastal Act. But generally, they would do things to change the way they looked at these policies. He finds himself revisiting his thoughts when he started thinking what we're doing here. He understands that staff is trying to get clarity, there is a real concern, Covid is driving everyone crazy. They've heard from Mr. Feldman and Mr. Teshara how people are trying to survive. They've heard it from Ms. Laine as a city official and from Ms. Gustafson raising questions. He feels this is like when he raised the question on why we treated commodities the way that we did. So, they created a Development Rights Working Group, met with the stakeholders and came to the consensus on how to deal with commodities in a different way that allowed them to implement the Regional Plan. He feels that this is that kind of issue. It's one that have been declared by some that we're missing in action. We need to get a consensus on how to deal with this particular issue. The only concern he has is that he doesn't want to disrupt the nimbleness that the City and possibly some of the of the counties, not the two California counties, but the others and how they're dealing with this issue and considering how we're being whip sawed all the time by the virus. If we do need to enact something or have a recommendation from the Regional Plan Implementation Committee that would help with this. But if we in fact have this memorandum of understanding, we're follow the states lead on the restrictions and maybe we don't need anything in particular right now from RPIC. He doesn't know how they'd make the recommendation because there are so many questions that he would prefer that we replicate what we did with Development Rights. He would like to hear what staff thinks about is proposal.

Ms. Marchetta said the question staff is trying to get some direction on is should we take an incremental step that swaps indoor commercial floor area for outdoor CFA right now which is a net zero. We can do it quickly; we can do it in a qualified exempt category without further environmental analysis. Staff wholly agrees that there is more to be done on this, but should we take an incremental step right now that takes us out of the uncomfortable situation of seating activity that is right now inconsistent with the Code of Ordinances. It puts all of that activity in conformance while we think about how to then staff and fund a longer funding need particularly in light of the Main Street Management Plan that is coming. We can look at that longer term action, but should we take an initial increment that brings so many of our businesses into conformity and takes us out of a detailed temporary permitting set of activities. It makes it much easier for businesses to come into compliance right now.

Mr. Lawrence said what he understands is that we have a situation under Covid where the Agency's given direction through a memo that basically allows for the shifting of indoor to outdoor as long the Governor's declarations are in place and that's the end time frame. It's his understanding that it happens simply that there's not a lot of red tape to do that. He has no concerns about what we do during Covid, it's absolutely essential to keep these businesses going. He's concerned about a long term slippery slope about not accounting for the commercial floor area and the long term slippery slope regarding our development caps without some procedures in place. He is struggling with what is the immediacy of doing something now during Covid when we already have something in place that allows for businesses to do this.

Mr. Yeates said he shares that concern also. It seems like we're trying to fix something that doesn't need to be fixed right now. The bigger issue would be something that we should roll up our sleeves and address.

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Mr. Hester said an example of where it would be good to have this code. If in six months, June 1, summer dining season, the Covid vaccine has been distributed and is Covid is hopefully starting to become a memory. We will now be back in the situation where swapping the commercial floor are from inside to outside will no longer be legal per our code. That's why we wanted to change it because it's the first step towards implementing the Main Street Management Plan. It doesn't address the commercial floor area issue the others have spoken about. It's part of what we want to look at over the long term, it's not just a Covid response that's handled by the memo. If we didn't have Covid, the people who had moved dining outside last summer were in violation. It's an incremental step and heard Mr. Feldman and Mr. Teshara say it's good you're taking the incremental step, take some more. Do you want us to take an incremental step in the right direction or wait and do this in a bigger effort that will come later.

Mr. Yeates said it's the qualified exemption, it's kind of wishful but none the less, if in fact this summer, the miracle of a vaccine and 75 percent of the nation agrees to take the vaccine and things go back to normal that restaurants will be out of compliance. The qualified exemption, the part that we teasing out from this full discussion would be something that would allow us with a three-day qualified exemption process allow a restaurant, bar, or business to maintain their outdoor activity without being out of compliance with our code, is that correct?

Mr. Hester said yes.

Mr. Marshall said there is no immediate need for this. We are implementing the definitions as we set forth. We have the Covid memo, but as the attorney, he would rather have that in code than as general direction from the Executive Director. There is no immediate need for the Regional Plan Implementation to take action. This was in response to a presentation to RPIC earlier where the committee kind of agreed with the direction to take a step wise approach but if that's not the desire of the committee, staff will continue to apply the definitions as we have set forth and the Covid memo to stay in place until the Governor's emergency declarations are removed. There is no immediate need except to provide greater clarity, two, the regulated public and other stakeholders so they see in code what those interpretations are, that we have an implementation guidance memo, and then if we want to continue this switching of this indoor to outdoor out in the future, that would be in place. The best he can do is whether or not we need this or not and that answer is no. But also realize that given what's on our plate in the next six months, a stakeholder effort to try and address larger commercial floor area questions, is a pretty big lift that may cause other things to drop off. Do you want to take this step now, realizing that the effort is not going to happen immediately or do want to continue on with the way we're implementing this and direct that we try and package all this together sometime out in the future?

Ms. Aldean said she doesn't have a problem with an incremental approach to this. It may be symbolically important that the agency take notice of the problem and make at least an interim step to remedy it. This would provide guidance to people that are in the restaurant business who don't want to find themselves at odds with the agency. She doesn't see any downside to this based on the fact that everybody seems to be committed to the idea of diving into this in more depth with a stakeholder group to perhaps refine the proposal and look for a more permanent solution. This is an incremental step, and it has some value.

Ms. Laine said from the City's standpoint, longer view, they would be very supportive of an incremental process. But right now, the city staff in particular are feeling that this could possibly act as a disincentive and discourage business. They would like the opportunity to approach this from a stakeholder standpoint and have TRPA reach out to the City, the public utility districts, staff, etc. and brainstorm this and flush it out a little better given the fact that it's not significant that we do something right of way. She feels that everyone would feel more comfortable having this broader discussion and coming to terms before TRPA actually codifies this.

Mr. Yeates said he's still at a loss. From the standpoint of our general counsel saying that we don't need to do something now. If we have something miraculously happen this summer and we're back to normal, then the Governing Board could adopt the qualified exemption process to ensure that we don't have businesses out of compliance. He appreciated that staff is concerned that we don't even know what our own budgets will be and how much time this will take. He questioned this, especially when we've adopted area plans with increased opportunities for these kind of activities in town centers. The whole purpose behind the Main Street Management Plan was to get things out on the street and make a pedestrian friendly and a whole different feel to that main street. That seems like the type of discussion that we would have in a development rights format. He's unsure how we would balance that but will leave it to his colleagues if someone wants to make a motion from the committee, but he's not sure that we need to do anything.

Ms. Marchetta said regarding immediacy, there's an important distinction, Mr. Marshall's answer regarding immediacy went to the issue of legal immediacy. We have a guidance in place and can act upon that guidance. When she thinks about what it takes us to move through a decision, we're trying to be proactive on an issue that is creating non-compliance. It takes us at least two to three months, so if we have to confront this question again in the spring, perhaps if the Governor's orders are amended by then and we have to act quickly if we're trying to get out ahead of that. We need to give our businesses certainty both during this winter season, some will probably be creative about how they maintain their food and beverage this winter as well as we move into the spring. At a policy level, she's not sure she agrees with Mr. Marshall on the immediacy question. Which is why staff brought this as an incremental step. What it means to take on a much larger planning exercise, means it takes longer. If we load a lot of environmental review on this, it isn't a quick action anymore. It's a complex action, it will take time. She has enough experience to know that time on an action like that could be beyond next spring and summer season.

Mr. Yeates said he agreed, it took about two years to do development rights.

Ms. Gustafson said she feels meeting with stakeholders could happen relatively quickly with a meeting on north and south shore with the various agencies and businesses. We could move that part relatively quickly. She doesn't believe to understand the complexity of this, but she wants us to continue to move forward and appreciated staff bringing this forward. Unfortunately, none of us feel every optimistic that a vaccine can be widely distributed and or that people will take it and that we won't continue to have issues long into the spring. Ms. Marchetta is right that we're going to continue to see pressure and the agency staff is rightly trying to get ahead of this and appreciates that. She would like to see this continue moving forward to address this with the additional public process and some well thought structure on public input stakeholder engagement.

REGIONAL PLAN IMPLEMENTATION COMMITTEE

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Mr. Yeates said Ms. Gustafson has pieces of that and how formal of a recommendation does staff want from the committee. From what she is saying that a possible motion would be that we would accept staff's recommendation to move forward with an incremental approach. Then hold at least a couple of workshops at least on the north and south shores to get feedback from those that would be affected by even this incremental change.

Ms. Aldean said she doesn't know that we need a motion, but we do need to give staff some direction. She suggested that there should be some refinement in the language and terminology as she indicated earlier that we could do this in a less convoluted way. She suggested that the direction to staff be to pursue this, refine the language, pursue the code amendment with the understanding that this is an interim measure only and ultimately, we want to convene stakeholder groups to come up with a more permanent recommendation.

Ms. Marchetta said this is sufficient direction.

V. COMMITTEE MEMBER COMMENTS

None.

VI. PUBLIC INTEREST COMMENTS

None.

VII. ADJOURNMENT

Ms. Aldean moved to adjourn.

Chair Mr. Yeates adjourned the meeting at 1:36 p.m.

Respectfully Submitted,



Marja Ambler
Clerk to the Board



Mail
PO Box 5310
Stateline, NV 89449-5310

Location
128 Market Street
Stateline, NV 89449

Contact
Phone: 775-588-4547
Fax: 775-588-4527
www.trpa.org

STAFF REPORT

Date: December 9, 2020
To: TRPA Governing Board
From: TRPA Staff
Subject: November Financial Statements, Fiscal Year 2020/21

Summary and Staff Recommendation:

We are now five months, or 42% of the way through the 2021 fiscal year. The main Financial highlight for the month is that we received both states annual contribution. This will fund Agency operations through the end of the Fiscal Year. Permitting activity in both traditional land use areas and the new Shoreline program remain strong, well ahead of prior years. Expenditures are on track to the approved budget.

Staff recommends acceptance of the November Financial Statements for Fiscal Year 2021.

Required Motion:

In order to accept the Financial Statements, the Governing Board must make the following motion:

- 1) A motion to accept the November 2020 Financial Statements

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

Background:

We have now completed four months (42%) of the fiscal year. Revenues are at 62% of the annual budget, and expenditures at 29% of budget. Expenditures are normally slow to build in during the fiscal year due to the timing of contract expenses.

YTD Revenues and Expenses

Tahoe Regional Planning Agency

Fiscal YTD November 2020

	Local	Fees	Grants	Total
Revenue				
Fees for Service	(267)	2,006,778		2,006,512
Grants	73,372	1,360	467,610	542,342
State Revenue	6,987,894			6,987,894
Local Revenue				
Rent Revenue		133,077		133,077
Other Revenue	(41,259)	(79)		(41,338)
TRPA Rent Revenue		287,075		287,075
Revenue Total	7,019,741	2,428,212	467,610	9,915,562
Expenses				
Compensation	1,670,786	675,396	311,043	2,657,224
Contracts	524,372	451,957	385,827	1,362,156
Financing		174,734		174,734
Other	151,442	92,980	6,334	250,756
Rent	287,075	12,821		299,896
A&O/Transfers	(702,413)	475,511	220,926	(5,976)
Expenses Total	1,931,262	1,883,398	924,130	4,738,790
Grand Total	5,088,479	544,814	(456,520)	5,176,772

Revenues are at 62% of budget. We have billed and received the two states for their contributions. Current Planning Fees are 50% ahead of the year-to-date average of the last three years. We have collected \$0.8M year to date. This is consistent with continued higher workloads driven by planning applications plus Shoreline program revenue. Annual mooring fees are due December 31st, but some are coming in now. We collected \$0.4M YTD in AIS fees vs. a budget of \$1.0M. This will increase as we reconcile sticker sales with the marinas at the end of the boating season. Grant revenues are billed in arrears, at the end of the quarter.

Expenditures are at or below budgeted levels. Compensation expenses are at 37% of the annual budget, consistent with the timing of payrolls. Contract expenses are low at 20% of budget due to normal lags in vendor billings. We made our first (of two) Debt service payments for the year in November, which is why financing costs are at 49% of budget.

TRPA Balance Sheet

TRPA's balance sheet is strong. Total assets decreased by \$1.3M due to cash expenditures and a \$0.3M in returned securities and mitigation funds. Cash and Investments decreased due to monthly expenditures. Liabilities decreased \$0.4 M largely due to security returns and mitigation fund disbursements. We are holding \$18.6 M in trust for others between mitigation funds and securities. General Fund net assets are high due to receiving the State contributions. Those will be spent down over the balance of the fiscal year.

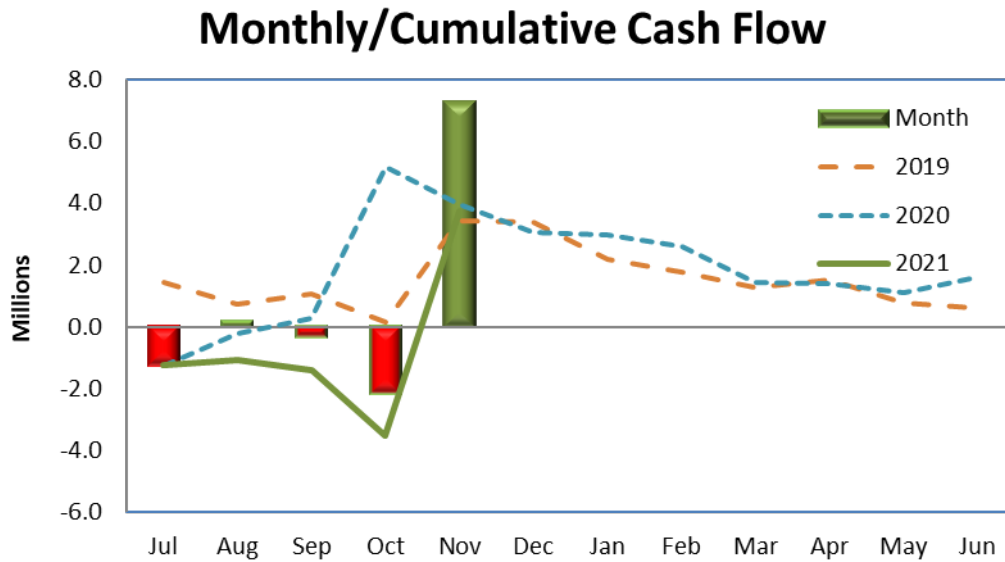
Tahoe Regional Planning Agency

Balance Sheet @11-30-20

	TRPA	Grants	Trust	Total
Cash & Invest	4,943,123	1,732,614	18,227,873	24,903,610
A/R	4,769,238	577,747		5,346,985
Current Assets	361,989			361,989
LT Assets	8,886,580			8,886,580
Total Assets	18,960,930	2,310,361	18,227,873	39,499,164
A/P	(104)			(104)
Benefits	895,874			895,874
Deferred Rev	467,610	1,353,818		1,821,428
Deposits	651,700	10,190		661,891
LT Debt	8,298,000			8,298,000
Mitigation			12,864,409	12,864,409
Securities			5,387,426	5,387,426
Total Liabilities	10,313,080	1,364,009	18,251,835	29,928,924
Net Position	8,647,850	946,352	(23,961)	9,570,240

Cash Flow

Cash flow for the month was positive for the month due to receiving the state contributions plus Planning Fees. We received \$8.2 M in receipts and disbursements were \$1.0 M. California paid \$5.0M, and Nevada provided \$2.0M. Planning fees continue to be strong, providing \$0.9M, reflecting high levels of permitting activity. There were no extraordinary expenditures for the month.



When reading the detailed reports (attached), be aware that fund balances may not be intuitive. Negative balances mean revenues exceeded expenses. Positive fund balance occurs when expenses exceed revenue. This reflects the formatting in our accounting system.

Contact Information:

For questions regarding this agenda item, please contact Chris Keillor at (775) 589-5222 or ckeillor@trpa.org.

Attachment:

- A. Attachment I November Financial Statements

Attachment A

November Financial Statements

Tahoe Regional Planning Agency
Actuals vs. Budget by Program
Fiscal YTD November 2020

	Ann Budget	YTD	Remaining \$
TRPA Totals			
Revenue			
State Revenue	6,758,773	6,987,894	229,121
Grants	4,394,581	542,342	3,852,239
Fees for Service	3,662,741	2,006,512	1,656,229
Local Revenue	150,000		150,000
Rent Revenue	331,961	133,077	198,884
TRPA Rent Revenue	688,980	287,075	401,905
Other Revenue	90,303	41,338	131,642
Revenue Total	16,077,340	9,915,562	6,161,778
Expenses			
Compensation	7,195,433	2,657,224	4,538,209
Contracts	6,885,833	1,362,156	5,523,677
Financing	354,721	174,734	179,988
Rent	725,408	299,896	425,512
Other	1,061,366	250,756	810,611
A&O/Transfers	15,298	5,976	9,322
Expenses Total	16,207,464	4,738,790	11,468,674
TRPA Net	(130,124)	5,176,772	

Agency Mgmt

Revenue			
Fees for Service		267	267
Grants	2,385	160	2,225
State Revenue	5,768,881	6,092,405	323,524
Other Revenue	90,303	51,259	141,563
Local Revenue	150,000		150,000
Revenue Total	6,011,570	6,041,039	29,469
Expenses			
Compensation	1,890,749	721,207	1,169,542
Contracts	91,423	42,620	48,803
Financing		50	50
Rent	4,877		4,877
Other	217,077	64,208	152,869
Expenses Total	2,204,127	828,085	1,376,042
Agency Mgmt Net	3,807,443	5,212,954	

	Ann Budget	YTD	Remaining
Current Planning			
Revenue			
Fees for Service	2,594,067	1,537,281	1,056,786
Grants	3,600	1,200	2,400
State Revenue	124,000	124,000	
Other Revenue		79	79
Revenue Total	2,721,667	1,662,402	1,059,265
Expenses			
Compensation	1,707,887	636,775	1,071,112
Contracts	502,606	262,991	239,615
Financing	21,436	18,698	2,738
Other	89,314	14,567	74,747
A&O/Transfers	738,508	452,993	285,515
Expenses Total	3,059,752	1,386,024	1,673,728

Curr Plan Net	(338,085)	276,378	
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Envir. Imp.

Revenue			
Fees for Service	1,068,673	469,497	599,176
Grants	1,648,798	378,694	1,270,104
State Revenue	750,000	750,000	
Revenue Total	3,467,471	1,598,191	1,869,281
Expenses			
Compensation	992,731	395,725	597,006
Contracts	2,741,292	269,270	2,472,021
Financing	15,783	9,403	6,380
Rent	30,771	12,821	17,950
Other	72,585	14,436	58,149
A&O/Transfers	120,385	80,374	40,011
Expenses Total	3,973,548	782,029	3,191,518

Env Imp Net	(506,076)	816,162	
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	Ann Budget	YTD	Remaining
L RTP			
Revenue			
Grants	2,305,345		2,305,345
Fees for Service			
Other Revenue			
Revenue Total	<u>2,305,345</u>		<u>2,305,345</u>
Expenses			
Compensation	1,254,907	464,441	790,466
Contracts	1,515,866	154,457	1,361,409
Rent	780		780
Other	45,803	10,568	35,236
A&O/Transfers	<u>328,309</u>	<u>153,255</u>	<u>175,054</u>
Expenses Total	<u>3,145,665</u>	<u>782,720</u>	<u>2,362,945</u>

L RTP Net	(840,320)	(782,720)
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R & A

Revenue			
Grants	434,452	162,288	272,164
State Revenue	<u>115,892</u>	<u>21,489</u>	<u>94,403</u>
Revenue Total	<u>550,345</u>	<u>183,777</u>	<u>366,567</u>
Expenses			
Compensation	1,098,762	404,575	694,187
Contracts	1,712,896	536,469	1,176,426
Other	28,425	437	28,863
A&O/Transfers	<u>7,172</u>	<u>9,814</u>	<u>2,642</u>
Expenses Total	<u>2,847,255</u>	<u>950,421</u>	<u>1,896,834</u>

R & A Net	(2,296,911)	(766,644)
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	Ann Budget	YTD	Remaining
Infrastructure			
Revenue			
Other Revenue			
Rent Revenue	331,961	133,077	198,884
TRPA Rent Revenue	688,980	287,075	401,905
Revenue Total	<u>1,020,941</u>	<u>420,152</u>	<u>600,789</u>
Expenses			
Compensation	93,055	34,502	58,553
Contracts	321,750	96,349	225,401
Financing	317,502	146,583	170,919
Rent	688,980	287,075	401,905
Other	556,071	147,415	408,656
Expenses Total	<u>1,977,358</u>	<u>711,923</u>	<u>1,265,435</u>

Infrastructure Net	(956,417)	(291,771)	
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Other

Expenses			
A&O/Transfers	<u>1,209,673</u>	<u>702,413</u>	<u>507,260</u>
Expenses Total	<u>1,209,673</u>	<u>702,413</u>	<u>507,260</u>

TRPA Fee Report

Fiscal YTD November 2020

Selected Fees, Year to Year Comparison.

	2018	2019	2020	2021	Vs. Avg.
RESIDENTIAL	71,262	87,531	147,939	153,162	150%
GENERAL	59,806	64,484	82,363	88,797	129%
OTHER_REV	23,550	7,068	64,529	79,580	251%
LMTD_INCENT	267	252	1,041	61,557	
SHOREZONE	30,100	19,000	71,750	60,154	149%
LAND_CHALL	28,285	33,730	32,230	53,411	170%
TREE_RMVL	24,605	25,864	42,228	52,966	171%
REVISIONS		22,905	20,226	46,925	218%
ALLOCATION	46,438	28,425	33,254	43,254	120%
FULL_SITE	52,798	52,734	33,000	37,183	81%
COMMERCL_TA	23,025	24,733	43,560	32,326	106%
SECURITIES	178	178	22,606	26,244	343%
MOORING				20,831	
GRADE_EXCEPT	14,116	17,068	19,512	19,254	114%
RECR_PUBLIC	32,983	14,710	23,650	18,561	78%
ENFORCEMNT	19,362	19,628	15,488	17,319	95%
SOILS_HYDRO	10,714	15,584	14,175	12,550	93%
LAND_CAP	10,867	16,020	9,612	9,350	77%
TRANS_DEV	5,545	6,427	4,134	8,520	159%
VB_COVERAGE	5,653	6,503	5,586	7,197	122%
GRADING	8,260	7,021	5,369	6,800	99%
IPES	6,911	10,934	(1,925)	6,029	114%
PARTIAL_SITE	4,232	3,703	2,400	4,120	120%
NOTE_APPEAL	1,112	2,223		3,968	238%
LLADJ_ROW	3,536	6,000	5,122	3,855	79%
QUAL_EXEMPT	4,352	3,128	4,956	3,276	79%
QE SHOREZONE	3,927	5,544	3,831	2,781	63%
SIGNS		492	960	2,186	301%
VB_USE	10,080	2,160	9,360	1,928	27%
TEMP_USE	2,503	2,239	1,120	1,846	94%
CONSTR_EXT	970	600	780	1,836	234%
PRE-APP	1,696	1,696	1,272	1,748	112%
UNDRGRD_TANK	1,162	1,216	2,880	1,628	93%
RES_DRIVE	782	298	776	600	97%
STD	4,603	4,745	3,734	(598)	-14%
MONITORING	(3,063)	2,789	2,800		
SUBDIV_EXIST	8,194	2,052	1,002		
HISTORIC	5,775	2,487			
MASTERPLAN	7,412				
Total	531,998	522,171	731,321	891,144	150%

Percentage is current YTD vs. average of last three years YTD

TRPA Financials
Thru 11/30/2020

Row Labels	FY Budget	YTD Act	Remaining	Sum of % Spe
Agency Mgmt				
GF Revenue				
Revenue				
State Revenue	5,768,881	6,092,405	323,524	106%
Fees for Service	0	267	267	
Local Revenue	150,000	0	150,000	0%
Other Revenue	90,303	51,259	141,563	-57%
Revenue Total	6,009,185	6,040,879	31,695	101%
GF Revenue Total	6,009,185	6,040,879	31,695	101%
Gov Board				
Expenses				
Contracts	1,067	0	1,067	0%
Other	18,847	593	18,254	3%
Rent	2,177	0	2,177	0%
Expenses Total	22,091	593	21,498	3%
Gov Board Total	22,091	593	21,498	3%
Executive				
Expenses				
Compensation	725,057	272,676	452,382	38%
Other	15,637	1,466	14,171	9%
Expenses Total	740,695	274,142	466,553	37%
Executive Total	740,695	274,142	466,553	37%
Legal				
Expenses				
Compensation	265,685	98,893	166,791	37%
Contracts	0	18,111	18,111	
Other	11,494	3,322	8,172	29%
Expenses Total	277,178	120,326	156,852	43%
Legal Total	277,178	120,326	156,852	43%
Communications				
Expenses				
Compensation	226,466	84,726	141,740	37%
Contracts	17,000	0	17,000	0%
Other	62,703	15,351	47,352	24%
Rent	2,700	0	2,700	0%
Expenses Total	308,869	100,077	208,793	32%
Communications Total	308,869	100,077	208,793	32%

TRPA Financials

Thru 11/30/2020

Row Labels	FY Budget	YTD Act	Remaining	Sum of % Spe
Finance				
Expenses				
Compensation	458,682	176,208	282,474	38%
Contracts	0	5,740	5,740	
Other	2,379	0	2,379	0%
Expenses Total	461,061	181,948	279,113	39%
Finance Total	461,061	181,948	279,113	39%
HR				
Expenses				
Compensation	214,859	88,704	126,155	41%
Contracts	73,357	13,970	59,387	19%
Other	64,310	3,550	60,760	6%
Expenses Total	352,526	106,224	246,302	30%
HR Total	352,526	106,224	246,302	30%
Agency Mgmt Total	3,846,765	5,257,569	1,410,804	137%
Current Planning				
Current Planning				
Revenue				
Fees for Service	1,858,704	795,509	1,063,195	43%
Revenue Total	1,858,704	795,509	1,063,195	43%
Expenses				
Compensation	1,036,146	401,114	635,032	39%
Contracts	137,230	67,832	69,398	49%
Financing	21,436	15,548	5,888	73%
A&O/Transfers	476,894	302,921	173,973	64%
Other	8,839	0	8,839	0%
Expenses Total	1,680,545	787,415	893,130	47%
Current Planning Total	178,159	8,094	170,065	5%
Code Enforcement				
Expenses				
Compensation	355,542	138,489	217,052	39%
A&O/Transfers	167,672	104,587	63,085	62%
Other	2,143	1,626	517	76%
Expenses Total	525,357	244,702	280,654	47%
Code Enforcement Total	525,357	244,702	280,654	47%

TRPA Financials
Thru 11/30/2020

Row Labels	FY Budget	YTD Act	Remaining	Sum of % Spe
Boat Crew				
Revenue				
State Revenue	124,000	124,000	0	100%
Revenue Total	124,000	124,000	0	100%
Expenses				
Compensation	115,259	36,835	78,424	32%
Contracts	0	6,000	6,000	
Other	49,008	2,957	46,052	6%
Expenses Total	164,267	45,791	118,475	28%
Boat Crew Total	40,267	78,209	118,475	-194%
Other				
Revenue				
Other Revenue	0	1,555	1,555	
Revenue Total	0	1,555	1,555	
Other Total	0	1,555	1,555	
Shorezone Moorings and Concessions				
Revenue				
Fees for Service	431,054	93,158	337,896	22%
Other Revenue	0	1,476	1,476	
Revenue Total	431,054	94,634	336,420	22%
Shorezone Moorings and Concessions Total	431,054	94,634	336,420	22%
Shorezone - Planning				
Expenses				
Compensation	149,078	48,445	100,633	32%
A&O/Transfers	69,881	36,585	33,295	52%
Other	0	2,500	2,500	
Expenses Total	218,959	87,530	131,429	40%
Shorezone - Planning Total	218,959	87,530	131,429	40%
Shorezone Boat Crew				
Expenses				
Compensation	16,741	5,325	11,416	32%
Contracts	20,000	0	20,000	0%
Financing	0	3,150	3,150	
A&O/Transfers	8,113	4,021	4,092	50%
Other	8,627	7,484	1,143	87%
Expenses Total	53,482	19,981	33,501	37%

TRPA Financials
Thru 11/30/2020

Row Labels	FY Budget	YTD Act	Remaining	Sum of % Spe
Shorezone Boat Crew Total	53,482	19,981	33,501	37%
Shorezone - Implementation				
Expenses				
Compensation	35,122	6,459	28,662	18%
A&O/Transfers	15,948	4,878	11,070	31%
Expenses Total	51,070	11,338	39,732	22%
Shorezone - Implementation Total	51,070	11,338	39,732	22%
Shorezone - Communications				
Expenses				
Contracts	45,000	0	45,000	0%
Other	31	0	31	0%
Expenses Total	45,031	0	45,031	0%
Shorezone - Communications Total	45,031	0	45,031	0%
Settlements				
Revenue				
Fees for Service	150,000	55,000	95,000	37%
Grants	3,600	1,200	2,400	33%
Revenue Total	153,600	56,200	97,400	37%
Expenses				
Contracts	146,067	41,000	105,067	28%
Other	20,667	0	20,667	0%
Expenses Total	166,733	41,000	125,733	25%
Settlements Total	13,133	15,200	28,333	-116%
Legal - Direct or Disallowed				
Revenue				
Fees for Service	4,309	66,931	62,621	
Revenue Total	4,309	66,931	62,621	
Expenses				
Compensation	0	108	108	
Contracts	4,309	7,086	2,777	164%
Expenses Total	4,309	7,194	2,885	167%
Legal - Direct or Disallowed Total	0	59,736	59,736	
Current Planning Reimbursed				
Revenue				
Fees for Service	150,000	526,684	376,684	

TRPA Financials

Thru 11/30/2020

Row Labels	FY Budget	YTD Act	Remaining	Sum of % Spe
Revenue Total	150,000	526,684	376,684	
Expenses				
Contracts	150,000	141,073	8,927	94%
Expenses Total	150,000	141,073	8,927	94%
Current Planning Reimbursed Total	0	385,611	385,611	
Current Planning Total	338,085	276,378	614,463	-82%
Envir. Imp.				
Env. Improv.				
Revenue				
State Revenue	0	375,000	375,000	
Revenue Total	0	375,000	375,000	
Expenses				
Compensation	511,272	213,339	297,932	42%
Contracts	20,000	4,067	15,933	20%
Other	14,393	0	14,393	0%
Expenses Total	545,665	217,406	328,259	40%
Env. Improv. Total	545,665	157,594	703,259	-29%
Watercraft Inspection Fees				
Revenue				
Fees for Service	1,029,085	377,795	651,290	37%
Revenue Total	1,029,085	377,795	651,290	37%
Expenses				
Compensation	145,063	45,638	99,425	31%
Contracts	808,678	135,639	673,039	17%
Financing	15,783	9,403	6,380	60%
A&O/Transfers	0	0	0	
Other	28,789	9,406	19,383	33%
Rent	30,771	12,821	17,950	42%
Expenses Total	1,029,085	212,907	816,178	21%
Watercraft Inspection Fees Total	0	164,888	164,888	
CA Gen Fund AIS Prevention				
Revenue				
State Revenue	375,000	375,000	0	100%
Revenue Total	375,000	375,000	0	100%
Expenses				

TRPA Financials
Thru 11/30/2020

Row Labels	FY Budget	YTD Act	Remaining	Sum of % Spe
Contracts	375,000	0	375,000	0%
Expenses Total	375,000	0	375,000	0%
CA Gen Fund AIS Prevention Total	0	375,000	375,000	
NV Gen Fund AIS Prevention & Control				
Revenue				
State Revenue	375,000	0	375,000	0%
Revenue Total	375,000	0	375,000	0%
Expenses				
Compensation	68,534	22,736	45,798	33%
Contracts	277,324	7,800	269,524	3%
A&O/Transfers	0	0	0	
Other	29,142	118	29,024	0%
Expenses Total	375,000	30,654	344,346	8%
NV Gen Fund AIS Prevention & Control	0	30,654	30,654	
Tahoe Keys & Lakewide AIS Control (LTRA)				
Revenue				
Grants	27,184	79,210	52,025	291%
Revenue Total	27,184	79,210	52,025	291%
Expenses				
Compensation	18,268	8,647	9,620	47%
Contracts	0	71,474	71,474	
A&O/Transfers	8,923	6,531	2,393	73%
Other	7	4,824	4,831	
Expenses Total	27,184	91,476	64,292	337%
Tahoe Keys & Lakewide AIS Control (LTR	0	12,266	12,266	
Lakewide AIS Control (USACE)				
Revenue				
Grants	300,000	54,368	245,632	18%
Revenue Total	300,000	54,368	245,632	18%
Expenses				
Contracts	300,000	6,865	293,135	2%
Expenses Total	300,000	6,865	293,135	2%
Lakewide AIS Control (USACE) Total	0	47,503	47,503	
Sand Harbor Asian Clam Control (NDSL)				
Revenue				

TRPA Financials
Thru 11/30/2020

Row Labels	FY Budget	YTD Act	Remaining	Sum of % Spe
Grants	23,090	128,486	105,396	556%
Revenue Total	23,090	128,486	105,396	556%
Expenses				
Contracts	23,090	0	23,090	0%
Expenses Total	23,090	0	23,090	0%
Sand Harbor Asian Clam Control (NDSL)	0	128,486	128,486	
BMP Enforcement in NV (NV 319)				
Revenue				
Grants	44,776	0	44,776	0%
Revenue Total	44,776	0	44,776	0%
Expenses				
Compensation	35,122	18,836	16,286	54%
A&O/Transfers	9,569	8,476	1,093	89%
Other	85	59	26	69%
Expenses Total	44,776	27,371	17,405	61%
BMP Enforcement in NV (NV 319) Total	0	27,371	27,371	
Stormwater Planning Support				
Revenue				
Fees for Service	39,588	37,232	2,356	94%
Revenue Total	39,588	37,232	2,356	94%
Expenses				
Compensation	0	16,821	16,821	
A&O/Transfers	0	12,703	12,703	
Expenses Total	0	29,525	29,525	
Stormwater Planning Support Total	39,588	7,707	31,881	19%
CalFire Wildfire Prevention Outreach				
Revenue				
Grants	25,000	22,833	2,167	91%
Revenue Total	25,000	22,833	2,167	91%
Expenses				
Contracts	25,000	12,826	12,174	51%
Expenses Total	25,000	12,826	12,174	51%
CalFire Wildfire Prevention Outreach Total	0	10,007	10,007	
USFWS AIS Control Lake Tahoe 2				

TRPA Financials
Thru 11/30/2020

Row Labels	FY Budget	YTD Act	Remaining	Sum of % Spe
Revenue				
Grants	1,117,563	55,386	1,062,177	5%
Revenue Total	1,117,563	55,386	1,062,177	5%
Expenses				
Compensation	146,849	52,872	93,977	36%
Contracts	900,000	30,050	869,950	3%
A&O/Transfers	70,714	39,929	30,785	56%
Expenses Total	1,117,563	122,851	994,712	11%
USFWS AIS Control Lake Tahoe 2 Total	0	67,465	67,465	
Lakewide AIS Survey & Monitoring (NDSL)				
Revenue				
Grants	0	5,842	5,842	
Revenue Total	0	5,842	5,842	
Lakewide AIS Survey & Monitoring (NDS	0	5,842	5,842	
BMP Enforcement in CA (CA 319)				
Revenue				
Grants	0	16,532	16,532	
Revenue Total	0	16,532	16,532	
BMP Enforcement in CA (CA 319) Total	0	16,532	16,532	
USFS Lake Tahoe West - P3				
Revenue				
Grants	47,916	11,594	36,321	24%
Revenue Total	47,916	11,594	36,321	24%
Expenses				
Compensation	32,684	11,386	21,298	35%
A&O/Transfers	15,232	8,598	6,633	56%
Expenses Total	47,916	19,984	27,932	42%
USFS Lake Tahoe West - P3 Total	0	8,390	8,390	
USFS LTRA Ski Run Marina				
Revenue				
Grants	51,070	4,444	46,626	9%
Revenue Total	51,070	4,444	46,626	9%
Expenses				
Compensation	34,939	5,449	29,490	16%
A&O/Transfers	15,948	4,137	11,811	26%

TRPA Financials
Thru 11/30/2020

Row Labels	FY Budget	YTD Act	Remaining	Sum of % Spe
Other	183	29	154	16%
Expenses Total	51,070	9,615	41,455	19%
USFS LTRA Ski Run Marina Total	0	5,171	5,171	
Meyers WIS - Tahoe Fund				
Revenue				
Grants	12,200	0	12,200	0%
Revenue Total	12,200	0	12,200	0%
Expenses				
Contracts	12,200	0	12,200	0%
Expenses Total	12,200	0	12,200	0%
Meyers WIS - Tahoe Fund Total	0	0	0	
(CLOSED) DBW WIS Tracking				
Expenses				
Contracts	0	550	550	
Expenses Total	0	550	550	
(CLOSED) DBW WIS Tracking Total	0	550	550	#DIV/0!
Shorezone Mitigation Funds				
Revenue				
Fees for Service	0	54,470	54,470	#DIV/0!
Revenue Total	0	54,470	54,470	#DIV/0!
Shorezone Mitigation Funds Total	0	54,470	54,470	#DIV/0!
Envir. Imp. Total	506,076	816,162	1,322,238	-161%
L RTP				
Long Range & Transp. Planning				
Expenses				
Compensation	564,907	251,809	313,098	45%
Contracts	90,000	2,103	87,897	2%
Other	9,179	0	9,179	0%
Expenses Total	664,086	253,912	410,174	38%
Long Range & Transp. Planning Total	664,086	253,912	410,174	38%
TMPO				
Expenses				
Contracts	138,863	3,470	135,393	2%
Other	36,591	9,146	27,446	25%

TRPA Financials
Thru 11/30/2020

Row Labels	FY Budget	YTD Act	Remaining	Sum of % Spe
Rent	780	0	780	0%
Expenses Total	176,234	12,616	163,618	7%
TMPO Total	176,234	12,616	163,618	7%
Transportation				
Revenue				
Compensation	1,015	110	905	11%
Grants	1,265,011	0	1,265,011	0%
Revenue Total	1,263,997	110	1,264,107	0%
Expenses				
Compensation	587,909	194,090	393,819	33%
Contracts	315,546	82,706	232,840	26%
A&O/Transfers	307,034	153,255	153,779	50%
Other	0	1,375	1,375	
Expenses Total	1,210,488	431,426	779,062	36%
Transportation Total	53,508	431,537	485,045	-806%
CA Prop 1B Transit Capital Improvement Program South Shore				
Revenue				
Grants	150,000	0	150,000	0%
Revenue Total	150,000	0	150,000	0%
Expenses				
Contracts	150,000	10,650	139,350	7%
Expenses Total	150,000	10,650	139,350	7%
CA Prop 1B Transit Capital Improvement	0	10,650	10,650	#DIV/0!
CA Prop 1B Transit Safety and Security-South Shore				
Revenue				
Grants	37,000	0	37,000	0%
Revenue Total	37,000	0	37,000	0%
Expenses				
Contracts	37,000	0	37,000	0%
Expenses Total	37,000	0	37,000	0%
CA Prop 1B Transit Safety and Security-S	0	0	0	#DIV/0!
Transportation SB1 Formula & Competitive				
Revenue				
Grants	284,457	0	284,457	0%
Revenue Total	284,457	0	284,457	0%

TRPA Financials
Thru 11/30/2020

Row Labels	FY Budget	YTD Act	Remaining	Sum of % Spe
Transportation SB1 Formula & Competit	284,457	0	284,457	0%
USFS Emerald Bay Corridor Plan				
Revenue				
Compensation	6,893	2	6,891	0%
Contracts	200,000	0	200,000	0%
Grants	210,434	0	210,434	0%
A&O/Transfers	3,541	2	3,539	0%
Revenue Total	0	4	4	
Expenses				
A&O/Transfers	0	2	2	
Expenses Total	0	2	2	
USFS Emerald Bay Corridor Plan Total	0	2	2	#####
USFS Meeks Bay Restoration				
Revenue				
Contracts	200,000	20,411	179,589	10%
Grants	238,442	0	238,442	0%
Other	0	47	47	
Revenue Total	38,442	20,458	58,900	-53%
Expenses				
Compensation	25,995	9,697	16,298	37%
A&O/Transfers	12,447	0	12,447	0%
Expenses Total	38,442	9,697	28,745	25%
USFS Meeks Bay Restoration Total	0	30,155	30,155	
NDSL LTLP Shoreline Plan				
Revenue				
Grants	20,000	0	20,000	0%
Other	33	0	33	0%
Revenue Total	19,967	0	19,967	0%
Expenses				
Compensation	14,680	0	14,680	0%
A&O/Transfers	5,287	0	5,287	0%
Expenses Total	19,967	0	19,967	0%
NDSL LTLP Shoreline Plan Total	0	0	0	
SR89 Tahoe Fund				
Expenses				

TRPA Financials
Thru 11/30/2020

Row Labels	FY Budget	YTD Act	Remaining	Sum of % Spe
Contracts	0	5,800	5,800	
Expenses Total	0	5,800	5,800	
SR89 Tahoe Fund Total	0	5,800	5,800	
GHG Inventory				
Revenue				
Contracts	100,000	0	100,000	0%
Grants	100,000	0	100,000	0%
Revenue Total	0	0	0	
GHG Inventory Total	0	0	0	
L RTP Total	502,355	744,672	242,317	148%
R & A				
Research & Analysis				
Revenue				
Other Revenue	0	10,000	10,000	
Revenue Total	0	10,000	10,000	
Expenses				
Compensation	1,059,103	383,687	675,416	36%
Contracts	1,018,589	309,397	709,192	30%
Other	26,582	437	27,020	-2%
Expenses Total	2,104,275	692,647	1,411,628	33%
Research & Analysis Total	2,104,275	682,647	1,421,628	32%
Shorezone - Research & Analysis				
Expenses				
Compensation	14,464	12,995	1,469	90%
Contracts	171,000	54,528	116,472	32%
A&O/Transfers	7,172	9,814	2,642	137%
Expenses Total	192,636	77,337	115,299	40%
Shorezone - Research & Analysis Total	192,636	77,337	115,299	40%
Nearshore Trib Monitoring (Lahontan)				
Revenue				
Grants	83,812	79,207	4,606	95%
Revenue Total	83,812	79,207	4,606	95%
Expenses				
Compensation	11,812	1,221	10,591	10%
Contracts	72,000	52,278	19,722	73%

TRPA Financials

Thru 11/30/2020

Row Labels	FY Budget	YTD Act	Remaining	Sum of % Spe
A&O/Transfers	0	0	0	
Expenses Total	83,812	53,499	30,313	64%
Nearshore Trib Monitoring (Lahontan) T	0	25,708	25,708	
Wetland Monitoring (EPA)				
Revenue				
Grants	98,625	5,196	93,429	5%
Revenue Total	98,625	5,196	93,429	5%
Expenses				
Contracts	98,625	13,813	84,813	14%
Expenses Total	98,625	13,813	84,813	14%
Wetland Monitoring (EPA) Total	0	8,616	8,616	
EPA LT Info				
Revenue				
Grants	102,015	4,513	97,502	4%
Revenue Total	102,015	4,513	97,502	4%
Expenses				
Contracts	102,015	49,088	52,927	48%
Expenses Total	102,015	49,088	52,927	48%
EPA LT Info Total	0	44,575	44,575	
R & A Total	2,296,911	787,468	1,509,443	34%
Infrastructure				
General Services				
Expenses				
Compensation	93,055	34,502	58,553	37%
Contracts	25,703	303	25,400	1%
Other	154,963	29,845	125,118	19%
Rent	688,980	287,075	401,905	42%
Expenses Total	962,701	351,725	610,976	37%
General Services Total	962,701	351,725	610,976	37%
IT				
Expenses				
Contracts	255,422	96,046	159,376	38%
Other	179,318	85,530	93,788	48%
Expenses Total	434,740	181,576	253,163	42%

TRPA Financials

Thru 11/30/2020

Row Labels	FY Budget	YTD Act	Remaining	Sum of % Spe
IT Total	434,740	181,576	253,163	42%
Building				
Revenue				
Rent Revenue	328,603	133,077	195,526	40%
TRPA Rent Revenue	688,980	287,075	401,905	42%
Revenue Total	1,017,583	420,152	597,431	41%
Expenses				
Contracts	40,625	0	40,625	0%
Financing	317,502	146,583	170,919	46%
Other	160,198	5,019	155,179	3%
Expenses Total	518,325	151,601	366,724	29%
Building Total	499,258	268,551	230,707	54%
CAM				
Revenue				
Rent Revenue	3,358	0	3,358	0%
Revenue Total	3,358	0	3,358	0%
Expenses				
Other	61,592	27,020	34,572	44%
Expenses Total	61,592	27,020	34,572	44%
CAM Total	58,234	27,020	31,213	46%
Infrastructure Total	956,417	291,771	664,646	31%
Other				
Other				
Expenses				
Compensation	157,341	0	157,341	0%
A&O/Transfers	1,209,673	702,413	507,260	58%
Other	52,090	0	52,090	0%
Expenses Total	1,000,242	702,413	297,829	70%
Other Total	1,000,242	702,413	297,829	70%
Other Total	1,000,242	702,413	297,829	70%
Grand Total	247,163	5,228,611	4,981,448	

STAFF REPORT

Date: December 9, 2020

To: TRPA Governing Board

From: TRPA Staff

Subject: Resolution of Enforcement Action: Walter Fisher; Unauthorized Tree Removal, 200 Edgewood Drive, Placer County, CA, Assessor's Parcel Numbers 093-370-017 and 093-450-007

Summary and Staff Recommendation:

Staff recommends that the Governing Board accept the proposed Settlement Agreement (Attachment A) in which Walter Fisher ("Fisher") agrees to pay a \$7,000 penalty to TRPA for the removal of 6 trees over 14 inches DBH without authorization at the property located at 200 Edgewood Drive, Placer County, CA, Assessor's Parcel Number 093-370-017 ("Fisher Property") and neighboring property, Assessor's Parcel Number 093-450-007 ("Chinquapin 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:

In September 2020, TRPA staff inspected a complaint at the Fisher Property for unauthorized tree removal. During this inspection, TRPA staff discovered that multiple trees larger than 14 inches DBH had been removed without any TRPA authorization on both the Fisher property and neighboring Chinquapin Property located downhill of the residence.

After further investigation and discussion with Fisher, TRPA staff determined that one large sugar pine approximately 30 inches DBH was removed from the Fisher Property and two Jeffrey pine between 14-16 inches DBH from the Chinquapin Property without any authorization from TRPA or the local Fire Department. It was later determined that the two Jeffrey pines that were removed from the Chinquapin property were crowded trees that would have most likely been marked for removal had the property owner applied for the appropriate tree removal permit. This allowed TRPA to consider a reduction in penalty for the unauthorized removal of those two trees. The removal of trees larger than 14 inches DBH without authorization is a violation of TRPA Code Section 61.1.5 (requiring TRPA approval for removal of all trees greater than 14 inches DBH) and Section 2.3.2.M (the tree removal is a non-exempt project and must be reviewed by TRPA).

CONSENT CALENDAR ITEM NO. 2

Fisher has taken full responsibility for the unauthorized activities and has agreed to a settlement where he will plant one mature 10-20 foot Sugar Pine in a similar location from where the trees were removed and pay a penalty of \$7,000 to TRPA. The Settlement is consistent with a previous tree removal violation in 2018 where Les Wright paid a penalty of \$7,000 for the removal of 2 large trees from a neighboring California State Property.

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.org.

Attachments:

- A. Settlement Agreement

Attachment A

Settlement Agreement

CONSENT CALENDAR ITEM NO. 2

SETTLEMENT AGREEMENT

This Settlement Agreement is made by and between Walter Fisher (“Fisher”) 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 September 2020, The Tahoe Regional Planning Agency (TRPA) inspected the Property located 200 Edgewood Drive, Placer County, CA, Assessor’s Parcel Number 093-370-017 and found that the following violations of the TRPA Code of Ordinances had occurred:

- Unauthorized tree removal of 3 trees larger than 14 inches DBH in violation of TRPA Code Section 61.1.5 (requiring TRPA approval for removal of all trees greater than 14 inches DBH) and Section 2.3.2.M (the tree removal is a non-exempt project and must be reviewed by TRPA). *3 trees greater than 14 inches dbh were removed without approval on the subject property and adjacent property beelow. No permits or authorization was issued by any applicable agency for the removal of the 3 live trees larger than 14 inches dbh.*

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. Fisher shall pay TRPA \$7,000 within 30 days of Governing Board approval of this Settlement Agreement.
2. As mitigation for the unauthorized tree removal, Fisher shall plant one mature 10-20 foot Native Sugar Pine in a similar location. The planted tree shall be inspected after two years for survival and may not be removed without TRPA approval. If the tree dies within the first two years, a new tree shall be planted and monitored for two years after planting. The tree shall be planted no later than October 1, 2021.
3. If Fisher fails to comply with any of the actions required by this Settlement Agreement, Fisher confesses to judgment against him and in favor of TRPA in the amount of \$14,000 (payable immediately) and an injunction to enforce the terms of this Settlement Agreement. Fisher also agrees to pay all reasonable attorneys fees and costs associated with collecting the increased settlement of \$14,000. Notwithstanding the foregoing, the confession of judgment shall not be filed unless TRPA has provided Fisher 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 Fisher has fully complied with all of the terms herein, TRPA shall release Fisher of all claims arising out of his failure to follow TRPA procedures during the activities described in this Settlement Agreement.

Fisher has read this Settlement Agreement and understands all of its terms. Fisher has 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. Fisher agrees to comply with all applicable TRPA requirements in the future.

Signed:

Walter Fisher

Date

Joanne S Marchetta, Executive Director
Tahoe Regional Planning Agency

Date

STAFF REPORT

Date: December 9, 2020

To: TRPA Governing Board

From: TRPA Staff

Subject: Resolution of Enforcement Action: Dave Navarro; Unauthorized Watercraft Launching without an inspection, 746 Lincoln Highway, Douglas County, NV, Assessor's Parcel Number 1318-10-310-002.

Summary and Staff Recommendation:

Staff recommends that the Governing Board accept the proposed Settlement Agreement (Attachment A) in which Dave Navarro ("Navarro") agrees to pay a \$4,000 penalty to TRPA for the launching of personal motorized watercraft without an AIS inspection at the lakefront property located at 746 Lincoln Highway, Douglas County, NV ("Vacation Rental 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:

In September 2020, TRPA staff inspected a complaint at the Vacation Rental Property occupied by Navarro for unauthorized launching of watercraft over the beach. During this inspection, TRPA staff discovered that Navarro had carried two jets skis over the beach and launched both in Lake Tahoe without any AIS inspection. The two Jet skis were removed immediately and inspected prior to launching later that week at an appropriate launch ramp.

After further investigation and discussion with Navarro, TRPA staff determined that both watercraft were launched without any authorization from TRPA in violation of TRPA Code Section 63.4.1.C (Prohibiting the launching, or attempting to launch, of any motorized watercraft into the waters of Lake Tahoe without an AIS inspection by TRPA or its Designee).

Navarro has explained that he did not understand the inspection rules clearly but is taking full responsibility for the unauthorized activities and has agreed to a settlement where he will pay a penalty of \$4,000 to TRPA.

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.org.

Attachments:

- A. Settlement Agreement

Attachment A

Settlement Agreement

CONSENT CALENDAR ITEM NO. 3

SETTLEMENT AGREEMENT

This Settlement Agreement is made by and between Dave Navarro (“Navarro”) 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:

On July 19, 2020, The Tahoe Regional Planning Agency (TRPA) received information and identified that Navarro launched two jet skis from at an unauthorized location without the required boat inspection approval in violation of the following TRPA Code of Ordinances:

1. TRPA Code Section 63.4.1.C prohibits the launching, or attempting to launch, of any motorized watercraft into the waters of Lake Tahoe without an AIS inspection by TRPA or its Designee.

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. Navarro shall pay TRPA \$4,000 within 30 days of Governing Board approval of this settlement agreement.
2. If Navarro fails to comply with any of the actions required by this Settlement Agreement, Navarro confesses to judgment against him and in favor of TRPA in the amount of \$8,000 (payable immediately) and an injunction to enforce the terms of this Settlement Agreement. Navarro also agrees to pay all reasonable attorneys fees and costs associated with collecting the increased settlement of \$8,000. Notwithstanding the foregoing, the confession of judgment shall not be filed unless TRPA has provided Navarro 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.
3. Once Navarro has fully complied with all of the terms herein, TRPA shall release Navarro of all claims arising out of his failure to follow TRPA procedures during the activities described in this Settlement Agreement.

Navarro has read this Settlement Agreement and understands all of its terms. Navarro has 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. Navarro agrees to comply with all applicable TRPA requirements in the future.

Signed:

Dave Navarro

Date

Joanne S Marchetta, Executive Director
Tahoe Regional Planning Agency

Date



Mail
PO Box 5310
Stateline, NV 89449-5310

Location
128 Market Street
Stateline, NV 89449

Contact
Phone: 775-588-4547
Fax: 775-588-4527
www.trpa.org

STAFF REPORT

Date: December 9, 2020
To: TRPA Governing Board
From: TRPA Staff
Subject: Local Government Coordination Report

Summary and Staff Recommendation:

This Local Government Coordination Report (Report) was developed to inform the Governing Board on progress being made toward the development, adoption, and implementation of Area Plans and associated permit delegation Memoranda of Understanding (MOU) in the Tahoe Region. In addition, this Report was prepared, pursuant to Tahoe Regional Planning Agency (TRPA) Code, Section 13.8: *Monitoring, Certification, and Enforcement of Area Plans*, to provide the Governing Board a recommendation to either certify, certify with conditions, or revoke all or part of a permit delegation MOU based on audit results. The City of South Lake Tahoe, Placer County, and El Dorado County all have MOUs in effect. Pursuant to TRPA Code, Section 13.8.3: *Annual Review*, TRPA audited a sample of permits issued by MOU partners. Based on the information in the Report, TRPA staff recommends that the Governing Board recertify the MOUs. The Report is provided as Attachment A.

Required Motions:

In order to recertify the MOUs, the Governing Board must make the following motion based on the staff summary:

- 1) A motion to recertify the City of South Lake Tahoe's, Placer County's, and El Dorado County's MOUs.

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

Background:

TRPA as a regional agency guides and oversees the implementation of its adopted Regional Plan. Local governments through adopted Area Plans are now playing a key role in meeting local community needs while accomplishing the broader goals for the Tahoe Region. The Regional Plan specifies TRPA will periodically review the implementation of adopted Area Plans and associated permit delegation MOUs for continuing conformance with the Regional Plan. Based on the review, TRPA may then recertify, recommend adaptive actions to improve Area Plan implementation, or revoke local government Area Plan delegation. The Report gathers the information needed for the Board to consider the review and recertification of adopted local government Area Plans to date and reports the status of other local government planning matters supported by TRPA. Based on experience so far, the Report also reviews and recommends ways to improve coordination between TRPA and local jurisdictions.

Reporting:

In order to make information typically reported on in this Report more accessible to Regional partners and the public, TRPA has or is in the process of adding Environmental Improvement Program (EIP) project information, Best Management Practices (BMP) certificates, Regional coverage changes, and permitting activity to LakeTahoeInfo.org.

Regional Plan Compliance:

Regional Plan Land Use Goals and Policies encourage local jurisdictions to develop area plans and take on additional permitting through MOUs (Regional Plan Goal LU-4 and Policies LU 4.1 – 4.13).

Contact Information:

If you have questions regarding this item, please contact Brandy McMahon, AICP, Local Government Coordinator, at (775) 589-5274 or bmcMahon@trpa.org.

Attachment:

- A. Local Government Coordination Report

Attachment A

Local Government Coordination Report



LOCAL GOVERNMENT COORDINATION REPORT



TAHOE
REGIONAL
PLANNING
AGENCY



INTRODUCTION

This Local Government Coordination Report was developed by the Tahoe Regional Planning Agency (TRPA) to inform the Governing Board on progress being made toward the development, adoption, and implementation of Area Plans and associated permit delegation Memoranda of Understanding (MOUs) in the Tahoe Region.

BACKGROUND

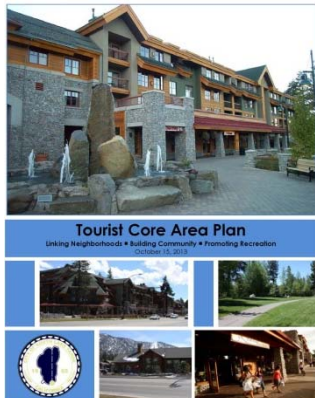
TRPA's Regional Plan Goals and Policies serve as a guide for future land use decisions within the Tahoe Region. To further the Goals and Policies, the 2012 Regional Plan encourages local jurisdictions to develop Area Plans to supersede and bring current the over 180 Plan Area Statements and Community Plans developed to implement the 1987 Regional Plan. The majority of Community Plans and Plan Area Statements are over 20 years old. The Area Plan process was developed to give local jurisdictions the ability to develop their own sub-regional plans within the "sideboards" established under the Regional Plan, streamline the permitting process, and make further progress towards environmental threshold attainment.

ADOPTED AREA PLANS

With the updates made to the Tourist Core Area Plan in 2020, there are now five Area Plans covering approximately 48 thousand acres, or 24 percent of the land area of the Tahoe Region and 77 percent of Town Centers. This section includes an overview of Area Plans and associated permit delegation MOUs.

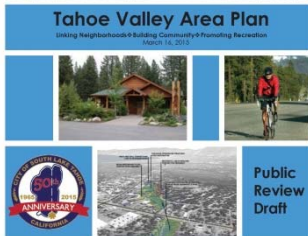
CITY OF SOUTH LAKE TAHOE, CA

Tourist Core Area Plan



This Area Plan includes approximately 300 acres located along Highway 50, between Ski Run Boulevard and the state line, in the City of South Lake Tahoe, California. The Governing Board originally adopted the Tourist Core Area Plan in 2013 and amended it in 2020. The Governing Board adopted a delegation MOU with the City in December 2014. The MOU covers areas both within and outside of Area Plans in the City of South Lake Tahoe. The MOU took effect in the third quarter of 2015.

Tahoe Valley Area Plan

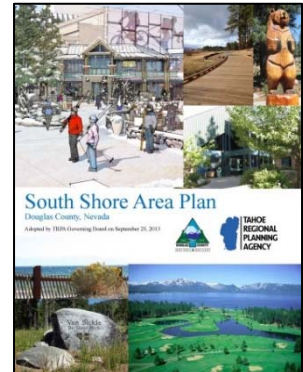


This Area Plan includes 337 acres near the intersection of Highways 50 and 89 (“Y” area) in the City of South Lake Tahoe, California. The Governing Board adopted the Area Plan in July 2015. The City delegation MOU that took effect in 2015 includes the Area Plan.

DOUGLAS COUNTY, NV

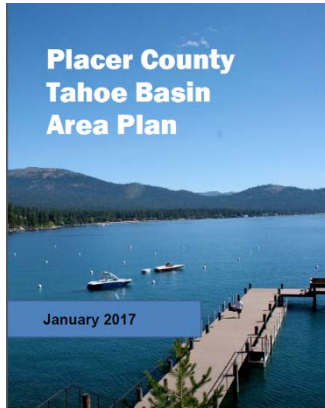
South Shore Area Plan

This Area Plan includes approximately 667 acres located along Highway 50, between Kahle Drive and the state line, in Douglas County, Nevada. The Governing Board adopted the Area Plan and an associated MOU in 2013. Due to staffing constraints at the County, the MOU never went into effect.



PLACER COUNTY, CA

Tahoe Basin Area Plan

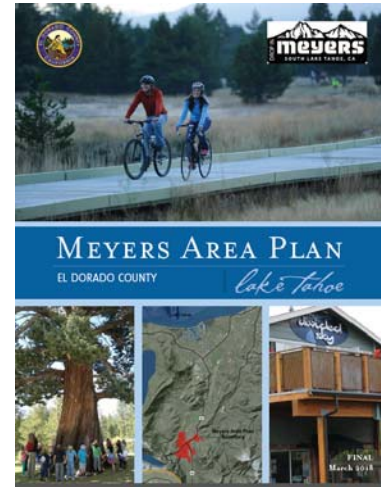


This Area Plan includes all property under the jurisdiction of TRPA in Placer County, California. The Governing Board adopted the Area Plan in February 2017. The Governing Board approved an MOU in October 2017. The MOU includes three phases of permit delegation. The MOU (Phase I & II) went into effect in May 2018.

EL DORADO COUNTY, CA

Meyers Area Plan

This Area Plan includes approximately 669 acres in the Meyers community in El Dorado, California. The Governing Board adopted the Area Plan in February 2018. A delegation MOU that covers the Meyers Area Plan and future Area Plans, as well as the rest of El Dorado County in the Tahoe Region, was adopted by the Governing Board in November of 2018. The MOU includes three phases of permit delegation. The MOU (Phase I & II) went into effect in January 2020.



Area Plans and associated permit delegation MOUs are available on the TRPA website: www.trpa.org.

ANNUAL AREA PLAN PERMITTING ACTIVITY

This section includes an overview of permitting activity from 2017 to 2019 and other highlights that have occurred within the geographic areas covered by Area Plans. TRPA plans to provide 2020 permitting activity on laketahoeinfo.org once it is available.

CITY OF SOUTH LAKE TAHOE - TOURIST CORE AREA PLAN

During 2019, 25 project applications were submitted to TRPA and 18 project applications were submitted to the City of South Lake Tahoe (CSLT) within the Tourist Core Area Plan. A summary of these applications is shown in Table 1.

Table 1: Permit Activity within the Geographic Area of the Tourist Core Area Plan, Calendar 2017-2019						
	2017		2018		2019	
	CSLT	TRPA	CSLT	TRPA	CSLT	TRPA
Applications Received¹	13	32	13	10	18	25
Residential Projects ²	0	5	0	0	0	0
Commercial Projects ²	5	0	8	1	6	0
Recreation/Public Service Projects ²	0	0	0	0	0	0
Environmental Improvement Construction Projects	0	0	0	1	0	0
Shorezone/Lakezone Projects ²	0	1	0	0	0	1
Grading Projects	0	0	0	1	0	2
Verification and Banking ³	0	13	0	4	0	19
Development Rights Transfers and Conversions	0	10	0	3	0	0
Other ⁴	8	3	5	0	12	3

Notes:
¹ Does not include Exempt Activities, Qualified Exempt Declarations, Tree Removal Applications, or Administrative Applications.
² Includes New Development and Additions/Modifications.
³ Includes Soils/Hydrology Verifications, IPES Applications, Land Capability Verifications, Land Capability Challenges, Verifications of Coverage, Verifications of Uses, Site Assessments and Standalone Banking Applications.
⁴ 'Other' includes Historic Determinations, Lot Line Adjustments, Resource Management, Temporary Activities, Projects, and Structures, Scenic, Underground Tank Removal, Subdivision of Existing Uses, Signs, Allocation Assignments, and other miscellaneous project types.
Sources: TRPA Accela Permit Records, Local Jurisdiction Permitting System Data, & Correspondence with Local Jurisdiction Staff.

Since the adoption of the Tourist Core Area Plan, 54 parcels within the Area Plan have received new BMP certificates. Within the Area Plan, a number of EIP projects are also in the planning/design phase, are under construction or have been completed. Information on EIP projects is available on the EIP Project Tracker on laketahoeinfo.org.

Area Plan highlights:

- The Bijou Market Place (Whole Foods) Project is complete. This project included the removal of the old Knights Inn, a new Whole Foods, restaurants, and retail stores, “daylighting” Bijou Creek, and stream environment zone (SEZ) restoration at the intersection of Ski Run and Hwy 50.
- The 20-unit Gondola Vista (under the Gondola) residential project is complete.
- The Novus Select building was remodeled on Ski Run.
- A bi-state project, the US 50/South Shore Revitalization Project was approved.
- The Main Street Management Plan to implement the approved US 50/South Shore Revitalization Project was approved.



**Bijou Market Place
“Whole Foods & SEZ Restoration”**

CITY OF SOUTH LAKE TAHOE - TAHOE VALLEY AREA PLAN

During 2019, two project applications were submitted to TRPA and 16 project applications were submitted to the City of South Lake Tahoe (CSLT) within the Tahoe Valley Area Plan. A summary of these applications is shown in Table 2.

	<u>2017</u>		<u>2018</u>		<u>2019</u>	
	CSLT	TRPA	CSLT	TRPA	CSLT	TRPA
Applications Received¹	17	4	19	29	16	2
Residential Projects ²	0	0	0	0	1	0
Commercial Projects ²	4	0	5	0	6	0
Recreation/Public Service Projects ²	0	0	0	0	1VA	0
Environmental Improvement Construction Projects	0	0	0	0	0	0
Shorezone/Lakezone Projects ²	0	0	0	0	0	0
Grading Projects	0	0	0	1	0	0
Verification and Banking ³	0	4	0	25	0	0
Development Rights Transfers and Conversions	0	0	0	2	0	1
Other ⁴	13	0	14	1	8	1

*Notes and Sources are shown under Table 1.

Since the adoption of the Tahoe Valley Area Plan, 20 new BMP certificates have been issued. Within the Area Plan, a number of EIP projects are also in the planning/design phase, are under construction or have been completed. Information on EIP projects is available on the EIP Project Tracker on laketahoeinfo.org.

Area Plan highlights:

- Blue Granite Climbing Gym was constructed near the “Y”.
- A facilities Master Plan for Barton Memorial Hospital was completed and is in the process of being implemented.
- The Center of Excellence at the Barton Memorial Hospital, a 25,000-square foot orthopedic, sports performance, rehabilitation and wellness center, is now open. Mitigation for the project included the retirement of more than 33,600 square feet of land coverage previously removed from an SEZ at the Lake Tahoe Airport.
- The City approved three new multi-family units over South Shore Bikes.
- "The Factory Stores at the Y" went through a major remodel and were transformed into "The Crossings at Tahoe Valley."
- An old hardware store was turned into the South Lake Brewing Company near the “Y”.
- The McDonald’s at the “Y” was rebuilt.
- The Toyota Dealership underwent an expansion/remodel.
- The City approved and has started the design of the Tahoe Valley Greenbelt.



Blue Granite Climbing Gym

DOUGLAS COUNTY - SOUTH SHORE AREA PLAN

During 2019, 15 project applications were submitted to TRPA within the South Shore Area Plan. A summary of these applications is shown in Table 3.

Table 3: Permit Activity within the Geographic Area of the South Shore Area Plan, Calendar 2017-2019

	2017		2018		2019	
	DC	TRPA	DC	TRPA	DC	TRPA
Applications Received¹	0	22	0	19	0	15
Residential Projects ²	0	2	0	0	0	1
Commercial Projects ²	0	0	0	4	0	6
Recreation/Public Service Projects ²	0	5	0	1	0	3
Environmental Improvement Construction Projects	0	0	0	0	0	0
Shorezone/Lakezone Projects ²	0	0	0	0	0	0
Grading Projects	0	4	0	6	0	1
Verification and Banking ³	0	9	0	5	0	0
Development Rights Transfers and Conversions	0	0	0	1	0	2
Other ⁴	0	2	0	2	0	2

*Notes and Sources are shown under Table 1.

Since the adoption of the South Shore Area Plan, 20 new BMP certificates have been issued. Within the Area Plan, a number of EIP projects are also in the planning/design phase, are under construction or have been completed, including Burke Creek Watershed Stormwater Improvements. Information on EIP projects is available on the EIP Project Tracker on laketahoeinfo.org.

Area Plan highlights:

- Improvements were made to both the exterior and interior at the MontBleu Resort, including modified signage, color upgrades to building exterior, landscaping, parking lot refurbishment, and the removal of 4,898 square feet of coverage.
- The old Horizon Casino/Hotel went through a substantial interior and exterior remodel and was transformed into the Hard Rock Casino/Hotel.
- The Lake Tahoe Epic Curling Facility was completed by a tenant in the TRPA Office building.
- The first phase of the Edgewood Lodge (154 units) and associated water quality improvement project is complete. The next phase of the project includes an additional 40 units and a club house expansion, along with additional water quality improvements.
- The casinos implemented a paid parking program to encourage the use of alternative modes of transportation.
- A bi-state project, the US 50/South Shore Revitalization Project was approved.
- The Main Street Management Plan to implement the approved US 50/South Shore Revitalization Project was approved.
- The Tahoe South Event Center on the existing MontBleu parking lot was approved.



Lake Tahoe Epic Curling Facility



Tahoe South Event Center

PLACER COUNTY – TAHOE BASIN AREA PLAN

During 2019, 253 project applications were submitted to TRPA and 169 project applications were submitted to Placer County within the Placer County Tahoe Basin Area Plan. A summary of these applications is shown in Table 4.

	2017		2018		2019	
	PC	TRPA	PC	TRPA	PC	TRPA
Applications Received¹	217	156	244	190	169	253
Residential Projects ²	63	38	93	53	85	44
Commercial Projects ²	0	7	0	9	0	8
Recreation/Public Service Projects ²	0	8	0	7	0	7
Environmental Improvement Construction Projects	0	1	0	1	8	0
Shorezone/Lakezone Projects ²	0	7	0	15	0	88
Grading Projects	63	9	74	7	0**	5
Verification and Banking ³	91	65	74	59	71	77
Development Rights Transfers and Conversions	0	1	0	11	0	4
Other ⁴	0	20	3	28	5	20

*Notes and Sources are shown under Table 1.

**Placer County did not issue any grading permits. All grading was permitted as part of a project.

Since the adoption of the Placer County Tahoe Basin Area Plan, 239 new BMP certificates have been issued. Within the Area Plan, a number of EIP projects are also in the planning/design phase, are under construction or have been completed, including the Lake Tahoe Water Trail Recreation Signage and North Tahoe Regional Park Multi-Use Trailhead Improvements. Information on EIP projects is available on the EIP Project Tracker available on laketahoeinfo.org.

Area Plan highlights:

- Construction on the Tahoe City Lodge Project, a redevelopment project in Tahoe City, has begun.
- The Kings Beach Redevelopment Project, on North Lake Boulevard between Coon and Fox Streets, is in the initial review stage. The proposed project includes a hotel, condos, library, and retail and restaurant space.
- The Tahoe Cedars Lodge is currently under construction. The project includes redeveloping a site with cabins dating back to the 1930s into six residential units in Tahoma on the shore of Lake Tahoe.
- The Wood Vista Project is nearly complete. This redevelopment project includes seven condominium units at the north west corner of North Lake Blvd and Beach Street.
- The Huff's Metal Building Project, with included a mixed-use housing component, was approved in Kings Beach.
- Office space above the Tahoe City Marina was converted to residential units.

EL DORADO COUNTY – MEYERS AREA PLAN

During 2019, eight project applications were submitted to TRPA and one project application was submitted to El Dorado County within the Meyers Area Plan. A summary of these applications is shown in Table 5.

	2017		2018		2019	
	ED	TRPA	ED	TRPA	ED	TRPA
Applications Received¹	0	2	1	4	1	8
Residential Projects ²	0	0	1	0	0	0
Commercial Projects ²	0	0	0	0	0	1
Recreation/Public Service Projects ²	0	2	0	1	0	0
Environmental Improvement Construction Projects	0	0	0	2	0	0
Shorezone/Lakezone Projects ²	0	0	0	0	0	0
Grading Projects	0	0	0	1	0	0
Verification and Banking ³	0	0	0	0	0	4
Development Rights Transfers and Conversions	0	0	0	0	0	0
Other ⁴	0	0	0	0	1	3

*Notes and Sources are shown under Table 1.

Since the adoption of the Meyers Area Plan, three new BMP certificates have been issued. Within the Area Plan, a number of EIP projects are also in the planning/design phase, are under construction or have been completed, including the Meyers Stream Environment Zone/Erosion Control Project. Information on EIP projects is available on the EIP Project Tracker available on laketahoeinfo.org.

Area Plan highlights:

- The California Department of Transportation (CalTrans) constructed a roundabout at US Highway 50 and State Route 89 in Meyers.
- Liberty Utilities is working on a project to underground utilities and remove existing poles so that El Dorado County can move forward with the Apache Avenue Pedestrian Safety and Connectivity Project (EIP Project No. 03.01.01.0004), which will include a bike/walking path along Apache Avenue from US 50 to the Lake Tahoe Environmental Science Magnet School.



Apache Roadway Conceptual Design

Source: LTInfo.org

ANNUAL REVIEW AND AUDIT

RESIDENTIAL AUDIT FINIDINGS

In 2019, TRPA staff completed residential project review and code compliance audits for each jurisdiction (City of South Lake Tahoe, Douglas County, El Dorado County, Placer County, and Washoe County) in the Tahoe Basin, as required by TRPA Code of Ordinances, Section 50.5.2.E: *Distribution and Administration of Residential Allocations*. The purpose of these audits is to (1) ensure residential projects reviewed and inspected by Memorandum of Understanding (MOU) partners on behalf of TRPA comply with the TRPA Code and Rules of Procedure, (2) identify project review training and education opportunities for MOU partners, and (3) provide the Performance Review Committee¹ with a summary of MOU performance for the distribution of residential allocations. The vast majority of permits reviewed and issued by local jurisdictions on behalf of TRPA under an MOU in the Tahoe Region fall under the residential category. As shown in Table 6 (below), all of the local jurisdictions received a score of 90 percent or greater on project review and compliance in 2019.

Jurisdiction	Project Review	Compliance	Average
City of South Lake Tahoe	90%	95%	92.5%
Douglas County	95%	97%	96%
El Dorado County	94%	96%	95%
Placer County	96%	93%	94.5%
Washoe County	92%	94%	93%

TRPA staff also completed a project review audit for projects permitted by the City of South Lake Tahoe within adopted Area Plans in 2019, as required by TRPA Code of Ordinances, Section 13.8.3: *Annual Review*. The annual Area Plan audit includes projects reviewed by local jurisdictions in Area Plans that are not covered in the annual residential audit, such as commercial, tourist or public service projects. During the audit, TRPA found that the City of South Lake Tahoe approved two projects in the Tourist Core Area Plan and three projects within the Tahoe Valley Area Plan. Placer County did not review or approve any projects that required an additional audit. TRPA did not audit El Dorado County because Phase II of their MOU did not go into effect until January 2020. Pursuant to TRPA Code, Section 13.8.4: *Effect of Annual Review; Annual Report*, the Governing Board may certify, conditionally certify, or revoke part or all of an MOU associated with an Area Plan based on an audit.

¹ The Performance Review Committee, comprised of staff from each participating local jurisdiction and TRPA, is tasked with providing a recommendation on the proposed distribution of residential allocations to the Advisory Planning Commission and Governing Board every two years.

CITY OF SOUTH LAKE TAHOE AUDIT FINDINGS AND RECOMMENDATIONS

During this year's audit, TRPA staff found once again that the projects being implemented in the City's Area Plans are helping to further the Goals and Policies of the Regional Plan and that delegation of permitting is working. TRPA also found that procedural improvements, including providing trainings, attending Development Review Team meetings to provide input on projects early on in the process, and having quarterly MOU Liaison meetings has improved coordination between the City and TRPA. Overall, TRPA has found that City staff is dedicated to working with TRPA to ensure successful implementation of the MOU. **Based on the audit results and recommended procedural improvements, TRPA staff recommends, pursuant to TRPA Code, Section 13.8.4: *Effect of Annual Review; Annual Report*, that the Governing Board recertify the City's MOU.**

PLACER COUNTY AUDIT FINDINGS AND RECOMMENDATIONS

During a review of projects reviewed and issued by Placer County on behalf of TRPA, TRPA found the vast majority of projects reviewed and issued by Placer County were residential (Phase I of MOU). The new activities taken on by Placer County (Phase II of MOU) include land coverage and use verifications, qualified exempt activities, and signs. Placer County has chosen not to take on commercial, tourist or public service projects as this time (Phase III of MOU). Following a review of projects issued by Placer County in 2019, TRPA staff found that the projects reviewed and issued by Placer County were in the residential category and already covered in the residential audit. As a result, no additional audits were required. TRPA staff also found that Placer County does an excellent job of coordinating with TRPA on the permitting of projects. **As a result, TRPA staff recommends, pursuant to TRPA Code, Section 13.8.4: *Effect of Annual Review; Annual Report*, that the Governing Board recertify Placer County's MOU.**

EL DORADO COUNTY AUDIT FINDINGS AND RECOMMENDATIONS

Under the El Dorado County delegation MOU that covers the Meyers Area Plan and future Area Plans, as well as the rest of El Dorado County in the Tahoe Region, adopted by the Governing Board in 2018, El Dorado County continued to review and issue residential permits (Phase I of MOU) on behalf of TRPA. The new activities taken on by El Dorado County (Phase II of MOU) include use verifications, qualified exempt activities, signs, and temporary activities. El Dorado County has chosen not to take on commercial, tourist or public service projects at this time (Phase III of MOU). Since Phase II of the MOU did not go into effect until January 2020 and the County has elected not to take on larger projects (Phase III), no additional audits beyond the residential audit were required. Similar to other MOU partners, TRPA staff has found that El Dorado County does an excellent job of coordinating with TRPA on the permitting of projects and ensuring trainings provided by TRPA are well attended. **As a result, TRPA staff recommends, pursuant to TRPA Code, Section 13.8.4: *Effect of Annual Review; Annual Report*, that the Governing Board recertify El Dorado County's MOU.**

The City of South Lake Tahoe, Placer County, and El Dorado County Delegation MOUs are available at: www.trpa.org/permitting/mous.

TMDL LOAD REDUCTION AND FOUR-YEAR RECERTIFICATION

To ensure Area Plans are in conformance with load reduction plans for registered catchments, or TRPA default standards when there are no registered catchments, TRPA Code, Section 13.8.5: *Four-Year Recertification*, requires TRPA use catchment data and all reports to inform the four-year Area Plan recertification. Two years ago, during the 4-year recertification and based on the Lake Tahoe Total Maximum Daily Load (TMDL) Program 2017 Performance Report, the Governing Board found that local governments exceeded the first round of five-year pollutant reduction targets for reducing fine sediment loads by 10 percent and that all local jurisdictions with adopted Area Plans are meeting the requirements of their load reduction plans. The next four-year certification will be in 2021. TRPA provides progress updates on TMDL implementation at stormwater.laketahoeinfo.org.

AREA PLANS UNDER DEVELOPMENT

This section includes an overview of Area Plans in the process of being developed or updated.

WASHOE TAHOE BASIN AREA PLAN

In 2019, a draft Washoe County Tahoe Basin Area Plan was released for public comment that covers the entire portion of Washoe County under the jurisdiction of TRPA. The planning process was put on hold when the COVID-19 social distancing requirements were put in place.

CITY OF TAHOE VALLEY AREA PLAN

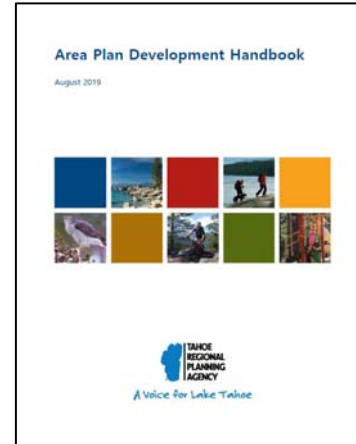
TRPA is working with the City of South Lake Tahoe on updates to the Tahoe Valley Area Plan to facilitate the development of the Sugar Pine Village project, a proposed affordable housing project, as well as future projects.

PLACER COUNTY TAHOE BASIN AREA PLAN

Placer County plans to update the Placer County Tahoe Basin Area Plan to better align the Area Plan with Mountain Housing Council recommendations. These amendments would allow for accessory dwelling units to be built on parcels less than one acre if they are deed restricted as affordable, moderate, or achievable housing.

AREA PLAN DEVELOPMENT HANDBOOK

In August 2019, TRPA released the Area Plan Development Handbook to serve as a guide for local jurisdictions planning on preparing an Area Plan. It includes references to applicable Regional Plan Goals and Policies and TRPA Code sections, approval processes, required content, and documents “lessons learned” during the development of previous Area Plans. The Handbook is available at: www.trpa.org.



LOCAL GOVERNMENT AND HOUSING COMMITTEE

In 2019, the Local Government and Housing Committee convened a stakeholder Working Group that developed short-term rental neighborhood compatibility location, operations, and enforcement guidelines that will be used in the residential allocation Performance Review System. This year, some members of the Committee are participating in the Tahoe Living: Housing and Community Revitalization Working Group, which was formed to develop and advance strategies to implement local and regional housing goals.



Short-Term Rental Neighborhood Compatibility Working Group Meeting

PROCESS IMPROVEMENTS

This section includes recommended Area Plan process improvements.

TRAININGS

In 2019 and 2020, TRPA provided trainings to MOU Partners on a wide range of topics, including Project Review, Best Management Practices, LTInfo, Coverage, Development Rights, Defensible Space, and Inspections. Since these trainings have proven to be extremely beneficial, TRPA staff plans to provide additional virtual trainings next year.



**El Dorado County & City of South Lake
Tahoe Training**



Washoe County Training

COVID-19 SOCIAL DISTANCING REQUIREMENTS

Starting in March of 2020, TRPA and local jurisdictions had to expand electronic permitting services, implement virtual customer services, and implement virtual public engagement and hearing processes to comply with COVID-19 social distancing requirements. The silver lining in this is that many of the process improvements have made the planning and permitting process more streamlined and accessible.

DESIRED OUTCOME

Overall, the desired outcome is that TRPA and local jurisdictions work together to develop and implement Area Plans that accelerate environmental threshold gain and realize the Goals and Policies of the Regional Plan and streamline permitting through the implementation of permit delegation MOUs.

ACTION ITEMS

The following Action Items have been identified to improve the local government coordination process:

- 1.1 Continue to work with local jurisdictions to accelerate environmental threshold gain through the development and implementation of Area Plans;
- 1.2 Continue to work with local jurisdictions on implementing delegation MOUs associated with adopted Area Plans to streamline permit processing;
- 1.3 Consider Area Plan mobility strategies during the development or update of future Area Plans;
- 1.4 Report on coverage banking and retirement and the addition of new coverage on Lake Tahoe Info; and
- 1.5 Work with local jurisdictions on integrating permit data into Lake Tahoe Info.

STAFF REPORT

Date: December 9, 2020

To: TRPA Governing Board

From: TRPA Staff

Subject: Altnow Pier Expansion and Multiple-Parcel Pier Designation; 3021 & 3023 Jameson Beach Road; El Dorado County, California; Assessor's Parcel Numbers (APNs) 032-110-004 & 032-110-024; TRPA File Number ERSP2020-0167

Summary and Staff Recommendation:

An existing single parcel pier is proposed to expand and seek multiple parcel pier designation from the TRPA Governing Board. The expanded pier would serve the littoral parcels located at 3021 and 3023 Jameson Beach Road, El Dorado County, California. The existing pier is six feet wide and approximately 101 feet long. The proposed pier would be 180 feet long and extend to lake bottom elevation 6,219.8'. The pierhead would be 10 feet wide with a 3 foot by 30 foot adjustable catwalk on the south side of the pier and one 12,000 pound boatlift on the north side of the pier. One existing buoy associated with APN 032-110-004 (3021 Jameson Beach Road) would be retired in exchange for the boatlift. The proposed pier complies with location standards for multiple-parcel piers serving two littoral parcels and complies with the more restrictive development standards for single parcel piers. Staff recommends that the Governing Board make the required findings and approve the proposed project.

Required Motions:

In order to approve the proposed project, the Board must make the following motions, based on the staff report and evidence in the required:

- 1) A motion to approve the required findings, including a finding of no significant effect.
- 2) A motion to approve the proposed project subject to the conditions in the draft permit as shown in Attachment B.

For the motions to pass, an affirmative vote of 5-9 (5 California and 9 Total) of the Board is required.

Shoreline Review Committee:

TRPA facilitates monthly Shoreline Review Committee (SRC) meetings for agencies with permitting jurisdiction along the shoreline and within Lake Tahoe to coordinate the permitting of projects. The subject project was reviewed and discussed at SRC on April 17, 2020. California State Lands Commission, U.S. Army Corps of Engineers, and California Department of Fish and Wildlife have received applications for the proposed project and did not provide any objections to the project.

Project Description/Background:

There is an existing pier that extends off of 3021 Jameson Beach Road that is six feet wide and approximately 101 feet long. The existing pier has historically served both 3021 and 3023 Jameson Beach Road, although TRPA has not designated the pier as serving multiple parcels. There is a single family dwelling located on 3021 Jameson Beach Road. The parcel located at 3023 Jameson Beach Road is vacant and could be developed with a single family dwelling if it obtains a buildable IPES score. Both parcels are owned by the same entity. Existing shorezone development for the project area includes a total of four moorings: APN 032-110-004 two mooring buoys; APN 032-110-024 two mooring buoys.

The proposed pier will be 180 feet long, 10 feet wide at the pierhead, and will include one 3-foot wide by 30-foot long adjustable catwalk and one 12,000 pound low-level boatlift. One TRPA-registered buoy will be converted to a boatlift as a result of the project. The existing pier extends from 3021 Jameson Beach Road and extends into the property boundary projection lines and setbacks for both subject properties. The existing pier will remain, and an additional 79 feet of length will be constructed to reach lake bottom elevation 6,219.8', or 15 feet past the pierhead line in compliance with TRPA code section 84.4.3.B.2.b. The pier complies with all development standards for a single parcel pier and location standards for a multiple-parcel pier serving two parcels. The proposed project is located within Plan Area Statement (PAS) 127 – Camp Richardson where piers are an allowed use in shorezone tolerance district 1.

Recognition of a Multiple-Parcel Pier:

Multiple-parcel piers are subject to the deed restriction requirements in TRPA code section 84.4.E which state "An additional multiple-parcel pier shall extinguish future pier development potential through deed restriction on all parcels served by the pier, including adjacent and non-adjacent parcels, with the exception of the littoral parcel on which the additional pier is permitted." As a result of the project, the project area consisting of two parcels will be deed restricted to one pier and four moorings (the maximum mooring eligibility).

The Governing Board may find the pier will be a multiple-parcel pier as it results in both the reduction of shorezone development potential and serves two or more primary residential littoral parcels, subject to deed restriction provisions.

2018 Shoreline Plan:

The TRPA Governing Board adopted a new Shoreline Plan in October 2018, which went into effect in December 2018. The Shoreline Plan allows for existing piers to reconstruct, modify, and/or expand given the project complies with TRPA Code of Ordinances Chapters 80-85. The expanded pier complies with TRPA Code of Ordinances 80-85 and is seeking multiple parcel designation so that the existing and expanded pier may continue to sit on the shared property line between 3021 and 3023 Jameson Beach Road. Staff has analyzed the potential environmental impacts of the proposed pier and determined that it will not adversely affect the environment. An analysis of the impact areas is as follows:

A. Scenic Quality:

The proposed project is located in and visible from Scenic Shoreline Unit 3, Jameson Beach, which is in attainment with the TRPA Scenic Threshold. Up to 400 square feet of visible mass is allowed for multiple-parcel piers serving two primary residential littoral parcels. The allowable visible mass is not inclusive of accessory structures such as boatlifts, handrails, and ladders. The proposed pier has a total visible mass of 219.8 square feet which counts towards the 400 square feet of allowable visible mass. The project area is located in a Visually Sensitive scenic character type, requiring mitigation of all additional mass, including accessory structures associated with a

pier, at a 1:3 ratio. There is a total visible mass, including accessory structures, of 270.5 square feet, 66.7 square feet of which is considered additional and must be mitigated at a 1:3 ratio. This means that 200.1 square feet of visible mass will be mitigated within the project area. Mitigation will be achieved by permanently retiring allowable visible area (scenic credits) on 3021 Jameson Beach Road (APN 032-110-004). The project area must also demonstrate that it can meet a Composite Scenic Score of 25 within 6 months of project completion. The project area currently achieves a Composite Scenic Score of 25 and is compliant with the Composite Scenic Score requirement.

B. Fish Habitat:

This property is located in marginal fish habitat. The new pier will have 9 new pilings for a total of 6.2 square feet of new lake bottom disturbance. According to the 2018 shoreline code, fish habitat mitigation is not required for lake bottom disturbance in marginal fish habitat. Mitigation of lake bottom disturbance may be required by other agencies with jurisdiction. The pier will be constructed using an open piling methodology, resulting in a pier that is 90 percent open.

As required by Chapter 36: *Mitigation Fee Requirements* of the TRPA Code of Ordinances, which requires \$60.00 per foot be paid for additional pier length to mitigate the impacts of pier development on fish habitat and public access, the Draft Permit includes a condition requiring the permittee pay a shorezone mitigation fee of \$4,740.00 for the construction of 79 additional feet of pier length. (refer to Attachment B – Draft Permit)

C. Deed Restriction:

The shorezone ordinances require that an additional multiple-parcel pier shall extinguish future pier development potential through deed restriction on all parcels served by the pier, including adjacent and non-adjacent parcels, with the exception of the littoral parcel on which the additional pier is permitted. The two parcels associated with the project area will be deed restricted to one pier and the maximum number of moorings the two parcels are eligible for under the code. The two parcels will be limited to the following shorezone development:

APN 032-110-004: two moorings

APN 032-110-024: two moorings

Both APNs: one multiple-parcel pier

D. Setbacks:

TRPA Code, Section 84.4.3.B, requires that new piers comply with a 40 foot setback from all other piers and 20 feet from the outer-most parcel boundary projection lines associated with the project area. The proposed pier complies with these setback requirements.

E. Pier Length:

TRPA Code, Section 84.4.3.C states “Piers shall extend no farther lakeward than 30 feet lakeward of elevation 6,219 Lake Tahoe Datum or 60 feet lakeward of the pierhead line, whichever is more limiting. Up to an additional 15 feet in length may be permitted for piers serving three or more residential littoral parcels.” The new pier extends 15 feet past the TRPA pierhead line, as surveyed, which is the limiting factor for length. The pierhead sits landward of 6,219 Lake Tahoe Datum.

Environmental Review:

The applicant completed an Initial Environmental Checklist (IEC) to assess the potential environmental impacts of the project. No significant long term environmental impacts were identified because the proposed pier complies with the existing Code and incorporates required mitigation (fisheries and scenic). Additionally, the property would be deed restricted limiting the two subject properties to one shared pier. The IEC is provided as Attachment D.

Public Comment:

Property owners within 300 feet of the subject site were provided notice of the proposed project. As of the posting of this staff report, no comments were received.

Regional Plan Compliance:

The proposed project is consistent with the Goal and Policies of the Regional Plan, Shorezone Subelement, in that it complies with the design standards and includes mitigation to ensure no negative impacts to the environmental thresholds. The proposed project is for a multiple-parcel pier, which are encouraged by the Regional Plan to reduce overall development potential along the shoreline of Lake Tahoe.

Contact Information:

For questions regarding this agenda item, please contact Tiffany Good, Principal Planner, at (775) 589-5283 or tgood@trpa.org.

Attachments:

- A. Required Findings/Rationale
- B. Draft Permit
- C. 2018 Shorezone Code Conformance Table
- D. Initial Environmental Checklist
- E. Proposed Site Plan and Elevations

Attachment A

Required Findings/Rationale

Attachment A

Required Findings/Rationale Altnow Pier Expansion and Multiple Parcel Pier Designation

Required Findings: The following is a list of the required findings as set forth in Chapter 4, 80, 82, and 84 of the TRPA Code of Ordinances. Following each finding, Agency staff has indicated if there is sufficient evidence contained in the record to make the applicable findings or has briefly summarized the evidence on which the finding can be made.

1. Chapter 4 – Required Findings:

- (a) The project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and maps, the Code and other TRPA plans and programs.

Based on the information provided in this staff report, the project application, the Initial Environmental Checklist (IEC), and Article V(g) Findings Checklist, there is sufficient evidence demonstrating that the proposed project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statement 127 – Camp Richardson, the Code and other TRPA plans and programs.

- (b) The project will not cause the environmental threshold carrying capacities to be exceeded.

TRPA staff has completed the “Article V(g) Findings” in accordance with Chapter 4, Subsection 4.3 of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. Also, the applicant has completed an IEC. No significant environmental impacts were identified and staff has concluded that the project will not have a significant effect on the environment. A copy of the completed V(g) Findings are available at TRPA and will be made available at the Governing Board hearing.

- (c) Wherever federal, state or local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(g) of the TPRA Compact, the project meets or exceeds such standards.

TRPA is requiring that all potential environmental effects be mitigated through Best Management Practices, including the use of turbidity curtains, or other temporary measures such as caissons, to mitigate against potential discharge, during construction. The applicant is also required to obtain separate approval for the project from the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, California State Lands Commission, and El Dorado County to ensure the project will meet or exceed all federal, state, or local standards. As a result, upon completion of construction, the project should have no impact upon air or water quality standards.

2. Chapter 80 – Shorezone Findings:

- (a) Significant Harm: The project will not adversely impact littoral processes, fish spawning habitat, backshore stability, or on-shore wildlife habitat, including waterfowl nesting areas.

There is no evidence in the project file that indicates the proposed project will adversely impact littoral processes (the pier will be constructed on pilings to allow for the free flow of water), fish habitat (marginal), backshore stability, or on-shore wildlife habitat, including waterfowl nesting areas. There is existing access from the upland property down to the beach area where the existing pier commences, and therefore no additional disturbance in the backshore is proposed.

- (b) Accessory Facilities: There are sufficient accessory facilities to accommodate the project.

The proposed multiple-parcel pier will be accessory to the primary upland residential use located at 3021 and 3023 Jameson Beach Road.

- (c) Compatibility: The project is compatible with existing shorezone and lakezone uses or structures on, or in the immediate vicinity of, the littoral parcel; or that modifications of such existing uses or structures will be undertaken to assure compatibility.

There are several private piers within the immediate vicinity and to the southeast of the subject site, and Camp Richardson pier is the closest pier to the northwest of the subject property. The two private parcels that sit between the subject property and Camp Richardson do not have piers. Several of the private parcels to the southeast have piers, half of which extend to the TRPA pierhead line. The closest piers are approximately 250 feet to the northwest (Camp Richardson) and 140 feet to the southeast of the proposed pierhead. The proposed pier extends 15 feet past the surveyed pierhead line, consistent with TRPA code section 84.4.3.B.2.b. The size of the pier and the accessory boatlift is consistent with surrounding piers that extend off of private littoral parcels. The proposed pier length extends 15 feet past the pierhead line, while the other piers in the area extend just to the pierhead line. Given that the pier size and associated accessory structures are consistent with surrounding structures, and the length complies with single parcel pier standards (as opposed to more liberal multiple parcel pier standards for length), TRPA staff finds that the proposed pier will be compatible with the surrounding shorezone facilities.

- (d) Use: The use proposed in the foreshore or nearshore is water dependent.

The pier is located in the shorezone of Lake Tahoe and is therefore a water dependent structure.

- (e) Hazardous Materials: Measures will be taken to prevent spills or discharges of hazardous materials.

This approval prohibits the use of spray painting and the use of tributyltin (TBT). In addition, the special conditions of approval prohibit the discharge of petroleum products, construction waste and litter or earthen materials to the surface waters of Lake Tahoe. All surplus construction waste materials shall be removed from the project

and deposited only at TRPA approved points of disposal. No containers of fuel, paint, or other hazardous materials may be stored on the pier or shoreline.

- (f) Construction: Construction and access techniques will be used to minimize disturbance to the ground and vegetation.

The new pier will be constructed and the project area accessed via barge/amphibious vehicle in order to avoid unnecessary disturbance of the shorezone/backshore. Any upland access required will be limited to areas of existing access and disturbed areas. The lake bottom is sandy and gently sloping, and amphibious vehicles are required to maintain low tire pressure to avoid lake bottom disturbance to the greatest extent feasible. All of the pilings will be driven with a vibratory hammer from the barge/amphibious vehicle. Once all of the pilings have been installed, the joists and decking will be constructed from the barge/amphibious vehicle. All steel pilings and accessories will be painted prior to being transported to the project site. All material storage will be on the barge/amphibious vehicle. Any upland access required would be fitted with temporary Best Management Practices (BMPs). The Draft Permit (Attachment B) includes conditions to ensure construction and access techniques will be used to minimize disturbance to the ground and vegetation, including Tahoe Yellow Cress.

- (g) Navigation and Safety: The project will not adversely impact navigation or create a threat to public safety as determined by those agencies with jurisdiction over a lake's navigable waters.

The pierhead line was established for the purpose of protecting navigation and safety. The pier will extend 15 feet beyond the TRPA pierhead line as surveyed and in compliance with TRPA code section 84.4.3.B.2.b. The project was taken to the Shoreline Review Committee on April 17, 2020, which includes agencies with jurisdiction over the lake's navigable waters and no concerns regarding navigation and safety were raised.

- (h) Other Agency Comments: TRPA has solicited comments from those public agencies having jurisdiction over the nearshore and foreshore and all such comments received were considered by TRPA, prior to action being taken on the project.

The project was taken to the Shoreline Review Committee on April 17, 2020 and no negative comments were received. The applicant is required to get approval for the project from the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, California State Lands Commission, and El Dorado County. At the time of the Shoreline Review Committee, all agencies with jurisdiction had received applications for the proposed project and were in various stages of review and approval. No objections were raised at that time and the permittee will be required to obtain approvals of all applicable agencies.

- (i) Additional Findings for Coverage or Disturbance in the Backshore: The amount of land coverage is the minimum necessary when all Thresholds are taken into consideration to provide access to an approved or an existing structure or use in the nearshore or foreshore.

The existing pier and pier access will remain and no changes to coverage or additional disturbance in the backshore will occur as a result of the project.

3. Chapter 83 Shorezone Tolerance Districts and Development Standards:

- (a) Vertical access to the shoreline shall be restricted to planned footpaths which minimize the impact to the backshore.

This area is in Shorezone Tolerance District 1, which is characterized as an area with a low sandy barrier that separates the lake proper from marshes and wetlands. Access to the shoreline and the existing pier has already been established with the development of the single family dwelling and no new access or disturbance will occur as a result of this project.

- (b) Vegetation shall not be manipulated or otherwise disturbed except when permitted under Chapter 85.

See finding 3(a).

- (c) No drainage or modification of backshore wetlands shall be permitted.

See finding 3(a) above.

- (d) New development in the backshore of a Shorezone Tolerance District 1 shall be regulated in accordance with the regulations in this Code for stream environment zones.

See finding 3(a) above.

- (e) Replacement of existing land coverage in the backshore of a Shorezone Tolerance District 1 shall be in accordance with the regulations for replacing existing land coverage in stream environment zones.

See finding 3(a) above.

Attachment B

Draft Permit



Mail
PO Box 5310
Stateline, NV 89449-5310

Location
128 Market Street
Stateline, NV 89449

Contact
Phone: 775-588-4547
Fax: 775-588-4527
www.trpa.org

Conditional Permit

PROJECT DESCRIPTION: Existing Pier Expansion & Multiple Parcel Pier Designation

APNs: 032-110-004 & 032-110-024

PERMITTEES: Dennis Altnow FILE #: ERSP2020-0167

COUNTY/LOCATION: El Dorado County/ 3021 & 3023 Jameson Beach Road

Having made the findings required by Agency ordinances and rules, the TRPA Governing Board approved the project on **December 16th, 2020**, subject to the standard conditions of approval attached hereto (Attachments Q and S) and the special conditions found in this permit.

This permit shall expire on **December 16th, 2023**, without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Commencement of construction consists of pouring concrete for a foundation and does not include grading, installation of utilities or landscaping. Diligent pursuit is defined as completion of the project within the approved construction schedule. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

NO DEMOLITION, CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL:

- (1) TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT;
- (2) ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA’S ACKNOWLEDGEMENT OF THIS PERMIT;
- (3) THE PERMITTEE OBTAINS APPROPRIATE COUNTY PERMIT. TRPA’S ACKNOWLEDGEMENT MAY BE NECESSARY TO OBTAIN A COUNTY PERMIT. THE COUNTY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS; AND
- (4) A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.

TRPA Executive Director/Designee Date

PERMITTEES’ ACCEPTANCE: I have read the permit and the conditions of approval and understand and accept them. I also understand that I am responsible for compliance with all the conditions of the permit and am responsible for my agents’ and employees’ compliance with the permit conditions. I also understand that if the property is sold, I remain liable for the permit conditions until or unless the new owner acknowledges the transfer of the permit and notifies TRPA in writing of such acceptance. I also understand that certain mitigation fees associated with this permit are non-refundable once paid to TRPA. I understand that it is my sole responsibility to obtain any and all required approvals from any other state, local or federal agencies that may have jurisdiction over this project whether or not they are listed in this permit.

Signature of Permittee(s) _____ Date _____

(PERMIT CONTINUED ON NEXT PAGE)

APNs 032-110-004 & 032-110-024

FILE NO. ERSP2020-0167

Project Security Posted (1): Amount \$ 10,000 Type Paid _____ Receipt No. _____

Security Administrative Fee (2): Amount \$ _____ Paid _____ Receipt No. _____

Shorezone Mitigation Fee (3): Amount \$ 4,740 Type Paid _____ Receipt No. _____

Excess Coverage Mitigation Fee (4): Amount \$ _____ Type Paid _____ Receipt No. _____

Notes:

- (1) See Special Condition 3.H, below.
- (2) Consult the TRPA filing fee schedule for the current security administration fee.
- (3) See Special Condition 3.I, below.
- (4) See Special Condition 3.J, below.

Required plans determined to be in conformance with approval: Date: _____

TRPA ACKNOWLEDGEMENT: The Permittee has complied with all pre-construction conditions of approval as of this date and is eligible for a county building permit:

TRPA Executive Director/Designee

Date

SPECIAL CONDITIONS

1. This permit authorizes the reconstruction and expansion and multiple parcel pier designation of an existing pier serving the parcels located at 3021 and 3023 Jameson Beach Road, El Dorado County, California. The existing pier is six feet wide and approximately 101 feet long. The expanded pier will be 180 feet long and extend to lake bottom elevation 6,219.8'. The pierhead would be 10 feet wide with a 3 foot by 30 foot adjustable catwalk on the south side of the pier and one 12,000 pound boatlift on the north side of the pier. One existing buoy associated with APN 032-110-004 (3021 Jameson Beach Road) would be retired in exchange for the boatlift. The pier complies with all development and location standards in TRPA Code of Ordinances Chapters 80 through 85. Approval of the project also serves as TRPA recognition that the pier is a multiple parcel pier. No change to the location of the pier, upland access to the pier, or upland coverage is approved with this permit. Existing shorezone development includes a total of four moorings:

APN 032-110-004 two mooring buoys
APN 032-110-024 two mooring buoys

As a result of the project, the project area consisting of two parcels will be deed restricted to one pier and four moorings, which is the maximum mooring eligibility (See Special Condition 3.C below).

There is a total allowable visible area of 1,190 square feet for the two parcels, with an existing visible area of 584 square feet, leaving 606 square feet of allowable visible area. The pier will create a total of 66.7 square feet of additional visible area, requiring 200.1 square feet of mitigation (1:3 mitigation ratio for piers in a Visually Sensitive Scenic Character type). The 200.1 square feet of additional visible mass mitigation required for the pier will be deducted from the remaining allowable visible area, leaving 405.9 square feet of visible area remaining for the project area. The project area currently scores a Composite Contrast Rating of 25, making the project area compliant with the Composite Contrast Rating Score of 25.

2. The Standard Conditions of Approval listed in Attachment S shall apply to this permit.
3. Prior to permit acknowledgement, the following conditions of approval must be satisfied:
 - A. The site plan (Sheet 1) for the project area shall be revised to include the following:
 1. Include the location of temporary BMPs, if necessary, for access pathways from the upland to the pier.
 2. Delineate the location of the turbidity curtain and/or caissons and include allowance for barge access. Note that the turbidity curtain should only be installed at the direction of the TRPA inspector.
 4. Include a plan notation that indicates pile driving operations and other piling installation methods (i.e. pinning, etc.) shall require the installation of caissons for turbidity control **upon the discretion of the TRPA inspector upon a pre-grade inspection**. A floating fine mesh fabric screen or other material approved by TRPA shall be installed underneath the pier decking to capture any fallen materials during pier demolition and reconstruction. The floating screen and caissons may be removed upon project completion and after a satisfactory inspection by TRPA to ensure that all suspended materials have settled.
 5. A notation that no new buoys are authorized as a part of this pier modification project.
 6. If pier deck lighting is proposed, indicate where on the pier they will be placed and provide lighting type specifications to TRPA compliant with TRPA Code of Ordinances sections 36.8 and 84.4.3.A.8 *Lighting on Private Piers*.
 7. Include the following "Excess Coverage Mitigation" table:

Total Parcel Area	8,167 s.f.
-------------------	------------

Allowable Coverage (1% base allowable)	82 s.f.
<u>Existing Coverage</u>	<u>1,767 s.f.</u>
Excess Coverage	1,685 s.f.
<u>Excess Coverage Previously Mitigated</u>	<u>199 s.f.</u>
Remaining Excess Coverage To Be Mitigated	1,486

- B. The permittee shall add vegetation to screen the south-facing elevation consistent with the TRPA scenic analysis provided (Sheet A4.2), specifically low-level vegetation immediately lakeward of the residence and perimeter vegetation on the south side of the residence.
- C. The permittee shall submit a projected construction completion schedule to TRPA prior to acknowledgment. Said schedule shall include completion dates for each item of construction.
- D. The permittees shall record a deed restriction to be prepared by TRPA that will create a project area of the subject APNs (032-110-004 and 032-110-024) for the purpose of limiting potential future pier development, to allow for only one pier between the subject parcels. The permittee shall record the deed restriction with the El Dorado County Recorder's Office, and provide either the original recorded deed restriction or a certified copy of the recorded deed restriction to TRPA prior to permit acknowledgement.
- E. The Permittee shall conduct a Tahoe Yellow Cress survey for the subject property. Surveys shall be conducted during the growing season of June 15th through September 30th prior to commencement of proposed work. If TYC or TYC habitat are present, the Permittee shall submit a TYC avoidance and protection plan to TRPA prior to acknowledgement of this permit.
- F. The Permittee shall provide a Spill Prevention Plan for the use of any hazardous materials or equipment (i.e., fuel, epoxy glue, other volatile substances, welding and torch equipment, etc.), for construction activities occurring from a barge and/or amphibious vehicle and within the lake. The Plan shall require absorbent sheets/pads to be retained on the barge at all times. A contact list of all emergency response agencies shall be available at the project site at all times during construction.
- G. The permittee shall comply with the requirement to provide public access in the public trust easement as a mechanism of the Memorandum of Understanding between the California State Lands Commission and the TRPA regarding shorezone permitting process coordination. The permittee is proposing to include signage directing public access up and around the landward terminus of the pier. Signage details shall be provided to TRPA for review and approval prior to permit acknowledgement.
- H. The project security required under Standard Condition A.3 of Attachment S shall be \$10,000. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and for calculation of the required security administration fee.

- I. Pursuant to Section 10.8.5.E.4.a.i of the TRPA Rules of Procedure, the permittee shall submit a shorezone mitigation fee of \$4,740 for the addition of 79 feet of pier length (assessed at \$60.00 per linear foot).
- J. The subject property has 1,486 square feet of remaining unmitigated excess land coverage. The Permittee shall mitigate a portion or all of the excess land coverage on this property by removing coverage within the Hydrologic Transfer Area 5 (Upper Truckee), or by submitting an excess coverage mitigation fee.

To calculate the amount of excess coverage to be removed (in square feet), use the following formula:

Estimated project construction cost multiplied by 0.005, divided by 8.

If you choose this option, please revise your final site plans and land coverage calculations to account for the permanent coverage removal.

An excess land coverage mitigation fee may be paid in lieu of permanently retiring land coverage. The excess coverage mitigation fee shall be calculated as follows:

Square footage of required coverage reduction (as determined by formula above) multiplied by the excess coverage mitigation fee of \$8.50 per square foot for projects located within the Hydrologic Transfer Area 5 (Upper Truckee).

Please provide a construction cost estimate by your licensed contractor, architect, or engineer. In no case shall the mitigation fee be less than \$200.00.

- K. The Permittee shall provide an electronic set of final construction drawings and site plans for TRPA Acknowledgement.
4. To the maximum extent allowable by law, the Permittee agrees to indemnify, defend, and hold harmless TRPA, its Governing Board, its Planning Commission, its agents, and its employees (collectively, TRPA) from and against any and all suits, losses, damages, injuries, liabilities, and claims by any person (a) for any injury (including death) or damage to person or property or (b) to set aside, attack, void, modify, amend, or annul any actions of TRPA. The foregoing indemnity obligation applies, without limitation, to any and all suits, losses, damages, injuries, liabilities, and claims by any person from any cause whatsoever arising out of or in connection with either directly or indirectly, and in whole or in part (1) the processing, conditioning, issuance, or implementation of this permit; (2) any failure to comply with all applicable laws and regulations; or (3) the design, installation, or operation of any improvements, regardless of whether the actions or omissions are alleged to be caused by TRPA or Permittee.

Included within the Permittee's indemnity obligation set forth herein, the Permittee agrees to pay all fees of TRPA's attorneys and all other costs and expenses of defenses as they are incurred, including reimbursement of TRPA as necessary for any and all costs and/or fees incurred by TRPA for actions arising directly or indirectly from issuance or implementation of this permit. TRPA will have the sole and exclusive control (including the right to be represented by attorneys of TRPA's

- choosing) over the defense of any claims against TRPA and over this settlement, compromise or other disposition. Permittee shall also pay all costs, including attorneys' fees, incurred by TRPA to enforce this indemnification agreement. If any judgment is rendered against TRPA in any action subject to this indemnification, the Permittee shall, at its expense, satisfy and discharge the same.
5. It is the Permittee's responsibility to receive authorization, and obtain any necessary permits from other responsible agencies for the proposed project.
 6. No pier demolition or construction shall occur between May 1 and October 1 (spawning season) unless prior approval is obtained from the California Department of Fish and Wildlife, the U.S. Army Corps of Engineers, or the U.S. Fish and Wildlife Service.
 7. Disturbance of lake bed materials shall be the minimum necessary. The removal of rock materials from Lake Tahoe is prohibited. Gravel, cobble, or small boulders shall not be disturbed or removed to leave exposed sandy areas before, during, or after construction.
 8. Best practical control technology shall be employed to prevent earthen materials to be re-suspended as a result of construction activities and from being transported to adjacent lake waters.
 9. The discharge of petroleum products, construction waste and litter (including sawdust), or earthen materials to the surface waters of the Lake Tahoe Basin is prohibited. All surplus construction waste materials shall be removed from the project and deposited only at approved points of disposal.
 10. Any normal construction activity creating noise in excess of the TRPA noise standards shall be considered exempt from said standards provided all such work is conducted between the hours of 8:00 A.M. and 6:30 P.M.

END OF PERMIT

Attachment C

2018 Shorezone Code Conformance Table

Altnow Multiple Use Pier Conformance Review Table

Table 1: Pier Conformance Review Under 2018 Shorezone Code

Standard	2018 Shzne Code	Proposed Pier	Conformance
Streams	Outside of Stream Mouth Protection Zone (SMPZ)	0.9 miles away from the nearest SMPZ – Taylor Creek	In conformance
Fish Habitat	Marginal fish habitat, no mitigation required (other than the mitigation fee)	Mitigation fee of \$4,740 for additional 79 linear feet of pier structure	In conformance
Length	Pierhead may extend 30 feet past 6219 or 60 feet past pierhead line, whichever is more limiting. An additional 15 feet may be permitted for piers serving three or more primary residential parcels.	180' , extends 15 feet past the pierhead line.	In conformance
Setbacks	20' for new piers from outermost property boundary projection lines, & 40' from existing piers as measured from the pierhead	Conforms with external projection line setbacks	In Conformance
Width	Maximum 15' wide excluding catwalks	10' with one (1) boatlift and one (1) catwalk.	In conformance
Catwalk	Maximum of 3' by 30'	3' x 30'	In conformance
Boatlift	One boat lift per littoral parcel (max. 4)	One boatlift	In conformance
Pier Height	6,232' maximum	6,232'	In conformance
Free Flowing Water	Piers required to be floating or have an open piling foundation	Open piling foundation (90%)	In conformance
Superstructures (Boat House)	Prohibited	NA	In conformance
Colors & Materials	Dark colors that blend with background	Brown decking, flat black structural components	In conformance
Visual Mass Limitation	400 sf of visible mass allowed for piers serving	219.8 square feet	In conformance

	2 or more primary residential littoral parcels (does not include accessory structures such as boatlifts, boats, handrails, and ladders).		
Visual Mass Mitigation	In Visually Sensitive Character Types mitigation required at a 1:3 ratio	Additional visible mass, including accessory structures, will be mitigated at a 1:3 ratio through retiring allowable visible area.	In conformance
Retirement of Shorezone Development Potential	An additional multiple-parcel pier shall extinguish future pier development potential through deed restriction on all parcels served by the pier, including adjacent and non-adjacent parcels, with the exception of the littoral parcel on which the additional pier is permitted.	Deed restriction to be recorded prior to permit acknowledgement.	In conformance

Attachment D

Initial Environmental Checklist



OFFICE
128 Market St.
Stateline, NV
Phone: (775) 588-4547
Fax: (775) 588-4527

MAIL
PO Box 5310
Stateline, NV 89449-5310
www.trpa.org
trpa@trpa.org

HOURS
Mon. Wed. Thurs. Fri
9 am-12 pm/1 pm-4 pm
Closed Tuesday
New Applications Until 3:00 pm

Print Form

**INITIAL ENVIRONMENTAL CHECKLIST
FOR DETERMINATION OF ENVIRONMENTAL IMPACT**

I. Assessor's Parcel Number (APN)/Project Location

Project Name County/City

Brief Description of Project:

Pier extension to existing pier.

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. Use the blank boxes to add any additional information. If more space is required for additional information, please attach separate sheets and reference the question number and letter.

II. ENVIRONMENTAL IMPACTS:

1. Land

Will the proposal result in:

a. Compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)?

Pier is located in Lake Tahoe.

- Yes No
 No, With Mitigation Data Insufficient

b. A change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions?

Lake Tahoe

- Yes No
 No, With Mitigation Data Insufficient

c. Unstable soil conditions during or after completion of the proposal?

- Yes No
 No, With Mitigation Data Insufficient

d. Changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet?

- Yes No
 No, With Mitigation Data Insufficient

e. The continuation of or increase in wind or water erosion of soils, either on or off the site?

- Yes No
 No, With Mitigation Data Insufficient

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?

- Yes No
 No, With Mitigation Data Insufficient

g. Exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards?

- Yes No
 No, With Mitigation Data Insufficient

2. Air Quality

Will the proposal result in:

a. Substantial air pollutant emissions?

- Yes No
 No, With Mitigation Data Insufficient

b. Deterioration of ambient (existing) air quality?

- Yes No
 No, With Mitigation Data Insufficient

c. The creation of objectionable odors?

- Yes No
 No, With Mitigation Data Insufficient

d. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?

- Yes No
 No, With Mitigation Data Insufficient

e. Increased use of diesel fuel?

- Yes No
 No, With Mitigation Data Insufficient

3. Water Quality

Will the proposal result in:

a. Changes in currents, or the course or direction of water movements?

- Yes No
 No, With Mitigation Data Insufficient

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?

- Yes No
 No, With Mitigation Data Insufficient

c. Alterations to the course or flow of 100-yearflood waters?

- Yes No
 No, With Mitigation Data Insufficient

d. Change in the amount of surface water in any water body?

- Yes No
 No, With Mitigation Data Insufficient

e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?

- Yes No
 No, With Mitigation Data Insufficient

f. Alteration of the direction or rate of flow of ground water?

- Yes No
 No, With Mitigation Data Insufficient

g. Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?

- Yes No
 No, With Mitigation Data Insufficient

h. Substantial reduction in the amount of water otherwise available for public water supplies?

- Yes No
 No, With Mitigation Data Insufficient

i. Exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches?

- Yes No
 No, With Mitigation Data Insufficient

j. The potential discharge of contaminants to the groundwater or any alteration of groundwater quality?

- Yes No
 No, With Mitigation Data Insufficient

k. Is the project located within 600 feet of a drinking water source?

- Yes No
 No, With Mitigation Data Insufficient

4. Vegetation

Will the proposal result in:

- a. Removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system?

- Yes No
 No, With Mitigation Data Insufficient

- b. Removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table?

- Yes No
 No, With Mitigation Data Insufficient

- c. Introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species?

- Yes No
 No, With Mitigation Data Insufficient

- 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)?

- Yes No
 No, With Mitigation Data Insufficient

- e. Reduction of the numbers of any unique, rare or endangered species of plants?

- Yes No
 No, With Mitigation Data Insufficient

f. Removal of stream bank and/or backshore vegetation, including woody vegetation such as willows?

- Yes No
 No, With Mitigation Data Insufficient

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?

- Yes No
 No, With Mitigation Data Insufficient

h. A change in the natural functioning of an old growth ecosystem?

- Yes No
 No, With Mitigation Data Insufficient

5. Wildlife

Will the proposal result in:

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)?

- Yes No
 No, With Mitigation Data Insufficient

b. Reduction of the number of any unique, rare or endangered species of animals?

- Yes No
 No, With Mitigation Data Insufficient

c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?

- Yes No
 No, With Mitigation Data Insufficient

d. Deterioration of existing fish or wildlife habitat quantity or quality?

- Yes No
 No, With Mitigation Data Insufficient

6. Noise

Will the proposal result in:

a. Increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Plan Area Statement, Community Plan or Master Plan?

- Yes No
 No, With Mitigation Data Insufficient

b. Exposure of people to severe noise levels?

- Yes No
 No, With Mitigation Data Insufficient

c. Single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold?

- Yes No
 No, With Mitigation Data Insufficient

d. The placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible?

- Yes No
 No, With Mitigation Data Insufficient

e. The placement of uses that would generate an incompatible noise level in close proximity to existing residential or tourist accommodation uses?

- Yes No
 No, With Mitigation Data Insufficient

f. Exposure of existing structures to levels of ground vibration that could result in structural damage?

- Yes No
 No, With Mitigation Data Insufficient

7. Light and Glare

Will the proposal:

a. Include new or modified sources of exterior lighting?

- Yes No
 No, With Mitigation Data Insufficient

b. Create new illumination which is more substantial than other lighting, if any, within the surrounding area?

- Yes No
 No, With Mitigation Data Insufficient

c. Cause light from exterior sources to be cast off -site or onto public lands?

- Yes No
 No, With Mitigation Data Insufficient

d. Create new sources of glare through the siting of the improvements or through the use of reflective materials?

- Yes No
 No, With Mitigation Data Insufficient

8. Land Use

Will the proposal:

a. Include uses which are not listed as permissible uses in the applicable Plan Area Statement, adopted Community Plan, or Master Plan?

- Yes No
 No, With Mitigation Data Insufficient

b. Expand or intensify an existing non-conforming use?

- Yes No
 No, With Mitigation Data Insufficient

9. Natural Resources

Will the proposal result in:

a. A substantial increase in the rate of use of any natural resources?

- Yes No
 No, With Mitigation Data Insufficient

b. Substantial depletion of any non-renewable natural resource?

- Yes No
 No, With Mitigation Data Insufficient

10. Risk of Upset

Will the proposal:

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?

- Yes No
 No, With Mitigation Data Insufficient

b. Involve possible interference with an emergency evacuation plan?

- Yes No
 No, With Mitigation Data Insufficient

11. Population

Will the proposal:

- a. Alter the location, distribution, density, or growth rate of the human population planned for the Region?

- Yes No
 No, With Mitigation Data Insufficient

- b. Include or result in the temporary or permanent displacement of residents?

- Yes No
 No, With Mitigation Data Insufficient

12. Housing

Will the proposal:

- a. Affect existing housing, or create a demand for additional housing?

To determine if the proposal will affect existing housing or create a demand for additional housing, please answer the following questions:

- (1) Will the proposal decrease the amount of housing in the Tahoe Region?

- Yes No
 No, With Mitigation Data Insufficient

- (2) Will the proposal decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households?

- Yes No
 No, With Mitigation Data Insufficient

Number of Existing Dwelling Units: _____

Number of Proposed Dwelling Units: _____

b. Will the proposal result in the loss of housing for lower-income and very-low-income households?

- Yes No
 No, With Mitigation Data Insufficient

13. Transportation/Circulation

Will the proposal result in:

a. Generation of 100 or more new Daily Vehicle Trip Ends (DVTE)?

- Yes No
 No, With Mitigation Data Insufficient

b. Changes to existing parking facilities, or demand for new parking?

- Yes No
 No, With Mitigation Data Insufficient

c. Substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities?

- Yes No
 No, With Mitigation Data Insufficient

d. Alterations to present patterns of circulation or movement of people and/or goods?

- Yes No
 No, With Mitigation Data Insufficient

e. Alterations to waterborne, rail or air traffic?

- Yes No
 No, With Mitigation Data Insufficient

f. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?

- Yes No
 No, With Mitigation Data Insufficient

14. Public Services

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

a. Fire protection?

- Yes No
 No, With Mitigation Data Insufficient

b. Police protection?

- Yes No
 No, With Mitigation Data Insufficient

c. Schools?

- Yes No
 No, With Mitigation Data Insufficient

d. Parks or other recreational facilities?

- Yes No
 No, With Mitigation Data Insufficient

e. Maintenance of public facilities, including roads?

- Yes No
 No, With Mitigation Data Insufficient

f. Other governmental services?

- Yes No
 No, With Mitigation Data Insufficient

15. Energy

Will the proposal result in:

a. Use of substantial amounts of fuel or energy?

- Yes No
 No, With Mitigation Data Insufficient

b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?

- Yes No
 No, With Mitigation Data Insufficient

16. Utilities

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

a. Power or natural gas?

- Yes No
 No, With Mitigation Data Insufficient

b. Communication systems?

- Yes No
 No, With Mitigation Data Insufficient

c. Utilize additional water which amount will exceed the maximum permitted capacity of the service provider?

- Yes No
 No, With Mitigation Data Insufficient

d. Utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider?

- Yes No
 No, With Mitigation Data Insufficient

e. Storm water drainage?

- Yes No
 No, With Mitigation Data Insufficient

f. Solid waste and disposal?

- Yes No
 No, With Mitigation Data Insufficient

17. Human Health

Will the proposal result in:

a. Creation of any health hazard or potential health hazard (excluding mental health)?

- Yes No
 No, With Mitigation Data Insufficient

b. Exposure of people to potential health hazards?

- Yes No
 No, With Mitigation Data Insufficient

18. Scenic Resources/Community Design

Will the proposal:

a. Be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe?

Lake Tahoe

- Yes
- No
- No, With Mitigation
- Data Insufficient

b. Be visible from any public recreation area or TRPA designated bicycle trail?

- Yes
- No
- No, With Mitigation
- Data Insufficient

c. Block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area?

- Yes
- No
- No, With Mitigation
- Data Insufficient

d. Be inconsistent with the height and design standards required by the applicable ordinance or Community Plan?

- Yes
- No
- No, With Mitigation
- Data Insufficient

e. Be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines?

- Yes
- No
- No, With Mitigation
- Data Insufficient

19. Recreation

Does the proposal:

a. Create additional demand for recreation facilities?

- Yes
- No
- No, With Mitigation
- Data Insufficient

b. Create additional recreation capacity?

- Yes
- No
- No, With Mitigation
- Data Insufficient

c. Have the potential to create conflicts between recreation uses, either existing or proposed?

- Yes
- No
- No, With Mitigation
- Data Insufficient

d. Result in a decrease or loss of public access to any lake, waterway, or public lands?

- Yes
- No
- No, With Mitigation
- Data Insufficient

20. Archaeological/Historical

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?

- Yes
- No
- No, With Mitigation
- Data Insufficient

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?

- Yes No
 No, With Mitigation Data Insufficient

c. Is the property associated with any historically significant events and/or sites or persons?

- Yes No
 No, With Mitigation Data Insufficient

d. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?

- Yes No
 No, With Mitigation Data Insufficient

e. Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area?

- Yes No
 No, With Mitigation Data Insufficient

21. Findings of Significance.

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?

- Yes No
 No, With Mitigation Data Insufficient

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.)

- Yes No
 No, With Mitigation Data Insufficient

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?)

- Yes No
 No, With Mitigation Data Insufficient

d. Does the project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly?

- Yes No
 No, With Mitigation Data Insufficient

DECLARATION:

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

Signature: (Original signature required.)

_____ At _____ Date: _____
Person Preparing Application County

Applicant Written Comments: (Attach additional sheets if necessary)

Print Form

FOR OFFICE USE ONLY

Date Received: 1/24/2020 By: Tiffany Good

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 Chapter 3 of the TRPA Code of Ordinances and the Rules of Procedure.

Yes No

Signature of Evaluator

Date: 12/7/2020

Tiffany Good - Principal Planner
Title of Evaluator

ADDENDUM FOR TRANSFERS/CONVERSIONS OF USE

The following is to be used as a supplemental checklist for the Tahoe Regional Planning Agency Initial Environmental Checklist (IEC). It is to be used when reviewing any development right transfer pursuant to Chapter 34 of the Code of Ordinances or Conversion of Use pursuant to Chapter 33 of the Code of Ordinances. Any question answered in the affirmative will require written documentation showing that the impacts will be mitigated to a less than significant level. Otherwise, an environmental impact statement will be required.

The asterisk (*) notes threshold subjects.

a) Land*

Does the proposal result in any additional land coverage?

- Yes No
 No, With Mitigation Data Insufficient

b) Air Quality*

Does the proposal result in any additional emission?

- Yes No
 No, With Mitigation Data Insufficient

c) Water*

Does the proposal result in any additional discharge that is in violation of TRPA discharge standards?

- Yes No
 No, With Mitigation Data Insufficient

d) Does the proposal result in an increase in the volume of discharge?

- Yes No
 No, With Mitigation Data Insufficient

e) Noise*

Does the proposal result in an increase in Community Noise Equivalency Level (CNEL)?

- Yes No
 No, With Mitigation Data Insufficient

f) Aesthetics

Does the proposal result in blockage of significant views to Lake Tahoe or an identified visual resource?

- Yes No
 No, With Mitigation Data Insufficient

g) Recreation*

Does the proposal result in a reduction of public access to public recreation areas or public recreation opportunities?

- Yes No
 No, With Mitigation Data Insufficient

h) Land Use

Does the converted or transferred use result in a use that is not consistent with the goals and policies of the Community Plan or Plan Area Statement?

- Yes No
 No, With Mitigation Data Insufficient

i) Population

Does the proposal result in an increase in the existing or planned population of the Region?

- Yes No
 No, With Mitigation Data Insufficient

j) Housing

Does the proposal result in the loss of affordable housing?

- Yes No
 No, With Mitigation Data Insufficient

k) Transportation

Does the proposal result in the increase of 100 Daily Vehicle Trip Ends (DVTE)?

- Yes
- No
- No, With Mitigation
- Data Insufficient

l) Does the proposal result in a project that does not meet the parking standards?

- Yes
- No
- No, With Mitigation
- Data Insufficient

m) Utilities

Does the proposal result in additional water use?

- Yes
- No
- No, With Mitigation
- Data Insufficient

n) Does the proposal result in the need for additional sewer treatment?

- Yes
- No
- No, With Mitigation
- Data Insufficient

o) Historical

Does the proposal result in the modification or elimination of a historic structure or site?

- Yes
- No
- No, With Mitigation
- Data Insufficient

DECLARATION:

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

Signature: (Original signature required.)

_____ At _____ Date: _____
Person Preparing Application County

Applicant Written Comments: (Attach additional sheets if necessary)

Print Form

Attachment E

Proposed Site Plan and Elevations

ISSUES AND REVISIONS				
No.	Date	Issue and Revision	By	Check
1	JAN. 10, 2020	SUBMITTAL	GF	GF

PIER EXTENSION FOR
DENNIS ALTNOW

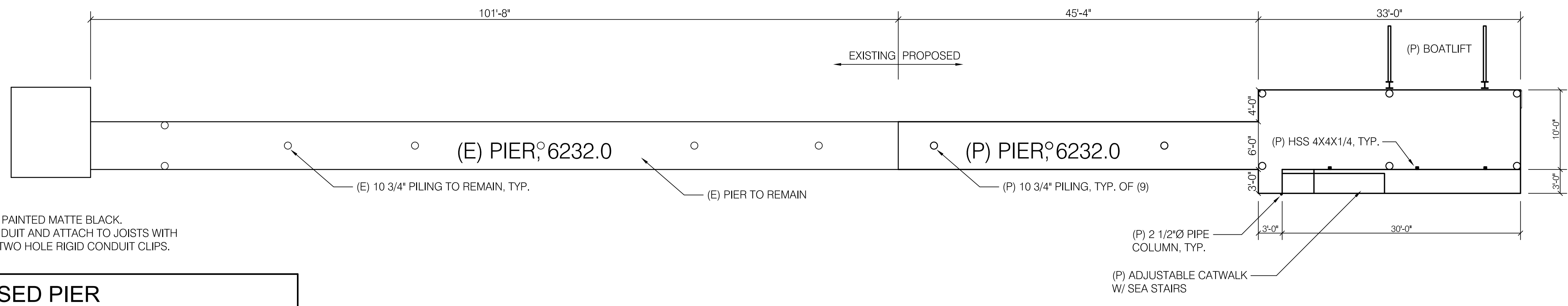
3021 JAMESON BEACH ROAD
JAMESON BEACH
EL DORADO COUNTY
CALIFORNIA
A.P.N. 032-110-04

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DESCRIPTION

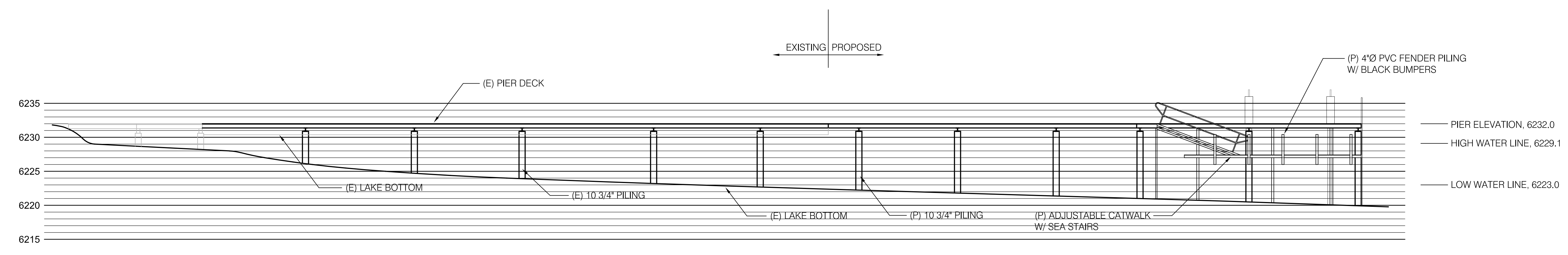
PLAN AND ELEVATIONS

SCALE 1/8" = 1'-0"
PROJECT NO. B17-55

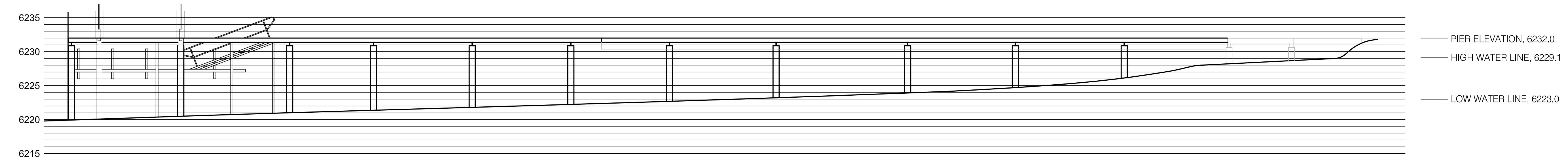


- NOTES:
1. ALL STEEL SHALL BE PAINTED MATTE BLACK.
2. PROVIDE 1" PVC CONDUIT AND ATTACH TO JOISTS WITH 1" STAINLESS STEEL TWO HOLE RIGID CONDUIT CLIPS.

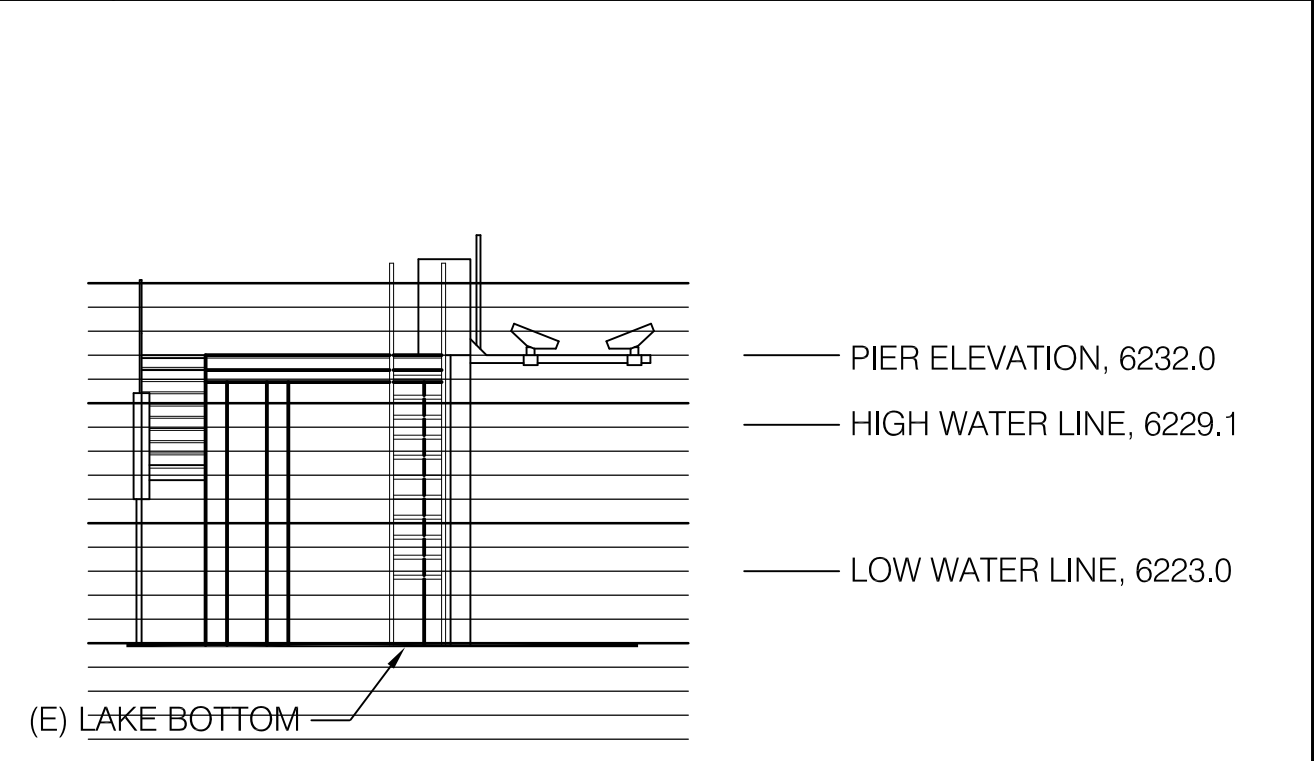
1 PROPOSED PIER



2 PROPOSED EAST ELEVATION



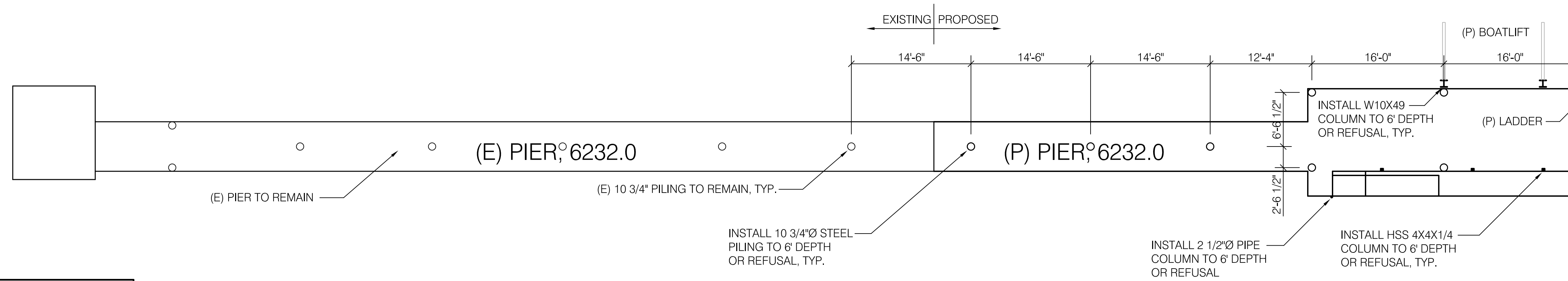
3 PROPOSED WEST ELEVATION



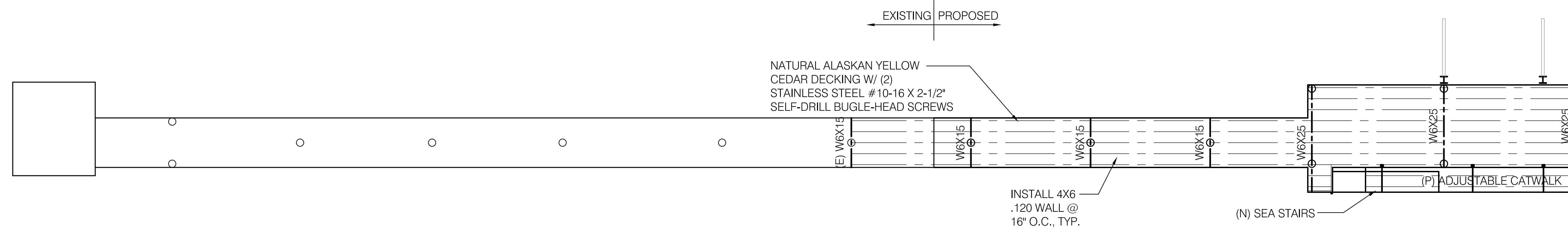
4 PROPOSED NORTH ELEVATION

EXISTING VISIBLE AREA				PROPOSED VISIBLE AREA				LAKE BOTTOM DISTURBANCE	
	WEST	NORTH	TOTAL		WEST	NORTH	TOTAL	EXISTING	
PIER/CATWALK	185.0 S.F.	18.8 S.F.	203.8 S.F.	PIER/CATWALK	190.2 S.F.	29.6 S.F.	219.8 S.F.	PROPOSED	10.6 S.F.
EXISTING VISIBLE ACCESSORY AREA				PROPOSED VISIBLE ACCESSORY AREA					
	WEST	NORTH	TOTAL		WEST	NORTH	TOTAL		
RAILING	0.0 S.F.	0.0 S.F.	0.0 S.F.	RAILING	4.2 S.F.	0.5 S.F.	4.7 S.F.		
BOATLIFT	0.0 S.F.	0.0 S.F.	0.0 S.F.	BOATLIFT	19.6 S.F.	18.9 S.F.	38.5 S.F.		
LADDER	0.0 S.F.	0.0 S.F.	0.0 S.F.	LADDER	1.6 S.F.	5.9 S.F.	7.5 S.F.		
(E) BUOY	XXX S.F.	XXX S.F.	XXX S.F.	WATERCRAFT	XXX S.F.	XXX S.F.	XXX S.F.		
TOTAL			0.0 S.F.	TOTAL			50.7 S.F.		

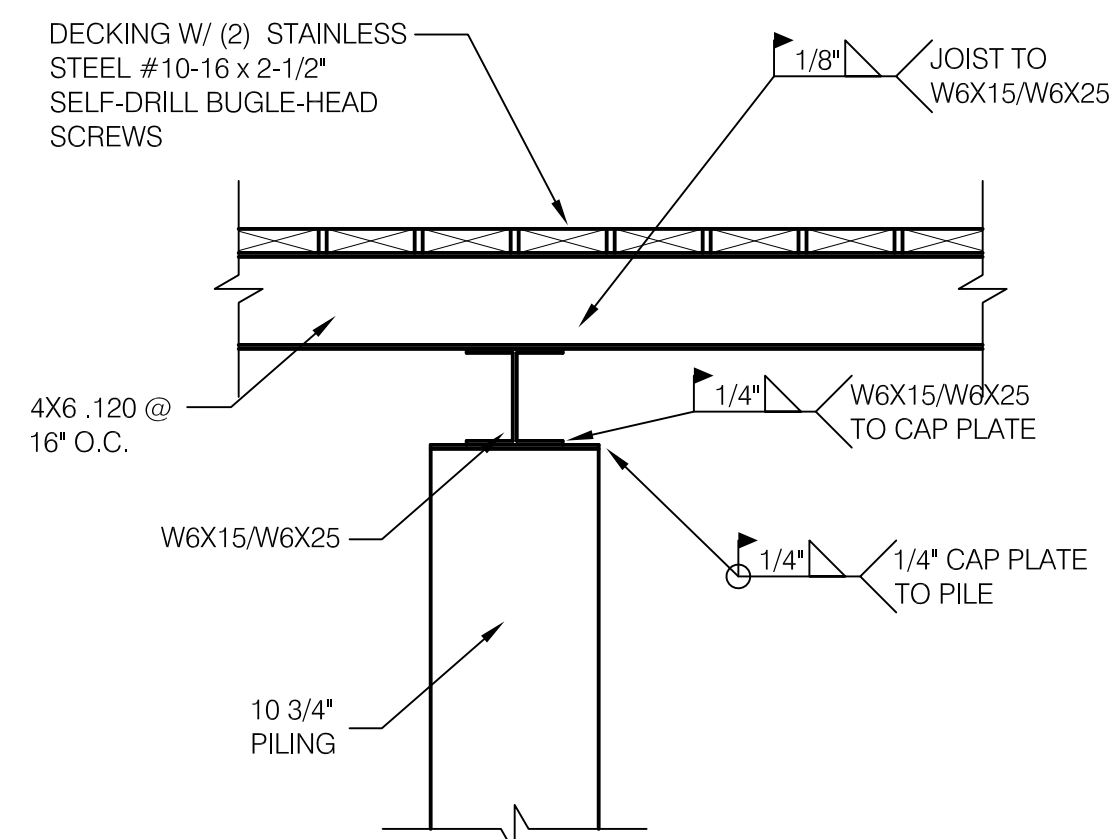
- NOTES:
1. STEEL PILING SHALL BE INSTALLED WITH A 1000# DROP HAMMER AND DRIVEN UNTIL PILING ADVANCE NO MORE THAN 1/4" PER DROP WHEN HAMMER IS DROPPED FROM SIX FEET. PILING SHALL HAVE A MINIMUM EMBEDMENT DEPTH OF SIX FEET.
 2. ALL STEEL SHALL BE PAINTED MATTE BLACK.
 3. PROVIDE 1" PVC CONDUIT FOR LIGHTING AND BOATLIFT WIRING. ATTACH CONDUIT TO JOISTS WITH 1" STAINLESS STEEL TWO HOLE RIGID CONDUIT CLIPS.



1 PILING PLAN



2 FRAMING PLAN



3 CONNECTION DETAIL, N.T.S.

ISSUES AND REVISIONS				
No.	Date	Issue and Revision	By	Check
1	JAN. 10, 2020	SUBMITTAL	GF	GF

PIER EXTENSION FOR
DENNIS ALTNOW

3021 JAMESON BEACH ROAD
JAMESON BEACH
EL DORADO COUNTY
CALIFORNIA
A.P.N. 032-110-04

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DESCRIPTION
STRUCTURAL PLANS

SCALE 1/8" = 1'-0"
PROJECT NO. B17-55

3

BUILDING CODE INFORMATION	
APPLICABLE CODES	
2019 CALIFORNIA ADMINISTRATIVE CODE	(2019 CAC)
2019 CALIFORNIA BUILDING CODE	(2019 CBC)
2019 CALIFORNIA RESIDENTIAL CODE	(2019 CRC)
2019 CALIFORNIA ELECTRICAL CODE	(2019 CEC)
2019 CALIFORNIA MECHANICAL CODE	(2019 CMC)
2019 CALIFORNIA PLUMBING CODE	(2019 CPC)
2019 CALIFORNIA ENERGY CODE	(2019 CEnC)
2019 CALIFORNIA GREEN BUILDING STANDARDS CODE	(2019 CALGREEN)

DESIGN CRITERIA
1. FOUNDATION DESIGN
1.1. ALLOWABLE BEARING PRESSURES = 2000 PSF
1.2. THE E.O.R. IS NOT RESPONSIBLE FOR THE ADEQUACY OF THE FOUNDING SOILS.
2. SEISMIC DESIGN
2.1. SITE CLASS = D
2.2. SEISMIC DESIGN CATEGORY = D
2.3. OCCUPANCY CATEGORY = II
3. WIND LOADS
3.1. RISK CATEGORY II
3.2. BASIC WIND SPEED = 120 MPH
4. GRAVITY LOADS
4.1. SNOW LOADS
4.1.1. GROUND SNOW LOAD = 223 PSF
4.2. LIVE LOADS
4.2.1. FLOOR LOAD = 40 PSF
4.3. DEAD LOADS
4.3.1. FLOOR LOAD = 10 PSF

TAHOE REGIONAL PLANNING AGENCY
TRPA RESOLUTION NO. 2020 –

RESOLUTION RECOGNIZING GOVERNING BOARD MEMBER, MARSHA BERKBIGLER,
WASHOE COUNTY REPRESENTATIVE, FOR HER SERVICE TO THE LAKE TAHOE REGION

WHEREAS, Marsha Berkbigler is a 46-year resident of Washoe County and has represented the public and her community for two terms as the District 1 Washoe County Commissioner; and

WHEREAS, Marsha faithfully and diligently served as a member of the Tahoe Regional Planning Agency Governing Board representing Washoe County from 2013 to 2020; and

WHEREAS, during her tenure on the Governing Board as a member of the Local Government and Housing Committee she reviewed and made recommendations regarding resolution of issues of great importance to the local communities in the Lake Tahoe Basin and provided important direction concerning the critical housing issues facing the Region; and

WHEREAS, Marsha also actively pursued improvements to the transportation and transit system serving the Tahoe region's residents and visitors as both a member of the Environmental Improvement, Transportation, and Outreach Committee of TRPA and as a member of the Tahoe Transportation District Board; and

WHEREAS, Marsha's value to the TRPA Governing Board and staff came from her many years representing the second most populous county in the "battle born" state of Nevada and as a long-term legislative lobbyist with significant policy-making experience; and

WHEREAS, when she relied on those many years of experience in policy making, Marsha had a knack for giving clear and unambiguous policy direction at the TRPA dais, which was always well appreciated for its clarity and directness, and would show up in statements like "we don't do crazy stuff like that in Nevada;" and

WHEREAS, Marcia resolutely adopted TRPA's core value of epic collaboration and participated cooperatively and productively with her fellow Governing Board members in resolving difficult policy issues for Tahoe over the last seven years;

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the Tahoe Regional Planning Agency does hereby express its sincere and deep gratitude to Marsha Berkbigler for her service to the public, her community, and the Lake Tahoe Region, and wishes her well in her future endeavors both in and beyond the Lake Tahoe Region.

PASSED and ADOPTED by the Governing Board of the Tahoe Regional Planning Agency this 16th day of December, 2020, by the following vote:

AGENDA ITEM NO. VI.C

Ayes:
Absent:

William Yeates, Chair
Tahoe Regional Planning Agency
Governing Board

TAHOE REGIONAL PLANNING AGENCY
TRPA RESOLUTION NO. 2020 –

RESOLUTION RECOGNIZING GOVERNING BOARD MEMBER TIM CASHMAN,
NEVADA AT-LARGE MEMBER, FOR HIS SERVICE TO THE LAKE TAHOE REGION

WHEREAS, Tim Cashman has deep roots in the State of Nevada as a Las Vegas native with a family legacy going back more than a century; and

WHEREAS, the Cashman family has contributed to the community through civic service and family-owned businesses including car dealerships, heavy equipment dealers, and Harley-Davidson motorcycles; and

WHEREAS, Tim also has a long history of community service on the Nevada Department of Transportation's Blue Ribbon Task Force, the Nevada Electric Energy Policy Committee, the State of Nevada Commission on Ethics, trustee of the Keyser Foundation since 2004, and service on the Tahoe Fund and Nevada Taxpayer's Association Boards; and

WHEREAS, Tim Cashman has steadfastly served as a member of the Tahoe Regional Planning Agency Governing Board as Nevada's At-Large Member, selected by his Nevada Governing Board colleagues each year, since January 2009; and

WHEREAS, during Tim's tenure on the Governing Board, he led the Operations and Governance Committee's oversight of TRPA's financial health and management as Chair of the Committee for seven years from 2012 to 2019; and

WHEREAS, Tim always provided sound guidance on the agency's financial management, including advice on the restructuring of TRPA's building debt that allowed TRPA to redirect savings to high priority operating needs; and

WHEREAS, Tim was instrumental in the successful update of TRPA's strategic plan in 2009 which set the Agency on a trajectory for transformational, positive change; and

WHEREAS, Tim's deep relationships with Nevada's elected officials contributed to TRPA's success and the epic policy decisions of the 2012 Regional Plan Update, the first comprehensive update in 25 years; the 2018 Shoreline Plan; the Development Rights Update; and the Highway 50 Community Revitalization Project; and

WHEREAS, after eleven years of service to TRPA on behalf of the State of Nevada, Tahoe's communities, and the public at large, he deserves to enjoy a little rest and relaxation riding his motorcycles and enjoying fishing around his new digs in Montana as well as boating here at his roots in Lake Tahoe;

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the Tahoe Regional Planning Agency does hereby express its sincere thanks and gratitude to Tim Cashman for his years of service to the Lake Tahoe Region, and wishes him well in his future adventures both in and beyond the Lake Tahoe Region.

AGENDA ITEM NO. VI.D

PASSED and ADOPTED by the Governing Board of the Tahoe Regional Planning Agency this 16th day of December, 2020, by the following vote:

Ayes:

Absent:

William Yeates, Chair
Tahoe Regional Planning Agency
Governing Board

TAHOE REGIONAL PLANNING AGENCY
TRPA RESOLUTION NO. 2020 –

RESOLUTION RECOGNIZING GOVERNING BOARD MEMBER BROOKE LAINE,
CITY OF SOUTH LAKE TAHOE REPRESENTATIVE, FOR HER SERVICE TO THE LAKE TAHOE REGION

WHEREAS, Brooke Laine is a dedicated public servant with a rich family legacy in South Lake Tahoe, California; and

WHEREAS, Brooke honored her mother Del’s legacy as the first female Mayor of the City of South Lake Tahoe by serving as Mayor twice herself in 2002 and 2019; and

WHEREAS, Brooke participated in many TRPA meetings during her multiple terms on City Council over the decades and served as a Governing Board member from 2019-2020 where she strengthened the key relationship between TRPA and the City; and

WHEREAS, Brooke’s deep understanding of the community and needs of local small businesses stems from her family’s company Laine Associates Photography which also resulted in Brooke’s stellar head shots in her many successful campaign materials; and

WHEREAS, Brooke’s immersion in the community and leadership in Soroptimist International has supported scholarships for countless young women and created the program “A Fighting Chance” to combat child abductions; and

WHEREAS, Brooke’s alma mater UC Santa Cruz’s slug is the antithesis of Brooke’s work ethic as she often weeds deeply into complex land use planning matters in staff summaries and board deliberations;

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the Tahoe Regional Planning Agency salutes Brooke for her service and dedication to thoughtful dialogue that drives consensus on challenging policy matters and wishes her well in her future endeavors.

PASSED and ADOPTED by the Governing Board of the Tahoe Regional Planning Agency this 16th day of December, 2020, by the following vote:

Ayes:
Absent:

William Yeates, Chair
Tahoe Regional Planning Agency
Governing Board

STAFF REPORT

Date: December 9, 2020

To: TRPA Governing Board

From: TRPA Staff

Subject: Briefing on 2019 Threshold Evaluation and TRPA’s Digital First Initiative

Background:

TRPA will release the results of the 2019 Threshold Evaluation in early 2021. This evaluation will be the seventh comprehensive assessment of the Tahoe Region’s ecosystem health relative to the adopted standards and the progress of the partners in the region towards achieving our shared goals. The evaluation process is a collaborative endeavor that draws on the monitoring work and analytic expertise of federal, state, and local agencies, academic institutions, local businesses, and private consultants. The evaluation will provide a comprehensive overview of the environmental health of the region as indicated by more than 150 threshold standards in nine threshold categories using data collected through the end of 2019.

The 2019 Threshold Evaluation will look very different from evaluations of the past. Gone are the more than 1,000 pages of text and equally voluminous appendices. The 2019 evaluation will take its cues from TRPA’s Digital First initiative and will be an online, interactive dashboard, representing the best practice in informing the public, decision makers and stakeholders. As we move into this digital era, we are making this information more accessible and meaningful, and better linking regional actions to outcomes. Using a mix of interactive charts, maps and nested links, the new threshold dashboard will summarize key information to make it more accessible and digestible, while providing easy access to more detailed reports and documentation.

At the December Governing Board meeting, staff will present the new format for the evaluation, as well as other key components of the Digital First Initiative. The Digital First Initiative is a multi-year internal initiative that recognizes the key agency opportunity to evaluate its systems, processes and tools, and to pursue continuous improvement by transforming the agency’s services in a “digital first” way. This initiative involves rethinking TRPA’s technology, systems, people and processes to reimagine how we do what we do, what we track, how we tell the TRPA story.

This item is for informational purposes and no action is required.

Contact Information:

For questions regarding this agenda item, please contact Ken Kasman, Research and Analysis Division Manager at kkasman@trpa.org or 775-589-5253.

STAFF REPORT

Date: December 9, 2020
 To: TRPA Governing Board
 From: TRPA Staff
 Subject: 2020 Monitoring Update: Summary and Stream Environment Zone (SEZ) Baseline Condition Assessment

Summary:

In 2020, TRPA completed the collection of monitoring field data related to the Threshold Evaluation despite the challenges associated with COVID-19. With the implementation of COVID-19 safety precautions, TRPA staff were able to complete all necessary data collection in the following categories: air quality, noise, wildlife, bicycle/pedestrian, vegetation, streams, and stream environment zones (SEZ). TRPA staff will highlight findings from each of these categories, with a focus on how monitoring data is being incorporated into management decisions.

Special focus will be on monitoring work related to SEZ. In 2017, the United States Environmental Protection Agency (EPA) awarded a wetland development grant to TRPA to support the modernization of Stream Environment Zone (SEZ) monitoring and management in the Lake Tahoe Region. TRPA convened a Technical Advisory Committee (TAC) to help guide work performed under the grant. The TAC recommended ten indicators be used to assess the health of SEZ at the regional scale. Over the last two years, TRPA and partners compiled information about the ten indicators to complete the assessment and provide the most comprehensive assessment to date of SEZ health at the basin scale. The establishment of the current condition of SEZ in the Region is an essential step to developing a new SEZ restoration standard. There are currently four threshold standards related to the preservation (SC10) or restoration (SC11-SC13) of SEZ in the Lake Tahoe Region. However, none of the standards have a defined, regionally accepted baseline against which status or progress towards attainment can be measured.

<p>STREAM ENVIRONMENT ZONES</p> <p>NUMERICAL STANDARDS</p> <p>SC10) Preserve existing naturally functioning SEZ lands in their natural hydrologic condition.</p> <p>SC11) Restore all disturbed SEZ lands in undeveloped, unsubdivided lands.</p> <p>SC12) Restore 25 percent of the SEZ lands that have been identified as disturbed, developed or subdivided.</p> <p>SC13) Attain a 5 percent total increase in the area of naturally functioning SEZ lands.</p>
--

Figure 1: Adopted threshold standards for the Preservation and Restoration of SEZ

The presentation will provide an overview of the work completed to establish a baseline of current conditions of SEZ in the Region. All data collected or compiled as part of the project is also available on an interactive webmap at <https://gis.trpa.org/TahoeSEZViewer> and storymap at <https://arcg.is/1rf89r>.

Contact Information:

For questions regarding this agenda item, please contact Sean Tevlin, Associate Environmental Specialist, at stevlin@trpa.org / (775) 589-5254, or Dan Segan, Principal Natural Resource Analyst, at dsegan@trpa.org / (775) 589-5233.

STAFF REPORT

Date: December 9, 2020
To: TRPA Governing Board
From: TRPA Staff
Subject: Proposed 2021 Boat Inspection Fee Schedule and Watercraft Inspection Operations

Requested Action:

Adoption of the attached Resolution (Attachment A) containing the 2021 Watercraft Inspection Fee Schedule and proposed watercraft inspection operations.

Staff Recommendation:

Staff recommends that the Governing Board adopt the proposed Resolution (Attachment A).

Required Motion:

To approve the proposed 2021 Watercraft Inspection Fee schedule and proposed watercraft inspection operations, the Governing Board must make the following motion:

- I. A motion to adopt the proposed Resolution (Attachment A) approving the 2020 Watercraft Inspection Fee schedule and proposed watercraft inspection operations.

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

Background:

In 2008, TRPA initiated the Aquatic Invasive Species (AIS) Watercraft Inspection Program (Program) to prevent the introduction and spread of aquatic invasive species (AIS) into the waters of the Lake Tahoe Region. The program serves as a national model and is a tremendous success with no new invasions detected since the program began.

TRPA Code allows for the collection of fees from the boating public as a long-term funding source for the Program which complements public funds. TRPA approved the current fee schedule in March 2019. The Program utilizes two different stickers to indicate that a boat has paid the appropriate fee for that season—one for boats that are exclusively used on Lake Tahoe (“Tahoe Only”) and one for boats launching on Lake Tahoe and in other bodies of water outside of the Region (“Tahoe In and Out”). The Program also allows for a Single Inspection Pass with a reduced rate that is valid for one inspection at the inspection station and seven consecutive days of seal inspections at launch ramps. In addition to the annual sticker fees, the Program charges for each decontamination performed. The decontamination fee can be avoided if boaters adhere to the “Clean, Drain and Dry” practice the Program promotes.

For the last few years, labor rates have risen creating increases in programmatic costs associated with performing inspections and decontaminations. In addition, current circumstances are creating uncertainty on funding and budget cuts are predicted.

The proposed fee schedule includes adjustments to the Tahoe In & Out boating sticker, Single Inspection Pass, and decontaminations to cover labor rates associated with performing the associated services. Cost saving measures are also being implemented, most notably by reducing the number of inspection stations from four to three. Historically, the Truckee Inspection Station performs the fewest number of Lake Tahoe watercraft inspections and is being merged into the Alpine Meadows inspection station. Program staff project the increase in volume at the Alpine Meadows inspection station can be absorbed with additional equipment available for use, while needing fewer staff to maintain operations.

In reaction to the coronavirus pandemic, all 2020 watercraft inspections were done by appointment for the first time in the program's history in order to help ensure the safety of staff and the public, and to comply with regional COVID-19 requirements. While the 2020 season was difficult, it presented an opportunity for Program staff to learn from the challenges that were experienced. The appointment system created a controlled setting for COVID-19 protections, but also having a set number of inspections per day greatly increased employee morale, while not impacting productivity. There was also an increased amount of boater education as the inspectors had more time with each boater with many boaters appreciating the ability to have a set date and time to obtain the required inspection.

To take advantage of what was learned and add additional customer service, Program staff are proposing a hybrid inspection operational plan which incorporates the ability to make an appointment as well as continuing to have an on-demand option. Each inspection station has the ability to inspect and decontaminate two (or four with Alpine Meadows capacity being doubled) watercraft at a time which allows one line available for walk-in customers and one for those that make an appointment. Inspection stations would maintain the daily operations of 8:30 am – 5:30 pm from May through September. The proposed fee schedule includes an inspection fee surcharge for the convenience of making an appointment and to cover the cost of administering the appointment system. Appointments also provide a predictable amount of work as inspections can be spread out through the course of the week rather than the majority of inspections occurring on the weekends. The programmatic advantages of the appointment system include maintaining a controlled setting for COVID-19 concerns should they continue, spread the flow of boats between stations and throughout the week, and minimize no shows. In return, the boater is assured a specific time and can avoid waiting in lines during peak periods.

The proposed fee schedule shown in *Exhibit 1* does not include the \$12 Shoreline Program fee approved by the Governing Board in October 2018. The shoreline fees do not cover costs of the AIS inspections, rather it contributes to, among other items, control activities of existing species in the lake that can be spread by boats to other areas of Lake Tahoe. The Shoreline fees will be collected at the time of sale of the AIS sticker.

Environmental Review:

None necessary.

Regional Plan Compliance:

The proposed action complies with all requirements of the TRPA Goals and Policies, Plan Area Statements, and Code of Ordinances, including all required findings in Chapter 6 of the TRPA Code of Ordinances.

Contact Information:

For questions regarding this Agenda item, please contact Thomas Boos, at (775) 589-5240 or email tboos@trpa.org.

Attachments:

- A. Resolution
 - Exhibit 1 – Fee Schedule and Operational Plan

Attachment A

**TAHOE REGIONAL PLANNING AGENCY
TRPA RESOLUTION NO. 2020 –**

**RESOLUTION AMENDING THE WATERCRAFT INSPECTION FEE
AMOUNT AND SCHEDULE, EFFECTIVE APRIL 2020 THROUGH APRIL 2021**

WHEREAS, the introduction of aquatic invasive species such as quagga and zebra mussels pose a threat to the integrity of the Lake Tahoe Region’s ecosystem, recreation, water purveyance systems and economy in general; and

WHEREAS, Subparagraph 63.4.2.E of the TRPA Code of Ordinances as amended April 2011 requires that an owner and/or operator of a Boat Ramp (excluding Marine Railway Systems) or other Boat Launch Facility shall close any ramp or facility if the provisions of Subparagraphs 63.4.2.(A)-(C) are not met in order to prevent the launching of motorized watercraft; and

WHEREAS, Subparagraph 63.4.2.A of the TRPA Code of Ordinances as amended April 2011 further requires that all motorized Watercraft shall be inspected by TRPA or its designee prior to launching into the waters of the Lake Tahoe Region to detect the presence, and prevent the introduction of, aquatic invasive species; and

WHEREAS, Subparagraph 63.4.2.B of the TRPA Code of Ordinances as amended April 2011 further requires that all Watercraft inspected pursuant to Subparagraph 63.4.2.A shall be subject to decontamination if determined necessary by the TRPA or its designee; and

WHEREAS, Subparagraph 63.4.2.D of the TRPA Code of Ordinances as amended April 2011 further states that Inspections and decontaminations performed pursuant to Section 63.4 are subject to a fee related to the costs of performing such services and other Watercraft inspection program costs; and

WHEREAS, Subparagraph 63.4.2.D of the TRPA Code of Ordinances as amended April 2011 further states that the TRPA Governing Board will review and approve the fee amount and schedule annually; and

WHEREAS, during the April 2011 Board meeting, the TRPA Governing Board adopted Resolution 2011-07 making watercraft subject to a fee for inspection, decontamination and other program costs; and

WHEREAS, the Watercraft Inspection plan for 2021 requires a combination of public and private funding currently estimated at \$1,800,000 to inspect and decontaminate motorized watercraft; and

WHEREAS, state funding from both California and Nevada has been secured to support aquatic invasive species inspections for 2021; and

WHEREAS, the Governing Board of the Tahoe Regional Planning Agency on September 24, 2008 directed staff to bring to the Board for consideration an equitable fee schedule; and

AGENDA ITEM NO. VIII.A

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the Tahoe Regional Planning Agency that the amount and schedule of the aquatic invasive species inspection fee effective January 2021 through January 2022 be as shown in Exhibit 1; (Attached)

PASSED and ADOPTED by the Governing Board of the Tahoe Regional Planning Agency this 16th day of December 2020, by the following vote:

Ayes:

Nays:

Absent:

William Yeates, Chair
Tahoe Regional Planning Agency
Governing Board

ATTACHMENT A, EXHIBIT 1

Staff Proposed Fees for 2021 Boating Season (effective January 2021 through February 2022) and Operational Plan

<u>2021 Sticker Fee Schedule</u>		
Tahoe Only Stickers	Current Fee	Proposed Fee
All Sealed Vessels	\$33.00	\$33.00
Tahoe In & Out Stickers	Current Fee	Proposed Fee
Personal Watercraft (PWC)	\$43.00	\$48.00
Vessels 0.1 ft. - 17.0 ft.	\$43.00	\$48.00
Vessels 17.1 ft. - and Greater	\$83.00	\$88.00
Single Inspection Passes	Current Fee	Proposed Fee
Personal Watercraft (PWC)	\$38.00	\$43.00
Vessels 0.1 ft. - 17.0 ft.	\$38.00	\$43.00
Vessels 17.1 ft. - and Greater	\$63.00	\$68.00
Decontamination Fees	Current Fee	Proposed Fee
Decontamination (single system)	\$15.00	\$20.00
Complex Decontamination (multiple systems or wet ballasts)	\$40.00	\$50.00
Attached mussels	\$200.00	\$250.00
Projected Inspection Revenue Increase		\$57,000
Appointment Surcharge		\$15/appointment
Projected Appointment Revenue Increase		\$73,000
Total Projected Revenue Increase		\$130,000

STAFF REPORT

Date: December 9, 2020

To: TRPA Regional Plan Implementation Committee

From: TRPA Staff

Subject: Consideration and Possible Recommendation for Approval of Proposed Amendments to the Tahoe Valley Area Plan

Staff Recommendation:

TRPA staff asks the Regional Plan Implementation Committee (RPIC) to review the materials provided in this packet to ensure the proposed amendments are in conformance with the Regional Plan and recommend approval to the Governing Board of the proposed amendments to the Tahoe Valley Area Plan.

Required Motions:

To recommend approval of the draft amendments, the RPIC must make the following motions, based on the staff report:

- 1) A motion to recommend Governing Board approval of the required findings, including a finding of no significant effect, for adoption of draft amendments to the Tahoe Valley Area Plan and as provided in Attachment D.
- 2) A motion to recommend Governing Board adoption of Ordinance 2020-___, amending Ordinance 2015-05, as previously amended, to amend the Tahoe Valley Area Plan to include the changes referenced in Attachment H.

In order for motion(s) to pass, an affirmative vote of a majority of the quorum is required.

Advisory Planning Commission (APC) Recommendation / Discussion:

The APC is scheduled to review this amendment at its December 9, 2020 meeting. Staff will provide an update to RPIC on the APC's discussion and recommendation as part of the presentation on this item.

Summary:

TRPA staff has worked with the City of South Lake Tahoe and an affordable housing developer, Related California, to develop a package of proposed amendments to the Tahoe Valley Area Plan (TVAP). Related California and St. Joseph Community Land Trust are the selected developers for asset lands owned by the California Tahoe Conservancy (CTC) within the TVAP boundaries and have recently applied to TRPA for a 248-unit housing development on that site, to be known as Sugar Pine Village.

Sugar Pine Village is one of the projects resulting from Governor Newsom’s executive order to identify surplus state lands that are suitable for affordable housing development (Executive Order N-06-19). Under that order more than 44,000 state-owned parcels were screened based on suitability criteria for affordable housing development. The resulting analysis identified two CTC-owned parcels in the Tahoe Valley area of South Lake Tahoe as scoring highly on the screening criteria. The California Department of General Services selected the developers in June 2020.

Sugar Pine Village is a significant project for the Lake Tahoe Region that helps address the affordable housing crisis. The proposed amendment package would make Sugar Pine Village’s development viable and benefit other potential affordable and workforce housing developments in the TVAP area. Completion of the project would allow the city to make substantial progress towards meeting its regional housing obligations. It would also help to achieve the Regional Plan’s housing goals. The proposed amendments deal with building design, transfers of coverage, and parking. These changes are not anticipated to result in any significant environmental effects.

Background:

The City of South Lake Tahoe and the TRPA Governing Board adopted the TVAP in 2015. The area within the TVAP boundaries functions as a commercial core for the western portion South Lake Tahoe, centered around the intersection of US Highway 50 and State Route 89 (commonly known as “The Y”). Land uses in the TVAP are predominantly commercial, but also include a mix of tourist accommodation, residential, industrial, healthcare, and service uses. Because of its location, designation as a Town Center, and availability of transit, the Tahoe Valley area presents a major opportunity to locate workforce housing near existing transit and services.

The California Tahoe Conservancy (CTC) owns several parcels of asset lands within the TVAP boundaries. Asset lands are those parcels that could be used to revitalize Town Centers, or to help achieve statewide or regional goals. In 2019, the California Governor issued an executive order calling for state agencies to identify excess publicly owned properties that would be suitable for affordable housing development. Two of CTC’s asset land parcels totaling 11.35 acres in the TVAP boundaries were scored highly during screening. The state later entered into a partnership with two developers, Related California and Saint Joseph Community Land Trust, to build a multi-family residential development on that site. The developers have recently applied for city approval under state legislation, Senate Bill 35 (2017), that streamlines affordable housing development approval.

Working with the developers, staff from TRPA and the City of South Lake Tahoe identified several opportunities to promote affordable housing development.

- **Applicability of standards.** Several building design standards within the existing TVAP were established for commercial and commercial-based mixed-use buildings. An example is a requirement to build to the corner along the street frontage and use an angled corner building entrance. While the standards appear not to apply to residential buildings, there is no language to exclude them. Applying the standard to residential-based development would preclude using a campus-like design where entrances are generally oriented towards the interior of the development.
- **Roof design.** The roof pitch and roof height standards coupled with building height limitations preclude a full third floor from being built. This affects the economic feasibility of multi-family

housing development in the Tahoe Valley area. Keeping the building height the same while altering the roof design requirements would address this.

- **Parking.** The plan currently does not afford flexibility for parking demand ratio reductions for affordable housing developments. Modification of parking demand ratios requires that the City Planning Commission approve a discretionary land use permit, but the City is pre-empted from requiring discretionary permits under SB 35. This requirement would still apply to the TRPA permit.
- **Coverage transfers.** Because the project includes public service uses (non-profit office space and childcare), it is classified as a mixed-use project. As a result, the project loses its eligibility to transfer hard, soft, and potential coverage using a 1:1 ratio. If the two uses were developed individually, the residential component and public service component would ordinarily be eligible for 1:1 transfer of hard, soft, and potential coverage. This loss of eligibility substantially raises the cost for coverage transfers and reduces the pool of coverage that could be transferred, making projects less viable. Additionally, it is inconsistent with the Regional Plan's overall strategy of incentivizing housing development and redevelopment in Town Centers.

Under SB 35 and California's Density Bonus Law, the City is obligated to grant concessions or waivers for qualifying affordable housing projects administratively. There are no corresponding provisions in the TRPA Code of Ordinances to grant concessions or waivers. Amendment of the City's General Plan is not necessary for the city to grant concessions. However, since the Tahoe Valley Area Plan has also been adopted as a component of the Regional Plan, approval and adoption of amendments by TRPA is necessary.

As an affordable housing project, Sugar Pine Village is subject to several time constraints. Deadlines for submissions for grants and tax credits require that the project receive its permits by January 2021. Additionally, the governor's executive order calls for ground to be broken on the project within two years of developer selection.

Due to time constraints of the project and the City's obligation to comply with California State Law, the City requested TRPA be the lead agency and process the TVAP amendments as outlined in this staff summary as soon as possible. While this is a departure from TRPA's typical area plan process, the TRPA Code of Ordinances does allow for TRPA to serve as a lead agency. The amendments are necessary to support an affordable housing project, and state law obligates the city to act without amending its General Plan. Moreover, the amendments help to implement the Regional Plan's strategies by promoting housing development in the Tahoe Valley area. If TRPA amends the area plan as outlined, the City of South Lake Tahoe would have up to one year to formally adopt the amendments into its General Plan.

Amendment Description:

The amendment package includes the following components, which should help to promote workforce housing:

- Allowing hard, soft, and potential coverage to be transferred in at a 1:1 ratio for mixed-use projects when the individual uses qualify to do so.
- Specifying that the corner-build standard and the angled corner standards are not applicable to residential development.

- Clarifying that the corner-build standard does not apply if the building would encroach on a Stream Environment Zone.
- Reducing the minimum roof pitch from 5:12 to 3:12.
- Eliminating the requirement that a roof constitute at least 40 percent of a building's height.
- Allowing reductions of parking ratios when supported by a parking study and ongoing parking management. When reduced parking ratios are required by state law and the local jurisdiction is prohibited from imposing parking standards, TRPA would have the authority to approve reduced parking ratios.

Except for Policy T-2.5 (Alternative Parking Demand), which is the body of the TVAP, all provisions being modified are housed in the Design and Development Standards, Appendix C to the TVAP.

TRPA is acting as the lead agency at the request of the City of South Lake Tahoe. The proposed package of amendments would mark the first amendment to the TVAP since its adoption in 2015. No changes to the TRPA Code of Ordinances, area plan boundaries, or Town Center boundaries are proposed.

Additional detailed information on the proposed amendments can be seen in Attachment C-F.

Regional Plan Conformance Review:

TRPA staff prepared this amendment package in consultation with City staff pursuant to Chapter 13: *Area Plans* of the Code of Ordinances. This chapter allows either a local jurisdiction or TRPA to develop and amend area plans that contain policies and development standards that further implement the Regional Plan.

TRPA staff have reviewed the proposed amendments and found those to be in conformance with the Regional Plan. This packet includes a findings document, including a Finding of No Significant Effect (FONSE), as required by TRPA Code of Ordinances and Rules of Procedure, as well as an area plan conformance checklist (Attachments D and E).

Environmental Review:

TRPA staff prepared an Initial Environmental Checklist / Finding of No Significant Effect (FONSE) for the proposed amendments. The draft environmental document provides an analysis of potential environmental impacts of the amendment package. Areas of analysis include land and soils, traffic and transportation, and scenic resources. The analysis demonstrates that the proposed amendments either have no impact or less than significant impacts in all of these areas.

Additionally, TRPA staff prepared the attached Compliance Measure evaluations pursuant to TRPA Code Section 4.4 and found the amendments will not negatively impact a TRPA adopted threshold indicator or compliance measure. The evaluations are provided as Attachments F and G.

Approval Process:

Area plans and area plan amendments are typically approved by the local jurisdiction and then by the TRPA Governing Board. As discussed above, this is a unique circumstance which has led the City to request that TRPA act first on the amendment (Attachment A). The City does not require that its General Plan be amended in order to act on the Sugar Pine Village entitlements, but these amendments are necessary for TRPA to complete its permitting process for the project.

The amendment package was briefly discussed during committee updates at the October Governing Board meeting. Governing Board members expressed general support for affordable housing efforts and for efforts to streamline the area plan amendment review process.

If the RPIC recommends adoption, TRPA staff anticipates bringing these amendments forward to the Governing Board for its consideration on January 25, 2020.

Contact Information:

For questions regarding this agenda item, please contact Michael Conger, AICP, at (775) 589-5221 or mconger@trpa.org.

Attachments:

- A. Letter from City of South Lake Tahoe
- B. Letter from Related California
- C. Proposed Amendments and Rationale
- D. Regional Plan Conformance Findings and Finding of No Significant Effect (FONSE)
- E. Area Plan Conformance Checklist
- F. Initial Environmental Checklist and Threshold Indicator Evaluation
- G. Compliance Measures Evaluation
- H. Adopting Ordinance
 - Exhibit 1: Amendment to the Tahoe Valley Area Plan

Attachment A

Letter from City of South Lake Tahoe



"We will reflect the National Treasure in which we live"

October 19, 2020

Joanne Marchetta, Executive Director
Tahoe Regional Planning Agency
PO Box 5310
Stateline, NV 89449

Dear Ms. Marchetta,

I am respectfully submitting this letter to request that the Tahoe Regional Planning Agency (TRPA) process a limited scope amendment to the Tahoe Valley Area Plan as requested by Related California in their letter dated October 14, 2020 for the Sugar Pine Village project.

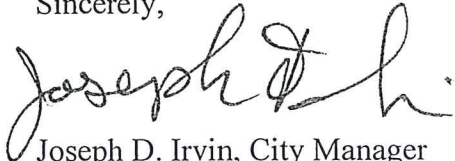
The Sugar Pine Village project is a 248-unit affordable housing project that is proposed as a result of the California Governor's Executive Order N-06-19, which directed the California Department of General Services (DGS) to identify excess state properties as potential affordable housing development sites. Based on a collaborative effort underway to address housing affordability at Tahoe, the California Tahoe Conservancy (Conservancy) is partnering with DGS and the Department of Housing and Community Development (HCD) to develop housing at 860 Lake Tahoe Boulevard and 1029 Tata Lane. In July 2020, the Conservancy announced the State had selected Related California in partnership with the St. Joseph Community Land Trust to construct and manage the Sugar Pine Village project.

Executive Order N-06-19 requires the selected developer to break ground and start construction within two years of being awarded the project. Related California has indicated that they intend to submit the project application to the City utilizing Senate Bill 35 (SB 35) to streamline the planning approvals and Senate Bill 1818 (State Density Bonus law), which entitles the project to concessions that will waive certain requirements or design standards. SB 35 requires the City to only apply objective development and design standards to the project, to conduct the review through a ministerial process, and to require no more than one parking space per unit. In compliance with the state legislation, the City is also obligated to provide concessions as part of the project review process.

I understand that when the Regional Plan was updated in 2012, local governments asked for, and received, the ability to prepare area plans for all or parts of their jurisdictions and that TRPA has not initiated area plans, area plan amendments, community plan amendments, or plan area statement amendments unless requested to do so by the appropriate local government. Due to the time constraints of the project and obligation for the City to comply with California State law, the City would like to forego the local initiation process and have TRPA process the Area Plan amendment as soon as possible.

Thank you for your consideration of the project as an important aspect of collaborative affordable housing development in South Lake Tahoe. Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph D. Irvin". The signature is fluid and cursive, with a prominent initial "J" and a long, sweeping underline.

Joseph D. Irvin, City Manager
City of South Lake Tahoe, CA

Copy: Meea Kang, Related California
Hilary Roverud, City of South Lake Tahoe

Attachment B

Letter from Related California



October 14, 2020

Michael Conger
Tahoe Regional Planning Agency
PO Box 5310,
Stateline, NV 89449

RE: **TVAP Amendment Request for Sugar Pine Village:**
1860 Lake Tahoe Boulevard APN: 032-291-028 (West)
1029 Tata Lane APN: 032-291-031 (East)

Dear Michael,

Related California and the Saint Joseph Community Land Trust have been selected by the California Tahoe Conservancy (“CTC”) and the State of California to develop the Sugar Pine Village project on the CTC referenced sites in South Lake Tahoe.

The CTC sites are part of Governor Newsom’s Executive Order EON-06-019 to develop affordable housing on state owned surplus land. This order requires the selected developer to break ground and start construction within two years of being awarded the project.

To assist the project, we are requesting that TRPA amend the Tahoe Valley Plan Area in the following ways:

1. Permit buildings with roof pitches of 3: 12 and roof heights less than 40% of the height of the building.
2. Exempt residential projects from the corner build area standard. Per the City, the original intent with this standard was for commercial and mixed-use projects.
3. Exempt residential projects from the 45 degree corner entrance. Per the City, the original intent with this standard was for commercial and mixed-use projects.
4. Permit City of South Lake Tahoe flexibility to approve alternative parking standards that vary from the City parking standards;
5. Allow childcare and nonprofit office space to be considered “Accessory Uses” to the residential component to allow the project to transfer in coverage utilizing the residential coverage requirements.

We are very grateful for all the support TRPA staff has provided us and we look forward getting this very critical affordable workforce housing project into construction as soon as possible.

Please contact me if you have any questions: 415-828-8692 or MKang@Related.com

Sincerely,



Meea Kang
Senior Vice President

Attachment C

Proposed Amendments and Rationale

Tahoe Valley Area Plan Amendments

Updated: November 20, 2020

A package of proposed amendments intended to reduce barriers to the development of workforce and affordable housing in the plan area.

Amendment Component	Page	Location	Classification
1 Specify that mixed-use projects involving a mix of residential and public service uses are eligible for transfer of hard, soft, and potential coverage at a 1:1 ratio.	C-18 C-38	Lot and Density Standard D New substitute coverage standard.	Coverage Transfers
2 Specify that the corner build standard applies only to mixed-use and non-residential buildings.	C-24	Building Placement Standard C	Building Design
3 Specify that the corner build standard does not apply where such development would encroach on a Stream Environment Zone.	C-24	Building Placement Standard C	Building Design
4 Reduce the minimum roof pitch from 5:12 to 3:12.	C-25	Table 7, Roof Slope row	Building Design
5 Eliminate the “roof height” requirement, which requires that a minimum of 40 percent of a building’s height be comprised of roofing.	C-25	Table 7, Roof Height row	Building Design
6 Allow reductions of parking ratios when a property is deed restricted for parking management or when required by state law.	62 C-29 ; C-38	Policy T-2.5; Table 9, Parking, Driveway, and Loading Standards row; Substitute Design Standard L	Parking
7 Exempt residential projects from the requirement of a 45-degree angle for entrances located near a corner.	C-33	Substitute Design Standard B.3	Building Design

LOT AND DENSITY

- D. **Method of Transferring Coverage.** Land coverage shall be transferred to eligible parcels and eligible uses, in accordance with Sections 30.4.2 and 30.4.3 of the TRPA Code, [as modified by the Substitute Coverage Standards contained herein.](#)

Rationale: This amendment is necessary to recognize the substitute coverage standard being established.

[Substitute Coverage Standards](#)

- A. [Notwithstanding Subparagraph 30.4.3.B.2 of the TRPA Code of Ordinances, mixed-use projects shall be eligible to transfer in soft and potential coverage when all individual component uses qualify for such transfer.](#)
- B. [Notwithstanding Subparagraph 30.4.3.A.2.c of the TRPA Code of Ordinances, projects comprised of any mix of multi-residential facilities of five units or more, public services facilities, and/or recreation facilities shall be eligible to transfer coverage at a ratio of 1:1, until the total coverage reaches the maximum allowed.](#)

Rationale: This amendment is needed in order to allow mixed-use projects comprised of a mix of residential and public services uses to transfer hard, soft, and potential coverage at a 1:1 ratio. Independently, these uses would qualify for such transfer; however “mixed-use” projects are subject to further limitations. While it is apparent that the term “mixed-use” was intended to apply only to mixed uses involving commercial or tourist accommodation uses, this is not directly specified in code. Policy LU-4.11 of the Regional Plan allows a jurisdiction to adopt language that supersedes TRPA ordinances if the area plan is found in conformance with the Regional Plan and meets the intent of the TRPA ordinances. This amendment is functionally equivalent to the language in Section 30.4.3, *Method of Transferring Land Coverage* and provides equal environmental protection. It is also consistent with the apparent intent of this section, which is to preclude commercial and tourist accommodation uses from being able to transfer soft and potential coverage, and subjecting such projects to pro-rated transfer ratios based on the final amount of coverage proposed.

BUILDING PLACEMENT

C. Corner Build Area. Commercial, tourist accommodation, and mixed-use buildings containing commercial and tourist accommodation uses Buildings must be located at the point of intersection of the two setback lines at street corners, and must occupy the street frontage at the setback line for at least 50 feet from the street corner property line, unless such development would encroach on a Stream Environment Zone. Public plazas may be at the street corner provided buildings are built to the edge of the public plaza. Where a parcel is bounded by more than two streets, this requirement only applies to the primary street frontage and one side street frontage. This requirement may be modified or waived by the Director of Development Services upon finding that:

Where buildings placed on a corner would negatively impact a designated scenic view, visual open spaces, visual access or views of mountain ridgelines.; or

Where building placed on a corner would negatively affect the sun angle plane to reduce icing on US 50, SR 89 and public sidewalks, or

Rationale: City staff has noted that this corner-build standard was never intended to apply to residential development. Nonetheless, there is no language limiting its applicability. The proposed language was chosen to ensure that residential and residential-based mixed-use developments would not be subject to the standard. Additionally, no provision is given to waive the corner-build standard when adherence to it would cause encroachment into a Stream Environment Zone. The proposed revisions address this conflict.

Component 4

Roof Pitch

HEIGHT

TABLE 7 HEIGHT AND ROOF STANDARDS	
Roof Slope	53:12 to 12:12 (B)

Rationale: The amendments affecting roofing were requested by the development community. When combined with the 42-foot height limit that is common in the plan area, adherence to the minimum roof slope requirement and the requirement for roofs to constitute 40 percent of building height result in limiting third floor capacity. This has a direct financial effect on the feasibility of multi-family residential development. Resolving this issue by changing the roof design restrictions is preferable to added height.

Component 5

Roof Height Percentage

Page [C-25](#)

HEIGHT

TABLE 7 HEIGHT AND ROOF STANDARDS	
Roof Height	The height of the sloped roof must be a minimum 40% of the height of the building. (B)

Rationale: Please see the rationale discussion for Component 6, above. This standard has the effect of limiting third-floor size, and as a result has been seen as an impediment to workforce and affordable housing development.

Component 6

Policy T-25

Page [62](#)

Goal T-2: Parking and Access

To create an accessible, efficient, and an aesthetically-pleasing parking system in the Tahoe Valley Area Plan.

Policy T-2.5 – ~~Mixed Use Project~~ Alternative Parking Demand

Allow ~~mixed-use~~ projects to reduce their parking requirements provided that a parking demand analysis is submitted and approved by the City or exempted under state or regional law.

Rationale: This amendment broadens Policy T-2.5 to apply to any project within the area plan. Allowing provisions to relax parking requirements is seen as an encouraged alternative parking strategy (see TRPA Code of Ordinance Section 13.5.3.B.2).

Parking Ratio Adjustment (Table 9)

Page [C-29](#)

PARKING, LOADING, LANDSCAPING AND OPEN SPACE

TABLE 9 PARKING, LOADING, LANDSCAPING, AND OPEN SPACE STANDARDS	
Parking, Driveway and Loading Standards	See South Lake Tahoe City Code, Chapter 5, Land Use Development Standards, Article VIII. Parking, Driveway and Loading Spaces. <u>Alternative parking demand ratios may be adjusted as set forth in Substitute Standard L.</u>

Rationale: This amendment refers to Substitute Standard L, which would include the provisions for reducing parking ratios.

Substitute Design Standards

L. Parking, Driving and Loading: See SLCC Section 6.10.290 through 6.10.410, [unless reduced parking ratios are required by the State of California or TRPA. Reductions to the required parking demand ratios may be approved by the Director when the following conditions are met:](#)

1. [A technically adequate parking analysis supports reduced ratios.](#)
2. [A suitable parking management plan is developed, which includes a monitoring program to ensure no adverse impacts and may include one or more of the following strategies: decoupling of parking price from the rent, limited number of spaces per unit, parking pass controlled lot, subsidized transit passes, car share services, on-site bike share; and](#)
3. [A deed restriction is recorded on the title of the property to ensure ongoing parking management.](#)

[When the Director is prohibited by California law from imposing parking standards, TRPA may approve alternatives to the parking demand ratios and may impose one or more of the above requirements as conditions of approval.](#)

Rationale: This amendment, which was requested by the City, gives the City’s Development Services Director the authority to adjust parking ratios if certain conditions are met. It also recognizes that there are circumstances where state or regional law would pre-empt the city from setting parking ratios. In these circumstances, the state or regional law would be recognized in lieu of City Code. This helps to support the State of California’s streamlining efforts for affordable housing developments.

Component 7

Substitute Design Standards

B. Building Orientation and Entrances.

3. Entrances [to commercial, tourist accommodation, and mixed-use buildings containing commercial and tourist accommodation uses](#) located at corners shall generally be located at a 45 degree angle to the corner and shall have a distinct architectural treatment to

animate the intersection and facilitate pedestrian flow around the corner. Different treatments may include angled or rounded corners, arches, and other architectural Components. All building and dwelling units located in the interior of a site shall have entrances from the sidewalk that are designed as an extension of the public sidewalk and connect to a public sidewalk.

Rationale: This amendment was requested by the City. This standard, which requires architecturally enhanced and angled corner entrances appears not to apply to residential development. However, there is no provision to limit its applicability. The proposed language is used to ensure that residential or residential-based mixed-use buildings would not be subject to the standard.

Attachment D

Regional Plan Conformance Findings and Finding of No Significant Effect (FONSE)

**REQUIRED FINDINGS & MITIGATED FINDING OF NO SIGNIFICANT EFFECT
FOR AMENDMENTS OF THE CITY OF SOUTH LAKE TAHOE'S
TAHOE VALLEY AREA PLAN**

This document contains required findings per Chapter 3, 4, and 13 of the TRPA Code of Ordinances for amendments to the City of South Lake Tahoe's Tahoe Valley Area Plan (TVAP):

Chapter 3 Findings: The following finding must be made prior to amending the TVAP:

1. Finding: The proposed amendments could not have a significant effect on the environment with the incorporation of mitigation and a mitigated finding of no significant effect shall be prepared in accordance with TRPA's Rules of Procedure.

Rationale: Based on the completed Initial Environmental Checklist/Mitigated Finding of No Significant Effect (IEC/FONSE), no significant environmental impacts have been identified as a result of the proposed amendments. The IEC was prepared to evaluate the potential environmental impacts of the amendments and tiers from and incorporates by reference specific analyses contained in the following environmental review documents:

- TRPA, *Regional Plan Update EIS*, certified by the TRPA Governing Board on December 12, 2012 (RPU EIS)
- TRPA, *Tahoe Valley Area Plan IEC/FONSE*, certified by the TRPA Governing Board on July 22, 2015 (TVAP IEC).
- TRPA/Tahoe Metropolitan Planning Organization (TMPO), *Transportation Plan/Sustainable Communities Strategy IS/MND/IEC/FONSE*, certified by the TMPO Board and the TRPA Governing Board on April 25, 2017 (RTP IS/IEC)

These program-level environmental documents include a regional and county-wide cumulative scale analysis and a framework of mitigation measures that provide a foundation for subsequent environmental review at an Area Plan level. Because the amendments are consistent with the Regional Plan, Regional Transportation Plan (RTP), and General Plan, which have approved program-level EISs/EIRs, the TVAP amendment is within the scope of these program-level EISs/EIRs.

The proposed project evaluated by the IEC are the amendments of the TVAP as summarized in this packet.

This IEC is tiered from the TRPA 2012 Regional Plan Update EIS in accordance with Section 6.12 of the TRPA Rules of Procedures. The 2012 RPU EIS is a Program EIS that was prepared pursuant to Article VI of TRPA Rules of Procedures (Environmental Impact Statements) and Chapter 3 (Environmental Documentation) of the TRPA Code of Ordinances. 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 TVAP is 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.

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. As shown in the Determination in Section V of the IEC and based on the analysis contained in the IEC, it has been determined that the proposed project would not have significant effects on the environment with the incorporation of a mitigation measure. Therefore, a Mitigated Finding of No Significant Effect will be prepared.

This IEC concludes that many potentially significant project impacts are addressed by the measures that have been adopted as part of the approval of the 2012 RPU. Therefore, those 2012 RPU EIS mitigation measures that are related to, and may reduce the impacts of, this project are identified in the IEC.

Nothing in this IEC in any way alters the obligations of the City or TRPA to implement the mitigation measures adopted as part of the RPU.

The amendments proposed fall into four categories: administrative alterations, changes in building design, changes to parking, and a standard for transfer of coverage. These amendments, as described in this packet, will become part of the Regional Plan and will replace existing plans for this geographical area within the City of South Lake Tahoe.

The IEC assessed potential impacts to the affected physical environment from the amendments to design standards in Appendix C of the TVAP and amendment to Policy T-2.5. It did not evaluate project specific environmental impacts. Project level environmental analysis will be

required based on the specific project design once submitted. Based on the review of the evidence, the analysis and conclusion in the IEC determined the amendments will not have a significant impact on the environment not otherwise evaluated in the RPU EIS and TVAP IEC and potential significant impacts will be mitigated or addressed through implementation of the RPU, RTP, and the City's General Plan.

Chapter 4 Findings: The following findings must be made prior to adopting the TVAP Amendments:

1. Finding: The proposed Area Plan Amendment is 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: Land Use Policy 4.6 of TRPA's Goals and Policies encourages the development of Area Plans that improve upon existing Plan Area Statements and Community Plans or other TRPA regulations in order to be responsive to the unique needs and opportunities of the various communities in the Tahoe Region. The amendments include all required elements identified in Land Use Policies 4.8, 4.9 and 4.10 as demonstrated in the Conformance Review Checklist.

The amendments were prepared in conformance with the substantive and procedural requirements of the Goals and Policies, as implemented through TRPA Code of Ordinances, Chapter 13, *Area Plans*. The TVAP is consistent with the Tahoe Regional Plan and TRPA Code of Ordinances, as shown in the Conformance Review Checklist and as demonstrated by the IEC. The amendments proposed fall into four categories: administrative alterations, changes in building design, changes to parking, and a standard for transfer of coverage.

Pursuant to Code Section 4.4.2, TRPA considers, as background for making the Section 4.4.1.A through C findings, the proposed project's effects on compliance measures (those implementation actions necessary to achieve and maintain thresholds), supplemental compliance measures (actions TRPA could implement if the compliance measures prove inadequate to achieve and maintain thresholds), the threshold indicators (adopted measurable physical phenomena that relate to the status of threshold attainment or maintenance), additional factors (indirect measures of threshold status, such as funding levels for Environmental Improvement Program (EIP) projects), and interim and target dates for threshold achievement. TRPA identifies and reports on threshold compliance measures, indicators, factors and targets in the Threshold Evaluation Reports prepared pursuant to TRPA Code of Ordinances, Chapter 16, *Regional Plan and Environmental Threshold Review*.

TRPA relies upon the project's accompanying environmental documentation, Staff's professional analysis, and prior plan level documentation, including findings and EISs, to reach the fundamental conclusions regarding the project's consistency with the Regional Plan and thresholds. A project that is consistent with all aspects of the Regional Plan and that does not adversely affect any threshold is, by definition, consistent with compliance measures, indicators and targets. In order to increase its analytical transparency, TRPA has prepared worksheets related specifically to the 4.4.2 considerations, which set forth the 222 compliance and supplemental compliance measures, the 178 indicators and additional factors, and interim and final targets. Effects of the proposed project (here the amendments) on these items, if any, are identified and to the extent possible described. TRPA cannot identify some target dates, status and trend for some threshold indicators because of a lack of available information. TRPA may still determine whether the project will affect the 4.4.2 considerations (and ultimately consistency with the Regional Plan and impact on thresholds) based on the project's specific environmental impacts related to those threshold indicators.

Based on the IEC, the RPU EIS, the TVAP IEC, the RPU and RTP findings made by the TRPA Governing Board, and the Section 4.4.2 staff analysis, and using applicable measurement standards consistent with the available information, the amendments will not adversely affect applicable compliance and supplemental compliance measures, indicators, additional factors, and attainment of targets by the dates identified in the 2015 Threshold Evaluation. The TVAP incorporates and/or implements relevant compliance measures, and with the implementation of the measures with respect to development within the TVAP, the effects are not adverse, and with respect to some measures, are positive. (See Threshold Indicators and Compliance Measures Worksheets)

TRPA anticipates that implementation of the amendments will accelerate threshold gains as demonstrated below.

Section 4.4.2.B also requires TRPA to disclose the impact of the proposed project on its cumulative accounting of units of use (e.g., residential allocations, commercial

floor area). The TVAP Amendment does 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 these amendments. For any specific development project proposed within the TVAP, accounting for units of use, resource utilization and threshold attainment will occur as a part of the review and approval process.

Similarly, Section 4.4.2.C requires TRPA to confirm whether the proposed project is within the remaining capacity for development (e.g., water supply, sewage, etc.) identified in the environmental documentation for the Regional Plan. The amendments do not affect the amount of the remaining capacities available, identified and discussed in the RPU EIS. The TVAP does not allocate capacity or authorize any particular development. To the extent the amendments enable the use of redevelopment incentives, those incentives are within the scope of the incentives analyzed by the RPU EIS.

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: 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 Area Plan, as amended, is 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 dates as identified in the 2015 Threshold Evaluation indicator summaries. TRPA anticipates that implementation of the TVAP will accelerate threshold gains as demonstrated below. Because the principal beneficial impacts of implementation of the TVAP depend upon the number and size of redevelopment projects, the specific extent and timing or rate of effects of the TVAP cannot be determined at this time. However, pursuant to Chapter 13 of the TRPA Code of Ordinances, TRPA will monitor all development projects within the TVAP through quarterly and annual reports. These reports will then be used to evaluate the status and trend of the threshold every four years.

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 City of South Lake Tahoe 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. TRPA therefore finds that the amendments will not cause the thresholds to be exceeded.

3. Finding: Wherever federal, state or local air and water quality standards 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) TVAP Amendment IEC; (2) RPU EIS; (3) RTP EIR/EIS; and (4) 2015 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 TVAP 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) and County’s Pollutant Load Reduction Plan (PLRP). Federal, State, and local air and water quality standards remain applicable for all parcels in the TVAP, thus ensuring environmental standards will be achieved or maintained pursuant to the Bi-State Compact.

4. Finding: The Regional Plan and all of its elements, as amended, achieves and maintains the thresholds.

Rationale: **I. Introduction**

In 1980, Congress amended the Compact to accelerate the pace of environmental progress in the Tahoe Region by tasking TRPA with adopting a regional plan and implementing regulations that protect the unique national treasure that is Lake Tahoe. First, Article V(b) required that TRPA, in collaboration with Tahoe’s other regulatory agencies, adopt “environmental threshold carrying capacities” (“thresholds” or “standards”) establishing goals for a wide array of environmental criteria, including water quality, air quality, and wildlife. Second, Article V(c) directed TRPA to adopt a “regional plan” that “achieves and maintains” the

thresholds, and to “continuously review and maintain” implementation of the plan.

The 1980 Compact inaugurated an era of establishing and enforcing rigorous controls on new development. In 1982, TRPA adopted the necessary thresholds for the Tahoe Region. These thresholds are a mix of both long- and short-term goals for the Tahoe Region. The Region was “in attainment” of a number of these thresholds shortly after the adoption of the Regional Plan and remains in attainment today. Other thresholds address more intractable problems; for example, TRPA established numeric water quality standards that, even under best-case conditions, could not be attained for decades. *See, e.g., League to Save Lake Tahoe v. Tahoe Reg'l Planning Agency*, 739 F. Supp. 2d 1260, 1265 (E.D. Cal. 2010).

The second phase in this process was establishing a regional plan that, when implemented through rules and regulations, would ultimately “achieve and maintain” the thresholds over time. In 1987, following years of negotiation and litigation, TRPA adopted its Regional Plan. The 1987 Regional Plan employed a three-pronged approach to achieve and maintain the adopted environmental thresholds. First, the plan established a ceiling on development in Tahoe and restricted the placement, timing, and extent of new development. Second, the plan sought to prevent new harm to the environment as well as repair the environmental damage caused by existing development, particularly for projects that pre-dated TRPA’s existence (i.e., correcting the “sins of the past”); to this end, the plan created incentives to redevelop urbanized sites under more protective regulations and to transfer development out of sensitive areas that would then be restored. Third, TRPA adopted a capital investment program that was largely but not exclusively publicly funded to achieve and maintain thresholds by improving infrastructure and repairing environmental damage. In 1997, TRPA replaced this program with its “Environmental Improvement Program” (“EIP”). In subsequent years, TRPA generated investments of well over \$1 billion in public and private money to restore ecosystems and improve infrastructure under the EIP. Recent litigation confirmed that the Regional Plan as established in 1987 and subsequently amended over time will achieve and maintain the adopted environmental thresholds. *Sierra Club v. Tahoe Reg'l Planning Agency*, 916 F.Supp.2d 1098 (E.D. Cal. 2013) [Homewood litigation].

Regional Plan Update Process

Even though implementation of the 1987 Regional Plan would achieve and maintain the thresholds, in 2004 TRPA began public outreach and analysis of the latest science and monitoring results to identify priority areas in which the Regional Plan could be comprehensively strengthened to accelerate the rate of threshold attainment. TRPA’s policymakers realized that the challenges facing the Region differed from those confronting the agency when it adopted its original Regional Plan in 1987. Uncontrolled new growth that had been the primary threat decades earlier had been brought into check by the strict growth limitations in the 1987 Regional Plan. Today’s problems differed, resulting from the continuing deterioration and lack of upgrades to existing “legacy” development. In essence, to make the greatest environmental difference, the Tahoe Region needed to fix what

was already in place. In addition, TRPA realized some existing land-use controls could be improved to remove barriers to redevelopment that would address ongoing environmental degradation caused by sub-standard development constructed before TRPA had an adopted Regional Plan or even came into existence. Land use regulations and public and private investment remain essential to attaining the thresholds for Lake Tahoe.

Furthermore, TRPA recognized that the social and economic fabric of the Tahoe Region could not support the level of environmental investment needed. The economic foundation of gaming had fallen away, and the level of environmental investment needed could not be supported solely by an enclave of second homes for the wealthy. Businesses and the tourism sector were faltering. Affordable housing and year-round jobs were scarce. Local schools were closing, and unemployment was unusually high. In light of these realities, TRPA sponsored an ongoing outreach program to obtain input on how to advance TRPA's environmental goals. Between 2004 and 2010, TRPA conducted over 100 public meetings, workshops, and additional outreach. More than 5,000 people provided input regarding their "vision" for TRPA's updated Regional Plan. Based on this input, TRPA identified a number of priorities to be addressed by the updated Regional Plan, including:

1. Accelerating water quality restoration and other ecological benefits by supporting environmental redevelopment opportunities and EIP investments.
2. Changing land-use patterns by focusing development in compact, walkable communities with increased alternative transportation options.
3. Transitioning to more permitting by local governments to create "one-stop" and "one permit" for small to medium sized projects, where local government wanted to assume these duties.

On December 12, 2012, TRPA's nine-year effort culminated with the approval of the Regional Plan Update.

Regional Plan Update Amendments

The Regional Plan Update ("RPU") uses multiple strategies targeting environmental improvements to accelerate achieving and maintaining threshold standards in the Region. First, the RPU maintains both regulatory and implementation programs that have proven effective in protecting Lake Tahoe's environment. TRPA's regional growth control regulatory system, strict environmental development standards, and inter-agency partnerships for capital investment and implementation (e.g., EIP) remain in place.

Second, the RPU promotes sensitive land restoration, redevelopment, and increases the availability of multi-modal transportation facilities. The implementation of the RPU will facilitate transferring existing development from outlying, environmentally-sensitive areas into existing urbanized community

centers. The RPU provides incentives so that private capital can be deployed to speed this transformation.

Third, the RPU authorizes the Area Plan process for communities and land management agencies in the Tahoe Region in order to eliminate duplicative and unpredictable land use regulations that deterred improvement projects. Area Plans, created pursuant to Chapter 13 of the TRPA Code of Ordinances, also allows TRPA and local, state, federal, and tribal governments to expand the types of projects for which local, state, federal, and tribal governments apply TRPA rules to proposed projects within the Tahoe Region. After approval of an Area Plan by TRPA, this process allows a single government entity to review, permit, and inspect projects in their jurisdiction. All project approvals delegated to other government entities may be appealed to the TRPA for final decision. In addition, the performance of any government receiving delegated authority will be monitored quarterly and audited annually to ensure proper application of TRPA rules and regulations.

As noted above, a variety of strategies in the Regional Plan will work together to accelerate needed environmental gains in the categories where threshold benefits are most needed – water quality, restoration of sensitive lands, scenic quality advances in developed roadway units, and efforts to continue maintenance and attainment of air quality standards. Area Plans that include “Centers” play a key role in the Regional Plan’s overall strategy by activating environmental redevelopment incentives (e.g., increases in density and height) that also provide the receiving capacity for transfers of units from sensitive lands. The next section of this finding establishes how the City of South Lake Tahoe’s TVAP fulfills the role anticipated by the RPU and RTP and the expected threshold gain resulting from its implementation.

II. TVAP Amendments and Threshold Gain

The TVAP Amendments accelerate threshold gain including water quality restoration, scenic quality improvement, and other ecological benefits, by supporting environmental redevelopment opportunities and Environmental Improvement Program (EIP) investments. The amendments will help to accelerate environmental redevelopment within an existing town center by allowing increased density and height provisions that serve as an incentive for private investment in redevelopment projects. These redevelopment incentives are intended to increase the rate of redevelopment and will likewise increase the rate of threshold gain by accelerating the application of controls designed to enhance water quality, air quality, soil conservation, scenic quality and recreational improvements to projects that wouldn’t otherwise be redeveloped absent TVAP provisions.

The TVAP’s Development and Design Standards represent a significant step forward in enhancing the aesthetics of the built environment and will result in improvements to the scenic threshold as projects are approved and built. Redevelopment of existing Town Centers and the Regional Center is identified in

the Regional Plan as a high priority.

As described in more specific detail below, the amendments beneficially affects multiple threshold areas.

A. Water Quality

The 2015 Threshold Evaluation found that the trend in reduced lake clarity has been slowed. The continued improvement is a strong indication that the actions of partners in the Region are contributing to improved clarity and helping TRPA attain one of its signature goals.

An accelerated rate of redevelopment within the TVAP will result in accelerated water quality benefits. Each redevelopment project is required to comply with strict development standards including water quality Best Management Practices (“BMP”) and coverage mitigation requirements and will provide additional opportunities for implementing area wide water quality systems.

Today, all developed commercial and tourist properties exceed the 50 percent maximum land coverage allowed in the Community Plan. Although the boundary change would allow up to 70%, the existing land capability and existing land coverage on the developed parcels would not afford the creation of new coverage. The benefit of the boundary change is for the mitigation of this excess land coverage.

B. Air Quality

The 2015 Threshold Evaluation found that the majority of air quality standards are in attainment and observed change suggests that conditions are improving or stable. Actions implemented to improve air quality in the Lake Tahoe Region occur at the national, state, and regional scale. The U.S. Environmental Protection Agency and state agencies, such as the California Air Resources Board, have established vehicle tail-pipe emission standards and industrial air pollution standards. These actions have resulted in substantial reductions in the emissions of harmful pollutants at state-wide and national scales and likely have contributed to improvement in air quality at Lake Tahoe. At a regional scale, TRPA has established ordinances and policies to encourage alternative modes of transportation and to reduce vehicle idling by prohibiting the creation of new drive-through window establishments.

Facilitating projects within the approved Area Plans is an integral component in implementing regional air quality strategies and improvements at a community level. (TRPA Goals and Policies: Chapter 2, Land Use). Because the land use and transportation strategies identified in the TVAP lead to implementation of the Regional Plan, they directly contribute to achieving and maintaining the Air Quality threshold.

One of the main objectives of the TVAP is to encourage the redevelopment of the existing built environment and to provide access to recreational opportunities from

walking and bike paths, as well as provide greater access to transit. Replacing older buildings with newer, more energy efficient buildings that take advantage of the City of South Lake Tahoe's Green Building Program will also help to improve air quality and ensure the attainment of air quality standards. (TVAP, Appendix D, City of South Lake Tahoe Green Building Program.)

TRPA's 2017 *Regional Transportation Plan: Linking Tahoe (RTP)* includes an analysis of its conformity with the California State Implementation Plan to ensure that the RTP remains consistent with State and local air quality planning work to achieve and/or maintain the national ambient air quality standards (NAAQS). The proposed amendment does not propose substantial changes to land use assumptions for mixed-use assigned to the amendment area and the TVAP would continue to promote higher density residential uses within one-quarter mile of transit, commercial, and public service uses, and therefore would not change the conformity determination by state regulators.

The TVAP boundaries include an existing Town Center and with existing transit routes and a multi-use shared path. This indicates that redevelopment is in the appropriate location to potentially generate the shorter trip lengths and reduce vehicle-miles traveled needed to meet the air quality goals of the Regional Plan and the City's General Plan.

C. Soil Conservation

The 2015 Threshold Evaluation found negligible change in the total impervious cover in the Region over the last five years and the majority of soil conservation standards in attainment. While the permitting process of partners has been effective in focusing development on less sensitive lands and encouraging removal of impervious cover from sensitive areas, there is still much work to be done. Plans for large scale SEZ restoration, recent improvements in the Development Rights program, and implementation of the Area Plans will continue to help achieve SEZ restoration goals.

All but one parcel in the amendment area is located in Land Capability Class 1b (SEZ). Today, all developed commercial and tourist properties exceed the 50 percent maximum land coverage allowed in the Community Plan. The four commercial properties within the amendment area average 90% coverage. This indicates that future redevelopment would be required to implement excess land coverage mitigation. Furthermore, redevelopment permitting would require these properties to come into modern site design standards including landscaping, BMPs, setbacks, etc. These standards would likely result in the removal of existing land coverage for properties that are severely overcovered. Therefore, the amendments will help to accelerate threshold gain through soil conservation.

D. Scenic Quality

The 2015 Threshold Evaluation found that scenic gains were achieved in developed areas along roadways and scenic resources along the lake's shoreline, the areas

most in need of additional scenic improvement. Overall, 93% of the evaluated scenic resource units met the threshold standard and no decline in scenic quality was documented in any indicator category.

The amendment area is located within Urban Roadway Scenic Corridor Units #1, 35, and 36A, none of which are in attainment.

Future redevelopment within the amendment area is likely to result in a significant improvement to scenic quality from the roadway and will not be allowed to degrade the shoreline scenic attainment. Redevelopment will be required to comply with the following TVAP Goals and Policies:

Goal NCR-3 Scenic Resources

To achieve threshold attainment for Scenic Roadway Unit #1, Unit #35, and Unit #36A within the Tahoe Valley Area Plan.

Policy NCR-3.1 – Scenic

Improve the visual quality of the built environment consistent with the general recommendations for site planning found in the TRPA Scenic Quality Improvement Program (SQIP) for Scenic Roadway Unit #1, Unit #35, and Unit #36A and ensure consistency with the Development and Design Standards contained in Appendix C.

Policy NCR-3.2 – New Scenic Resources

Designate the views of Tahoe Mountain, Monument Peak, and Heavenly Valley as scenic resources.

Policy NCR-3.3 – Viewshed Protection

Implement design standards and guidelines (Appendix C) to preserve, improve, and enhance the scenic quality of the natural environment and take full advantage of scenic views in the Tahoe Valley area through building orientation, setbacks, and design. Buildings greater than two stories shall not result in the net loss of views to an identified scenic resource.

Policy NCR-3.4 – Open Space

Maintain existing open spaces, SEZs, and stormwater drainage basins as view corridors to provide visual relief from the urban environment

Furthermore, redevelopment projects will be required to comply with the Design Review Guidelines and Standards and the TRPA Code for projects visible from highways.

E. Vegetation

The 2015 Threshold Evaluation found that vegetation in the Region continues to recover from the impacts of legacy land use. The majority of vegetation standards that are currently not in attainment relate to common vegetation in the Region. This

finding is consistent with those of past threshold evaluations. As the landscape naturally recovers from the impacts of historic logging, grazing, and ground disturbance activities over the course of this century, many of the standards are expected to be attained.

The proposed amendment area is developed and overcovered with minimal native vegetation. The proposed amendments would not alter or revise the regulations pertaining to native vegetation protection during construction. Consistent with existing conditions, vegetation surrounding the construction site of a future redevelopment project would be required to comply with Section 33.6, Vegetation Protection During Construction, of the TRPA Code of Ordinances. Protective requirements include installation of temporary construction fencing, standards for tree removal and tree protection, standards for soil and vegetation protection, and revegetation of disturbed areas.

Amending the design standards and a transit policy would not result in tree or vegetation removal. Future projects on the parcels in the amendment area would be subject to project-level environmental review and removal of any native, live, dead or dying trees would be required to be consistent with Chapter 61, Vegetation and Forest Health, of the TRPA Code of Ordinances. The area is not within TRPA's Conservation or Recreation land use classifications.

F. Recreation

The 2015 Threshold Evaluation found that land acquisition programs and the Lake Tahoe Environmental Improvement Program have contributed to improved access and visitor and resident satisfaction with the quality and spectrum of recreation opportunities. Partner agencies have improved existing recreation facilities and created new ones, including providing additional access to Lake Tahoe, hiking trailheads, and bicycle trails. Today's emerging concerns are transportation access to recreation sites and maintaining quality recreation experiences as demand grows, concerns that may require the Region to revisit policies and goals for the recreation threshold standards.

The City of South Lake Tahoe contains numerous recreational opportunities within its boundaries and in the immediate vicinity (i.e. Bonanza Park, Camp Richardson, Pope Beach, Baldwin Beach, Kiva Beach, Taylor Creek Day Use Area, Regan Beach, Ski Run Marina and Beach, Lakeside Marina, Heavenly Resort California base, Van Sickle Bi-State Park, Bijou Golf course, and other hiking and mountain bicycle trails).

The TVAP includes goals and policies regarding maintaining, improving and expanding recreation facilities and providing enhanced access through the construction of sidewalks and bike paths and improving public transit.

The approval of any project proposing the creation of additional recreational capacity would be subject to subsequent project-level environmental review and permitting and, if applicable, would be subject to the Persons At One Time (PAOT) system of recreation allocations administered by TRPA as described in Section 50.9

(Regulation of Additional Recreation Facilities) of the TRPA Code of Ordinances. No additional PAOTs are proposed by the amendment, nor are any changes to recreational land uses or policies.

G. Fisheries

While the 2015 Threshold Evaluation found standards for fisheries to generally be in attainment, the standards focus on physical habitat requirements that may not reflect the status of native fish populations. Recent population surveys in Lake Tahoe suggest significant declines in native fish species in parts of the nearshore. Declines are likely the result of impacts from the presence of aquatic invasive species in the lake. While efforts to prevent new invasive species from entering the lake have been successful, mitigating the impact of previously introduced existing invasive species remains a high priority challenge. Invasive species control projects are guided by a science-based implementation plan. Ensuring native fish can persist in the Region and the restoration of the historic trophic structure to the lake will likely require partners to explore novel methods to control invasive species and abate the pressure they are placing on native species. Climate change driven shifts in the timing and form of precipitation in the Region pose a longer-term threat to native fish that may need to be monitored.

BMPs required for project development would improve water quality and thus could contribute to improved riparian and lake conditions in receiving water bodies. The TVAP Amendment will not alter the Resource Management and Protection Regulations, Chapters 60 through 68, of the TRPA Code of Ordinances. Chapter 63: Fish Resources includes the provisions to ensure the protection of fish habitat and provide for the enhancement of degraded habitat. Development within The TVAP could benefit the Fisheries Threshold through Goals and Policies aimed at the restoration of SEZs and implementation of BMPs.

H. Wildlife

The 2015 Threshold Evaluation found that twelve of the 16 wildlife standards are in attainment. Over 50 percent of the land area in the Tahoe Region is designated for protection of listed special status species. Populations of special interest species are either stable or increasing.

Future redevelopment projects in the amendment area would be subject to project-level environmental review and permitting at which time the proposals would be required to demonstrate compliance with all federal, state, and TRPA regulations pertaining to the protection of animal species. (Section 62.4 of the TRPA Code). At a project-level, potential effects on animal species would be determined based on the species' distribution and known occurrences relative to the project area and the presence of suitable habitat for the species in or near the project area. TRPA's existing policies and Code provisions address potential impacts to special-status species through site-specific environmental review, development and implementation of project-specific measures to minimize or avoid impacts through

the design process, and compensatory or other mitigation for any adverse effects on special-status species as a condition of project approval (Sections 61.3.6 and 62.4 of the TRPA Code).

Implementation of the proposed amendments would not result in the reduction in the number of any unique, rare, or endangered species of animals, including waterfowl. Future redevelopment projects would be subject to subsequent project-level environmental review and permitting at which time they would be required to demonstrate compliance with all federal, state, and TRPA regulations in Chapter 62 and 63 (Wildlife Resources and Fish Resources, respectively) of the TRPA Code of Ordinances. While the boundary amendments allow for some different land uses or use densities and heights in the amendment area, they do not propose specific new development or amendments that threaten protection of listed species or their habitat, and do not affect policies that protect biological resources.

I. Noise

The 2015 Threshold Evaluation found that Ambient noise levels in seven of nine land-use categories are in attainment with standards, but because of the proximity of existing development to roadways just two of seven transportation corridors are in attainment with ambient targets. Due to insufficient data, status determinations were not possible for nearly half of the single event noise standards. Limited noise monitoring resources were prioritized towards collecting more robust information to analyze ambient noise standards, which are more conducive to influential management actions than are single event sources. TRPA continues to update and evaluate its noise monitoring program to ensure standards are protective and realistically achievable.

As discussed in the IEC, the TVAP amendments would not alter noise policies and would reduce the existing maximum CNEL levels within the TVAP to meet the adopted TRPA CNEL threshold standards, and Regional Plan and General Plan noise policies would continue to be applied.

Noise increases associated with traffic under redevelopment buildout conditions would be similar to existing noise levels as traffic levels are relatively the same between existing and new allowed uses. Redevelopment projects would be required to implement project-specific noise reduction measures established in the Regional Plan EIS, General Plan EIR, and the TVAP. The amendments would not create a significant noise level increase. Implementation of the amendment to the CNEL limit would result in a beneficial impact. For these reasons, TVAP amendments would not contribute to an adverse cumulative increase in noise levels.

III. Conclusion

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 promotes threshold achievement and maintenance by, *inter alia*, (1) incentivizing environmentally beneficial redevelopment, (2) requiring the installation of Best Management Practices improvements for all projects in the Area Plan, (3) requiring conformance with the Development and Design Standards that will result in improvements to scenic quality and water quality, (4) facilitating multi-use development in proximity to alternative modes of transportation in order to reduce vehicle miles traveled (VMT); and (5) incorporating projects identified in the City's Pollutant Load Reduction Plan (PLRP) to guarantee the assigned reductions necessary to meet water quality objectives. In addition, as found in Chapter 4 Findings 1 through 3 and the Chapter 13 Findings, 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 the TCAP:

1. Finding: The proposed Area Plan Amendment is consistent with and furthers 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. The proposed TVAP 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 (Attachment D to the staff summary), and as described in Chapter 4, Finding #1, above. The amendments provide the density and height necessary to facilitate redevelopment in the overcovered, aging town center and further the attainment of environmental thresholds.

The amended area will be subject to the TVAP General Review Standards, the Load Reduction Plans, and Additional Review Standards for Area Plans with Town Centers or Regional Centers.



Mail
PO Box 5310
Stateline, NV 89449-5310

Location
128 Market Street
Stateline, NV 89449

Contact
Phone: 775-588-4547
Fax: 775-588-4527
www.trpa.org

FINDING OF NO SIGNIFICANT EFFECT

Project Description: Proposed amendments to the City of South Lake Tahoe’s Tahoe Valley 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.

A handwritten signature in blue ink, appearing to read "Mike T. G.", written over a horizontal line.

TRPA Executive Director/Designee

November 30, 2020

Date

Attachment E

Area Plan Conformance Checklist

Tahoe Regional Planning Agency

Area Plan Finding of Conformity Checklist

AREA PLAN INFORMATION

Area Plan Name: Tahoe Valley Area Plan – Amendment No. 1
Lead Agency: TRPA
Submitted to TRPA: N/A
TRPA File No: N/A

CONFORMITY REVIEW

Review Stage: Final Review
Conformity Review Date: November 20, 2020
TRPA Reviewer: Michael Conger

HEARING DATES

Lead Agency Approval: TBD
APC: December 9, 2020
Governing Board: January 25, 2020
Appeal Deadline: N/A
MOU Approval Deadline: N/A

CHARACTERISTICS

Geographic Area and Description: All areas within the Tahoe Valley Area Plan boundary

Land Use Classifications: Mixed Use

Alternative Development Standards: The below substitute standards currently exist in the TVAP.

- (1) **Substitute design standards.** Contained within Appendix C of the TVAP. Replaces Chapter 36, *Design Standards*.
- (2) **Substitute parking standards.** Contained within the Appendix C of the TVAP, referencing the South Lake Tahoe Municipal Code. Replaces Chapter 34, *Driveway and Parking Standards*.

- (3) **A substitute accessory dwelling standard.** Contained within Appendix C of the TVAP. Replaces the applicable standard within Subsection 21.3.2, *Secondary Residence*.
- (4) **A substitute coverage standard** for the Barton Hospital parcels. Contained within Appendix C of the TVAP. Replaces the applicable language within Section 30.4, *Land Coverage Limitations*.

Under the proposed amendments, a fifth substitute standard would be established.

- (5) **A substitute coverage transfer standard** allowing the transfer of hard, soft, and potential coverage at a 1:1 ratio for mixed-use projects when all of the component uses qualify for such transfer.

Area Plan Amendment
Summary:

The amendment package includes the following components, which should help to promote workforce housing:

- Allowing hard, soft, and potential coverage to be transferred in at a 1:1 ratio for mixed-use projects when the individual uses qualify to do so.
- Specifying that the corner-build standard and the angled corner standards are not applicable to residential development.
- Clarifying that the corner-build standard does not apply if the building would encroach on a Stream Environment Zone.
- Reducing the minimum roof pitch from 5:12 to 3:12.
- Eliminating the requirement that a roof constitute at least 40 percent of a building's height.
- Allowing reductions of parking ratios when supported by a parking study and ongoing parking management. When reduced parking ratios are required by state law and the local jurisdiction is prohibited from imposing parking standards, TRPA would have the authority to approve reduced parking ratios.

Conformity Checklist

		TRPA Code Section	Conformity		
			YES	NO	N/A
A. Contents of Area Plans					
1	General	13.5.1	●		
2	Relationship to Other Code Sections	13.5.2	●		
B. Development and Community Design Standards					
<i>Building Height</i>					
1	Outside of Centers	13.5.3	●		
2	Within Town Centers	13.5.3	●		
3	Within the Regional Center	13.5.3			●
4	Within the High-Density Tourist District	13.5.3			●
<i>Density</i>					
5	Single-Family Dwellings	13.5.3	●		
6	Multiple-Family Dwellings outside of Centers	13.5.3			●
7	Multiple-Family Dwellings within Centers	13.5.3	●		
8	Tourist Accommodations	13.5.3	●		
<i>Land Coverage</i>					
9	Land Coverage	13.5.3	●		
10	Alternative Comprehensive Coverage Management	13.5.3.B.1			●
<i>Site Design</i>					
11	Site Design Standards	13.5.3	●		
<i>Complete Streets</i>					
12	Complete Streets	13.5.3	●		
C. Alternative Development Standards and Guidelines Authorized in an Area Plan					
1	Alternative Comprehensive Coverage Management System	13.5.3.B.1			●
2	Alternative Parking Strategies	13.5.3.B.2	●		
3	Areawide Water Quality Treatments and Funding Mechanisms	13.5.3.B.3	●		
4	Alternative Transfer Ratios for Development Rights	13.5.3.B.4			●

		TRPA Code Section	Conformity		
			YES	NO	N/A
D. Development Standards and Guidelines Encouraged in Area Plans					
1	Urban Bear Strategy	13.5.3.C.1			●
2	Urban Forestry	13.5.3.C.2			●
E. Development on Resort Recreation Parcels					
1	Development on Resort Recreation Parcels	13.5.3.D			●
F. Greenhouse Gas Reduction					
1	Greenhouse Gas Reduction Strategy	13.5.3.E			●
G. Community Design Standards					
1	Development in All Areas	13.5.3.F.1.a	●		
2	Development in Regional Center or Town Centers	13.5.3.F.1.b	●		
3	Building Heights	13.5.3.F.2	●		
4	Building Design	13.5.3.F.3	●		
5	Landscaping	13.5.3.F.4	●		
6	Lighting	13.5.3.F.5	●		
7	Signing – Alternative Standards	13.5.3.F.6	●		
8	Signing – General Policies	13.5.3.F.6	●		
H. Modification to Town Center Boundaries					
1	Modification to Town Center Boundaries	13.5.3.G			●
I. Conformity Review Procedures for Area Plans					
1	Initiation of Area Planning Process by Lead Agency	13.6.1	●		
2	Initial Approval of Area Plan by Lead Agency	13.6.2	TBD		
3	Review by Advisory Planning Commission	13.6.3	TBD		
4	Approval of Area Plan by TRPA	13.6.4	TBD		
J. Findings for Conformance with the Regional Plan					
<i>General Review Standards for All Area Plans</i>					
1	Zoning Designations	13.6.5.A.1	●		
2	Regional Plan Policies	13.6.5.A.2	●		
3	Regional Plan Land Use Map	13.6.5.A.3	●		

		TRPA Code Section	Conformity		
			YES	NO	N/A
4	Environmental Improvement Projects	13.6.5.A.4	●		
5	Redevelopment	13.6.5.A.5	●		
6	Established Residential Areas	13.6.5.A.6			●
7	Stream Environment Zones	13.6.5.A.7	●		
8	Alternative Transportation Facilities and Implementation	13.6.5.A.8	●		
<i>Load Reduction Plans</i>					
9	Load Reduction Plans	13.6.5.B	●		
<i>Additional Review Standards for Town Centers and the Regional Center</i>					
10	Building and Site Design Standards	13.6.5.C.1	●		
11	Alternative Transportation	13.6.5.C.2	●		
12	Promoting Pedestrian Activity	13.6.5.C.3	●		
13	Redevelopment Capacity	13.6.5.C.4	●		
14	Coverage Reduction and Stormwater Management	13.6.5.C.5	●		
15	Threshold Gain	13.6.5.C.6	●		
<i>Additional Review Standards for the High-Density Tourist District</i>					
16	Building and Site Design	13.6.5.D.1			●
17	Alternative Transportation	13.6.5.D.2			●
18	Threshold Gains	13.6.5.D.3			●
K. Area Plan Amendments					
1	Conformity Review for Amendments to an Area Plan	13.6.6	●		
2	Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan – Notice	13.6.7.A	●		
3	Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan – Timing	13.6.7.B	●		
L. Administration					
1	Effect of Finding of Conformance of Area Plan	13.6.8	TBD		
2	Procedures for Adoption of Memorandum of Understanding	13.7	TBD		

		TRPA Code Section	Conformity		
			YES	NO	N/A
3	Monitoring, Certification, and Enforcement of an Area Plan	13.8	TBD		
4	Appeal Procedure	13.9	●		

Conformity Review Notes

A. CONTENTS OF AREA PLANS

1. **General** YES NO N/A

Citation 13.5.1

Requirement 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.

Notes The TVAP consists of goals, policies, actions, projects, maps, ordinances, and related materials that conform to the Regional Plan. The adopted land use and zoning maps are consistent with Regional Plan Map 1, *Conceptual Regional Land Use Map*. No modifications to Town Center boundaries or area plan boundaries are proposed.

The proposed amendments make changes to only one of the area plan’s policies, Policy T-2.5, to broaden its applicability. All other changes affect development standards in Appendix C of the TVAP.

2. **Relationship to Other Sections of the Code** YES NO N/A

Citation 13.5.2

Requirement 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.

Notes

The Area Plan’s development standards are included as Appendix C to the TVAP. The existing area plan includes the following substitute standards:

- Parking standards (referencing the municipal code) that apply in place of Chapter 34 of the TRPA Code of Ordinances.
- Design standards that apply in place of Chapter 36 of the TRPA Code of Ordinances.
- Substitute accessory dwelling standards that apply in place of TRPA Code of Ordinances Section 21.3.
- A substitute coverage standard for two Barton Hospital parcels

Under the proposed amendments, the substitute parking and design standards would be modified. Additionally, a new substitute coverage transfer standard would be established.

B. DEVELOPMENT AND COMMUNITY DESIGN STANDARDS

Area plans shall have development standards that are consistent with those in Table 13.5.3-1

MAXIMUM BUILDING HEIGHT

1. **Outside of Centers** YES NO N/A

Citation 13.5.3

Requirement Building height standards shall be consistent with Code Section 37.4.

Notes Building heights established in Appendix C of the TVAP

2. **Within Town Centers** YES NO N/A

Citation 13.5.3

Requirement Building height is limited to a maximum of 4 stories and 56 feet.

Notes Building heights within Town Centers are established in Appendix C of the TVAP. The maximum height is 56 feet.

3. **Within the Regional Center** YES NO N/A

Citation 13.5.3

Requirement Building height is limited to a maximum of 6 stories and 95 feet.

Notes The Regional Center is not located in the Tahoe Valley area.

4. **Within the High-Density Tourist District** YES NO N/A

Citation 13.5.3

Requirement Building height is limited to a maximum of 197 feet.

Notes The High-Density Tourist District is not located in the Tahoe Valley area.

DENSITY

5. Single-Family Dwellings

YES NO N/A

Citation 13.5.3

Requirement Single-family dwelling density shall be consistent with Code Section 31.3.

Notes Consistent with TRPA Code Section 31.3, single family dwelling density in Tahoe Valley is limited to one residence per parcel, plus one accessory residence where allowed. No change is proposed as part of these amendments.

6. Multiple-Family Dwellings outside of Centers

YES NO N/A

Citation 13.5.3

Requirement Multiple-family dwelling density outside of Centers shall be consistent with Code Section 31.3.

Notes Multi-family dwellings are not permissible outside of the Town Center in the Tahoe Valley Area Plan.

7. Multiple-Family Dwellings within Centers

YES NO N/A

Citation 13.5.3

Requirement Multiple-family dwelling density within Centers shall be a maximum of 25 units per acre.

Notes The TVAP establishes a maximum residential density of 25 units per acre within the Town Center boundaries. No change is proposed as part of these amendments.

8. Tourist Accommodations

YES NO N/A

Citation 13.5.3

Requirement Tourist accommodations (other than bed and breakfast) shall have a maximum density of 40 units per acre.

Notes The TVAP establishes a maximum density for tourist accommodation units of 40 units per acre for hotel/motel units and timeshare units within the Town Centers. No change to tourist accommodation is proposed as part of the amendments.

LAND COVERAGE

9. Land Coverage

YES NO N/A

Citation 13.5.3

Requirement Land coverage standards shall be consistent with Section 30.4 of the TRPA Code.

Notes Land coverage standards are consistent with the Section 30.4. The TVAP does, however include one existing and one proposed substitute standard that deal with coverage:

- The existing TVAP allows coverage beyond 70 percent on two Barton Hospital parcels.
- The proposed amendments would allow mixed-use projects to transfer hard, soft, and potential coverage as long as all the component uses are allowed to do so.

The TVAP IEC and the TVAP Amendment IEC considered each of these substitute standards, respectively. Each concluded there would be no significant impact as a result. As such, the proposed standards are functionally equivalent to those in Section 30.4

10. **Alternative Comprehensive Coverage Management System** YES NO N/A
See Section C.1 of this document.

SITE DESIGN

11. **Site Design Standards** YES NO N/A
Citation 13.5.3
Requirement Area plans shall conform to Section 36.5 of the TRPA Code.

Notes The development standards in Appendix C of the TVAP are functionally equivalent to the standards set forth in Section 36.5 of the TRPA Code of Ordinances.

COMPLETE STREETS

12. **Complete Streets** YES NO N/A
Citation 13.5.3
Requirement Within Centers, plan for sidewalks, trails, and other pedestrian amenities providing safe and convenient non-motorized circulation within Centers, as applicable, and incorporation of the Regional Bike and Pedestrian Plan.

Notes The Area Plan proposes a comprehensive network of Class I multi-use trail projects and Class II bike lane projects. No changes are proposed as part of these amendments

C. ALTERNATIVE DEVELOPMENT STANDARDS AND GUIDELINES AUTHORIZED IN AREA PLANS

1. **Alternative Comprehensive Coverage Management System** YES NO N/A
Citation 13.5.3.B.1
Requirement 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 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.

Notes The City of South Lake Tahoe has chosen not to develop an alternative comprehensive coverage management system. This is an optional component.

2. Alternative Parking Strategies

YES NO N/A

Citation 13.5.3.B.2

Requirement An Area Plan is encouraged to include 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:

- 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

Notes The City of South Lake has chosen not to develop alternative parking strategies. This is an optional component. The Area Plan does include policies and standards that mirror some of the listed parking strategies. Additionally, the proposed amendments would implement one of the listed strategies: reduction or relaxation of parking minimums.

3. Areawide Water Quality Treatments and Funding Mechanisms

YES NO N/A

Citation 13.5.3.B.3

Requirement An Area Plan may include water quality treatments and funding mechanisms in lieu of certain site-specific BMPs, subject to the following requirements:

- 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 maintenance;
- 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.

Notes

Policies NCR-5.1, NCR-5.5, NCR-5.6 and NCR-5.8 refer to implementation of BMPs, including allowing for properties to participate in area-wide BMP systems, EIP water quality improvement projects (WQIPs), and recommendations outlined in the CSLT Pollutant Load Reduction Plan (PLRP)/TMDL. Figure 16 identifies the WQIPs implemented in the TVAP as well as those proposed. No changes are proposed to stormwater projects.

4. **Alternative Transfer Ratios for Development Rights**

YES NO N/A

Citation 13.5.3.B.4

Requirement 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.

Notes

There are no Stream Restoration Plan Areas within the Tahoe Valley area.

D. DEVELOPMENT STANDARDS AND GUIDELINES ENCOURAGED IN AREA PLANS

1. **Urban Bear Strategy**

YES NO N/A

Citation 13.5.3.C.1

Requirement 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.

Notes

The TVAP does not include an urban bear strategy. This is an optional component.

2. **Urban Forestry**

YES NO N/A

Citation 13.5.3.C.2

Requirement In Area Plans, lead agencies are encouraged to develop 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 TVAP does not include an urban forestry strategy. This is an optional component.

E. DEVELOPMENT ON RESORT RECREATION PARCELS

1. Development on Resort Recreation Parcels

YES NO N/A

Citation 13.5.3.D

Requirement 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:

- 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.

Notes There are no Resort Recreation designated parcels within the Tahoe Valley area.

F. GREENHOUSE GAS REDUCTION

1. Greenhouse Gas Reduction Strategy

YES NO N/A

Citation 13.5.3.E

Requirement 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:

- 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.

Notes Buildings constructed within the TVAP are subject to the California Building Code which already includes some of the nation’s strictest standards to reduce energy use. Moreover, the TVAP includes Policy NCR-2.1 to encourage property owners to use incentives provided for the City’s Green Building Incentive Program. See Appendix D.

G. 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.

1. Development in All Areas YES NO N/A

Citation 13.5.3.F.1.a

Requirement All new development shall consider, at minimum, the following site design standards:

- 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, safe, and meet the requirements of the transportation element.

Notes Appendix C of the TVAP includes these site design standards. The proposed changes to building design maintain consistency with the standards as well.

2. Development in Regional Center or Town Centers YES NO N/A

Citation 13.5.3.F.1.b

Requirement In addition to the standards above, development in Town Centers or the Regional Center shall address the following design standards:

- 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.
- 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.

Notes TVAP establishes these standards in Appendix C. The proposed changes to building design maintain consistency with these standards as well.

3. Building Heights YES NO N/A

Citation 13.5.3.F.2

- Requirement*
- 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.

Notes Building height is set forth in Appendix C of the TVAP and is consistent with these standards. The changes in roof design would not conflict with these requirements.

4. Building Design YES NO N/A

Citation 13.5.3.F.3

- Requirement* Standards shall be adopted to ensure attractive and compatible development. The following shall be considered:
- 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.

Notes Building design is set forth in Appendix C of the TVAP and is consistent with these standards. The changes in building design would not conflict with these requirements.

5. Landscaping YES NO N/A

Citation 13.5.3.F.4

- Requirement* The following should be considered with respect to this design component of a project:
- Native vegetation should be utilized whenever possible, consistent with Fire Defensible Space Requirements.
 - 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.

Notes The parking and loading location standards in Appendix C are intended to enhance walkability and reduce the visual dominance of surface parking lots in the area by setting

them back from the street and requiring them to be screened. The City Code landscaping standards also apply to the TVAP. The landscaping standards require the use of native vegetation and other landscape techniques to enhance the built environment. No change is proposed as part of these amendments.

6. Lighting YES NO N/A

Citation 13.5.3.F.5

Requirement Lighting increases the operational efficiency of a site. In determining the lighting for a project, the following should be required:

- 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.

Notes The City exterior lighting standards apply in the TVAP. The exterior lighting standards include provisions to allow for adequate level of lighting while protecting the night time sky. No change is proposed as part of these amendments.

7. Signing – Alternative Standards YES NO N/A

Citation 13.5.3.F.6

Requirement 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.

Notes The city's substitute signage standards are used within the TVAP. No change is proposed with these amendments.

8. Signing – General Policies YES NO N/A

Citation 13.5.3.F.6

Requirement In the absence of a Conforming Area Plan that addresses sign standards, the following policies apply, along with implementing ordinances:

- 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.

Notes The city's substitute signage standards are used within the TVAP. No change is proposed with these amendments.

H. MODIFICATION TO TOWN CENTER BOUNDARIES

1. Modification to Town Center Boundaries YES NO N/A

Citation 13.5.3.G

Requirement When Area Plans propose modifications to the boundaries of a Center, the modification shall comply with the following:

- 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.

Notes The Area Plan does not include any modifications to the Town Center boundaries.

I. CONFORMITY REVIEW PROCEDURES FOR AREA PLANS

1. Initiation of Area Planning Process by Lead Agency YES NO N/A

Citation 13.6.1

Requirement 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.

Notes The City of South Lake Tahoe served as lead agency for adoption of the plan. Tahoe Regional Planning Agency is serving as lead agency for this amendment.

2. Initial Approval of Area Plan by Lead Agency YES NO N/A

Citation 13.6.2

Requirement 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.

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.

Notes As TRPA is the lead agency, only TRPA’s approval is required at this time. The City of South Lake Tahoe will be required to adopt these amendments within one year as required by Section 13.6.7 of the Code of Ordinances.

3. Review by Advisory Planning Commission YES NO N/A

Citation 13.6.3

Requirement 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.

Notes The Area Plan is scheduled for review by the Advisory Planning Commission on December 9, 2020.

4. Approval of Area Plan by TRPA YES NO N/A

Citation 13.6.4

Requirement 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.

Notes The Area Plan will be scheduled for review by the Governing Board after local adoption and review by the Advisory Planning Commission. The Governing Board will need to find the Area Plan in conformance with the Regional Plan before it takes effect.

J. 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

1. Zoning Designations YES NO N/A

Citation 13.6.5.A.1

Requirement The submitted Area Plan shall identify zoning designations, allowed land uses, and development standards throughout the plan area.

Notes See Land Use and Community Design Element and Figure 12 which establishes and defines seven zoning districts. Also see Appendix C – Development and Design Standards that are applicable to the TVAP. No changes are proposed as part of these amendments.

2. Regional Plan Policies YES NO N/A

Citation 13.6.5.A.2

Requirement The submitted Area Plan shall be consistent with all applicable Regional Plan policies, including, but not limited to, the regional growth management system, development allocations, and coverage requirements.

Notes The Area Plan contains goals and policies that are largely in alignment with Regional Plan policies. The only policy being modified is Policy T-2.5, which is being broadened to allow modifications to parking demand ratios for a wider scope of projects. This modification is consistent with the alternative parking strategies identified in Chapter 13 of the Code of Ordinances.

3. Regional Plan Land Use Map YES NO N/A

Citation 13.6.5.A.3

Requirement The submitted Area Plan shall 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 Regional Plan policies and provide threshold gain.

Notes The proposed zones are consistent with the Mixed-Use regional land use.

4. Environmental Improvement Projects YES NO N/A

Citation 13.6.5.A.4

Requirement The submitted Area Plan shall 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.

Notes The Area Plan recognizes and incorporates the Environmental Improvement Program (EIP). Planned environmental improvement projects are included in the plan. No changes are proposed as part of the amendments.

5. Redevelopment YES NO N/A

Citation 13.6.5.A.

Requirement The submitted Area Plan shall promote environmentally beneficial redevelopment and revitalization within town centers, regional centers and the High Density Tourist District.

Notes The Area Plan promotes redevelopment within Town Centers by incorporating the incentives established in the 2012 Regional Plan Update. The Town Center is eligible for increased density, coverage, and height as a result of area plan adoption. This promotes compact development and promotes the Regional Plan's land use and transportation strategies. The amendments do not affect the area plan's redevelopment strategy.

6. Established Residential Areas YES NO N/A

Citation 13.6.5.A.6

Requirement The submitted Area Plan shall 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.

Notes There are no established residential areas outside of Town Centers in the area plan.

7. Stream Environment Zones YES NO N/A

Citation 13.6.5.A.7

Requirement The submitted Area Plan shall 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.

Notes The area plan's overall approach is to incentivize redevelopment in existing Town Centers and to carry through existing protections of residential and conservation areas. Existing restrictions in the TRPA Code of Ordinances on development within Stream Environment Zones (SEZs) would continue to apply. The transfer of development rights program further helps to encourage restoration of development in SEZs and transferring of those rights onto high-capability Town Center lands. No changes are proposed under the amendments.

8. Alternative Transportation Facilities and Implementation YES NO N/A

Citation 13.6.5.A.8

Requirement The submitted Area Plan shall identify facilities and implementation measures to enhance pedestrian, bicycling and transit opportunities along with other opportunities to reduce automobile dependency.

Notes See planned improvements to the pedestrian, bicycling and transit infrastructure in the Transportation and Circulation Section. The proposed improvements are also depicted in Figure 13. No changes are proposed as part of the amendments.

LOAD REDUCTION PLANS

9. Load Reduction Plans YES NO N/A

Citation 13.6.5.B

Requirement 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.

Notes There are currently no registered catchments in the TVAP and therefore the TRPA default standards would apply. However, the TVAP does incorporate the City's load reduction strategy outlined in the Pollutant Load Reduction Plan and the Glorene and 8th Street WQIP catchment is proposed for registration. No changes are proposed as part of the amendments.

ADDITIONAL REVIEW STANDARDS FOR TOWN CENTERS AND THE REGIONAL CENTER

10. Building and Site Design Standards YES NO N/A

Citation 13.6.5.C.1

Requirement The submitted Area Plan shall 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.

Notes The Design Standards adopted as part of the area plan address building and site design in. The standards largely implement the vision established in the area plan. The vision is one of mixed-use pedestrian-oriented town center.

11. Alternative Transportation YES NO N/A

Citation 13.6.5.C.2

Requirement The submitted Area Plan shall 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.

Notes

Please see the discussion in Section J.8, *Alternative Transportation Facilities and Implementation*, above.

12. Promoting Pedestrian Activity

YES NO N/A

Citation 13.6.5.C.3

Requirement The submitted Area Plan shall use standards within town centers and regional centers addressing the form of development and requiring that projects promote pedestrian activity and transit use.

Notes

The Design Standards promote pedestrian activity through site design, building design, and transportation facility standards and guidelines. The permissible uses for these areas also promote an active, pedestrian-friendly environment.

13. Redevelopment Capacity

YES NO N/A

Citation 13.6.5.C.4

Requirement The submitted Area Plan shall ensure adequate capacity for redevelopment and transfers of development rights into town centers and regional centers.

Notes

The TVAP proposes to adopt the height, density and coverage standards allowed in the Regional Plan to ensure adequate capacity for redevelopment and transfers of developments.

14. Coverage Reduction and Stormwater Management

YES NO N/A

Citation 13.6.5.C.5

Requirement The submitted Area Plan shall identify an integrated community strategy for coverage reduction and enhanced stormwater management.

Notes

See Goal NCR-5 and Goal NCR-7 encourage the TVAP to maximize opportunities to mitigate excess land coverage throughout the TVAP. Additional policies encourage coverage reductions in the Stream Restoration Plan Area by providing development incentives to transfer coverage to high capability lands in the Town Center. No changes are proposed as part of the amendments.

15. Threshold Gain

YES NO N/A

Citation 13.6.5.C.6

Requirement The submitted Area Plan shall 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.

Notes

See previous responses. All development is required to adhere to the standards of the TVAP which are designed to promote threshold gains including but not limited to scenic,

community design, air quality, soils and water quality. For example, construction of the Tahoe Valley WQIP (South Tahoe Greenway) will provide enhanced stormwater treatment to reduce fine sediment loads and will provide an opportunity for private properties to participate in an area-wide treatment system that is continually maintained by the City. No changes to the area plan's threshold gain strategies are proposed under the amendments.

ADDITIONAL REVIEW STANDARDS FOR THE HIGH-DENSITY TOURIST DISTRICT

- 16. Building and Site Design** YES NO N/A

Citation 13.6.5.D.1

Requirement The submitted Area Plan shall include building and site design standards that substantially enhance the appearance of existing buildings in the High Density Tourist District.

Notes The High-Density Tourist Core District is not located in the Tahoe Valley area.

- 17. Alternative Transportation** YES NO N/A

Citation 13.6.5.D.2

Requirement The submitted Area Plan shall provide pedestrian, bicycle and transit facilities connecting the High-Density Tourist District with other regional attractions.

Notes The High-Density Tourist Core District is not located in the Tahoe Valley area.

- 18. Threshold Gain** YES NO N/A

Citation 13.6.5.D.3

Requirement The submitted Area Plan shall 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.

Notes The High-Density Tourist Core District is not located in the Tahoe Valley Area.

K. AREA PLAN AMENDMENTS

- 1. Conformity Review for Amendments to an Area Plan** YES NO N/A

Citation 13.6.6

Requirement 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.

Notes The amendment to this area plan is of a narrow focus and has been reviewed by staff for conformity with the Regional Plan. The Governing Board’s review will be limited to determining the conformity of the specific amendment.

2. Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan - Notice YES NO N/A

Citation 13.6.7.A

Requirement 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.

Notes Upon adoption of the amendment, TRPA staff will notify the City of South Lake Tahoe of their need to update the Tahoe Valley Area Plan within one year.

3. Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan - Timing YES NO N/A

Citation 13.6.7.B

Requirement 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.

Notes Upon adoption of the amendment, TRPA staff will notify the City of South Lake Tahoe of their need to update the Tahoe Valley Area Plan within one year.

L. ADMINISTRATION

1. Effect of Finding of Conformance of Area Plan YES NO N/A

Citation 13.6.8

Requirement 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.

Notes The Governing Board found the area plan to be in conformance with the Regional Plan on July 22, 2015.

2. Procedures for Adoption of Memorandum of Understanding YES NO N/A

Citation 13.7

Requirement An Area Plan shall be consistent with the Procedures for Adoption of a Memorandum of Understanding.

Notes A memorandum of understanding delegating permitting authority is already in place. No change is necessary.

3. Monitoring, Certification, and Enforcement of an Area Plan YES NO N/A

Citation 13.8

Requirement An Area Plan shall include notification, monitoring, annual review, and recertification procedures consistent with Code Section 13.8.

Notes TRPA has conducted routine monitoring, annual review, and recertification of the TVAP.

4. Appeal Procedure YES NO N/A

Citation 13.9

Requirement The Area Plan shall include an appeal procedure consistent with Code Section 13.9.

Notes Final decisions made by the City in accordance with the TVAP/MOU may be appealed to TRPA in accordance with Section 13. 9 of TRPA Code. No change is proposed as part of these amendments.

Attachment F

Initial Environmental Checklist and Threshold Indicator Evaluation

INITIAL DETERMINATION OF ENVIRONMENTAL IMPACT CHECKLIST

Project Name:

Tahoe Valley Area Plan Amendment #1

I. Introduction

This Initial Environmental Checklist (IEC) has been prepared to address the potential environmental effects of amending the Tahoe Valley Area Plan (TVAP), located within the City of South Lake Tahoe, California. The amendment includes changes to building design standards, parking standards, and other administrative revisions, and is intended to reduce barriers to workforce and achievable housing.

1. Area Plan Amendment Description

Proposal by Tahoe Regional Planning Agency to amend the Tahoe Valley Area Plan to reduce barriers to workforce housing projects. The amendments include the following:

Reduction of Workforce Housing Barriers

- Allowing hard, soft, and potential coverage to be transferred in at a 1:1 ratio for mixed-use projects when the individual uses qualify to do so.
- Specifying that the corner-build standard and the angled corner standards are not applicable to residential development.
- Reducing the minimum roof pitch from 5:12 to 3:12.
- Eliminating the requirement that a roof constitute at least 40 percent of a building's height.
- Allowing reduction of parking ratios when supported by a parking study and ongoing parking management or when required by state or regional law.

2. Location

The Tahoe Valley Area Plan is located in the western portion of the City of South Lake Tahoe (see Figure 1), centered around the intersection of State Route 89 and US Highway 50, which is commonly known as "The Y." The area plan consists of approximately 337 acres and includes 484 parcels that consist of a mix of residential, commercial, tourist accommodation, industrial, and public service uses. Commercial uses are most dominant. The planning area lies immediately to the west of the Upper Truckee River marsh, which discharges to Lake Tahoe.

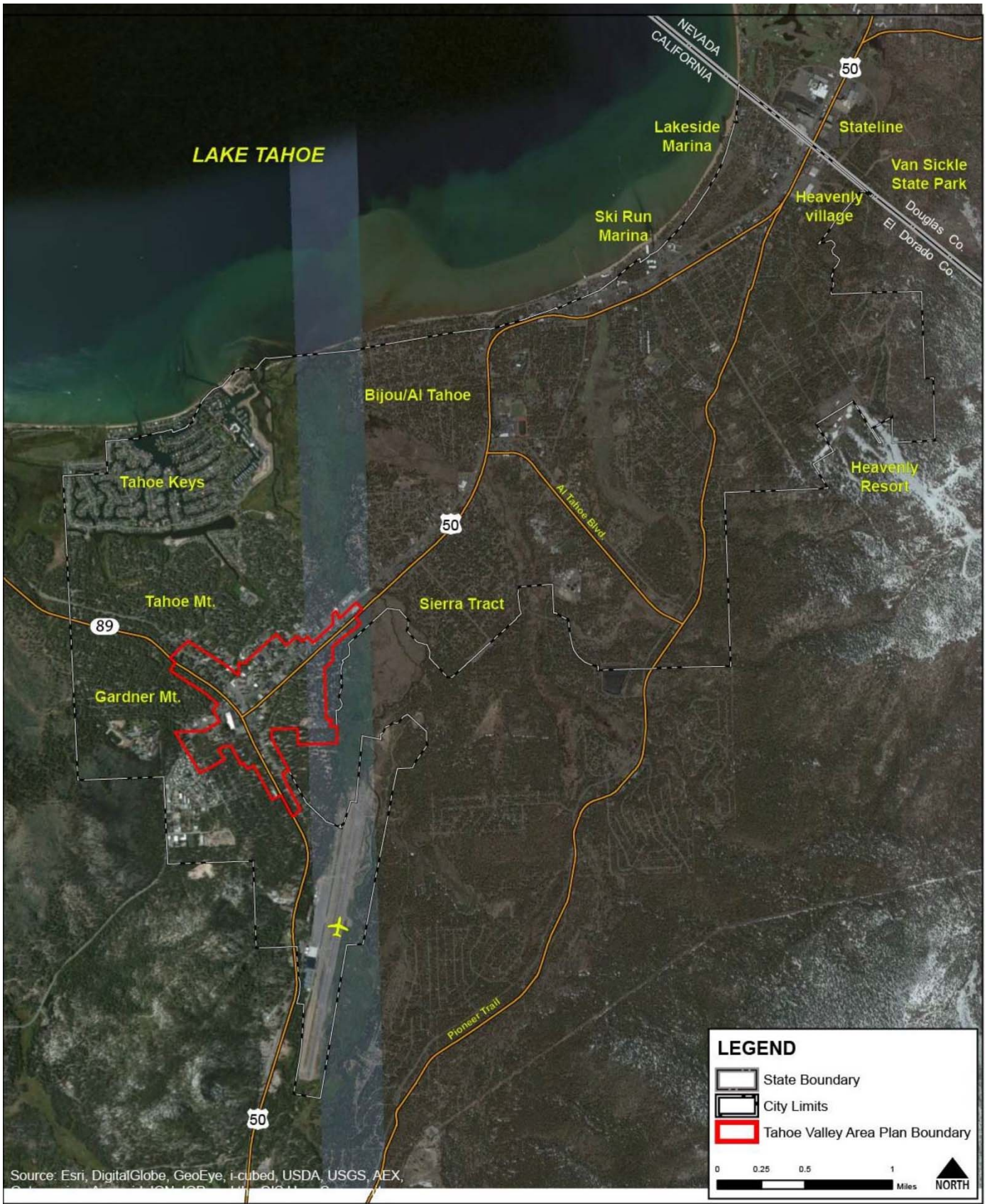


FIGURE 1: Location of the Tahoe Valley Area Plan

II. Proposed Plan Amendment

The proposed plan amendment consists of 10 components

Amendment Component	Page	Location	Classification	
1	Specify that mixed-use projects involving a mix of residential and public service uses are eligible for transfer of hard, soft, and potential coverage at a 1:1 ratio.	C-18 C-38	Lot and Density Standard D New substitute coverage standard.	Coverage Transfers
2	Specify that the corner build standard applies only to mixed-use and non-residential buildings.	C-24	Building Placement Standard C	Building Design
3	Specify that the corner build standard does not apply where such development would encroach on a Stream Environment Zone.	C-24	Building Placement Standard C	Building Design
4	Reduce the minimum roof pitch from 5:12 to 3:12.	C-25	Table 7, Roof Slope row	Building Design
5	Eliminate the "roof height" requirement, which requires that a minimum of 40 percent of a building's height be comprised of roofing.	C-25	Table 7, Roof Height row	Building Design
6	Allow reduction of parking ratios when a property is deed restricted for parking management or when required by state law.	62 C-29 ; C-38	Policy T-2.5; Table 9, Parking, Driveway, and Loading Standards row; Substitute Design Standard L	Parking
7	Exempt residential projects from the requirement of a 45-degree angle for entrances located near a corner.	C-33	Substitute Design Standard B.3	Building Design

Please see Attachment C for detailed language on each of the amendments.

III. Environmental Baseline

Baseline conditions for the purposes of this IEC reflect current environmental conditions established by the following documents:

- Lake Tahoe Regional Plan (2012)
- TRPA Code of Ordinances
- City of South Lake Tahoe General Plan
- City of South Lake Tahoe Development Code

Additionally, this document reflects current environmental conditions in the existing TVAP. The TVAP has approximately 15 years left on its 20-year planning horizon. Because buildout under the existing TVAP is already included within this baseline, the analysis in this document focuses solely on the effect of the changes proposed to the TVAP over its plan horizon.

1. Tiering

This Initial Environmental Checklist (IEC) tiers from and incorporates by reference the analysis within the Initial Study / IEC prepared for the Tahoe Valley Area Plan. Because the amendment maintains most provisions of the TVAP without change, this IEC focuses only on those changes that deviate from the current TVAP. Impacts arising from development under current policy were already evaluated in the TVAP IEC, which can be accessed at this location:

- http://www.cityofslt.us/DocumentCenter/View/5239/Tahoe_Valley_Area_Plan_IS_IEC_03162015

Both this IEC and the TVAP IEC also tier from the Environmental Impact Statement (EIS) prepared for the Regional Plan Update (RPU), which can be accessed at these links:

- Volume 1 (Final EIS): http://www.trpa.org/wp-content/uploads/Volume_1_RPU_FEIS.pdf
- Volume 2 (Public Comments): http://www.trpa.org/wp-content/uploads/Volume_2_RPU_FEIS.pdf
- Volume 3 (Draft EIS): http://www.trpa.org/wp-content/uploads/Regional_Plan_EIS.pdf

2. Current Conditions

The Lake Tahoe Regional Plan lays out the foundation for land use planning in the Tahoe Basin. The Regional Plan sets out general goals, policies, and implementing actions. The Regional Plan uses a combination of area plans, community plans, and plan area statements to set policy on a more local scale. The TRPA Code of Ordinances sets forth the agency's adopted regulatory standards. Various programs operated by TRPA and its partner agencies further implement the Regional Plan.

The Regional Plan provides certain benefits to Area Plans. Among them are increased heights, increased density, and increased potential for transferred coverage within Town Centers. Additionally, local jurisdictions may adopt substitute standards as part of an area plan that supersede those established in the TRPA Code of Ordinances. Jurisdictions with a conforming area plan are also eligible to assume additional permitting responsibilities from TRPA.

The Tahoe Valley Area Plan (TVAP) has been in effect since 2015. It covers an area of roughly 337 acres centered around the intersection of US Highway 50, State Route 89, and Lake Tahoe Boulevard. It includes the Tahoe Valley Town Center and some additional service commercial lands to the north. The area plan is divided into seven zoning districts:

- **Commercial Mixed-Use Services (CMX-S)**, the only district entirely outside of the Town Center, which contains a mix of commercial, service, and light industrial uses.
- **Open Space (OS)**, which is for open space lands.

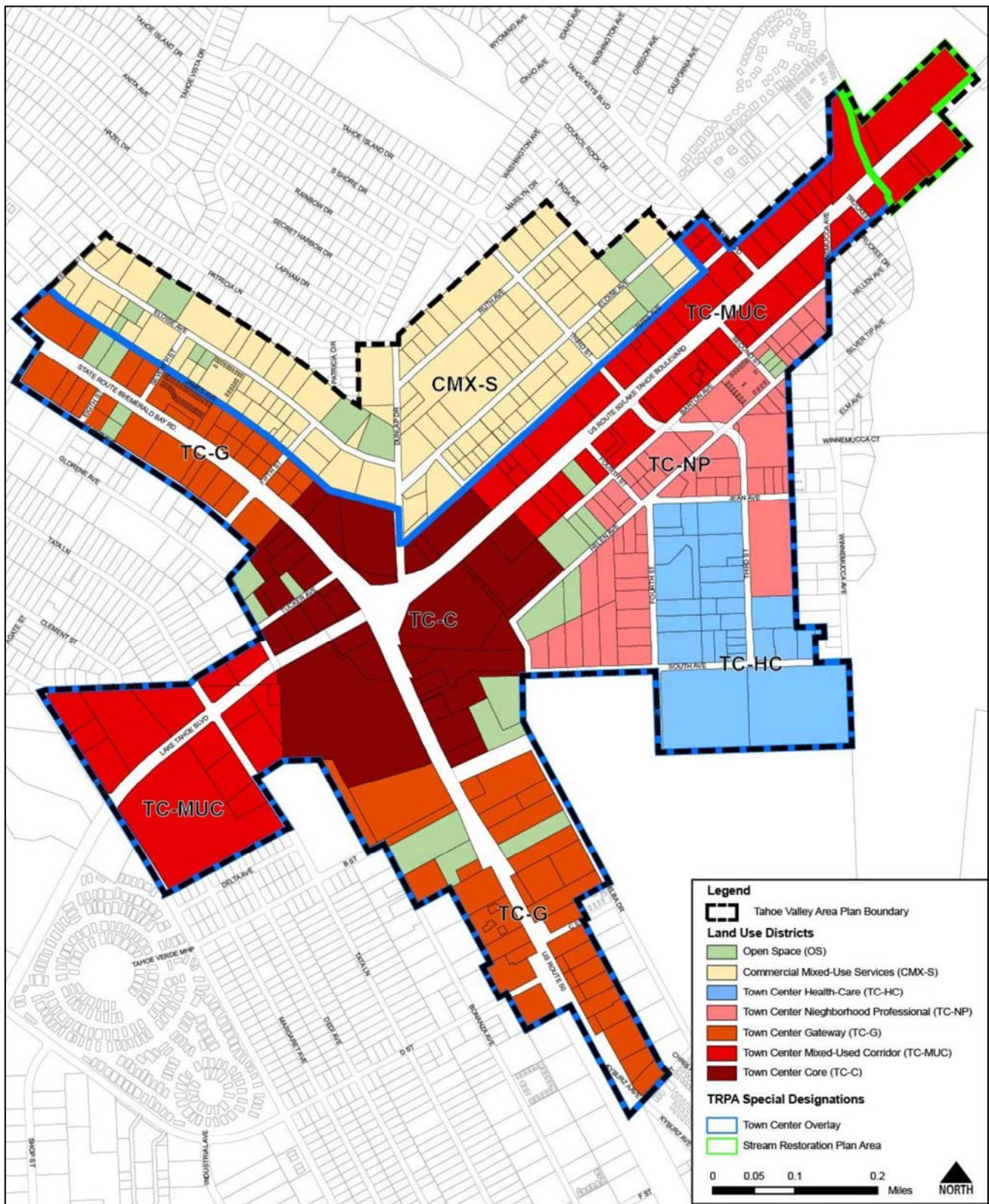


FIGURE 2: Tahoe Valley Area Plan Land Use Districts

- **Town Center Core (TC-C)**, which is the heart of the area and intended to become a central hub of retail activity and public gathering.
- **Town Center Gateway (TC-G)**, which is intended to create an attractive, welcoming gateway to the city.
- **Town Center Health-Care (TC-HC)**, which includes the core area of healthcare services and other related supporting services.
- **Town Center Mixed-Use Corridor (TC-MUC)**, which is intended to transform the eastern and western segments of Lake Tahoe Boulevard into a mixed-use corridor.
- **Town Center Neighborhood Professional (TC-NP)**, which allows a variety of residential and non-residential uses as a way to create a walkable and bikeable neighborhood.

The Tahoe Valley Area presents an excellent opportunity for workforce housing. The Regional Plan encourages these uses to be developed within a Town Center. Moreover, the Tahoe Valley area is served by transit and includes a transit center. The California Tahoe Conservancy (CTC) owns asset lands within the Tahoe Valley area that have been identified as opportunity sites of workforce housing.

Strict application of existing standards creates obstacles to workforce housing. The combination of coverage limitations with height, design, and parking requirements can seriously affect feasibility of a residential project. For example, the TVAP’s design standards limit a project in the TC-MUC district to a height of 42 feet, but also require that the roof be pitched at least 5:12 and constitute 40 percent of the building’s height. As a result of these standards, designing a three-story residential development is difficult. Developers have consistently identified standards such as these as an impediment to achieving workforce housing.

IV. Environmental Impacts

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.

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"/>

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient ⁺
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

Tiering. Checklist Items 61 through 67 in the TVAP IEC address land and soils related impacts. The IEC concludes no such impacts would occur under the TVAP.

Current Conditions. The TVAP relies upon provisions in the South Lake Tahoe Development Code and the TRPA Code of Ordinances to ensure that land disturbance activities do not result in significant environmental effects. The TRPA Code of Ordinances, for example, has provisions in Chapter 30: *Land Coverage* that formalize the land capability limitations. Similarly, Chapter 33: *Grading and Construction* deals with excavation, fills, and other land disturbance requirements. Finally, Chapter 60: *Water Quality* requires that Best Management Practices (BMPs) be installed on all sites to ensure against erosion and sedimentation impacts.

Proposal. The proposal will not affect the regulatory framework described above, although one of the amendments will slightly modify transfer of coverage provisions. The proposed amendments fall into three categories: three categories: transfers of coverage, building design, and parking. Of the amendments, only two have the potential to impact land and soils:

- Specify that mixed-use projects involving a mix of residential and public service uses are eligible for transfer of hard, soft, and potential coverage at a 1:1 ratio.
- Allow adjustment of parking ratios when a property is deed restricted for parking management or when required by state law.

Impacts.

a. Will the proposal result in compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)?

Current Conditions. Because the TVAP is a conforming area plan, the portions of the plan area that are designated as a Town Center are eligible to transfer in coverage up to a maximum of 70 percent of the site. Transfers of coverage are governed by Chapter 30: *Land Coverage* of the TRPA Code of Ordinances, which establishes the following provisions:

- Multi-family residential (5 units or more), public services, and recreational uses are eligible to transfer at a 1:1 ratio until maximum land coverage is reached. A 1:1 ratio also applies when coverage is transferred from sensitive lands.

- Other uses receive a pro-rated transfer ratio between 1:1 and 2:1 depending upon the final coverage amount. Uses seeking full 70 percent coverage must use the 2:1 ratio for transfers beyond 50 percent.
- Hard coverage can always be transferred. Soft and potential coverage cannot be transferred to commercial, mixed-use, or tourist accommodation facilities, but can be transferred for other uses such as multi-family residential and public services uses.

With respect to parking, the TVAP relies on the South Lake Tahoe Development Code to establish parking ratios and requirements. The code standards for parking allow adjustment of parking ratios as part of a discretionary land use permit. No allowance is provided for circumstances where the city is pre-empted in regulation of parking by a state statute.

Proposal. The proposal would allow mixed-use projects to (1) transfer in soft and potential coverage, and (2) use a 1:1 ratio for all transfers when the component uses are also eligible to do so. An example would be a mixed-use project comprising 10 residential units and a day-care center. Individually, the residential and day care center components qualify for the 1:1 transfer ratio and transfer of soft and potential coverage. Currently, however, when the uses are combined, they lose that eligibility. The proposed amendment would resolve this issue.

Additionally, the proposal would alter a substitute parking standard by (1) allowing state law to prevail where local governments are pre-empted in setting parking demand ratios, and (2) allowing the City's Development Services Director to administratively reduce parking demand ratios when supported with a parking study and ongoing parking management.

Impact. Though the amendment would change transfer ratios for a limited class of projects, the resulting projects would still need to abide by the maximum coverage requirements established in the TVAP and TRPA Code of Ordinances. As such, land capability and IPES limitations would not be exceeded due to the amendments. General coverage impacts from a mixed-use development comprised of multi-family residential and public services uses would be equivalent to that of similarly sized individual projects. As such, no impact is anticipated with respect to transfers of coverage.

In regards to parking, the proposal could result in a reduction of parking within subsequent developments under the TVAP. This is because subsequent developments would benefit either from reduced parking demand ratios under state statute, or because projects are able to receive administrative approval of reduced parking. The reduction of developed parking, however, is based either on a city-approved parking study or on a project's proximity to public transit services in the case of the state pre-emption. In any case, any future development projects would be subject to project-level environmental review. A project may only be approved when the requisite findings can be made, including a finding of consistency with environmental thresholds. Any project that creates excess unsatisfied parking demand resulting in parking in non-coverage areas would be inconsistent with this finding. As such, application of the standard project review process is sufficient to ensure that unfulfilled parking demand does not result in excess coverage.

b. Will the proposal result in a change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions?

The amendments would not result in changes in topography or natural relief. Existing TVAP and TRPA Code of Ordinances provisions that address topography would continue to apply.

c. Will the proposal result in unstable soil conditions during or after completion of the proposal?

The amendments would not result in unstable soil conditions. Existing TVAP and TRPA Code of Ordinances provisions that address soils and water quality would continue to apply.

d. Will the proposal result in changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet?

The amendments will not result in excess excavation. Existing TVAP and TRPA Code of Ordinances provisions that address excavation and grading would continue to apply.

e. Will the proposal result in the continuation of or increase in wind or water erosion of soils, either on or off the site?

The amendments would not result in changes in natural soil conditions, alterations in drainage or wind patterns, or make soils more susceptible to erosion.

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?

The amendments would not affect littoral or riparian ecological processes.

g. Exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards?

The amendments would not expose people to geologically hazardous conditions.

Threshold Indicators – Soil Conservation

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

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
61 SC-1	Bailey Land Coverage Coefficient for Class 1a	Percent of impervious cover	N/A (In Attainment)	Considerably better than target	Little or no change
62 SC-2	Bailey Land Coverage Coefficient for Class 1b	Percent of impervious cover	Insufficient data to determine interim target	Considerably worse than target	Moderate improvement
63 SC-3	Bailey Land Coverage Coefficient for Class 1c	Percent of impervious cover	N/A (In Attainment)	At or better than target	Little or no change
64 SC-4	Bailey Land Coverage Coefficient for Class 2	Percent of impervious cover	Insufficient data to determine interim target	Somewhat worse than target	Little or no change
65 SC-5	Bailey Land Coverage Coefficient for Class 3	Percent of impervious cover	N/A (In Attainment)	Considerably better than target	Little or no change
66 SC-6	Bailey Land Coverage Coefficient for Class 4	Percent of impervious cover	N/A (In Attainment)	Considerably better than target	Little or no change

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
67 SC-7	Bailey Land Coverage Coefficient for Class 5	Percent of impervious cover	N/A (In Attainment)	Considerably better than target	Little or no change
68 SC-8	Bailey Land Coverage Coefficient for Class 6	Percent of impervious cover	N/A (In Attainment)	Considerably better than target	Little or no change
69 SC-9	Bailey Land Coverage Coefficient for Class 7	Percent of impervious cover	N/A (In Attainment)	At or better than target	Little or no change
70	Stream restoration	Acres (and percent) of SEZ restored	88 acres of SEZ restoration by 2016	Considerably worse than target	Moderate improvement

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

Tiering. Checklist Items 24 through 28 in the TVAP IEC address air quality impacts from the area plan. The IEC concludes that impacts under the TVAP would be less-than-significant.

Current Conditions. TRPA Code of Ordinances Chapter 65: *Air Quality / Transportation* includes several standards that ensure that air quality standards are maintained. These include:

- An air quality mitigation fee program
- Limitations on combustion appliances
- Restrictions on stationary pollutant sources
- Restrictions on idling

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. None of these amendments would have a direct or indirect effect on air quality requirements.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

a. Will the proposal result in substantial air pollutant emissions?

The amendments would not result in generation or emission of air pollutants. Existing air quality standards and requirements will continue to apply.

b. Will the proposal result in deterioration of ambient (existing) air quality?

The amendments would not result in deterioration of ambient air quality. Existing air quality standards and requirements will continue to apply.

c. Will the proposal result in the creation of objectionable odors?

The amendments are not expected to result in creation of objectionable odors. Existing land use and air quality standards will continue to apply.

d. Will the proposal result in alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?

The amendments would not alter any standard that affects air movement, moisture, temperature, or climate.

e. Will the proposal result in increased use of diesel fuel?

The amendments would not result in increased use of diesel fuel, as the amendments would not result in additional short-term construction beyond what was already anticipated in the TVAP IEC. That IEC found that impacts from increased use of diesel fuel would be less-than significant.

Threshold Indicators – Air Quality

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

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
1	Carbon monoxide concentration	Highest 1-hour reading of CO	N/A (In Attainment)	Considerably better than target	Moderate improvement
2 AQ-1	Carbon monoxide – concentration	Highest 8-hour reading of CO	N/A (In Attainment)	Considerably better than target	Moderate improvement
3 AQ-3	Ozone – concentration	Highest 1-hour reading of	N/A (In Attainment)	At or better than target	Moderate improvement
4	Ozone – concentration	Highest 8-hour ozone concentration	Insufficient data to determine target	Somewhat worse than target	Moderate improvement
5 AQ-10	Particulate matter concentration – annual	Annual average PM _{2.5}	N/A (In Attainment)	Considerably better than target	Moderate improvement
6 AQ-9	Particulate matter concentration – 24 hour	Highest 24-hour PM ₁₀ concentration	59 µg/m ³ by 2016	Somewhat worse than target	Little or no change
7 AQ-5	Regional visibility – 50 th percentile	Visibility extinction coefficient	N/A (In Attainment)	At or better than target	Little or no change

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
8 AQ-6	Regional visibility – 90 th percentile	Visibility extinction coefficient	N/A (In Attainment)	At or better than target	Little or no change
9 AQ-7	Subregional visibility – 50 th percentile	Visibility extinction coefficient	Insufficient data to determine target	Unknown	Unknown
10 AQ-8	Subregional visibility – 90 th percentile	Visibility extinction coefficient	Insufficient data to determine target	Unknown	Unknown
11 AQ-2	Carbon monoxide – winter traffic volume	Traffic volume on US 50 during the Saturday of President’s Day weekend.	N/A (In attainment)	Considerably better than target	Moderate improvement
12 AQ-14	Nitrate deposition – vehicle miles travelled	VMT estimated from peak traffic volumes in 2 nd week of August	N/A (In Attainment)	At or better than target	Moderate improvement
13 AQ-13	Nitrate deposition	Modeled NO _x emissions in tons	N/A (In Attainment)	Implemented	N/A
14	Odor – Diesel engine emission fumes	Evaluation criteria and evidence	N/A (In Attainment)	Implemented	N/A
15	Ozone – concentration	3-year average of 4 th highest ozone concentration	N/A (In Attainment)	At or better than target	Moderate improvement
16 AQ-4	Ozone – Oxides of nitrogen	Average tons of NO _x per day	N/A (In Attainment)	Considerably better than target	Moderate improvement
17	Fine particulate matter – 3 year daily average	3 year average of 98 th percentile 24-hour PM _{2.5} concentration	N/A (In Attainment)	Considerably better than target	Little or no change
18 AQ-11	Fine particulate matter concentration – 24 hour	Highest 24-hour PM _{2.5} concentration	Not established	Not yet evaluated	Not yet evaluated
19 AQ-12	Fine particulate matter concentration – annual	Annual average PM _{2.5}	N/A (In Attainment)	Considerably better than target	Little or no change

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"/>

Will the proposal result in:	Yes	No	No, with mitigation	Data insufficient ⁺
c. Alterations to the course or flow of 100-year flood 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"/>

Discussion

Tiering. Checklist Items 92 through 102 in the TVAP IEC address water quality impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. Chapter 60: *Water Quality* of the TRPA Code of Ordinances establishes protection provisions for both surface and groundwater. This is accomplished through such measures as BMP installation and source water protection.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. No water quality effects are anticipated from any of these amendments.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

a. Will the proposal result in changes in currents, or the course or direction of water movements?

The amendments would not result in changes in currents or water course or direction. Existing standards that protect ecological processes will remain in place.

b. Will the proposal result in 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?

Please see the discussion for Question 1a. Development under the proposed amendments would maintain consistency with the land capability limitations in the TRPA Code of Ordinances and would be designed to include required BMPs. As such, adherence to existing code provisions will ensure that

development would not result in significant changes in absorption rate, drainage patterns, or surface water discharge.

c. Will the proposal result in alterations to the course or flow of 100-year flood waters?

Development under the proposed amendments would not result in alterations to the course or flow of 100-year floodwaters.

d. Will the proposal result in change in the amount of surface water in any water body?

The proposed amendments would not be anticipated to change the amount of surface water in any waterbody.

e. Will the proposal result in discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?

As with current requirements, all development will be required to comply with Chapter 60: *Water Quality* of the Code of Ordinances. This includes provisions for the installation of water quality BMPs. BMPs when sized and installed correctly can help to reduce discharges into surface waters that would affect water quality. Adherence to current standards would ensure that alteration of surface water quality impacts are less than significant.

f. Will the proposal result in alteration of the direction or rate of flow of ground water?

The proposed amendments would not alter the direction or flow rate of groundwater.

g. Will the proposal result in change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?

The proposed amendments would not affect the quantity of groundwater. As evaluated in the TVAP, there are sufficient water resources to serve buildout of the plan without resulting in impacts.

h. Will the proposal result in substantial reduction in the amount of water otherwise available for public water supplies?

Please see the answer to Question 3g above. There are sufficient water resources to serve the buildout of the plan.

i. Will the proposal result in exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches?

Please see the answer to Question 3c above. The plan area is non-littoral, so seiche and wave action impacts are not anticipated. The amendments would not result in activities in the 100-year floodplain.

j. Will the proposal result in the potential discharge of contaminants to the groundwater or any alteration of groundwater quality?

The proposed amendment would not result in a discharge of contaminants to groundwater or other alteration of groundwater quality.

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

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
97 WQ-4	Littoral – turbidity – non-stream-influenced shallow waters	Average turbidity measure (NTU)	Insufficient data to determine target	At or better than target	Unknown
98 WQ-3	Littoral – turbidity	Average turbidity measure (NTU)	Insufficient data to determine target	At or better than target	Unknown
99	Littoral – attached algae		Insufficient data to determine target	Insufficient information	Little or no change
100 WQ-8 thru 14	Littoral – aquatic invasive species		Insufficient data to determine target	Insufficient information	Little or no change
101 WQ-1	Deep water transparency	Annual average secchi disk depth	78 feet by 2016	Somewhat worse than target	Little or no change
102 WQ-2	Deep water – phytoplankton productivity	Primary phytoplankton productivity	Predicted to be approximately 221 gC/m ² /yr in 2016	Considerably worse than target	Rapid decline
103 WQ-18	Tributaries -suspended sediment concentration	90 th percentile suspended sediment concentrations (mg/l)	N/A (In Attainment)	Considerably better than target	N/A
104 WQ-15	Tributaries – dissolved inorganic nitrogen	mg/l; and number and percent of standard exceedences	Unable to be determined due to lack of trend	No target established	Little or no change
105 WQ-16	Tributaries – dissolved phosphorous	mg/l; and number and percent of standard exceedences	Unable to be determined due to lack of trend	No target established	Little or no change
106	Runoff – grease and oil	Concentration of grease and oil (mg/l)	Insufficient data to determine target	Unknown	Unknown
107 WQ-21	Runoff – dissolved iron concentration	Concentration of total iron (mg/l)	Insufficient data to determine target	Unknown	Unknown
108 WQ-19	Runoff - dissolved inorganic nitrogen concentration	Concentration of total nitrogen (mg/l)	Insufficient data to determine target	Unknown	Unknown
109 WQ-20	Runoff – dissolved phosphorous concentration	Concentration of total phosphate (mg/l)	Insufficient data to determine target	Unknown	Unknown
110 WQ-22	Runoff -suspended sediment	Turbidity level (NTU)	Insufficient data to determine target	Unknown	Unknown

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
111	Groundwater discharge – grease and oil	Concentration of grease and oil (mg/l)	Insufficient data to determine target	Unknown	Unknown
112	Groundwater discharge – iron	Concentration of total iron (mg/l)	Insufficient data to determine target	Unknown	Unknown
113	Groundwater discharge - nitrogen	Concentration of total nitrogen (mg/l)	Insufficient data to determine target	Unknown	Unknown
114	Groundwater discharge – phosphate	Concentration of total phosphate (mg/l)	Insufficient data to determine target	Unknown	Unknown
115	Groundwater discharge – turbidity	Turbidity level (NTU)	Insufficient data to determine target	Unknown	Unknown
116	Other lakes – boron	Concentration of boron (mg/l)	Insufficient data to determine target	Unknown	Unknown
117	Other lakes – chloride	Concentration of chloride (mg/l)	Insufficient data to determine target	Unknown	Unknown
118	Other lakes – chlorophyll-a	Concentration of chlorophyll-a (gC/m ² /year)	Insufficient data to determine target	Unknown	Unknown
119	Other lakes – dissolved inorganic nitrogen	Concentration of Inorganic Nitrogen	Insufficient data to determine target	Unknown	Unknown
120	Other lakes – dissolved oxygen	Concentration of Dissolved Oxygen	Insufficient data to determine target	Unknown	Unknown
121	Other lakes – pH	pH level	Insufficient data to determine target	Unknown	Unknown
122	Other lakes – phytoplankton cell counts	Phytoplankton cell count	Insufficient data to determine target	Unknown	Unknown
123	Other lakes – secchi disk	Depth of Secchi Disk	Insufficient data to determine target	Unknown	Unknown
124	Other lakes – soluble reactive iron	Concentration of Soluble Reactive Iron	Insufficient data to determine target	Unknown	Unknown
125	Other lakes – soluble reactive phosphorous	Concentration of SRP	Insufficient data to determine target	Unknown	Unknown
126	Other lakes – sulfate	Concentration of Sulfate	Insufficient data to determine target	Unknown	Unknown

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
127	Other lakes – temperature	Water temperature	Insufficient data to determine target	Unknown	Unknown
128	Other lakes – total dissolved solids	Concentration of TDS	Insufficient data to determine target	Unknown	Unknown
129	Other lakes – total nitrogen	Concentration of TN	Insufficient data to determine target	Unknown	Unknown
130	Other lakes – total phosphorous	Concentration of TP	Insufficient data to determine target	Unknown	Unknown
131	Other lakes – total reactive iron	Concentration of TRI	Insufficient data to determine target	Unknown	Unknown
132	Other lakes – vertical extinction coefficient	Vertical extinction	Insufficient data to determine target	Unknown	Unknown
133	Tributaries – reduce dissolved inorganic nitrogen load	Annual load of nitrogen (and nitrogen species)	Insufficient data to determine target	Unknown	Unknown
134	Tributaries – reduce dissolved phosphorous load	Annual load of total phosphorus (and phosphorus species)	Insufficient data to determine target	Unknown	Unknown
135	Tributaries – reduce suspended sediment load	Annual load of suspended sediment from all monitored tributaries	Insufficient data to determine target	Unknown	Unknown
136	Tributaries – state standard for dissolved iron concentration	Annual Dissolved Iron Concentration	Insufficient data to determine target	Unknown	Unknown
137	Dissolved inorganic loading – atmospheric source reduction	Metric tons of nutrients loaded via rain and snow deposition ("wet deposition") at Ward Creek site per year from atmospheric sources	Insufficient data to determine target	Unknown	Unknown
138	Dissolved inorganic nitrogen – groundwater source	Metric tons of DIN/year	Insufficient data to determine target	Unknown	Unknown
139	Dissolved inorganic nitrogen – runoff source	Metric tons of DIN/year	Insufficient data to determine target	Unknown	Unknown

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
140	Reduce dissolved inorganic nitrogen from all sources	Annual DIN Load in metric tons/year or kg/year	Insufficient data to determine target	Unknown	Unknown
141	Reduce dissolved inorganic nitrogen, phosphorous, and iron from all sources	Annual DIN, DP, Iron Load in metric tons/year or kg/year	Insufficient data to determine target	Unknown	Unknown

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

Tiering. Checklist Items 35 through 42 in the TVAP IEC address vegetation impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. Section 61.3, *Vegetation Protection and Management*, of the TRPA Code of Ordinances establishes protection standards for Stream Environment Zones (SEZs) and for other sensitive and uncommon plant communities.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. None of these amendments would have a direct or indirect effect on vegetation.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

a. Will the proposal result in removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system?

Please see the response to Question 1a. The proposed amendments would not result in removal of excess native vegetation beyond what is allowable under the land capability system.

b. Will the proposal result in removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table?

The proposed amendments would not result in removal of hydrophytic vegetation either directly or indirectly.

c. Will the proposal result in introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species?

The proposed amendments would not result in introduction of new vegetation that requires excess fertilizer or water. There are sufficient water resources to support landscaping, and adherence to code requirements would ensure against placement of harmful fertilizers.

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)?

The proposed amendments would not result in a change in the diversity or distribution of plant species.

e. Will the proposal result in reduction of the numbers of any unique, rare or endangered species of plants?

The proposed amendments would not result in reduction of any unique, rare, or endangered species of plants. Existing code requirements that address this issue would continue to apply.

f. Will the proposal result in removal of stream bank and/or backshore vegetation, including woody vegetation such as willows?

TVAP is non-littoral, so no disturbance to the backshore is anticipated. SEZs are protected under Section 61.3 of the TRPA Code of Ordinances, and such protection would continue. As such, no removal of stream bank vegetation is anticipated.

g. Will the proposal result in 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?

There are no Conservation or Recreation land use classifications within the plan area.

h. Will the proposal result in a change in the natural functioning of an old growth ecosystem?

There is no old-growth ecosystem within the plan area.

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.

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
71	Appropriate Management Practices	Evaluation Criteria and Evidence	N/A (In Attainment)	Implemented	N/A
72	Land Capability to Support Native Vegetation	Evaluation Criteria and Evidence	N/A (In Attainment)	Implemented	N/A
73	Protect and Expand Riparian Vegetation	Evaluation Criteria and Evidence	N/A (In Attainment)	Implemented	N/A
74	Vegetation Pattern - Juxtaposition	Evaluation Criteria and Evidence	N/A (In Attainment)	Implemented	N/A
75	Relative Abundance - Deciduous Riparian Hardwoods	Acres (and percent cover) of Riparian Deciduous Hardwoods	Increase total acreage by 2016	Considerably Worse Than Target	Little or No Change
76	Relative Abundance - Meadows and Wetlands	Acres (and percent cover) of vegetation types meeting meadow and wetland classification type	Increase total acreage by 2016	Somewhat Worse Than Target	Little or No Change
77	Relative Abundance - Shrub	Acres (and percent cover) of vegetation types meeting shrub classification	N/A (In Attainment)	Considerably Better Than Standard	Little or No Change
78	Relative Abundance - Small Diameter Red Fir	Acres (and percent cover) of vegetation types meeting small diameter (<10.9"dbh) red fir classification	Insufficient data to determine interim target	Considerably Worse Than Target	Little or No Change
79	Relative Abundance - Small Diameter Yellow Pine	Acres (and percent cover) of vegetation types meeting small diameter (<10.9"dbh) Jeffrey pine classification	Insufficient data to determine interim target	Considerably Worse Than Target	Little or No Change

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
80	Vegetation Community Richness	Number of different vegetation associated as defined in resolution 82-11	N/A (In Attainment)	At or Better Than Target	Little or No Change
81	Deep-water plants of Lake Tahoe	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	Insufficient data to determine interim target	Considerably Worse Than Target	Unknown
82	Freel Peak Cushion Plant community	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	N/A (In Attainment)	Somewhat Worse Than Target	Rapid Decline
83	Grass Lake (sphagnum bog)	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	N/A (In Attainment)	Insufficient Information	Unknown
84	Hell Hole	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	N/A (In Attainment)	Insufficient Information	Unknown
85	Osgood swamp	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	Insufficient data to determine interim target	Insufficient Information	Unknown
86	Pope Marsh	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	Unable to be determined due to lack of trend	Insufficient Information	Unknown
87	Taylor Creek Marsh	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	N/A (In Attainment)	Insufficient Information	Unknown
88	Upper Truckee Marsh	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	Insufficient data to determine interim target	Somewhat Worse Than Target	Little or No Change
89	Galena Rock Cress - <i>Arabis rigidissima</i> v. <i>demote</i>	Number of occupied sites	Insufficient data to determine interim target	Considerably Worse Than Target	Unknown

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
90	Cup Lake Draba - <i>Draba asterophora</i> v. <i>macrocarpa</i>	Number of occupied sites	N/A (In Attainment)	Considerably Better Than Standard	Little or No Change
91	Long-petaled Lewisia - <i>Lewisia pygmaea longipetala</i>	Number of occupied sites	N/A (In Attainment)	Considerably Better Than Standard	Little or No Change
92	Tahoe Draba - <i>Draba asterophora</i> v. <i>asterophora</i>	Number of occupied sites	N/A (In Attainment)	Considerably Better Than Standard	Little or No Change
93	Tahoe Yellow Cress - <i>Rorippa subumbellata</i>	Number of occupied sites	N/A (In Attainment)	Considerably Better Than Standard	Moderate
94	Late Seral/Old Growth - Montane	Acres (and percent cover) of stands dominated by conifer trees > 24"dbh (relative abundance)	Increase in percent cover of large diameter dominated stands by 2016	Considerably Worse Than Target	Unknown
95	Late Seral/Old Growth - Sub Alpine	Acres (and percent cover) of stands dominated by conifer trees > 24"dbh (relative abundance)	Increase in percent cover of large diameter dominated stands by 2016	Considerably Worse Than Target	Unknown
96	Late Seral/Old Growth - Upper Montane	Acres (and percent cover) of stands dominated by conifer trees > 24"dbh (relative abundance)	Increase in percent cover of large diameter dominated stands by 2016	Considerably Worse Than Target	Unknown

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

Tiering. Checklist Items 43 through 46 in the TVAP IEC address wildlife impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. Chapter 62: *Wildlife Resources* and Chapter 63: *Fish Resources* of the TRPA Code of Ordinances provide protection of critical habitat for any species of concern.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Alterations in any of these areas would not be expected to result in a direct or indirect effect on wildlife.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

- a. **Will the proposal result in 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)?**

The amendments are not expected to result in a change in distribution or numbers of any species.

- b. **Will the proposal result in reduction of the number of any unique, rare or endangered species of animals?**

The amendments are not anticipated to result in a reduction of unique, rare, or endangered animal species. The location of the area plan is an urbanized area where presence of such species is not anticipated.

- c. **Will the proposal result in introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?**

The amendments are not expected to result in the introduction of new species of animals.

- d. **Will the proposal result in deterioration of existing fish or wildlife habitat quantity or quality?**

The amendments are not expected to result in deterioration of fish or wildlife habitat. Existing TRPA ordinance standards that address these issues will continue to remain in effect.

Threshold Indicators – Wildlife

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

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
142	Disturbance zones management standard	Road Density and Recreation disturbance within protected areas	N/A (In Attainment)	Implemented	N/A
143	Bald Eagle (Nesting, 1 site)	Number of active nest sites	N/A (In Attainment)	At or better than target	Little or no change

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
144	Bald Eagle (Winter, maintain 2 sites)	Winter Bald Eagle Count	Maintain wintering sites	No target established	Moderate improvement
145	Deer (no target)	Annual NDOW deer counts	increase in deer counts	No target established	Moderate improvement
146	Golden Eagle (4 sites)	Number of active nest sites/year	at least two active nests by 2016	Insufficient information	Insufficient data
147	Northern goshawk (12 sites)	Number of active nest sites/year	4-8 reproductively active territories by 2016	Insufficient information	Insufficient data
148	Osprey (4 sites)	Number of active nest sites/year	N/A (In Attainment)	Considerable better than target	Rapid improvement
149	Peregrine (2 sites)	Number of active nest sites/year	N/A (In Attainment)	Considerably better than target	Rapid improvement
150	Waterfowl (maintain 18 Sites)	Evidence of nesting waterfowl and disturbance within protected areas	Increase in the percentage of waterfowl relative to detrimental species	Somewhat worse than target	Little or no change
151	Riparian habitat protection	Implemented control measures and restoration effort	N/A (In Attainment)	Implemented	N/A

Threshold Indicators – Fisheries

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

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
20	Littoral substrate	Acres of "prime" habitat (rocky substrates in littoral zone)	N/A (In Attainment)	At or better than target	Unknown
21	Stream habitat quality	Miles of stream in "excellent" condition class	Insufficient data to determine interim target	Considerably better than target	Unknown
22	Stream habitat quality	Miles of stream in "good" condition class	Insufficient data to determine interim target	Considerably worse than target	Unknown
23	Stream habitat quality	Miles of stream in "marginal" condition class	Insufficient data to determine interim target	Considerably worse than target	Unknown
24	Stream Flow protection	Evaluation Criteria and Evidence	N/A (In Attainment)	Implemented	N/A
25	Water diversions	Evaluation Criteria and Evidence	N/A (In Attainment)	Implemented	N/A
26	Lahontan cutthroat trout reintroduction	Evaluation Criteria and Evidence	N/A (In Attainment)	Implemented	N/A

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

Tiering. Checklist Items 118 through 120 in the TVAP IEC address noise impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. TVAP establishes maximum Community Noise Equivalent Levels (CNELs) for each of its zoning districts. Noise restrictions and enforcement of CNEL standards are then based upon TRPA Code of Ordinances Chapter 68: *Noise*.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. None of these amendments are expected to directly or indirectly affect noise.

Impacts.

a. Will the proposal result in increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Area Plan, Plan Area Statement, Community Plan or Master Plan?

The proposal would not effect existing CNEL levels in the Tahoe Valley Area Plan.

b. Will the proposal result in exposure of people to severe noise levels?

The amendments would not expose people to sever noise levels.

c. Will the proposal result in single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold?

The amendments would not result in generation of single-event noise levels that exceed threshold limitations.

d. Will the proposal result in the placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible?

The proposal will not result in placement of residential or tourist accommodation in areas where the existing CNEL exceeds 60dBA. Such uses would continue to be allowed in the designated zoning districts in the TVAP. The proposal does not alter which uses are allowed in each district.

e. Will the proposal result in the placement of uses that would generate an incompatible noise level in close proximity to existing residential or tourist accommodation uses?

The proposed amendments would not result in placement of noise-incompatible uses in close proximity to residential or tourist accommodation uses. Existing noise generation standards and land use permissibility restrictions would continue to apply.

f. Will the proposal result in exposure of existing structures to levels of ground vibration that could result in structural damage?

The proposal is not anticipated to result in exposure of structures to ground vibration.

Threshold Indicators – Noise

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

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
27	Aircraft 8am to 8pm	dBA Level and Number of Exceedances of Standard	Trend expected to flatten then remain stable	Somewhat Worse Than Target	Insufficient Data
28	Aircraft 8pm to 8am	dBA Level and Number of Exceedances of Standard	Insufficient data to determine interim target	Unknown	Unknown
29	Motor Vehicles Greater Than 6,000 GVW	dBA Level and Number of Exceedances of Standard	Insufficient data to determine interim target	Unknown	Unknown
30	Motor Vehicles Less Than 6,000 GVW	dBA Level and Number of Exceedances of Standard	Insufficient data to determine interim target	Unknown	Unknown
31	Motorcycles	dBA Level and Number of Exceedances of Standard	Insufficient data to determine interim target	Unknown	Unknown

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
32	Off-Road Vehicles	dBA Level and Number of Exceedances of Standard	Insufficient data to determine interim target	Unknown	Unknown
33	Snowmobiles	dBA Level and Number of Exceedances of Standard	Insufficient data to determine interim target	Unknown	Unknown
34	Watercraft - Pass by	dBA Level and Number of Exceedances of Standard	Insufficient data to determine interim target	Unknown	Unknown
35	Watercraft - Shoreline	dBA Level and Number of Exceedances of Standard	Insufficient data to determine interim target	Somewhat Worse Than Target	Little or No Change
36	Watercraft - Stationary	dBA Level and Number of Exceedances of Standard	Insufficient data to determine interim target	Unknown	Unknown
37	Cumulative - Commercial Areas	Community Noise Equivalent Level (dBA) in designated zone	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change
38	Cumulative - Critical Wildlife Habitat Areas	Community Noise Equivalent Level (dBA) in designated zone	Insufficient data to determine interim target	Considerably Worse Than Target	Unknown
39	Cumulative - High Density Residential Areas	Community Noise Equivalent Level (dBA) in designated zone	Unable to be determined due to lack of trend	Somewhat Worse Than Target	Little or No Change
40	Cumulative - Hotel/Motel Areas	Community Noise Equivalent Level (dBA) in designated zone	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change
41	Cumulative - Industrial Areas	Community Noise Equivalent Level (dBA) in designated zone	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change
42	Cumulative - Low Density Residential Areas	Community Noise Equivalent Level (dBA) in designated zone	Unable to be determined due to lack of trend	At or Better Than Target	Little or No Change
43	Cumulative - Rural Outdoor Recreation Areas	Community Noise Equivalent Level (dBA) in designated zone	Unable to be determined due to lack of trend	At or Better Than Target	Little or No Change

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
44	Cumulative - Transportation Corridors - Highway 50	Community Noise Equivalent Level (dBA) in designated zone	N/A-Indicator already in attainment with standard	At or Better Than Target	Insufficient Data
45	Cumulative - Transportation Corridors - Highways 207	Community Noise Equivalent Level (dBA) in designated zone	Unable to be determined due to lack of trend	Somewhat Worse Than Target	Insufficient Data
46	Cumulative - Transportation Corridors - Highways 267	Community Noise Equivalent Level (dBA) in designated zone	Unable to be determined due to lack of trend	Somewhat Worse Than Target	Insufficient Data
47	Cumulative - Transportation Corridors - Highways 28	Community Noise Equivalent Level (dBA) in designated zone	CNEL 62 dBA	Somewhat Worse Than Target	Insufficient Data
48	Cumulative - Transportation Corridors - Highways 431	Community Noise Equivalent Level (dBA) in designated zone	CNEL 56 dBA	At or Better Than Target	Insufficient Data
49	Cumulative - Transportation Corridors - Highways 89	Community Noise Equivalent Level (dBA) in designated zone	CNEL 59 dBA	Somewhat Worse Than Target	Insufficient Data
50	Cumulative - Transportation Corridors - South Lake Tahoe Airport	Community Noise Equivalent Level (dBA) in designated zone	Insufficient data to determine interim target	Somewhat Worse Than Target	Insufficient Data
51	Cumulative - Urban Outdoor Recreation	Community Noise Equivalent Level (dBA) in designated zone	Unable to be determined due to lack of trend	At or Better Than Target	Little or No Change
52	Cumulative - Wilderness and Roadless Areas	Community Noise Equivalent Level (dBA) in designated zone	N/A-Indicator already in attainment with standard	At or Better Than Target	Moderate Improvement

7. Light and Glare

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Include new or modified sources of exterior lighting?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Create new illumination which is more substantial than other lighting, if any, within the surrounding area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- c. Cause light from exterior sources to be cast off -site or onto public lands?
- d. Create new sources of glare through the siting of the improvements or through the use of reflective materials?

Discussion

Tiering. Checklist Items 10 through 13 in the TVAP IEC address lighting and glare impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. The TVAP includes specific standards that address exterior lighting. These standards ensure that lighting is down-shielded to avoid creating glare or casting light offsite. Additionally, the standards prohibit the use of reflective exterior building materials. These existing standards would remain in place unchanged.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Alterations in any of these areas would not be expected to result in a direct or indirect effect relating to light or glare.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

a. Will the proposal include new or modified sources of exterior lighting?

The amendments would not result in additional or modified exterior lighting beyond what is already allowed under the TVAP. All exterior lighting must comply with existing TVAP standards.

b. Will the proposal create new illumination which is more substantial than other lighting, if any, within the surrounding area?

The amendments would not result in new illumination. All exterior lighting must comply with existing TVAP standards.

c. Will the proposal cause light from exterior sources to be cast off -site or onto public lands?

The amendments would not cause light to be cast offsite or onto public lands. Existing exterior lighting standards will continue to apply.

d. Will the proposal create new sources of glare through the siting of the improvements or through the use of reflective materials?

The amendments would not create new sources of glare through reflective building materials. Building materials must meet the existing requirements in the TVAP.

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?
- b. Expand or intensify an existing non-conforming use?

Discussion

Tiering. Checklist Items 106 and 107 in the TVAP IEC address land use impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. Chapter 13: *Area Plans* of the TRPA Code of Ordinances establishes provisions for the establishment of area plans. Once adopted and found to be conforming with the Regional Plan, an area plan becomes a component of the Regional Plan. Chapter 13 requires that area plans address several different land use-related topics, including permissible uses, heights, density, building design, parking, lighting, and signage.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. None of these alterations affect permissible uses or nonconforming uses.

Impacts. As no changes in permissible use are proposed, the potential effects are the same as those identified in the TVAP IEC.

- a. **Include uses which are not listed as permissible uses in the applicable Area Plan, Plan Area Statement, adopted Community Plan, or Master Plan?**
The amendments would not affect permissible uses, and therefore would not introduce a use that is not already listed as permissible in the TVAP.
- b. **Expand or intensify an existing non-conforming use?**
The amendments would not expand or intensify a nonconforming use. No change in permissible uses is proposed. The amendments would not further intensify existing residential nonconformities in the CMX-5 zoning district.

9. Natural Resources

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

Discussion

Tiering. Checklist Items 110 and 111 in the TVAP IEC address air quality impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. While the TVAP does not directly address resource consumption, projects that would consume an inordinate amount of natural resources would be subject to project-level environmental review.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Alterations in any of these areas would not be expected to result in a direct or indirect effect on wildlife.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

a. Will the proposal result in a substantial increase in the rate of use of any natural resources?

The amendments would not result in a substantial increase in use of any natural resources. As indicated in the TVAP IEC, buildout under the plan would result in impacts that are less than significant. The amendments would not be expected to alter resource consumption.

b. Will the proposal result in substantial depletion of any non-renewable natural resource?

See response to Question 9a above. The amendments would not result in a substantial depletion of any nonrenewable resources.

10. Risk of Upset

Will the proposal:

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

Discussion

Tiering. Checklist Items 78 and 79 in the TVAP IEC address hazard-related impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant after incorporation of mitigation.

Current Conditions. All existing and new development in the TVAP planning area are required to comply with federal, state, and local regulations regarding the handling, transportation, disposal, and cleanup of hazardous materials.

TVAP includes five mitigation measures to address hazards and hazardous materials:

- Measure HAZ-1, which requires sites known to contain hazardous materials to be reviewed, tested, and remediated.

- Measure HAZ-2, which require future projects with potential contaminating activities to demonstrate adequate protections are in place prior to approval.
- Measure HAZ-3, which requires future projects to incorporate all recommended fire protection and design provisions identified by the fire department.
- Measure HAZ-4, which requires submittal and approval of a Traffic Management Plan prior to site disturbance.
- Measure HNS-1, which requires the City to do a nexus study and assess development impact fees.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Alterations in any of these areas would not be expected to result in a direct or indirect effect on hazardous materials or risk of upset. Implementation of the amendments would also not affect the continued application of the above mitigation measures.

Impacts.

a. **Will the proposal 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?**

The amendments would not result in a risk of explosion or release of hazardous substances.

b. **Will the proposal involve possible interference with an emergency evacuation plan?**

The amendments would not involve interference with an emergency evacuation plan.

11. Population

Will the proposal:

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

Discussion

Tiering. Checklist Items 124 and 125 in the TVAP IEC address population impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. The Lake Tahoe Regional Plan lays out the regional land use vision. The plan relies heavily on the use of Town Centers, which are 13 locations around the lake where growth is to be focused and accomplished through environmentally beneficial redevelopment. One of the Town Centers is located within the boundaries of the TVAP.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Alterations in any of these areas would not be expected to result in a direct or indirect effect on population growth, density, or distribution.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

a. Will the proposal alter the location, distribution, density, or growth rate of the human population planned for the Region?

The amendments would not alter the location, distribution, density, or growth rate for the region.

b. Will the proposal include or result in the temporary or permanent displacement of residents?

The amendments would not displace residents.

12. Housing

Will the proposal:

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

Tiering. Checklist Items 126 and 127 in the TVAP IEC address housing impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. The Lake Tahoe Regional Plan calls for growth to be focused in designated Town Centers. This includes the development of affordable and workforce housing. In addition to including a designated Town Center, TRPA has also designated the plan area as a receiving site for development rights transfers. Because of the proximity to public transit, the Tahoe Valley area is also eligible to receive residential bonus units. As such, the TVAP can be considered a priority area for workforce housing.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Alterations in any of these areas would not be expected to result in a direct or indirect effect on housing. The amendments are intended to reduce barriers to the construction of new housing projects.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

a. 1. Will the proposal decrease the amount of housing in the Tahoe Region?

The amendments would not decrease the amount of housing in the region. Instead, it is intended to help reduce barriers to construction of new housing projects.

2. Will the proposal decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households?

The amendments would not decrease the amount of affordable housing.

b. Will the proposal result in the loss of housing for lower-income and very-low-income households?

The amendments would not result in the loss of low- and very-low income housing.

13. 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Alterations to waterborne, rail or air traffic?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

Tiering. Checklist Items 147 through 152 in the TVAP IEC address traffic and transportation impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. Chapter 65: *Air Quality / Traffic* of the TRPA Code of Ordinances addresses requirements for new projects that involve

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Only the following modification is expected to result in an effect to transportation and traffic:

- Allowing adjustment of parking ratios when supported by a parking study and ongoing parking management or when required by state or regional law.

Impacts.

a. Will the proposal result in generation of 100 or more new Daily Vehicle Trip Ends (DVTE)?

The amendments would not result in generation of 100 or more new DVTEs as reduced parking availability generally reduces reliance on private automobiles.

b. Will the proposal result in changes to existing parking facilities, or demand for new parking?

Current Conditions. Parking demand ratios are established in Section 6.10.410 of the South Lake Tahoe City Code. Applicants who wish to use alternative parking ratios may request to do so by applying for a discretionary land use permit with the City of South Lake Tahoe.

In certain circumstances, state law pre-empts the City's regulation of parking. One example is Senate Bill 35 (2017), which establishes a streamlined review procedure for certain affordable housing projects. In these cases, California state law sets the required minimum parking ratios, which apply in place of the city standards. Senate Bill 35 establishes the following parking ratios:

- No parking requirement when a project is located:
 - Within one-half mile of public transit¹;
 - Within an architecturally and historically significant historic district²;
 - When on-street parking permits are required but not offered to the occupants of the development; or
 - When there is a car-share vehicle located within one block of the development.
- One parking space per unit in all other scenarios. (Cal. Gov't Code Sec. 65913.4(d))

In comparison, City standards require two spaces per multi-family dwelling unit. (South Lake Tahoe City Code Sec. 6.10.410)

The TVAP is a conforming area plan under Chapter 13: *Area Plans* of the TRPA Code of Ordinances. This chapter also encourages area plans to incorporate certain parking strategies, one of which is the "reduction or relaxation of minimum parking standards." (TRPA Code Subparagraph 13.5.3.B.2, *Alternative Parking Strategies*).

Proposal. The amendments would allow reduction of parking in two scenarios:

Scenario 1

The Development Services Director may approve reduced parking ratios when:

- Applicant provides a parking study that supports a reduced ratio;
- A deed restriction requiring ongoing parking management is recorded on title; and
- A suitable parking management plan is prepared.

Scenario 2

The City may be pre-empted in setting parking ratios by state or regional law.

At present, the only example of this occurring is for projects that fall under California SB 35 (2017) streamlining.

Should Scenario 2 occur, TRPA may approve reduced parking demand ratios.

¹ "Public transit" in this case is not defined. Current guidelines (as of November 2020) suggest that this would require projects be within one-half mile of a location where two transit lines with 15-minute headways meet. No such circumstance exists in the Lake Tahoe Region.

² All such districts in the Lake Tahoe Region are not designated to allow multi-family residential development.

Impact. Scenario 1 would not result in a significant impact, as any reduction in parking demand ratio could only occur based on the justification of a parking study and subject to ongoing parking management.

At this time, Scenario 2 would apply only to qualifying affordable housing projects under SB 35 within the TVAP. Such projects are limited in their occupancy to low-income households and would be located in a Regional Plan-designated Town Center with access to public transit. Review of Census data shows that vehicle ownership by household is inversely correlated with (1) household income, and (2) proximity to transit³. As such, these factors merit reduced or even eliminated parking demand ratios⁴.

While Tahoe Valley includes a Town Center, the City of South Lake Tahoe on the whole remains suburban in character. Nearby transit service operates on 20- to 30-minute headways. That and the cold winter make vehicle ownership likely even among low-income households. Observation of a subsidized apartment complex within the TVAP boundaries found an average of 1.07 vehicles per unit⁵. As a result, Scenario 2 could theoretically result in the potential for creation of new unfulfilled parking demand, as the required parking for qualifying projects could be reduced by 50 to 100 percent (1 or 0 spaces per unit)⁶. This is of particular concern in the Lake Tahoe Region, as street parking is often an unsuitable substitute for on-site parking during the winter months.

Though the parking ratios may be reduced (or theoretically eliminated) for qualifying projects, market forces often drive developers to build more parking than the minimum required⁷. A project⁸ recently submitted under SB 35 streamlining, for example, is seeking to construct parking at a ratio of 1.11 spaces per unit, which would result in more parking than otherwise required under state law.

Because Scenario 2 could have the potential to result in unfulfilled parking demand, additional language was added that would allow TRPA to approve reduced parking demand ratios in situations where the state pre-empts the City from imposing parking requirements. This would allow TRPA to ensure that no significant unfulfilled parking demand will be created as part of the project-specific permit review process. As such, the impact the proposed amendments will have on creating unfulfilled parking demand will be **less than significant effect**.

c. Will the proposal result in substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities?

³ Non-Profit Housing Association of Northern California (April 2001). Rethinking Residential Parking. Report. Accessed from <http://nonprofithousing.org/wp-content/uploads/2014/Toolkits/Original%20Toolkit/mythsandfacts.pdf>

⁴ Childs, Mark C. (1999). Parking spaces: A design, implementation, and use manual for architects, planners, and engineers. New York: McGraw-Hill;

Shoup, Donald C. (1999). The trouble with minimum parking requirements. Transportation Research Vol. 33A no. 7/8, pp. 549-574. Accessed from <https://cal.streetsblog.org/wp-content/uploads/sites/13/2015/07/508.pdf>; and

Litman, Todd (June 5, 2020). Parking management: Comprehensive implementation guide. Victoria, BC: Victoria Transport Policy Institute.

⁵ Hawley, Sara, PE (November 13, 2020). Sugar Pine Village – Parking Analysis. Tahoe City, CA: LSC Transportation Consultants, Inc.

⁶ It does not appear that anywhere in the Lake Tahoe Region would qualify for a full elimination of parking requirements based on current guidelines for SB 35 implementation (as of November 2020).

⁷ Shoup (1999). See Footnote 4 for full reference.

⁸ See application and materials for the Sugar Pine Village project (APNs 032-291-028 and -031), 1860 Lake Tahoe Boulevard and 1029 Tata Lane, South Lake Tahoe.

The proposal will not result in an impact upon existing transportation systems, including the active transportation system. Existing plans for maintenance of existing facilities and development of new facilities will remain in place unchanged. The potential effect is the same as that evaluated in the TVAP IEC.

d. Will the proposal result in alterations to present patterns of circulation or movement of people and/or goods?

The amendments would not alter present circulation patterns or movements of people or goods. The potential effect is the same as that evaluated in the TVAP IEC.

e. Will the proposal result in alterations to waterborne, rail or air traffic?

The amendments would not alter waterborne, rail, or air traffic.

f. Will the proposal result in an increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?

The amendments would not result in an increase in traffic hazards to motor vehicles, bicyclists, or pedestrians.

14. Public Services

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

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

Discussion

Tiering. Checklist Items 129 through 134 in the TVAP IEC address public services impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant with the incorporation of Mitigation Measure HNS-1, which requires the City to conduct a nexus study and establish a development impact fee.

Current Conditions. The Lake Tahoe Unified School District currently collects a fee for new residential construction to offset demand on its facilities. While the city does not collect a development impact fee currently, it is obligated under Mitigation Measure HNS-1 to conduct a nexus study and establish a

development impact fee. Such a fee, once established, would offset increased demands on police, fire, parks, roads, and other governmental facilities.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Alterations in any of these areas would not be expected to result in a direct or indirect effect on public services.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

a. Will the proposal have an unplanned effect upon, or result in a need for new or altered governmental services in fire protection?

The amendments would not result in an increased need for fire protection beyond what was considered in the TVAP IEC.

b. Police protection?

The amendments would not result in an increased need for police protection beyond what was considered in the TVAP IEC.

c. Schools?

The amendments would not result in an increased need for schools beyond what was considered in the TVAP IEC.

d. Parks or other recreational facilities?

The amendments would not result in an increased demand for parks or other recreational facilities beyond what was considered in the TVAP IEC.

e. Maintenance of public facilities, including roads?

The amendments would not result in an increased need for maintenance of public facilities including roads beyond what was considered in the TVAP IEC.

f. Other governmental services?

The amendments would not result in an increased need for other governmental services beyond what was evaluated in the TVAP IEC.

15. Energy

Will the proposal result in:

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

Discussion

Tiering. Checklist Items 160 and 161 in the TVAP IEC address energy impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. All new construction in the TVAP plan area would occur under the California Building Code, which includes some of the strictest energy-efficiency standards in the state.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Alterations in any of these areas would not be expected to result in a direct or indirect effect on energy.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

a. Will the proposal result in use of substantial amounts of fuel or energy?

The amendments would not be expected to result in substantial amounts of fuel or energy use.

b. Will the proposal result in substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?

The amendments would not result in a substantial increase in demand upon an existing energy source or require the development of new sources of energy.

16. Utilities

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

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

Discussion

Tiering. Checklist Items 162 through 167 in the TVAP IEC address utilities impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. The TVAP area is located in proximity to existing services and utilities. As discussed in the TVAP IEC, utility companies project that based on their forecasting and recent growth trends, existing capacity far exceeds the demand that would be generated at area plan buildout.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Alterations in any of these areas would not be expected to result in a direct or indirect effect on wildlife.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

a. Except for planned improvements, will the proposal result in a need for new systems, or substantial alterations to power or natural gas?

The amendments are not expected to result in a need for new natural gas infrastructure.

b. Communication systems?

The amendments are not expected to result in a need for new communication infrastructure.

c. Utilize additional water which amount will exceed the maximum permitted capacity of the service provider?

The amendments are not expected to result in an increase in water demand.

d. Utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider?

The amendments are not expected to result in a need for new sewer system infrastructure.

e. Storm water drainage?

The amendments are not expected to result in a need for new stormwater drainage infrastructure. All projects must comply with on-site BMP requirements in Chapter 60: *Water Quality* of the TRPA Code of Ordinances.

f. Solid waste and disposal?

The amendments are not expected to result in a need for new solid waste disposal facilities.

17. Human Health

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

Discussion

Tiering. Checklist Items 80 and 81 in the TVAP IEC address human health impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. All existing and new development in the TVAP planning area are required to comply with federal, state, and local regulations regarding the handling, transportation, disposal, and cleanup of hazardous materials.

TVAP includes two mitigation measures related to human health:

- Measure HAZ-1, which requires sites known to contain hazardous materials to be reviewed, tested, and remediated.
- Measure HAZ-2, which require future projects with potential contaminating activities to demonstrate adequate protections are in place prior to approval.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Alterations in any of these areas would not be expected to result in a direct or indirect effect on human health.

Impacts.

a. **Will the proposal result in creation of any health hazard or potential health hazard (excluding mental health)?**

The amendments would not result in creation of any health hazard or potential health hazard.

b. **Will the proposal result in exposure of people to potential health hazards?**

The amendments would not result in exposure of people to potential health hazards.

18. Scenic Resources / Community Design

Will the proposal:

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

Tiering. Checklist Items 5 through 9 in the TVAP IEC address scenic impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. TRPA regards all highway corridors to be scenic areas. The TVAP includes portions of US Highway 50 and State Route 89 (Scenic Roadway Units 1, 35, and 36A). The critical scenic resource identified is a view from US Highway 50 towards Mount Tallac. The resource is in attainment but is rated low due to the dominance of the surrounding built environment. The scenic roadway units themselves are in non-attainment. Redevelopment is seen as a means of improving the scenic ratings in this area.

Chapter 13: *Area Plans* of the TRPA Code of Ordinances requires that any area plan include design standards. The design standards include, but are not limited to, the following building design requirements:

- Building placement and design should be compatible with adjacent properties and designed in consideration of solar exposure, climate, noise, safety, fire protection, and privacy. (TRPA Code 13.5.3.F.1.a)
- Building height and density should be varied with some buildings smaller and less dense than others. (TRPA Code 13.5.3.F.1.b)
- 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. (TRPA Code 13.5.3.F.2)
- 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. (TRPA Code 13.5.3.F.2)
- The scale of structures should be compatible with existing and planned land uses in the area. (TRPA Code 13.5.3.F.3)
- Within Centers, building design and form standards shall promote pedestrian activity (TRPA Code 13.5.3.F.3)
- The area plan shall 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. (TRPA Code 13.6.5.C.1)

Within the TVAP's zoning districts, the maximum heights are as follows:

- TC-C 45 feet
- TC-MUC 42 feet; 36 feet along Highway 50 east of Tahoe Keys Boulevard
- TC-G 36 feet
- CMX-S Per TRPA Code of Ordinances Section 37.4
- TC-NP 36 feet
- TC-HC 42 feet

Appendix C of the TVAP includes the area plan's design standards. Among these are the following that directly affect building design:

- Minimum building frontage at street setback line
- Minimum corner-build frontage length ("corner-build" standard)⁹
- Upper story setback

⁹ Proposed only to apply to non-residential development.

- Minimum and maximum roof slopes¹⁰
- Minimum percentage of building height for roofing¹¹
- Roof design that steps, slopes, or otherwise breaks the rectangular form of a building
- 1:1 line-of sight requirement for buildings adjacent to residential zones
- Viewshed protection (TRPA Height Findings 1, 3, 5, and 9 of Code Section 37.7)
- Prohibition of projection above forest canopies or ridgelines
- Limitation on blank walls
- Modulation of building facades, so that buildings appear no wider than 50 feet
- Special architectural treatment for entrances
- Corner entrances to be at a 45-degree angle (“angled corner” standard)¹²
- Use of natural-appearing materials and natural earth-tone colors
- Use of architectural features to break up structural massing

In addition to these requirements, Chapter 66: *Scenic Quality* applies to projects that are visible from the Scenic Roadway areas (US Highway 50 and State Route 89). There are no Scenic Shorezone units in the plan area, since the plan area is not adjacent to the lake. Projects visible from scenic roadway units are required to comply with siting requirements and the visual magnitude and color contrast rating system in Appendix D of the TRPA Design Review Guidelines. These measures help to ensure that development blends in with the natural surroundings when viewed from the highways.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. The following building design components could have an effect on scenic resources:

- Specifying that the corner-build standard and the angled corner standards are not applicable to residential development.
- Reducing the minimum roof pitch from 5:12 to 3:12.
- Eliminating the requirement that a roof constitute at least 40 percent of a building’s height.

Specifying that the corner build standard does not apply if the building would encroach on a Stream Environment Zone is not anticipated to result in any effect, as such development is already precluded under the TRPA Code of Ordinances.

Impacts.

a. Will the proposal be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe?

The TVAP area is located along US Highway 50 and State Route 89. Development resulting from the amendments would be anticipated to be visible from these highways. As indicated in the TVAP IEC, the presence of the design standards would ensure that any scenic impacts would be less than significant.

The proposed amendments would result in the following:

- The reduced roof pitch requirement and elimination of the building height percentage requirement for roofing, roofs of structures will appear less dominant, while facades may be slightly more predominant. Though the amendments would theoretically allow for buildings with

¹⁰ Proposed to have the minimum roof slope reduced from 5:12 to 3:12.

¹¹ Proposed for elimination.

¹² Proposed only to apply to non-residential development.

bulkier appearances, this is tempered by other design standards that remain in place, such as those that require varied rooflines and modulated facades.

- As a result of altered corner-build requirements, residential developments may not be built at the setback line along the street corner frontage for 50 feet in each direction. Additionally, residential developments may choose not to use a 45-degree corner entrance. This will alter structural appearance when viewed from the highways.

Neither of these results are expected to alter the overall effectiveness of the design standards and guidelines. Even with the amendments, the design standards will continue to meet the requirements of Chapter 13: *Area Plans* in the TRPA Code of Ordinances.

Impacts are therefore considered **less than significant**.

b. Will the proposal be visible from any public recreation area or TRPA designated bicycle trail?

The TVAP area includes lands that would be visible from designated bicycle trails. However, impacts from the proposed amendments are **less than significant**. Please see the discussion for Question 18a, above.

c. Will the proposal block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area?

The proposal will not block or modify a view of Lake Tahoe, as there are no such views within the plan area. Implementation of the design standards guidelines would ensure that the identified scenic vista (along US Highway 50 westward towards Mount Tallac) is preserved. The proposed amendments would not affect compliance with standards that protect the scenic highway corridors.

d. Will the proposal be inconsistent with the height and design standards required by the applicable ordinance or Community Plan?

As discussed above, the proposal would modify certain design standards within the applicable area plan. The potential effects of these changes, however, are **less than significant**. Please see the discussion for Question 18a above.

e. Will the proposal be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines?

The amendments are consistent with the SQIP and the Design Review Guidelines. The SQIP identifies redevelopment as a primary tool for improving the scenic quality within the TVAP's scenic roadway units.

Threshold Indicators – Scenic Resources

As discussed above, no significant scenic impacts are anticipated. Continued application of the TVAP's design standards and guidelines would ensure improvement of overall scenic quality within the area plan's roadway units. The amendments proposed would have no impact on the overall effectiveness of the area plan's design standards.

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
55	Roadway Travel Units	Average of unit composite scores	Increase the number of units meeting the minimum score by at least two by 2016	At or Better Than Target	Moderate Improvement

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
56	Shoreline Travel Units	Average of unit composite scores	Increase the number of units meeting the minimum score by at least one by 2016	At or Better Than Target	Little or No Change
57	Roadway Scenic Resources	Average of unit composite scores	N/A (In Attainment)	At or Better Than Target	Little or No Change
58	Shoreline Scenic Resources	Average of unit composite scores	N/A (In Attainment)	At or Better Than Target	Little or No Change
59	Other Areas (Recreation Sites and Bike Trails)	Average of unit composite scores	N/A (In Attainment)	At or Better Than Target	Little or No Change
60	Built Environment	Evaluation Criteria and Evidence	N/A (In Attainment)	Implemented	N/A

19. Recreation

Will the proposal:

	Yes	No	No, with mitigation Data insufficient +
a. Create additional demand for recreation facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create additional recreation capacity?	<input type="checkbox"/>	<input checked="" 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"/>
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"/>

Discussion

Tiering. Checklist Items 137 through 140 in the TVAP IEC address recreation impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. At the time of adoption of the TVAP, there were no city-owned parks or recreational facilities in the plan area. Since that time a one-acre park, Bonanza Park, was constructed. It includes a multi-purpose grassy area, children’s play area, half-court for basketball, horseshoe pit, and perimeter path. Beyond Bonanza Park, the South Lake Tahoe area has a wide range of recreational facilities including parks, beaches, trails, and campgrounds.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Alterations in any of these areas would not be expected to result in a direct or indirect effect on recreation.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

a. Will the proposal create additional demand for recreation facilities?

The amendments will not create an additional demand for recreational facilities.

b. Will the proposal create additional recreation capacity?

The amendments will not create additional recreational capacity.

c. Will the proposal have the potential to create conflicts between recreation uses, either existing or proposed?

The amendments would not have the potential to result in conflicts with recreational uses.

d. Will the proposal result in a decrease or loss of public access to any lake, waterway, or public lands?

The proposed amendments would not result in a decrease or loss of public access to a lake, waterway, or public lands.

Threshold Indicators – Recreation

As discussed above, the amendments are not anticipated to result in significant recreational impacts. Existing recreational opportunities are abundant in the Lake Tahoe Basin. The proposal does not affect recreational demand or capacity.

#	Threshold	Indicator	Interim Target	Status (2015)	Trend (2015)
53	High Quality Recreation Experience	Evaluation Criteria and Evidence	N/A (In Attainment)	Implemented	N/A
54	Fair Share	Evaluation Criteria and Evidence	N/A (In Attainment)	Implemented	N/A

20. Archaeological / Historical

	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?
- e. Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area?

Discussion

Tiering. Checklist Items 51 through 55 in the TVAP IEC address archaeological and historic impacts from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. Chapter 67: *Historic Resource Protection* of the TRPA Code of Ordinances establishes provisions for the protection of potential historic resources. It also protects prehistoric cultural resources encountered during ground disturbing activities. Two known historic sites are located within the TVAP boundaries: CA-Eld-721-H and CA-Eld-2240-H.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking. Alterations in any of these areas would not be expected to result in a direct or indirect effect on archaeological or historical resources.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

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?

The amendments would not cause an alteration of or other physical effect to a significant archaeological or historical site. Existing provisions that protect such resources will remain in place.

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?

The proposed amendments are not associated with any known cultural resources, although such cultural resources may be present in the plan area.

c. Is the property associated with any historically significant events and/or sites or persons?

The proposed amendments are not associated with historically significant events, sites, or persons.

d. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?

The amendments do not have the potential to cause a physical change that would have an effect on unique cultural values.

e. Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area?

The amendments would not affect religious or sacred uses within the TVAP boundaries.

21. Findings of Significance

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

Discussion

Tiering. Checklist Items 171 through 174 in the TVAP IEC address findings of significance from the area plan. The IEC concludes that impacts under the TVAP would be less than significant.

Current Conditions. Chapter 62: *Wildlife Resources* and Chapter 63: *Fish Resources* of the TRPA Code of Ordinances provide protection of critical habitat for any species of concern.

Proposal. The proposed amendments fall into three categories: transfers of coverage, building design, and parking.

Impacts. The potential effects are the same as those identified in the TVAP IEC.

- 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?**

As established in the TVAP IEC, implementation of the TVAP is consistent with the land use plan and the goals and policies of the Regional Plan, which were fully analyzed in the Regional Plan EIS. As a result no further cumulative impact beyond that which was analyzed in the Regional Plan EIS is anticipated.

- 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.)

As discussed in the TVAP IEC, the TVAP serves to implement the Regional Plan on a more local level. Therefore, it supports the long-term environmental goals of the Region. The amendments do not reduce the effectiveness of the TVAP in its achievement of the Regional Plan's goals.

- 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?)

As discussed in the TVAP IEC, the TVAP is consistent with the cumulative assumptions in the Regional Plan EIS. Localized cumulative effects, including noise, geologic hazards, scenic resources, and recreation were found to be less than significant. Beyond those projects listed in the TVAP IEC and Regional Plan EIS, the following project has been included in cumulative considerations:

- *Sugar Pine Village*: A 248-unit multi-family residential development with childcare and non-profit office space to be located in the TC-MUC zoning district at 1860 Lake Tahoe Boulevard and 1029 Tata Lane (APNs 032-291-028 and -031).

The amendments would have no effect on noise, geologic hazards and recreation. With respect to scenic resources, implementation of the design standards, as amended, would continue to strengthen scenic protections, because all future permitted projects would meet TRPA scenic standards.


- d. Does the project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly?

The TVAP IEC notes that projects built under the TVAP will be subject to project-level environmental review and would be required to comply with all applicable regulations for health and human safety. Therefore, implementation of the plan would not result in adverse effects on the human being. The amendments proposed would likewise not have an adverse effect.

V. 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 November 30, 2020

Michael T. Conger, AICP, Senior Planner
Title of Evaluator

Attachment G

Compliance Measures Evaluation

COMPLIANCE MEASURES

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 TVAP's 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 the TVAP's policies regarding implementation of the capital improvement program.
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	All new subdivisions will continue to be limited by the provisions in Chapter 39, Subdivision, of the TRPA Code of Ordinances. No changes are proposed.

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	N	The TVAP was developed to meet the requirements of Chapter 13: <i>Area Plans</i> , and to implement the 2012 Regional Plan. The proposed amendments are consistent with Chapter 13.
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 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	The TVAP incorporates the existing land coverage provisions in Chapter 30: <i>Land Coverage</i> of the TRPA Code of Ordinances as well as the provisions that allow for high-capability lands in Town Centers and the Regional Center to be covered up to 70 percent. It also includes provisions to protect and restore SEZs, maximize opportunities to remove or mitigate excess land coverage, implement EIP projects (including areawide water quality and erosion control projects), and accelerate BMP implementation. No changes are proposed with the amendments.
12	Transfer of development: Goals and Policies: Land Use Element and Implementation Element	WQ, Soils/SEZ	N	The TVAP is consistent with the Regional Plan strategies to focus development in Town Centers. No changes are proposed that would affect transfers of development.
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	Y	The amendments will not alter existing restrictions on SEZ encroachment and vegetation alteration in the TRPA Code of Ordinances, Chapters 30 and 61. The amendments will, however, resolve a conflict between SEZ encroachment restrictions and a corner-build design standard in the TVAP. Under the proposed amendment the requirement to build all the way to the corner along road frontages would be waived when such building would encroach on SEZ.

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 63	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 TVAP incorporates the Regional Plan's restrictions on the rate and amount of residential development. No changes are proposed.
19	Improved BMP implementation/enforcement program	WQ, Soils/SEZ	N	See response to Compliance Measures 1 through 4.
20	Increased funding for EIP projects for erosion and runoff control	WQ, Soils/SEZ	N	The amendments will not 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	Y	The amendments do not affect existing provisions regarding the transfer of development from SEZs. The amendments will, however, establish a substitute transfer of coverage standard. The substitute standard will allow 1:1 transfer of hard, soft, and potential coverage for a mixed-use project so long as all component uses qualify for such transfer.
23	Improved mass transportation	WQ, Trans, Noise	N	The amendments do not affect mass transportation.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments	
24	Redevelopment and redirection of land use: Goals and Policies: Land Use Element and Code of Ordinances Chapter 13	WQ, Soils/SEZ, Scenic	N	The TVP encourages the environmental redevelopment of the built environment and the implementation of the goals and policies of the Regional Plan's Land Use Element. The amendments make no changes that would affect this approach.	
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, which will remain in effect.	
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		
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.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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	There are no changes to allowable timber harvesting requirements or permissibility as part of the amendments.
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.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments	
42	Control of encroachment and coverage in sensitive areas	WQ, Soils/SEZ, Wildlife, Rec, Scenic	N	See response to Compliance Measure 11.	
43	Control on shorezone encroachment and vegetation alteration: <i>Code of Ordinances</i> Chapter 83	WQ, Soils/SEZ, Scenic	N	The TVAP includes no shorezone areas. 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		
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 TVAP does not alter the list of exempt activities. No changes are proposed.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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				
62	Fixed Route Transit - South Shore	Trans, Rec	N	The TVAP includes goals and policies that support implementation of the City's General Plan, the Regional Transportation Plan, and the Active Transportation Plan. The plan includes several projects to improve pedestrian and bicycle access. This includes the South Tahoe
63	Fixed Route Transit - North Shore: TART	Trans, Rec	N	
64	Demand Responsive Transit - South Shore	Trans	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
65	Seasonal Trolley Services - North and South Shores: South Shore TMA and Truckee-North Tahoe TMA	Trans, Rec	N	Greenway. The amendments would not change any of these features in the TVAP
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	The amendments do not include any provisions that would impact U.S. Postal Service Delivery.
76	U.S. Postal Service Mail Delivery	Trans	N	
77	Indirect source review/air quality mitigation: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
78	Idling Restrictions: <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.
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.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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	Y	The TVAP presently relies on the City of South Lake Tahoe Municipal Code to establish parking demand ratios and their modification. The amendments would alter this by allowing modification of parking demand ratios in two circumstances: <ul style="list-style-type: none"> • When the city is pre-empted by state or regional law; and • When the Director of Development Services approves reduced parking ratios based on a parking study and ongoing parking management. Implementation of relaxed parking minimums is an encouraged parking management strategy for area plans.
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. No increase in daily vehicle trips is anticipated. Additional development associated with the amendment is within the Regional Plan's growth management system and would not generate
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	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
93	Air Quality Studies and Monitoring	WQ, AQ	N	additional demand for waterborne transit services.
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 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	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
109	Parking Inventories and Studies Standards	Trans	N	
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	Projects within the TVAP are reviewed according to the MOU between the City and TRPA.
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 weeds.
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 the county's education and outreach efforts.
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.

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 Measure 10.
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 alter where hiking and riding facilities are permissible. See also Compliance Measure 40.
194	Scenic quality of recreation facilities	Rec, Scenic	N	The amendments are not include any changes to provisions related to scenic quality of recreation facilities.
195	Density standards	Rec	N	The amendments do not alter density standards.
196	Bonus incentive program	Rec	N	The amendments do not alter existing bonus incentive programs.
197	Required Findings: <i>Code of Ordinances</i> Chapter 4	Rec	N	The amendments do not affect required findings. Permits for outdoor dining projects would continue to only be issued when the required findings can be made.
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 reservations of additional resource capacity, or include economic modeling.
202	Reserve additional resource capacity	Rec	N	
203	Economic Modeling	Rec	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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	Y	The proposal would authorize the reduction of minimum parking demand ratios subject to ongoing parking management. This is consistent with alternative parking strategies in Chapter 13 of the TRPA Code of Ordinances.
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	Y	The proposal would make alterations to building design standards in the Tahoe Valley Area Plan. These alterations are relatively minor in nature and deal with such things as roof design and corner development. Application of the remaining design standards and guidelines will ensure continued compliance with the design requirements in Chapter 13: <i>Area Plans</i> of the TRPA Code of Ordinances.
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	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
213	Grading Standards: <i>Code of Ordinances</i> Chapter 33	WQ, Scenic	N	Grading and vegetation protection during construction shall continue to meet the provisions of the TRPA Code of Ordinances, Chapter 33, Grading and Construction.
214	Vegetation Protection During Construction: Code of Ordinances Chapter 33	AQ, Veg, Scenic	N	
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 changes to design standards and guidelines.
217	Scenic Quality Improvement Program(SQIP)	Scenic	N	The amendments do not conflict with the SQIP and is not anticipated to impact scenic 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 H

Adopting Ordinance

Exhibit 1: Amendment to the Tahoe Valley Area Plan

TAHOE REGIONAL PLANNING AGENCY
ORDINANCE 2020-__

AN AMENDMENT TO ORDINANCE NO. 2015-05 TO ADOPT
AMENDMENTS TO THE TAHOE VALLEY AREA

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

Section 1.00 Findings

- 1.10 It is desirable to amend TRPA Ordinance 2015-05 by amending the Tahoe Valley Area Plan to further implement the Regional Plan pursuant to Article VI (a) and other applicable provisions of the Tahoe Regional Planning Compact.
- 1.20 The Tahoe Valley Area Plan amendments were the subject of an Initial Environmental Checklist (IEC), which was processed in accordance with Chapter 3: *Environmental Documentation* of the TRPA Code of Ordinances and Article VI of the Rules of Procedure. The Tahoe Valley Area Plan amendments have been determined not to have a significant effect on the environment and are therefore exempt from the requirement of an Environmental Impact Statement (EIS) pursuant to Article VII of the Compact.
- 1.30 The Advisory Planning Commission (APC) and the Governing Board have each conducted a noticed public hearing on the proposed Tahoe Valley Area Plan amendments. The APC has recommended Governing Board adoption of the necessary findings and adopting ordinance. At these hearings, oral testimony and documentary evidence were received and considered.
- 1.40 The Governing Board finds that the Tahoe Valley Area Plan amendments adopted hereby will continue to implement the Regional Plan, as amended, in a manner that achieves and maintains the adopted environmental threshold carrying capacities as required by Article V(c) of the Compact.
- 1.50 Prior to the adoption of these amendments, the Governing Board made the findings required by Section 4.5 of the TRPA Code of Ordinances, and Article V(g) of the Compact.
- 1.60 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.00 TRPA Code of Ordinances Amendments

Ordinance 2015-05, as previously amended, is hereby amended by amending the Tahoe Valley Area Plan as set forth in Exhibit 1.

Section 3.00 Interpretation and Severability

The provisions of this ordinance amending the TRPA Code of Ordinances adopted hereby shall be liberally construed to affect their purposes. If any section, clause, provision or portion thereof is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance and the amendments to the Regional Plan Package shall not be affected thereby. For this purpose, the provisions of this ordinance and the amendments to the Regional Plan Package are hereby declared respectively severable.

Section 4.00 Effective Date

The provisions of this ordinance amending the Tahoe Valley Area Plan shall become effective on adoption.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held on _____, 2021, by the following vote:

Ayes:

Nays:

Abstentions:

Absent:

William Yeates, Chair
Tahoe Regional Planning Agency,
Governing Board

EXHIBIT 1

TAHOE VALLEY AREA PLAN AMENDMENTS

Blue text with underline indicates added language.
~~Red text with strikeout~~ indicates deleted language.

(1) Amend Policy T-2.5 on Page 62 to read as follows:

Policy T-2.5 – ~~Mixed-Use Project~~ Alternative Parking Demand

Allow ~~mixed-use~~ projects to reduce their parking requirements provided that a parking demand analysis is submitted and approved by the City or exempted under state or regional law.

(2) Amend Lot and Density Standard D on Page C-18 to read as follows:

- D. **Method of Transferring Coverage.** Land coverage shall be transferred to eligible parcels and eligible uses, in accordance with Sections 30.4.2 and 30.4.3 of the TRPA Code, as modified by the Substitute Coverage Standards contained herein.

(3) Amend Building Placement Standard C on Page C-24 to read as follows:

- C. **Corner Build Area.** Commercial, tourist accommodation, and mixed-use buildings containing commercial and tourist accommodation uses ~~Buildings~~ must be located at the point of intersection of the two setback lines at street corners, and must occupy the street frontage at the setback line for at least 50 feet from the street corner property line, unless such development would encroach on a Stream Environment Zone. Public plazas may be at the street corner provided buildings are built to the edge of the public plaza. Where a parcel is bounded by more than two streets, this requirement only applies to the primary street frontage and one side street frontage. This requirement may be modified or waived by the Director of Development Services upon finding that:
1. Where buildings placed on a corner would negatively impact a designated scenic view, visual open spaces, visual access or views of mountain ridgelines.; or
 2. Where building placed on a corner would negatively affect the sun angle plane to reduce icing on US 50, SR 89 and public sidewalks, ~~or~~

(4) Amend Table 7 on Pages C-25 and C-26 to read as follows:

TABLE 7 HEIGHT AND ROOF STANDARDS							
DISTRICT	TC-C	TC-MUC	TC-G	CMX-S	TC-NP	TC-HC	#
Building Height Maximum (feet)	45'	42', 36' for properties with Hwy 50 frontage east of Tahoe Keys Blvd.	36'	See TRPA Code Section 37.4	36'	42'	①
Building Height Maximum (stories)	3(A)	3(A)	2(A)	-	2(A)	3(A)	①
Building Stepbacks							
Upper Story along Street Frontage (ft.), applicable above the second story	10' from second story building face			-	-		②
Ground Floor Minimum Height, Non-Residential Uses (ft)	15'	15'	15'		-		③
Roof Slope	53:12 to 12:12 (B)						
Roof Height	The height of the sloped roof must be a minimum 40% of the height of the building. (B)				-		
Adjacent to Residential District	Structures shall not interrupt a line of a 1:1 slope extending upward from 25 feet above existing grade of the setback line adjacent to the residential district. (C)						④

(5) Amend Table 9 on Page C-26 to read as follows:

TABLE 9 PARKING, LOADING, LANDSCAPING, AND OPEN SPACE STANDARDS							
<p>The diagram illustrates parking and loading standards. On the left, a plan view shows a building footprint, a parking area (hatched), and a loading area (dashed). Callout 1 indicates the setback from the primary street curb. Callout 2 shows the setback from buildings. Callout 3 shows access from an adjacent parking area. Callout 4 shows the loading area. On the right, a cross-section shows an underground parking podium with a height of 3 feet from finished grade, indicated by callout 5. A key defines the symbols: a dashed line for Property Line, hatching for Parking Area, and a dashed box for Loading Area.</p>							
DISTRICT	TC-C	TC-MUC	TC-G	CMX-S	TC-NP	TC-HC	#
Minimum Setback (measured from back of curb or outer edge of road or drainage improvements if no curb)	25(A), Parking shall be located underground, behind a building, or on the interior side or rear of the site.			20(A)	20 (A)		①
Setback from Buildings and Public Plazas (ft.)	Above ground parking shall be setback from buildings and public plazas with a walkway and/or landscaping.			-	-		②
Access Location	From adjacent parking areas, side street or alley wherever possible						③
Shared Access	See additional regulations (B)						③
Curb Cuts	Minimized and in areas least likely to affect pedestrian circulation.						
Loading/Service Areas	Side or rear of lot; must be screened from public ROW						④
Underground Parking Visibility	Maximum height of underground parking area visible from the street (parking podium) is 3 feet from finished grade.						⑤
Parking, Driveway and Loading Standards	See South Lake Tahoe City Code, Chapter 5, Land Use Development Standards, Article VIII. Parking, Driveway and Loading Spaces. Parking demand ratios may be adjusted as set forth in Substitute Standard L.						
Minimum Residential Open Space (sq. ft. per unit)	100(C)	100(C)	100(C)	-	150(C)		
Minimum Public Open Space, sites two acres or more in size	(D)	-	-	-	-		
Minimum Amount of Landscaping (% of site)	10	10	10	5	10		

(6) Modify Substitute Design Standard B.3 on Page C-33 to read as follows:

3. Entrances to commercial, tourist accommodation, and mixed-use buildings containing commercial and tourist accommodation uses located at corners shall generally be located at a 45 degree angle to the corner and shall have a distinct architectural treatment to animate the intersection and facilitate pedestrian flow around the corner. Different treatments may include angled or rounded corners, arches, and other architectural Components. All building and dwelling units located in the interior of a site shall have entrances from the sidewalk that are designed as an extension of the public sidewalk and connect to a public sidewalk.

(7) Modify Substitute Design Standard L on Page C-38 to read as follows:

- L. Parking, Driving and Loading:** See SLCC Section 6.10.290 through 6.10.410, unless reduced parking ratios are required by the State of California or TRPA. Reductions to the required parking demand ratios may be approved by the Director when the following conditions are met:

1. A technically adequate parking analysis supports reduced ratios.
2. A suitable parking management plan is developed, which includes a monitoring program to ensure no adverse impacts and may include one or more of the following strategies: decoupling of parking price from the rent, limited number of spaces per unit, parking pass controlled lot, subsidized transit passes, car share services, on-site bike share; and
3. A deed restriction is recorded on the title of the property to ensure ongoing parking management.

When the Director is prohibited by California law from imposing parking standards, TRPA may approve alternatives to the parking demand ratios and may impose one or more of the above requirements as conditions of approval.

(8) Establish a new Substitute Coverage Standard on Page C-38 to read as follows:

Substitute Coverage Standards

- A. Notwithstanding Subparagraph 30.4.3.B.2 of the TRPA Code of Ordinances, mixed-use projects shall be eligible to transfer in soft and potential coverage when all individual component uses qualify for such transfer.
- B. Notwithstanding Subparagraph 30.4.3.A.2.c of the TRPA Code of Ordinances, projects comprised of any mix of multi-residential facilities of five units or more, public services facilities, and/or recreation facilities shall be eligible to transfer coverage at a ratio of 1:1, until the total coverage reaches the maximum allowed.

